

**City of Coral Gables City Commission Meeting
Agenda Item E-1
February 22, 2011
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Commissioner Maria Anderson
Commissioner Rafael “Ralph” Cabrera, Jr.
Commissioner Wayne “Chip” Withers**

City Staff

**City Manager, Patrick Salerno
Interim City Attorney, Lourdes Alfonsin
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Planning Director, Eric Riel**

Public Speaker(s)

E-1 [Start: 10:10:42 a.m.]

Zoning Code Text Amendments. An Ordinance of the City Commission of Coral Gables requesting the following text amendments to the City of Coral Gables Official Zoning Code:

1. Article 1, “General Provisions”, Section 1-108, “Transitional Rules”;
2. Article 2, “Decision Making and Administrative Bodies”, Division 1, “City Commission”, Section 2-101, “Powers and duties”; and Division 2 “Planning and Zoning Board”, Section 2-201, “Powers and duties”;
3. Article 3, “Development Review”, Division 3, “Uniform Notice and Procedures for Public Hearing”, Section 3-302, “Notice”;
4. Article 3, “Development Review”, Division 5, “Planned Area Development (PAD)”;
5. Article 3, “Development Review”, Division 6, “Appeals”, Section 3-606, “Procedures for appeals”;

6. Article 4, “Zoning Districts”, Division 2, “Overlay and Special Purpose Districts”, Section 4-201, “Mixed Use District” (MXD)”;
7. Article 4, “Zoning Districts”, Division 4, “Prohibited Uses”, Section 4-413, “Boats and boat trailers”;
8. Article 5, “Development Standards”, Division 1, “Accessory Uses”, Section 5-115, “Drive-throughs, walk-up windows, and automated teller machines (ATM)”;
9. Article 5, “Development Standards”, Division 6, “Design Review Standards”, Section 5-604, “Coral Gables Mediterranean Style Design Standards”;
10. Article 5, “Development Standards”, Division 6, “Design Review Standards”, Section 5-607, “Exterior walls – facing materials”; and
11. Appendix A, “Site Specific Zoning Regulations”, Section A-23, “Cocoplum Section Two”; and
Providing for severability, repealer, codification and an effective date.
(PZB recommended approval, vote: 7-0)

Mayor Slesnick: Mr. Manager E-1.

City Manager Salerno: Thank you Mayor. Eric. E-1 is an Ordinance of the City Commission, requesting an Ordinance of the Commission of Coral Gables, requesting the following text amendments to the City of Coral Gables, Official Zoning Code. Would you like me to read through those items Mayor?- or Eric why don't you run through them all.

Mr. Riel: Actually, I can do that as part of my presentation.

City Manager Salerno: OK.

Mr. Riel: What we have before you today is ten amendments, as you noted earlier Mr. Mayor, Item number four of the amendments has been withdrawn. The first amendment is Article 1, “General Provisions”, Section 1-108, “Transitional Rules”; this amendment is basically a removal of provisions that were in the Code, old Code versus new Code that are no longer necessary therefore they are outdated, they are being removed. The second part of number 1 is a clarification of the existing site specific provisions to clarify that, the Mediterranean bonus that you can receive are in addition to the site specific standards which are more limiting in height, which then again is just a point of clarification. Number two is Article 2, “Decision Making and Administrative Bodies”, and I'll just read number three is Article 3, “Development Review”, number two, Decision Making Bodies as you know, the Commission has certain duties as well as the Planning and Zoning Board. Recently we re-did the process for the University of Miami, is an entirely new process. As a part of that what we did is we went back to the Code and cross-referenced and qualified the duties of the Planning and Zoning Board and the Commission, it is no change in terms of the content, it just correctly references the correct sections of the Code.

Number three is Article 3, “Uniform Notice and Procedures for Public Hearing”, again as a part of the new University of Miami, process as well as some applications that were omitted we have clarified the code in terms of the advertising requirements. There also were some scrivener errors which have been corrected. This provision as you know has to do with public hearing notices and whatnot and the City Attorney’s Office did review this for conforming with Florida Statutes, as well as the department. Jumping on to number five is Article 3, “Development Review”, “Appeals”, these provisions require that after an appeal is filed, that within 14 days the item needs to be considered, that is critical when you have to advertise it ten days. Before it doesn’t leave you enough time, so we have amended the Code to allow it to be at the next available meeting, which typically is beyond the 14 days and it allows sufficient time for the ad to go in. Article 6 (sic: Article 4), “Zoning Districts”, this again is a clarification, this is the Mix Use Overlay District right now is a requirement that 50 percent of the ground floor include retail sales and service and 40 percent in terms of the side street has to be retail sales and services. What we have done here is clarify that to include restaurants and public realm as well, the idea here is to include uses that have vibrancy on the street so this amendment again is more of a clarification in terms of what the City is doing, in terms of the Mix Use Overlay. The second category within this section is clarification as you know, as part of the Zoning Code, I mean as part of the Comprehensive Plan where we move the floor limitation, this removes that floor limitation, but still has the feet limitation. Number seven has to do with prohibited uses. If you recall, about a month or two ago we came before the Commission regarding surfaces in front of single family residences. Commissioner Withers brought up how does this apply to boats and boat trailers?- basically this clarifies that parking surfaces for the placement of boats and boat trailers can be improved or unimproved, and this exactly clarifies the current practice that the Code Enforcement Department issues so again, thank you for bringing that to our attention as that clarifies that issue. Article 8 (sic: Article 5), “Development Standards”, this has to do with ATMs, Walk-up exterior ATMs, there is actually no provision in the Code that provides for signage. They have been going through basically the process that allows them, this would allow them two square feet of signage, which is kind of the middle ground after doing analysis of other cities. They usually allow between one and four square feet, so we thought two feet would be adequate. Number nine has to do with Development Standards, this again just clarifies the site specific regulations regarding Mediterranean bonuses. Number ten, this comes from the Board of Architects where exterior wall facing materials, there are certain woods that are allowed. This list has not been updated or amended in some time, this allows the Board of Architects to introduce the new type of wood subject to the entire Board reviewing and approving and also provides for the opportunity to remove that new product and there is criteria at the end of number ten that the Board has to evaluate in terms of the new products; and then last but not least, eleven is just purely a scrivener error. The Planning Board did review these in detail, did make some minor notifications and they did recommend unanimous approval.

Mayor Slesnick: Any questions for the Director?

Commissioner Withers: I have one. In anticipation of what is going on with Miracle Mile, did we see how any of these would affect the proposed?

Mr. Riel: None of these amendments affect that, these are amendments that we have been working on for four, five, six months, they are brought by different boards or the departments. As you know, every six months we come through with about ten or fifteen amendments and six months again, we'll be back again with some minor changes.

Mayor Slesnick: Any other questions? Any comments? I have no cards from the public to speak on this. Do I have a motion?

Commissioner Anderson: I'll move it.

Mayor Slesnick: Ms. Anderson moves it.

Vice Mayor Kerdyk: Second.

Mayor Slesnick: Mr. Kerdyk seconds it. Just to remind everyone and to remind our Clerk's Office, we are voting on E-1 without number four, subtopic number four. Would you call the roll please?

Commissioner Anderson: Yes.

Commissioner Cabrera: Yes.

Vice Mayor Kerdyk: Yes.

Commissioner Withers: Yes.

Mayor Slesnick: Yes.

(Vote: 5-0)

[End: 10:18:40 a.m.]