

**Ordinance No. \_\_-2020**

**AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA (CITY), AMENDING THE CODE OF ORDINANCES, CHAPTER 74 "TRAFFIC VEHICLES" SECTION 74-208 "STUDY CRITERIA, PROCESS AND EXPENSES" TO REQUIRE THE APPLICANT TO PAY AN UPFRONT FEE TO GUARANTEE COMPENSATION TO THE CITY'S CONSULTANT FOR THE METHODOLOGY MEETING; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission accepted the recommendation of the City's Transportation Advisory Board that the City review the traffic impact study procedure developed by the Board in Resolution 2017-213; and

**WHEREAS**, the City Commission adopted Ordinance No. 2018-09 requiring traffic impact studies whenever a proposed development will generate fifty (50) or more added (new) peak hour two-way trips to or from the site during the adjacent roadway's peak hours or the development's peak hours; and

**WHEREAS**, if a traffic impact study is required, the applicant shall request a methodology meeting with the Department staff and consultants to prepare a scope and budget for the traffic impact study; and

**WHEREAS**, the City Commission wishes to amend the existing ordinance to require the applicant to pay an upfront fee to guarantee compensation to the City's consultant for the methodology meeting:

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

**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.** The Code of Ordinances of the City of Coral Gables is hereby amended as follows<sup>1</sup>:

**Chapter 74 - Traffic and Vehicles**

\* \* \*

Sec. 74-208. - Study Criteria, Process, and Expenses.-

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<sup>1</sup> Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

(e) Expenses.

1. All reasonable expenses incurred in undertaking and conducting the independent traffic-impact study shall be paid by the applicant at the rates set out in the City's continuing contract.
2. The applicant shall provide payment for the scoping meeting in a form of a check payable to the City of Coral Gables, for the amount of \$686.00. The meeting fee shall be limited to a maximum of \$686.00, which accounts for two (2) hours of the consultant's project manager and traffic engineer. The scoping fee shall be calculated based on the pre-negotiated rates in the Traffic Impact Study Consulting Services Contract. The scoping meeting shall not be conducted until the scoping meeting fee is paid in full.
3. Before the study begins, the applicant shall pay an amount equal to fifty (50%) of the expenses estimated by the provider set to perform the study, in accordance with subsection (b) above.
4. After the study is completed, but before any permit may be issued, the applicant shall pay the difference between the amount paid and the actual expenses incurred for the traffic study.

**SECTION 3.** All ordinances or parts of Ordinances inconsistent of in conflict with the provision of this Ordinance are hereby repealed.

**SECTION 4.** If any section, part of section, paragraphs, clause, phrase or word of this Ordinance is declared invalid, the remaining provision of this Ordinance shall not be affected.

**SECTION 5.** It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the City of Coral Gables Code of ordinances and that the sections of this "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 6.** If the Official Zoning Code of the City of Coral Gables Tables of Contents or other references portions is affected by these provisions, then changes are approved as a part of this ordinance.

**SECTION 7.** This Ordinance shall become Effective upon the date of its adoption

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2020.

APPROVED:

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RAUL VALDES-FAULI  
MAYOR

ATTEST:

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BILLY URQUIA  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

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MIRIAM RAMOS, ESQ.  
CITY ATTORNEY