



City of Coral Gables Planning and Zoning Staff Recommendation

Applicant:	City of Coral Gables
Application:	Zoning Code Text Amendment - Article 2, Division 8, Development Review Committee City Code Text Amendment - Chapter 101, Article II, Development Review Committee
Public Hearing - Dates/Time/ Location:	Planning and Zoning Board June 11, 2014, 6:00 - 9:00 p.m., City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134

Application Request.

The City of Coral Gables is requesting review and consideration of the following:

An Ordinance of the City Commission of Coral Gables, Florida, repealing Sections 101-20, 101-21, 101-22, 101-23, 101-24, 101-25 And 101-26 of Article II, Development Review Committee, of Chapter 101, Administration And Enforcement, of the Coral Gables Code of Ordinances in its entirety; and Division 8 of Article 2, Decision Making and Administrative Bodies, of the Official Zoning Code of Coral Gables in its entirety; amending Section 101-19, Development Review Committee, of Chapter 101, Administration And Enforcement, of the Coral Gables Code of Ordinances; and providing for a new Division 8, of Article 2, Official Zoning Code of Coral Gables, by updating, revising and codifying Development Review Committee (DRC) procedures and review requirements as originally established in Ordinance No. 2003-45; providing for severability, repealer, codification and an effective date.

Background Information.

City Staff is requesting amendments to the Zoning Code and City Code to consolidate all DRC provisions in into the Zoning Code, and to update and codify Development Review Committee (DRC) procedures and review requirements. Ordinance No. 0-2003-45 was adopted on December 2, 2003 amending the City Code and establishing the Development Review Committee (DRC) and provisions necessary for the DRC to regulate developments to ensure the provisions of certain minimum standards and ensure coordination of development proposals. Portions of the DRC provisions were subsequently relocated to the Zoning Code, the purpose of which is to regulate the development of land within the City of Coral Gables and is the appropriate location for the DRC provisions.

The DRC provisions have not been comprehensively reviewed since adopted in 2003, and not all operational and review provisions were included in the Zoning Code when updated in 2007. The proposed amendments would remove the remaining provisions from the City Code and consolidate all provisions in the Zoning Code. The DRC provisions would also be updated to include current DRC procedures and requirements, and would specify and codify the following in the Zoning Code:

1. Purpose and intent;
2. Applications requiring review;
3. Committee membership;
4. Committee responsibilities;
5. Applications;
6. Pre-application meetings; and,
7. DRC meeting schedule and application deadlines.

Proposed Zoning Code Amendments.

The proposed Zoning Code text amendments are provided in the Draft Ordinance in ~~strike-through~~/underline format as Attachments A.

Public Hearing Timetable.

Consideration of the proposed Zoning Code amendment by the City Commission is tentatively scheduled for Tuesday, July 22, 2014.

Public Notification.

The following has been completed to provide notice of the request:

Public Notice

Type	Date
Legal advertisement	05.30.14
Posted agenda on City web page/City Hall	06.06.14
Posted Staff report on City web page	06.06.14

Staff Recommendation.

The Planning and Zoning Division recommends approval of the following:

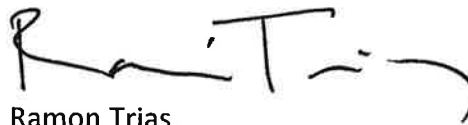
An Ordinance of the City Commission of Coral Gables, Florida, repealing Sections 101-20, 101-21, 101-22, 101-23, 101-24, 101-25 And 101-26 of Article II, Development Review Committee, of Chapter 101, Administration And Enforcement, of the Coral Gables Code of Ordinances in its entirety; and Division 8 of Article 2, Decision Making and Administrative Bodies, of the Official Zoning Code of Coral Gables in its entirety; amending Section 101-19, Development Review Committee, of Chapter 101, Administration And Enforcement, of the Coral Gables Code of Ordinances; and providing for a new Division 8, of Article 2, Official Zoning Code of Coral Gables, by updating, revising and codifying Development Review Committee (DRC) procedures and review requirements as originally established in Ordinance No. 2003-45; providing for severability, repealer, codification and an effective date.

Attachments.

- A. Draft Ordinance in ~~strike-through~~/underline format.
- B. Current Zoning Code Division 8, Article 2, in ~~strike-through~~/underline format.
- C. Ordinance No. 2003-45.
- D. Sections 101-19, 101-20, 101-21, 101-22, 101-23, 101-24, 101-25 and 101-26 of Article II, Development Review Committee, of Chapter 101, Administration And Enforcement, of the Coral Gables Code of Ordinances.

Please visit the City's webpage at www.coralgables.com to view all Application materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



Ramon Trias
Director of Planning and Zoning
City of Coral Gables, Florida



CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, REPEALING SECTIONS 101-20, 101-21, 101-22, 101-23, 101-24, 101-25 AND 101-26 OF ARTICLE II, DEVELOPMENT REVIEW COMMITTEE, OF CHAPTER 101, ADMINISTRATION AND ENFORCEMENT, OF THE CORAL GABLES CODE OF ORDINANCES IN ITS ENTIRETY; AND DIVISION 8 OF ARTICLE 2, DECISION MAKING AND ADMINISTRATIVE BODIES, OF THE OFFICIAL ZONING CODE OF CORAL GABLES IN ITS ENTIRETY; AMENDING SECTION 101-19, DEVELOPMENT REVIEW COMMITTEE, OF CHAPTER 101, ADMINISTRATION AND ENFORCEMENT, OF THE CORAL GABLES CODE OF ORDINANCES; AND PROVIDING FOR A NEW DIVISION 8, OF ARTICLE 2, OFFICIAL ZONING CODE OF CORAL GABLES, BY UPDATING, REVISING AND CODIFYING DEVELOPMENT REVIEW COMMITTEE (DRC) PROCEDURES AND REVIEW REQUIREMENTS AS ORIGINALLY ESTABLISHED IN ORDINANCE NO. 2003-45; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Commission of the City of Coral Gables finds that the present and probable future growth of population and development in the City is of such importance to the quality of life of the residents of Coral Gables that the prudent regulation of development is required in order to ensure the provisions of certain minimum standards and to ensure the coordination of development proposals with such related matters as planning, zoning, historic preservation, landscaping, abandonment / vacations of right of way, off-street parking, traffic, fire, engineering, building code, and infrastructure, in order to protect the public health, safety, and welfare and to properly implement building, zoning, planning and land use ordinances and plans, in compliance with the Comprehensive Land Use Plan, Zoning Code and other applicable provisions or policies as amended and enacted by the City Commission; and,

WHEREAS, Ordinance No. 0-2003-45 was adopted on December 2, 2003, amending the City Code and establishing the Development Review Committee (DRC) and provisions necessary for the DRC to regulate developments to ensure the provisions of certain minimum standards and ensure coordination of development proposals; and,

WHEREAS, the DRC provisions exist in both the Coral Gables Code of Ordinances and the Official Zoning Code of Coral Gables; and,

WHEREAS, the DRC provisions have not been updated since adopted in 2003, and the proposed Zoning Code amendments would update, revise and codify the current DRC procedures and requirements; and,

WHEREAS, it is necessary to repeal certain sections of the Coral Gables Code of Ordinances and the Official Zoning Code of Coral Gables to provide for the updated DRC provisions; and,

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on June 11, 2014, at which hearing all interested parties were afforded the opportunity to be heard and after due consideration, recommended (approval/denial) (vote: __-__) of the amendment; and,

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on _____, 2014, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, the City Commission was presented with the text amendment to the Zoning Code, and after due consideration and discussion, (approved/denied) the amendment on First Reading (vote: __-__).

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Sections 101-20, 101-21, 101-22, 101-23, 101-24, 101-25 and 101-26 of Article II, Development Review Committee, of Chapter 101, Administration and Enforcement, of the Coral Gables Code of Ordinances are hereby repealed in its entirety.

SECTION 3. Division 8 of Article 2, Decision Making and Administrative Bodies, of the Official Zoning Code of Coral Gables is hereby repealed in its entirety.

SECTION 4. The Coral Gables Code of Ordinances is hereby amended as follows (changes in in in ~~strike-through~~ / underline format):

Section 101-19. Development Review Committee ~~Legislative intent.~~

Provisions and requirements for the development review committee have been revised and updated in Division 8, Article 2, of the Official Zoning Code of the City of Coral Gables. The development review committee (DRC) is an administrative committee, which reviews projects of varying scope that may require additional review before the city commission and/or the various development review boards appointed by the city commission (the boards). The DRC is an administrative and technical committee that reviews policy issues and technical issues raised by a development project. The DRC is a consolidation of other administrative committees, such as the preliminary review committee, street and alley vacation committee and landscape encroachment review committee and other administrative reviews and approvals that may be created. In addition to replacing the aforementioned city committees, the DRC will provide a public forum for the administrative departments of the city to comment and/or act applications and requests. The DRC is intended to streamline and coordinate the review of the development process by identifying and addressing all of the issues that will subsequently be

~~heard by the city commission and/or other land development boards of the city; therefore, minimizing the number of reviews by the city commission and the boards, and providing applicants with a single administrative committee at which they can be provided input, advice and comments regarding all applicable provisions and regulations applicable to the development applications, projects or similar reviews. On all applications referenced in this article the DRC shall conduct a public review of projects. Public review by the DRC shall occur when the application is filed with the appropriate department for review. The review of projects and comments on development proposals by the DRC shall not be construed to be an approval of any project presented to the development review committee.~~

SECTION 5. Division 8, Development Review Committee, of Article 2, Decision Making and Administrative Bodies, of the Official Zoning Code of the City of Coral Gables is hereby created to read as follows:

Division 8. Development Review Committee.

Section 2-801. Purpose and Intent.

The Development Review Committee (DRC) is an administrative committee, which reviews projects of varying scope that may benefit from staff input before the City Commission and/or the various development review Boards appointed by the City Commission (the Boards). The DRC is an administrative and technical committee that provides input on technical issues raised by a development project for consistency with policies established by the City Commission. The DRC is intended to streamline and coordinate the review of the development process by identifying and addressing all of the issues that will subsequently be heard by the City Commission and/or other Boards of the City; therefore, minimizing the number of reviews by the City Commission and the Boards, and providing applicants with a single administrative committee at which they can be provided input, advice and comments regarding all applicable provisions and regulations applicable to the development applications, projects or similar reviews. The comments and input provided by the DRC is not meant to be an exhaustive technical review, and additional comments may be raised upon formal submittal of more detailed development plans.

On all applications referenced in this article the DRC shall conduct a public review of projects. Public review by the DRC shall occur when the application is filed with the appropriate department for review. The review of projects and comments on development proposals by the DRC shall not be construed to be an approval of any project presented to the development review committee.

Section 2-802. Applications Requiring Review.

- A. The following development applications shall require DRC review:
1. All new buildings other than single family residences and duplexes;
 2. All plats, re-plats and subdivisions;
 3. Designations of overlay districts;
 4. Planned area developments (PADs);
 5. Transfer of development rights (TDRs);
 6. Conditional Uses;

7. Street and alley vacations;
8. Amendments to the University of Miami Campus Master Plan;
9. Developments of Regional Impact (DRIs);
10. Development Agreements;
11. Applications for properties requiring site plan review by the Planning and Zoning Board and other administrative reviews and/or approvals that may be included or amended; and
12. Other reviews as determined by the City Manager or the Development Services Director.

B. The following development applications may be scheduled at the discretion of the DRC Chairperson:

1. Commercial, multi-family and industrial projects;
2. Additions to commercial, multi-family, industrial, and mixed-use projects;
3. Administrative review of off-site landscaping mitigation;
4. Interior building renovation for uses permitted within the property's zoning district;
5. Change of use otherwise permitted by code, when additional parking is required; and
6. Encroachments permitted by resolution of the City Commission.

Section 2-803. Membership.

The DRC shall be composed of representatives from every department/division of the City Administration appropriate to review an application for development approval, including the Planning and Zoning Division, Building Division, Fire Department, Police Department, Public Services Division, Historical Resources Department, Parking Division, Public Works Department, and other departments as may be necessary and as determined by the City Manager. The Chairperson of the DRC shall be designated by the Development Services Director.

Section 2-804. Responsibilities.

The DRC reviews applications for development approvals for compliance with all applicable city, local, regional, state, and federal regulations. The DRC Chairperson coordinates all comments from each member of the DRC and provides input and comments on the application to assist the applicant in the development review process.

The DRC may identify changes and/or modifications on any plans and or specifications presented as may be necessary to conform to the provisions of all applicable local, regional, state and federal requirements under the city authority. Technical review for all DRC members shall be in written form and cite relevant code sections if appropriate. The DRC may also suggest or recommend such changes on any plans and specifications as may be requisite or appropriate to the maintenance of a high standard of construction, architecture, historic preservation, traffic and pedestrian circulation, landscape and open space, fire protection, public safety, engineering, infrastructure, planning, and zoning in keeping with the protection and maintenance of the general health safety and welfare of the community and City of Coral Gables.

Section 2-805. Applications.

Applications for review by the DRC shall be submitted to the Planning and Zoning Division, and shall be accompanied by an application fee as required herein and adopted by the City Commission by separate Resolution. All plans, documents and support materials required to be submitted with the application shall be determined by the DRC Chairperson at the pre-application meeting. A listing of general information required to be submitted with the application is provided on the application form, unless determined otherwise by DRC Chairperson to be inapplicable. The DRC application shall be maintained and updated by the Planning and Zoning Division.

Section 2-806. Pre-application meeting.

All applicants are required to schedule a pre-application meeting with the Planning and Zoning Director, or designee, a minimum of seven (7) days prior to the DRC meeting submittal deadline to review the application requirements and determine the specific plans, documents and support materials that are required to be filed with the application.

Section 2-807. DRC Meetings.

The DRC shall meet on the last Friday of every month, unless conflicting with a designated holiday in which case the meeting will be scheduled on the Friday before the last Friday of the month. Nothing contained herein precludes the Chairperson from calling a special meeting to be held outside the time prescribed in this section. Applications for review by the DRC shall be submitted a minimum of twenty-one (21) calendar days prior to the DRC meeting. The DRC Chairperson shall provide the applicant with copies of all comments submitted by the members of the DRC following the meeting. Action minutes shall be maintained by the DRC Chairperson.

The subject property shall be posted by the applicant at least ten (10) days prior to the DRC meeting. Such posting shall consist of a sign that shall be provided to the applicant by the Planning and Zoning Director, the surface of which shall not be larger than forty (40) square inches in area.

SECTION 6. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 8. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 9. If the Official Zoning Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 10. This ordinance shall become effective _____, 2014.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2014.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

1st reading

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY

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Attachment B**Current Zoning Code Division 8, Article 2, in strike-through/underline format**

Division 8. Development Review Committee.

Section 2-801. Purpose and Intent. ~~Powers and duties.~~

The Development Review Committee (DRC) is an administrative committee, which reviews projects of varying scope that may benefit from staff input before the City Commission and/or the various development review Boards appointed by the City Commission (the Boards). The DRC is an administrative and technical committee that provides input on technical issues raised by a development project for consistency with policies established by the City Commission. The DRC is intended to streamline and coordinate the review of the development process by identifying and addressing all of the issues that will subsequently be heard by the City Commission and/or other Boards of the City; therefore, minimizing the number of reviews by the City Commission and the Boards, and providing applicants with a single administrative committee at which they can be provided input, advice and comments regarding all applicable provisions and regulations applicable to the development applications, projects or similar reviews. The comments and input provided by the DRC is not meant to be an exhaustive technical review, and additional comments may be raised upon formal submittal of more detailed development plans.

On all applications referenced in this article the DRC shall conduct a public review of projects. Public review by the DRC shall occur when the application is filed with the appropriate department for review. The review of projects and comments on development proposals by the DRC shall not be construed to be an approval of any project presented to the development review committee. A Development Review Committee (DRC) is created to act as the first level of review for applications for development approval.

Section 2-802. Applications Requiring Review. ~~Membership.~~A. The following development applications shall require DRC review:

1. All new buildings other than single family residences and duplexes;
2. All plats, re-plats and subdivisions;
3. Designations of overlay districts;
4. Planned area developments (PADs);
5. Transfer of development rights (TDRs);
6. Conditional Uses;
7. Street and alley vacations;
8. Amendments to the University of Miami Campus Master Plan;
9. Developments of Regional Impact (DRIs);
10. Development Agreements;
11. Applications for properties requiring site plan review by the Planning and Zoning Board and other administrative reviews and/or approvals that may be included or

amended; and

12. Other reviews as determined by the City Manager or the Development Services Director.

B. The following development applications may be scheduled at the discretion of the DRC Chairperson:

1. Commercial, multi-family and industrial projects;
2. Additions to commercial, multi-family, industrial, and mixed-use projects;
3. Administrative review of off-site landscaping mitigation;
4. Interior building renovation for uses permitted within the property's zoning district;
5. Change of use otherwise permitted by code, when additional parking is required; and
6. Encroachments permitted by resolution of the City Commission.

The DRC shall be composed of representatives from every department/division of the City Administration appropriate to review an application for development approval, including the City Architect, Concurrency Administrator, Zoning Administrator, Building Official, Fire Marshall, Landscape Services Division Superintendent, Historic Preservation Officer, Planning Director, Public Works Director, and an assigned Police Sergeant and other persons as may be necessary and as determined by the City Manager.

Section 2-803. Membership. Responsibilities; Meetings.

The DRC shall be composed of representatives from every department/division of the City Administration appropriate to review an application for development approval, including the Planning and Zoning Division, Building Division, Fire Department, Police Department, Public Services Department, Historical Resources Department, Parking Department, Public Works Department, and other departments as may be necessary and as determined by the City Manager. The Chairperson of the DRC shall be designated by the Development Services Director.

The DRC reviews applications for development approvals for compliance with all applicable regulations and the Development Review Official coordinates all comments from each member of the DRC and makes a recommendation to the applicable decision-making body.

Section 2-804. Responsibilities.

The DRC reviews applications for development approvals for compliance with all applicable city, local, regional, state, and federal regulations. The DRC Chairperson coordinates all comments from each member of the DRC and provides input and comments on the application to assist the applicant in the development review process.

The DRC may identify changes and/or modifications on any plans and or specifications presented as may be necessary to conform to the provisions of all applicable local, regional, state and federal requirements under the city authority. Technical review for all DRC members shall be in written form and cite relevant code sections if appropriate. The DRC may also suggest or recommend such changes on any plans and specifications as may be requisite or appropriate to the maintenance of a high standard of construction, architecture, historic preservation, traffic and pedestrian circulation, landscape and open space, fire protection, public safety, engineering, infrastructure, planning, and zoning in keeping with the protection and maintenance of the

general health safety and welfare of the community and City of Coral Gables.

Section 2-805. Applications.

Applications for review by the DRC shall be submitted to the Planning and Zoning Division, and shall be accompanied by an application fee as required herein and adopted by the City Commission by separate Resolution. All plans, documents and support materials required to be submitted with the application shall be determined by the DRC Chairperson at the pre-application meeting. A listing of general information required to be submitted with the application is provided on the application form, unless determined otherwise by DRC Chairperson to be inapplicable. The DRC application shall be maintained and updated by the Planning and Zoning Division.

Section 2-806. Pre-application meeting.

All applicants are required to schedule a pre-application meeting with the Planning and Zoning Director, or designee, a minimum of seven (7) days prior to the DRC meeting submittal deadline to review the application requirements and determine the specific plans, documents and support materials that are required to be filed with the application.

Section 2-807. DRC Meetings.

The DRC shall meet on the last Friday of every month, unless conflicting with a designated holiday in which case the meeting will be scheduled on the Friday before the last Friday of the month. Nothing contained herein precludes the Chairperson from calling a special meeting to be held outside the time prescribed in this section. Applications for review by the DRC shall be submitted a minimum of twenty-one (21) calendar days prior to the DRC meeting. The DRC Chairperson shall provide the applicant with copies of all comments submitted by the members of the DRC following the meeting. Action minutes shall be maintained by the DRC Chairperson.

The subject property shall be posted by the applicant at least ten (10) days prior to the DRC meeting. Such posting shall consist of a sign that shall be provided to the applicant by the Planning and Zoning Director, the surface of which shall not be larger than forty (40) square inches in area.

**CITY OF CORAL GABLES, FLORIDA****ORDINANCE NO. 2003-45**

AN ORDINANCE CREATING DIVISION 1-A, OF CHAPTER 2, ARTICLE III OF THE "CODE OF THE CITY OF CORAL GABLES" TO BE ENTITLED DEVELOPMENT REVIEW COMMITTEE (DRC), SEC. 2-47. PROVIDING LEGISLATIVE INTENT; SEC 2-48. APPLICATIONS REQUIRING REVIEW 2-49. ORGANIZATION AND MEMBERS; SEC. 2-50 AUTHORITY POWERS AND DUTIES; SEC. 2-51 DEVELOPMENT REVIEW COMMITTEE MANUAL; SEC. 2-52 APPLICATIONS; SEC. 2-53 MEETING AND RECORDS; SEC. 2-56 FEES; PROVIDING FOR REPEAL, PROVIDING SEVERABILITY, PROVIDING FOR CODIFICATION THEREFORE, AND PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, the Commission of the City of Coral Gables finds that the present and probable future growth of population and development in the City is of such importance to the quality of life of the residents of Coral Gables that the prudent regulation of development is required in order to ensure the provisions of certain minimum standards and to ensure the coordination of development proposals with such related matters as planning, zoning, historic preservation, landscaping, abandonment / vacations of right of way, off-street parking, traffic, fire, engineering, building code, and infrastructure, in order to protect the public health, safety, and welfare and to properly implement building, zoning, planning and land use ordinances and plans, in compliance with the Comprehensive Land Use Plan, Zoning Code and other applicable provisions or policies as amended and enacted by the City Commission; and

WHEREAS, the various administrative committees of the City of Coral Gables review planning, land development, historic preservation, landscaping, parking, traffic, fire, public safety, building code, engineering and zoning requests; and

WHEREAS, after notice duly published, a public hearing was held before the Commission of the City of Coral Gables on November 18, 2003, at which hearing all interested persons were afforded an opportunity to be heard;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The recitals and findings contained in the preamble to this Ordinance are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

SECTION 2. That division 1-A of Chapter 2, Article III of the Code of the City of Coral Gables "Development Review Committee, is hereby created pursuant to the following provisions:

Sec. 2-47. Legislative Intent.

The Development Review Committee (DRC) is an administrative committee, which reviews projects of varying scope that may require additional review before the City Commission and / or the various development review Boards appointed by the City Commission (the Boards). The DRC is an administrative and technical committee that reviews policy issues and technical issues raised by a development project. The DRC is a consolidation of other administrative committees, such as the Preliminary Review Committee, Street and Alley Vacation Committee and Landscape Encroachment Review Committee and other administrative reviews and approvals that may be created. In addition to replacing the aforementioned City committees, the DRC will provide a public forum for the administrative departments of the City to comment and / or act applications and requests including as provided for in the Section 2-48. The DRC is intended to streamline and coordinate the review of the development process by identifying and addressing all of the issues that will subsequently be heard by the City Commission and / or other land development boards of the City; therefore, minimizing the number of reviews by the City Commission and the Boards, and providing applicants with a single administrative committee at which they can be provided input, advice and comments regarding all applicable provisions and regulations applicable to the development applications, projects or similar reviews. On all applications referenced in this article the DRC shall conduct a public review of projects. Public review by the DRC shall occur when the application is filed with the appropriate Department for review. The review of projects and comments on development proposals by the DRC shall not be construed to be an approval of any project presented to the Development Review Committee.

Sec. 2-48. Applications Requiring Review.

All commercial, multifamily, industrial, mixed-use projects, including but not limited to the following Plats, Re-plats and Subdivisions, Overlay Districts, Planned Area Developments, Transfer of Development Rights, Conditional Uses required for public hearing review only, Street and Alley vacations, University Of Miami Campus Area

Development Amendments, Development of Regional Impacts, administrative review of off-site landscaping mitigation and administrative setback approvals pursuant to the Mediterranean Architectural Regulations, properties requiring site plan review by the Planning and Zoning Board and other administrative reviews and/or approvals that may be included or amended. Encroachments permitted by Resolution of the City Commission shall be exempt from DRC review

Sec. 2-49. Organization and Members.

(a) The DRC shall be composed of an executive committee and a technical committee. The executive committee will conduct level 1 reviews of items listed in Section 2-48 and the technical committee will conduct level 2 reviews of building plans.

(b) The executive committee shall be composed of the Directors or their designees of the Departments of Building & Zoning, Public Works, Public Service, Development, Historic Resources, Planning, Police, Fire, and Parking and other Departments as may be necessary dependent upon the type of application and/or requested review. The Directors on the DRC shall choose a new chairperson every year. The Directors of the aforementioned Departments may appoint Staff members from their respective Departments to review development projects on behalf of their Department

(c) The technical committee shall be composed of the Concurrency Administrator, Zoning Administrator, Building Official, Fire Marshall, City Horticulturalist, Historic Preservation Administrator, Public Works Engineer, and an assigned Police Sergeant and other persons as may be necessary.

(d) The Secretary of the DRC shall be the Director of the Building and Zoning Department or designee who shall be responsible for all administrative functions of the Development Review Committee including but not limited to the agenda, notice, meeting place and set up, correspondence, distributions, minutes, and the DRC Manual.

Sec. 2-50. Authority Powers and Duties. The DRC shall have the following authority, powers and duties:

(a) The Executive committee shall conduct level 1 review that includes:

- (1) Technical recommendations to the City Manager on encroachments into the right of way of landscaping and structures, except for those encroachments which the Public Works Department may approve administratively by Resolution of the City Commission.

- (2) Technical recommendations to the Planning Department on the following:
 - a. UMCAD amendments as provided by Article 9 of the “Zoning Code
 - b. Site plan and mixed use site reviews.
 - c. Tentative plats, re-plats and requests involving the subdivision of land.
 - d. Development of Regional Impact applications
 - e. Transfer of development rights
 - f. Development agreements
 - g. Conditional uses requiring public hearing review.
 - (3) Administrative review and approval of off-site landscaping mitigation and or setback relief for Mediterranean style buildings pursuant to Article 28 of the “Zoning Code”.
 - (4) Technical recommendations to the Public Works Department and Planning Department on street and alley vacations and encroachments.
 - (5) Technical recommendations to the Historic Resources Department on the transfer of development rights.
 - (6) Recommendations to the City Manager and on development agreements.
 - (7) Other reviews that may be necessary as determined by the City Manager
 - (8) Other reviews as may be necessary based upon revisions to applicable changes to the City Code, Zoning Code and Comprehensive Land Use Plan.
- (c) The technical committee shall conduct level 2 reviews that include:
- (1) The review of preliminary construction plans for new buildings, additions to existing buildings, and alterations that involve a change of use or occupancy for commercial, multifamily, industrial, special and mixed-use projects.
 - a. The technical committee shall require such changes, if any, on any plans and or specifications presented as may be necessary to conform to the provisions of all applicable City, local, regional, state and federal requirements under the City of Coral Gables authority.

The members of the technical committee may also suggest or recommend such changes in said plans and specifications as in his / her judgment may be requisite or appropriate to the maintenance of a high standard of construction, architecture, historic preservation, traffic, landscaping, parking, fire, public safety, engineering, infrastructure, planning, and zoning in keeping with the protection and maintenance of the general health safety and welfare of the community.

Sec. 2-51. Development Review Committee Manual. The Building and Zoning Department shall promulgate and maintain a DRC Manual which shall contain the administrative procedures and fees to be applied in the implementation of the DRC's functions.

Sec. 2-52. Applications.

Applications for review by the DRC shall be submitted to the Building & Zoning Department and shall be accompanied by an application fee as provided in this Article. The application fee is to cover all associated administrative costs for review and other costs to uphold the provisions herein. The application form for the DRC review and the DRC Manual shall be subscribed by the Secretary of the DRC and approved by the DRC

(a) Basic information required for all applications unless otherwise inapplicable for the permit sought, all applications for development approval shall include, at a minimum, the following information:

- (1) The applicant's and property owner(s) name, signature, mailing address, and telephone, email and facsimile, if any, number.
- (2) The applicant's proof as to lobbyist registration.
- (3) The name and signature of all legal and equitable owners of the parcel proposed for development, if different from the applicant. Notwithstanding the foregoing, the application need not be signed by the owner where the applicant is an entity having the power of eminent domain and the entity has authorized the acquisition of the subject property by eminent domain. In such cases, the application will be conditionally accepted and any approval will be conditioned upon the entity obtaining title within a specific period of time not to exceed two years.

- (4) The name of the owner(s) representative and consultants, if any.
- (5) Street address of the parcel proposed for development.
- (6) Ownership: A copy of a deed to the property proposed for development, a copy of a title insurance policy or an affidavit attesting to ownership.
- (7) A legal description of the property that which is the subject of the application.
- (8) A plat of record or sealed survey of the property including the dimensions, acreage and location of the property prepared by a registered land surveyor.
- (9) The existing zoning and land use plan classification for the property and for the properties contiguous to the parcel proposed for development.
- (10) All information and exhibits required by the Development Review Process Handbook as amended, on file at the Planning Department, and the Development Review Committee Handbook, on file at the Building and Zoning Department, as may be amended from time to time, unless waived by the Secretary.

(a) Supporting documentation shall include (as appropriate). Plans and specifications including a site plan, landscaping plan, elevation plans, floor plans, roof plan, a lighting plan, handicap accessibility plan, and project description by specification, and Owner's affidavit, a letter of request, photographs, mailing list, paid receipt, proof of ownership, supporting technical supports, concurrency impact statement, and additional information as deemed necessary by the Applicant.

(b) The Secretary of the DRC shall determine the number of copies of each item required for the review by the Development Review Committee. The Secretary of the DRC may require additional information as may be necessary for the proper review of any application.

(c) Application sufficiency/determination of completeness. Within five (5) working days after receipt of an application for development review and / or approval, the Secretary of the Development Review Committee shall determine whether the application is sufficient for consideration.

- (1) Application sufficient. If the Secretary of the DRC determines that the application is sufficient, he/she shall notify the applicant in writing that the application has been accepted for filing.
 - (2) Application insufficient. If the Secretary of the DRC determines that the application is insufficient, he/she shall notify the applicant, specifying the deficiencies of the application. No further development review shall be taken by the Secretary of the Development Review Committee until the deficiencies are corrected and the application is deemed complete.
- (e) The DRC shall receive background information no later than 14 calendar days prior to meetings to allow sufficient time for review and consideration.
- (f) After an application for review by the DRC is determined to be complete and sufficient, the DRC shall cause the property in question to be posted in accordance with the provisions given to the Board of Architects and review the application, at the next available meeting.

Sec. 2-53. Meeting and Records.

The DRC shall meet on the second and the fourth week of every month. Applications for review by the Development Review Committee shall be submitted 21 calendar days prior to the DRC meeting. The Secretary of the DRC shall prepare summary minutes of each meeting.

The secretary of the DRC shall cause a notice of public review to be given in the following manner on all property being considered by the DRC.

- (a) The subject property shall be posted at least ten (10) days prior to the DRC meeting. Such posting shall consist of a sign, the surface of which shall not be larger than (40) square inches in area, and shall consist of the following language, as may be amended:

**NOTICE
DEVELOPMENT
REVIEW COMMITTEE
PUBLIC REVIEW
PH.**

MEETING DATE _____ APPLICATION NO. _____

Sec. 2-56. Fees.

Prior to the review of any request before the DRC, the applicant shall pay the following fees:

- (a) Review fee for projects requiring only Level 2 review shall be \$100.00.
- (b) Review fee for projects requiring both Level 1 & 2 review shall be the fee equal to one tenths of one percent (. 001) of the estimated building construction cost as determined by the Building and Zoning Department. The minimum application review fee shall be one hundred (\$100) dollars. The maximum application fee shall be ten thousand (\$10,000) dollars.
- (c) A re-submittal fee equal to ten percent of the initial application review fee. A minimum of one hundred (\$100) dollars).

SECTION 3. That if any section, subsection, sentence, clause, phrase or word of this ordinance shall be declared unconstitutional or invalid by competent authority, then the remainder of the ordinance shall not be affected thereby, and shall remain in full force and effect.

SECTION 4. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 5. That this ordinance shall become effective thirty (30) days following its final reading and adoption hereof.

SECTION 6. That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS SECOND DAY OF DECEMBER,
A.D. 2003.

(Moved: Anderson/Seconded: Kerdyk)
(Yeas: Kerdyk, Withers, Anderson, Cabrera, Slesnick)
(5/0 Vote)
(Agenda Item E-4)

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

Subpart B

LAND DEVELOPMENT REGULATIONS

Chapter 101

ADMINISTRATION AND ENFORCEMENT

Article I. In General

- Sec. 101-1. Application of chapter 1.
- Secs. 101-2—101-18. Reserved.

Article II. Development Review Committee

- Sec. 101-19. Legislative intent.
- Sec. 101-20. Applications requiring review.
- Sec. 101-21. Organization and members.
- Sec. 101-22. Authority, powers and duties.
- Sec. 101-23. Development review committee manual.
- Sec. 101-24. Applications.
- Sec. 101-25. Meeting and records.
- Sec. 101-26. Fees.
- Secs. 101-27—101-55. Reserved.

Article III. Construction Regulation Board

- Sec. 101-56. Creation; appointment.
- Sec. 101-57. Powers of construction regulation board.
- Sec. 101-58. Violations.
- Sec. 101-59. Duties of the building and zoning department regarding various code violations.
- Sec. 101-60. Conduct of hearings.
- Sec. 101-61. Requests for postponement of hearing.
- Sec. 101-62. Testimony and due process.
- Sec. 101-63. Board to issue findings of fact and conclusions of law and order proper relief.
- Sec. 101-64. Unpaid fines to constitute a lien.
- Sec. 101-65. Delivery of notices.
- Secs. 101-66—101-88. Reserved.

Article IV. Special Master Dispute Resolution

- Sec. 101-89. Definitions.
- Sec. 101-90. Standards of conduct for parties and participants.
- Sec. 101-91. Special master dispute resolution manual.
- Sec. 101-92. Pre-initiation meeting.
- Sec. 101-93. Request for relief.
- Sec. 101-94. Special master selection.
- Sec. 101-95. Conduct of the special master proceeding.
- Sec. 101-96. Special master recommendation.
- Sec. 101-97. Response to special master's recommendation.
- Sec. 101-98. Ripeness decision.
- Sec. 101-99. Delivery of notice.
- Sec. 101-100. Time limit.
- Secs. 101-101—101-120. Reserved.

CORAL GABLES CODE

Article V. Reserved

Secs. 101-121—101-150. Reserved.

Article VI. Code Enforcement

Division 1. Generally

Secs. 101-151—101-160. Reserved.

Division 2. Code Enforcement Board

- Sec. 101-161. Creation; membership; statutes to govern board.
- Sec. 101-162. Powers generally.
- Sec. 101-163. Code enforcement officer defined; provisions supplemental.
- Sec. 101-164. Calling of hearings; clerical support for hearings.
- Sec. 101-165. Code enforcement officer to present cases.
- Sec. 101-166. Taking of testimony.
- Sec. 101-167. Findings of fact, conclusions of law and order proper relief.
- Sec. 101-168. Imposition of fines; unpaid fine to constitute a lien, foreclosure.
- Sec. 101-169. Appeal of ruling.
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Division 3. Supplemental Code Enforcement Procedures

- Sec. 101-181. Civil offenses and penalties.
- Sec. 101-182. Qualifications and removal of officers.
- Sec. 101-183. Civil infraction enforcement procedures.
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- Sec. 101-185. Right of violators; payment of fine, right to appeal; failure to pay and correct, or appeal.
- Sec. 101-186. Schedule and conduct of administrative hearing.
- Sec. 101-187. Recovery of unpaid civil penalties; unpaid penalty to constitute a lien; foreclosure.
- Sec. 101-188. Appeals.
- Sec. 101-189. Reserved.
- Sec. 101-190. Mitigation of recorded fines.

ARTICLE I. IN GENERAL

Sec. 101-1. Application of chapter 1.

The provisions of chapter 1 of this Code apply to this subpart.

Secs. 101-2—101-18. Reserved.

ARTICLE II. DEVELOPMENT REVIEW COMMITTEE

Sec. 101-19. Legislative intent.

The development review committee (DRC) is an administrative committee, which reviews projects of varying scope that may require additional review before the city commission and/or the various development review boards appointed by the city commission (the boards). The DRC is an administrative and technical committee that reviews policy issues and technical issues raised by a development project. The DRC is a consolidation of other administrative committees, such as the preliminary review committee, street and alley vacation committee and landscape encroachment review committee and other administrative reviews and approvals that may be created. In addition to replacing the aforementioned city committees, the DRC will provide a public forum for the administrative departments of the city to comment and/or act applications and requests. The DRC is intended to streamline and coordinate the review of the development process by identifying and addressing all of the issues that will subsequently be heard by the city commission and/or other land development boards of the city; therefore, minimizing the number of reviews by the city commission and the boards, and providing applicants with a single administrative committee at which they can be provided input, advice and comments regarding all applicable provisions and regulations applicable to the development applications, projects or similar reviews. On all applications referenced in this article the DRC shall conduct a public review of projects. Public review by the DRC shall occur when the application is filed with the appropriate department for review. The review of projects and comments on development proposals by the DRC

shall not be construed to be an approval of any project presented to the development review committee.

(Ord. No. O-2003-45, § 2(2-47), 12-2-2003)

Sec. 101-20. Applications requiring review.

All commercial, multifamily, industrial, mixed-use projects, including but not limited to the following plats, re-plats and subdivisions, overlay districts, planned area developments, transfer of development rights, conditional uses required for public hearing review only, street and alley vacations, University of Miami campus area development amendments, development of regional impacts, administrative review of off-site landscaping mitigation and administrative setback approvals pursuant to the Mediterranean architectural regulations, properties requiring site plan review by the planning and zoning board and other administrative reviews and/or approvals that may be included or amended. Encroachments permitted by resolution of the city commission shall be exempt from DRC review.

(Ord. No. O-2003-45, § 2(2-48), 12-2-2003)

Sec. 101-21. Organization and members.

(a) The DRC shall be composed of an executive committee and a technical committee. The executive committee will conduct level 1 reviews of items listed in section 101-26 and the technical committee will conduct level 2 reviews of building plans.

(b) The executive committee shall be composed of the directors or their designees of the departments of building and zoning, public works, public service, development, historic resources, planning, police, fire, and parking and other departments as may be necessary dependent upon the type of application and/or requested review. The directors on the DRC shall choose a new chairperson every year. The directors of the aforementioned departments may appoint staff members from their respective departments to review development projects on behalf of their department.

(c) The technical committee shall be composed of the concurrency administrator, zoning administrator, building official, fire marshal, city

horticulturalist, historic preservation administrator, public works engineer, and an assigned police sergeant and other persons as may be necessary.

(d) The secretary of the DRC shall be the director of the building and zoning department or his designee who shall be responsible for all administrative functions of the development review committee including but not limited to the agenda, notice, meeting place and set up, correspondence, distributions, minutes, and the DRC manual.

(Ord. No. O-2003-45, § 2(2-49), 12-2-2003)

Sec. 101-22. Authority, powers and duties.

The DRC shall have the following authority, powers and duties:

(1) The executive committee shall conduct level 1 review that includes:

- a. Technical recommendations to the city manager on encroachments into the right-of-way of landscaping and structures, except for those encroachments which the public works department may approve administratively by resolution of the city commission.
- b. Technical recommendations to the planning department on the following:
 1. UMCAD amendments as provided by article 9 of the zoning code.
 2. Site plan and mixed use site reviews.
 3. Tentative plats, re-plats and requests involving the subdivision of land.
 4. Development of regional impact applications.
 5. Transfer of development rights.
 6. Development agreements.
 7. Conditional uses requiring public hearing review.
- c. Administrative review and approval of off-site landscaping mitigation

and/or setback relief for Mediterranean style buildings pursuant to article 28 of the zoning code.

- d. Technical recommendations to the public works department and planning department on street and alley vacations and encroachments.
- e. Technical recommendations to the historic resources department on the transfer of development rights.
- f. Recommendations to the city manager and on development agreements.
- g. Other reviews that may be necessary as determined by the city manager.
- h. Other reviews as may be necessary based upon revisions to applicable changes to the city code, zoning code and comprehensive land use plan.

(2) The technical committee shall conduct level 2 reviews that include:

- a. The review of preliminary construction plans for new buildings, additions to existing buildings, and alterations that involve a change of use or occupancy for commercial, multifamily, industrial, special and mixed-use projects.
- b. The technical committee shall require such changes, if any, on any plans and/or specifications presented as may be necessary to conform to the provisions of all applicable city, local, regional, state and federal requirements under the city authority. The members of the technical committee may also suggest or recommend such changes in said plans and specifications as in his judgment may be requisite or appropriate to the maintenance of a high standard of construction, architecture, historic preservation, traffic, landscaping, parking, fire, public safety, engineering, infrastructure, planning, and zoning in keeping with the pro-

tection and maintenance of the general health safety and welfare of the community.

(Ord. No. O-2003-45, § 2(2-50), 12-2-2003)

Sec. 101-23. Development review committee manual.

The building and zoning department shall promulgate and maintain a DRC manual that shall contain the administrative procedures and fees to be applied in the implementation of the DRC's functions.

(Ord. No. O-2003-45, § 2(2-51), 12-2-2003)

Sec. 101-24. Applications.

Applications for review by the DRC shall be submitted to the building and zoning department and shall be accompanied by an application fee as provided in this article. The application fee is to cover all associated administrative costs for review and other costs to uphold the provisions herein. The application form for the DRC review and the DRC manual shall be subscribed by the secretary of the DRC and approved by the DRC:

- (1) Basic information required for all applications unless otherwise inapplicable for the permit sought, all applications for development approval shall include, at a minimum, the following information:
 - a. The applicant's and property owner's name, signature, mailing address, and telephone, email and facsimile, if any, number.
 - b. The applicant's proof as to lobbyist registration.
 - c. The name and signature of all legal and equitable owners of the parcel proposed for development, if different from the applicant. Notwithstanding the foregoing, the application need not be signed by the owner where the applicant is an entity having the power of eminent domain and the entity has authorized the acquisition of the subject property by eminent domain. In such cases, the application will be conditionally accepted and any approval will be

conditioned upon the entity obtaining title within a specific period of time not to exceed two years.

- d. The name of the owner's representative and consultants, if any.
 - e. Street address of the parcel proposed for development.
 - f. A copy of a deed to the property proposed for development, a copy of a title insurance policy or an affidavit attesting to ownership.
 - g. A legal description of the property that which is the subject of the application.
 - h. A plat of record or sealed survey of the property including the dimensions, acreage and location of the property prepared by a registered land surveyor.
 - i. The existing zoning and land use plan classification for the property and for the properties contiguous to the parcel proposed for development.
 - j. All information and exhibits required by the development review process handbook as amended, on file at the planning department, and the development review committee handbook, on file at the building and zoning department, as may be amended from time to time, unless waived by the secretary.
 - k. A historical significance determination by the historical preservation department.
- (2) Supporting documentation shall include (as appropriate), plans and specifications including a site plan, landscaping plan, elevation plans, floor plans, roof plan, a lighting plan, handicap accessibility plan, and project description by specification, and owner's affidavit, a letter of request, photographs, mailing list, paid receipt, proof of ownership, supporting technical supports, concurrency impact statement, and additional information as deemed necessary by the applicant.

(3) The secretary of the DRC shall determine the number of copies of each item required for the review by the development review committee. The secretary of the DRC may require additional information as may be necessary for the proper review of any application.

(4) Within five working days after receipt of an application for development review and/or approval, the secretary of the development review committee shall determine whether the application is sufficient for consideration.

a. *Application sufficient.* If the secretary of the DRC determines that the application is sufficient, he shall notify the applicant in writing that the application has been accepted for filing.

b. *Application insufficient.* If the secretary of the DRC determines that the application is insufficient, he shall notify the applicant, specifying the deficiencies of the application. No further development review shall be taken by the secretary of the development review committee until the deficiencies are corrected and the application is deemed complete.

(5) The DRC shall receive background information no later than 14 calendar days prior to meetings to allow sufficient time for review and consideration.

(6) After an application for review by the DRC is determined to be complete and sufficient, the DRC shall cause the property in question to be posted in accordance with the provisions given to the board of architects and review the application, at the next available meeting.

(Ord. No. O-2003-45, § 2(2-52), 12-2-2003)

Sec. 101-25. Meeting and records.

(a) The DRC shall meet on the second and the fourth week of every month. Applications for review by the development review committee shall

be submitted 21 calendar days prior to the DRC meeting. The secretary of the DRC shall prepare summary minutes of each meeting.

(b) The secretary of the DRC shall cause a notice of public review to be given in the following manner on all property being considered by the DRC.

(c) The subject property shall be posted at least ten days prior to the DRC meeting. Such posting shall consist of a sign, the surface of which shall not be larger than 40 square inches in area, and shall consist of the following language, as may be amended:

NOTICE DEVELOPMENT REVIEW COMMITTEE PUBLIC REVIEWS.

MEETING DATE _____

APPLICATION NO. _____

(Ord. No. O-2003-45, § 2(2-53), 12-2-2003)

Sec. 101-26. Fees.

Prior to the review of any request before the DRC, the applicant shall pay the fees in the amount established by the city commission. (Ord. No. O-2003-45, § 2(2-56), 12-2-2003)

Secs. 101-27—101-55. Reserved.

ARTICLE III. CONSTRUCTION REGULATION BOARD

Sec. 101-56. Creation; appointment.

(a) There is hereby created and established a construction regulation board (hereinafter referred to as "board") to maintain the proper standard of construction in the city by enforcing the construction laws in force and effect in the city, including, but not limited to, licensing laws, building codes, and land development regulations including municipal, county and state, which construction contractors and subcontractors must comply within the performance of their professions.

(b) The board shall consist of five members appointed by the five members of the city commission.