

**City of Coral Gables City Commission Meeting**  
**Agenda Item E-2**  
**November 14, 2017**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Raul Valdes-Fauli**  
**Vice Mayor Pat Keon**  
**Commissioner Vince Lago**  
**Commissioner Frank Quesada**  
**Commissioner Michael Mena**

**City Staff**

**City Manager, Cathy Swanson-Rivenbark**  
**Assistant City Manager, Peter Iglesias**  
**City Attorney, Craig E. Leen**  
**Deputy City Attorney, Miriam Ramos**  
**City Clerk, Walter J. Foeman**  
**Deputy City Clerk, Billy Urquia**  
**Planning and Zoning Director, Ramon Trias**

**Public Speaker(s)**

**Jorge Hernandez**

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Agenda Item E-2 [11:41:23 a.m.]

Presentation by Jorge Hernandez on behalf of the Single-Family Committee regarding proposed Zoning Code text amendments to Single-Family Residential regulations.

Mayor Valdes-Fauli: Next item is E-2, time certain at 11:30. We're a little late. Presentation by Jorge Hernandez, architect, on behalf of the Single-Family Committee regarding proposed Zoning Code text amendments to Single-Family Residential regulations.

Vice Mayor Keon: As they're assembling up here, I would like to tell you I am so grateful to you for finally getting this document in this form, so that we can review it. I think it addresses a lot of issues that we have raised concerns about over the last couple of years. And you did a very good job, and you have a very esteemed group of people here that have been working with you on it, so thank you.

Mayor Valdes-Fauli: Go ahead.

Planning and Zoning Director Trias: Mayor, Jorge went to the restroom, and he's coming back. There he is, there he is.

Mayor Valdes-Fauli: He went where? Good morning.

Jorge Hernandez: Good morning. Jorge Hernandez, 337 Palermo Avenue. So, I asked Ramon if I could just say a few words to put this part of the meeting in context and establish some of the guiding principles from the report -- from the text amendment report that you have before you. Okay, so with the leadership of Commissioner Keon, the City Commission decided -- directed the Manager to establish a panel -- a professional panel to review and propose updates to the Zoning Code language that regulates the design, planning and construction of single-family neighborhoods. The panel members are expert in residential design, with two and sometimes even more than three decades of practice in Coral Gables. They have collectively served on City boards, such as the Board of Architects, the Planning Board and the Historic Preservation Board, and have also participated in special projects, tours, charrettes, workshops -- and workshops to interpret, improve and perpetuate excellence in the planning and design of the City. The membership includes Callum Gibb, who is a standing member of the Board of Architects,

myself, Jorge Hernandez, Luis Jauregui, who is also a standing member of the Board of Architects, Frank Martinez, Elizabeth Plater-Zyberk, Rafael Portuondo, and Mike Sardiñas. We were assisted by Ramon Trias, the Planning director, Peter Iglesias, Assistant City Manager, Carlos Mindreau, City architect, and Dona Spain, director of the Office of Cultural Resources, with their respective staff. Our suggestions are framed in three categories, short, middle and long-term goals and action steps, as listed on pages 2, 3 and 4 of your report. Some have already been implemented or are in the process of implementation, and others are yet to be addressed. The goals include education, data collection, mapping, interpretation and the continued evaluation and improvement of the planning principles germane to the unique qualities of Coral Gables. Although the work is in process and open to debate and refinement, this is the right time to begin the conversation with the document before you. The impetus for the proposed text amendment belongs to one of four guiding initiatives. Many amendments satisfy multiples of these. Those initiatives are as follow: One, to ensure parity and clarity of code language and intent. Two, to realign the code with time-honored design and planning traditions of Coral Gables. In this, we must recognize the role of historic preservation and historic architecture in bearing evidence of these traditions. Number three, to advance sustainability and congruity of the built and natural environment. And number four, to acknowledge and restore the authority of the Board of Architects as stewards, who regularly manage the aesthetic qualities of the City on a project by project basis. I'm going to very briefly give you some of the Code amendments and which categories they fall under because after this short preamble, then I think Ramon will come up and present the document to you. And, we're certainly open for questions and suggestions. The following are examples of some of those initiatives as stated above. One, to ensure parity and clarity of Code language and intent. Setbacks for an idling car in a driveway, a walkway and a pool where a child may be at play are now in parity. They were not previously. Fifteen-foot side setbacks on side streets are now uniformly established throughout the city. They were not previously. That's example of number one, parity and clarity. Number two, to ensure Code alignment with time-honored design and planning traditions of Coral Gables. For example, the possibility of building courtyards once more and an architecture of thick walls, both critical to the image and building traditions of our city are encouraged without punitive effect on FAR,

which they are currently in the Code, the punitive effects are enshrined in our Code. Number three, to advance the sustainability and congruity of the built environment and the natural environment. Thick walls, which increase thermal -- the thermal mass of the building, open porches, breezeways, covered terraces and loggias are endorsed as examples of passive and sustainable building elements. Moreover, solar energy and new technologies are encouraged as examples of active and sustainable building practices. And, these are dovetailed with our planning and design traditions, such as the protection of public realm vistas. Lastly, impetus number four. It is impossible -- an example of impetus number four. It is impossible to legislate artistry. Good planning principles and sound planning principles are able to be legislated. Legislation, together with design stewardship, can produce extraordinary success in the quality of the built environment. The city architect -- the role of a city architect is a role that goes back in western civilization for centuries. The Board of Architects, which was established by Merrick 90-plus years ago, is unique to our city and has sustained the role of managing the aesthetic quality of Coral Gables. The interplay of planning principles imbedded in our Zoning Code and guided by the Planning director, when nuanced with the leadership of the City architect and the Board of Architects, ensures that Coral Gables benefits by the integration of design, planning and aesthetic in the stewardship of our built environment. For these reasons, these amendments underscore additional authority to aesthetic decisions and recommendations established by the Board of Architects, especially under appeals and recommendations to the Board of Adjustment. All projects, as you know -- in Coral Gables, aesthetics matter, but all projects, as you know, are reviewed by the Board of Architects, particularly, projects in route to the Board of Adjustment. It is important that the Board of Adjustment give due consideration to aesthetic findings by the Board of Architects when it deliberates and makes decisions on a project's future. An amendment, for example -- or an example that addresses all these amendments is the recalibration in these proposed texts of a building's height. The height of the building here is acknowledged as the function of three distinct zones in the building envelope. The base of a building is used, of course, to mediate the vertical distance between the earth or the ground and the finished floor. The body of a building is the distance between the finished floor and the beginning of the roof. That is the vertical area of wall. And, the third area is the area of the roof

itself, from its eaves to its ridge. These amendments proposed an increase in the base zone to protect against impending and more and more common flooding. Moreover, they manage and more accurately measure the middle zone of a building, the wall that is the one element that has the greatest effect on aesthetic perception of height. This is important, and I'm going to pause for a second, because right now our height is measured and managed between average grade -- which is either average point of road or sidewalk and ridge. I can guarantee you it's very hard for an inspector to get in the attic of a construction project to measure the top of the ridge of the project. So, this allows implementation and better policing, because it is very easy to measure the distance between the finished floor and the top of the tie beam. So, by subdividing the measurement and management of height, we can control it better and we can calibrate any one of the three parts of the formula for height to address issues like, for example, flooding. The wall -- and so, the last of these three elements, of course, is the roof, which covers the height of that third zone from the eaves to the ridge. These amendments promote an increase in the base zone to protect against flooding, manage more accurately the middle zone of the wall, which has the greatest effect on the aesthetic perception of height. And moreover, allows the Board of Architects to determine the roof zone as appropriate to the history, character and topology of the proposed project in question. So, here's an example where all four conditions or impetus are at play in the legislation. Sometimes you don't see that by just reading the language. The recognition of the diversity in scales and lot sizes is acknowledged in these amendments, but probably not as much as it should be. It is clear that lots with frontages of 75 feet or less operate very differently from lots that are 100 feet or more in their frontage. The majority of this work has been aimed at what I am calling the core residential neighborhoods. But, additional work should focus on the distinction between those neighborhoods and the neighborhoods, which are in a grouping of residential estates, more particularly, the neighborhoods to the south and the coastal neighborhoods that I saw you just received a report on. Parity must continue to occur as we continue this work. For example, the lot coverage differences in the site specific areas of Snapper Creek and Hammock Lake should be addressed. These areas currently are governed by lot coverages that are less than half of the standards for all other single-family neighborhoods in Coral Gables. Your comments and questions today will provide insight and direction for these

amendments, which we will include. We look to your endorsement and guidance, and we look forward to discuss these next steps for this document. The members of this panel expressed their sincere gratitude for this opportunity and serve -- and look forward to serving and continuing on with this process.

Mayor Valdes-Fauli: Thank you very much, Mr. Hernandez. I very much appreciate it, and I congratulate you for such a wonderful effort in clarifying things that may have crept up into our Code or (INAUDIBLE) or whatever. This is a fantastic initiative. And, are there questions from the Commission?

Commissioner Quesada: I didn't understand your last statement on Snapper Creek and Hammock Oaks.

Mr. Hernandez: Those neighborhoods -- I'm becoming a historian. I guess I'm getting ready to take up Arva's slot, because I'm getting that advanced. So, I think it was 25 years ago that those neighborhoods were annexed. And at the time, for multiple reasons that we don't even need to get into, there was a lot coverage that was -- that is -- and it's still in place -- 15 percent. So, the issue is a lot of the projects that I have done in those areas have had to go for variances, all of which have been granted. Because, for example, one of my clients wanted to build a one-story house. Well, lot coverage only looks at roof area, so a person could build twice the size, but because of their decision to build a one-story house, that structure was in need of a variance. So, just examples like that. And, I'm -- I don't think -- these are not simple issues. I think they can be revisited. This is the beginning of a process. But, we were just trying to call out where there might be differences in parity that are carryovers from previous histories, let's say, that now is the time to address them or purge them, or at least begin discussing them.

Mayor Valdes-Fauli: Very good.

Commissioner Lago: What's our next step?

Vice Mayor Keon: Well, I think that all of the site specifics in the City really should be looked at.

City Attorney Leen: Mr. -- and I wanted to raise that. You've put on the agenda a little later today -- and I have Craig Collier here.

Vice Mayor Keon: We can deal with it right now.

City Attorney Leen: Yeah. No, no, I know, about site specifics. One point here in this ordinance that's a really significant policy issue for the Commission is four -- Article 4(1)(D), performance standards, where it basically says that the site specifics would be eliminated. Now, the reason I raise that is there may be very, very good planning principles for that. But from a legal perspective, you just need to be aware that the way that it's worked in the history of Coral Gables thus far is there are a number of communities in Coral Gables that have site specific zoning regulations that are largely based on the way those communities were when they came into Coral Gables when they were annexed. In fact, with Little Gables, we have told them that we would likely do something similar. So, this is not consistent with that. This would be a different approach. It's a significant policy issue, and it's something with legal implications as well. It's ultimately up to the Commission whether to do that or not, but I just wanted to raise that for you. I know you have an item to talk about. I have Craig Collier here who can comment on it as well.

Commissioner Quesada: You know, I got to tell you. I feel like I need more briefing on this.

Commissioner Mena: Yeah, me too.

Commissioner Quesada: Because I look at -- you just said Item 4(1)(D). If you look at 4(1)(D) - - okay, I'm going to get confusing here -- (D)(4)(a). It's on page 5 of Exhibit A of the

documents in front of us. It says front setback. In a single-family home, the front setback is going to be 25 feet, you know, except as otherwise permitted by the best practices of the Board of Architects. I immediately think of North Gables. There's no way -- you know, the vast majority of those homes are within ten feet...

Mr. Hernandez: I'm sorry. Say that again. I didn't hear the second part of the statement.

Commissioner Quesada: That provision makes no sense to many homes in North Gables. So, all I'm saying is...

Mr. Hernandez: No. Most of the North Gables homes have a 25-foot setback.

Mayor Valdes-Fauli: Yeah, most have.

Vice Mayor Keon: That's the front setback.

Commissioner Quesada: For rear?

Mr. Hernandez: That's the front setback.

Mayor Valdes-Fauli: Yeah, most have.

Commissioner Lago: From the street.

Vice Mayor Keon: That's the front setback.

Mayor Valdes-Fauli: Yeah.

Commissioner Quesada: No, I'm thinking front.



Vice Mayor Keon: That's the...

Mr. Hernandez: Most of them are 25...

Commissioner Quesada: Do they?

Mr. Hernandez: Feet.

Vice Mayor Keon: Yeah.

Mr. Hernandez: Yeah.

Commissioner Quesada: Surprising to me. I don't think my house does.

Commissioner Mena: It's just that he's so tall. He doesn't...

Vice Mayor Keon: I think your house probably does. I know the first home I ever bought was in the Craft Section...

Mayor Valdes-Fauli: Most do.

Vice Mayor Keon: And, they were all 25-foot setbacks.

Commissioner Quesada: It seems like some of those houses are so much closer.

Commissioner Mena: It seems -- I agree.

Mr. Hernandez: There are a very small number of those houses -- and they're peppered around. In fact, I live south of US-1, and there's one on my block. But, there are a very small number of what we call Coral Gables cottages, where the main building has a 25-foot setback, but a small porch is allowed to encroach an additional 10 feet. We had a long discussion about this in the deliberations. And, the reason why it did not enter the document and it's kind of tangentially referred to as if the Board of Architects wishes to endorse this is that in today's code for septic tanks, it is virtually impossible to have a portion of the house encroach further than 25 feet towards the street and provide the green space. So, we didn't want to perpetuate...

Commissioner Quesada: My point is...

Mr. Hernandez: More variances.

Commissioner Quesada: My point is I think we need to have individual meetings, because I didn't get like a detailed -- maybe it's my fault. I apologize, you know, Madam Manager. But, I feel like I don't want to make the sausage up here. I have a number of thoughts that I'm thinking that are going to dive into some of the details...

Planning and Zoning Director Trias: Yeah.

Mr. Hernandez: I think that's why we're here.

Unidentified Speaker: That's why I said...

Vice Mayor Keon: But I think that...

Unidentified Speaker: What's our next step...

Mayor Valdes-Fauli: Why don't we -- let me make a suggestion.

Vice Mayor Keon: But, I think that's the issue here...

Commissioner Quesada: It makes no sense to go into every single one of them right now.

Mayor Valdes-Fauli: Can I make a suggestion?

Vice Mayor Keon: No, but I think the issue is...

Mayor Valdes-Fauli: That we ask all the questions we want at this point, but that we defer consideration until we meet individually with Mr. Hernandez and committee members and then we discuss this at some point in the future when we feel that we're better prepared. Because, he just made a wonderful presentation and this is the first time we hear about it.

Commissioner Quesada: Yeah. And, you made me think of a lot of -- what you were saying; I wrote a number of different notes...

Mr. Hernandez: Sure.

Commissioner Quesada: Different items that come to mind and now I'm comparing what you said to the red-lined version of the staff report, and it's bringing up additional ideas.

Mr. Hernandez: Sure.

Planning and Zoning Director Trias: Mayor, if I could clarify. This is not before you for any action. This is only a report.

Mayor Valdes-Fauli: Yeah, yeah.

Vice Mayor Keon: Yeah.

Planning and Zoning Director Trias: Now, it will go to Planning and Zoning, and then it will come back to you as first and second reading, so there's plenty of time to finalize the language.

Vice Mayor Keon: Right. It wasn't intended for you to...

Mayor Valdes-Fauli: No.

Vice Mayor Keon: Vote on. It was to begin the formal discussion on these items, and then it will go to Planning and Zoning and come back to us, but it gives us the opportunity to have this first look at...

Mayor Valdes-Fauli: Very good.

Vice Mayor Keon: What these things are so that you can offer comment.

Commissioner Mena: And, I apologize if you said this, but -- so, the homes that may be noncompliant with some of these currently -- like, let's say there is a house that doesn't have the 25-foot setback...

Commissioner Quesada: Knock the house down.

Commissioner Mena: No, I'm saying, so...

Mayor Valdes-Fauli: Yeah, and plant a tree. Knock it down and plant a tree.

Unidentified Speaker: Especially if it's historic, right?

Commissioner Mena: But how do we deal with it? Obviously, they're grandfathered...

Mr. Hernandez: There are existing nonconforming uses. They're considered existing nonconforming uses.

Commissioner Mena: Okay.

Mayor Valdes-Fauli: Bat house. Okay, thank you very much, Mr. Hernandez.

Mr. Hernandez: It is my pleasure. Thank you.

Mayor Valdes-Fauli: And wonderful job. And, we...

Commissioner Quesada: Yeah.

Commissioner Lago: Thank you.

Mayor Valdes-Fauli: Are very grateful for your commitment to the City and your talent, making it available to us.

City Attorney Leen: Thank you.

Mayor Valdes-Fauli: Thank you.

Commissioner Mena: Thank you, sir.

Vice Mayor Keon: But, I'd like that each of you would make an appointment with them to talk to them and go through these things, because they are -- they correct a lot of the issues that we have been dealing with, like the issue of carports and not counting carports. And you know, it

would incentivize the kind of design that we saw early on in the city with the porches that -- I mean, with garages that are setback deep and those kinds of things. I think there is just a tremendous amount of good work that was done here. And as much as they've done, there's probably just much more to go if you could have it. But I think it's a very, very good effort that they spent a tremendous amount of time on. So, I hope you'll meet with them...

Commissioner Mena: Yeah.

Vice Mayor Keon: But, before it goes to the Board of Architects, they can incorporate some of the things into it so that, you know, it'll...

Commissioner Mena: Yeah. I'd like to...

Vice Mayor Keon: It'll come back.

Commissioner Mena: Ramon, if you could -- at least for my case. I don't want to speak for everybody, but if you could make it a point to coordinate meetings with us and Mr. Hernandez...

Mayor Valdes-Fauli: Yeah, with us individually.

Commissioner Mena: Individually.

Planning and Zoning Director Trias: Yes, yes. And in fact, we need some further input from some other staff members and so on. This is really just a report for you to see where we are.

Mayor Valdes-Fauli: Yeah.

Planning and Zoning Director Trias: A finalized version will come as soon as we're ready.

Mayor Valdes-Fauli: Thank you very much.

Commissioner Lago: You mentioned a point there that I think is something that has come up before, not this Commission, but previous Commissions and it's always dealt with as a variance, in reference to the 15 percent lot coverage. I think that's something that we need to address because, again, I don't think any homeowner should have to continue coming before Coral Gables Commission asking for a variance over a 15 percent lot coverage, you know. When you're talking about most of those lots are one, two, three and four acres and some...

Mr. Hernandez: Well, in that case, the lots...

Commissioner Lago: Some instances, excuse me.

Mr. Hernandez: Yeah, the lack of parity...

Commissioner Lago: Yeah.

Mr. Hernandez: I mean, it's less than half what the rest of the city enjoys.

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: And especially, as you mentioned before, I think I'm -- I'm familiar with that case about the one-story home. That person was, I think, a little older and they didn't want to have a two-story home. So, again, they lose the ability to build something beautiful as a result of the Code, you know...

Mayor Valdes-Fauli: Thank you.

Commissioner Lago: And I think that's a shame. That's a travesty.

City Manager Swanson-Rivenbark: Mr. Mayor, what would you think if you had a workshop with the volunteers...

Commissioner Lago: That'd be great.

City Manager Swanson-Rivenbark: On the committee...

Mayor Valdes-Fauli: Yeah, that'd be nice.

City Manager Swanson-Rivenbark: And, you all at the same time, because...

Mayor Valdes-Fauli: That's a very good idea.

City Manager Swanson-Rivenbark: Commissioner Quesada was talking about a philosophy to me that you all may want to weigh in on, and so this way you can talk together with them and then bring it back.

Mayor Valdes-Fauli: Very good idea.

Vice Mayor Keon: Okay.

Mayor Valdes-Fauli: Thank you. Thank you.

Mr. Hernandez: Thank you again.

Unidentified Speaker: Thank you.



Vice Mayor Keon: I think this is one of those tracking efforts that Commissioner Lago has talked about so often and so that we don't lose...

Commissioner Lago: I'm putting -- trust me, I'm putting...

Vice Mayor Keon: That way we don't...

Commissioner Lago: I'm putting this...

Mayor Valdes-Fauli: Okay, next.

Vice Mayor Keon: Lose track of the momentum...

Commissioner Lago: Trust me, I'm putting this...

Vice Mayor Keon: That we start, so yes.

Commissioner Lago: This is why there's Commissioner...

Vice Mayor Keon: Thank you.

Commissioner Lago: Commissioner initiatives and updates. We can put that on the...

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: Make a request from our employee of the month.

Vice Mayor Keon: Yeah.

Commissioner Lago: Chelsea, to put that on an initiative track request.