



**City of Coral Gables**  
**CITY COMMISSION MEETING**  
**March 25, 2007**

**ITEM TITLE:**

**Ordinances on Second Reading.** Amendments to the City of Coral Gables Comprehensive Land Use Plan and Zoning Code necessary to meet State of Florida mandated public school concurrency requirements:

1. **Ordinance on Second Reading. Comprehensive Land Use Plan (CLUP) Amendment.** An Ordinance of the City of Coral Gables, Florida, amending the City of Coral Gables Comprehensive Land Use Plan, providing for a new “Educational Element” and associated text amendments to the Intergovernmental Coordination Element and Capital Improvements Element necessary to meet state-mandated public school concurrency requirements; authorizing transmittal of these amendments to the South Florida Regional Planning Council, Florida Department of Community Affairs, and other applicable agencies for compliance review as required by Florida Statutes; providing for a repealer provision, a savings clause, a severability clause, and codification; and providing for an effective date.
2. **Ordinance on Second Reading. Zoning Code Text Amendment – Article 3, Division 13, Concurrency Review.** An Ordinance providing for text amendments to the Zoning Code, Article 3, Division 13, entitled “Concurrency Review,” providing for updates to concurrency review provisions and procedures, including the addition of public school concurrency review procedures necessary to meet State of Florida mandated public school concurrency requirements; providing for a repealer provision, a savings clause, a severability clause, and codification; and providing for an effective date.

**RECOMMENDATION OF THE CITY MANAGER:**

Recommend approval of the above amendments to the City of Coral Gables Comprehensive Land Use Plan and Zoning Code as referenced above to meet State mandated public school concurrency requirements.

The proposed Ordinances and amendment language for the above items are provided as Exhibits A and B.

**PLANNING DEPARTMENT RECOMMENDATION:**

The Planning Department recommends approval of the above amendments to the City of Coral Gables Comprehensive Land Use Plan and Zoning Code as referenced above to meet State mandated public school concurrency requirements.

Please see the attached Staff reports (Exhibits C and E) for additional information.

**PLANNING AND ZONING BOARD RECOMMENDATIONS:**

At its 11.14.07 meeting, the Local Planning Agency / Planning and Zoning Board recommended approval of the proposed amendments to the City’s Comprehensive Land Use Plan (vote: 6-0) as referenced above to meet State mandated public school concurrency requirements.

Please see the attached Staff report and minutes (Exhibits C and D) for additional information.

At its 01.09.08 meeting, the Planning and Zoning Board recommended approval of the proposed amendments to the City's Zoning Code (vote: 5-0) as referenced above to meet State mandated public school concurrency requirements.

Please see the attached Staff report and minutes (Exhibits E and F) for additional information.

### **BRIEF HISTORY:**

Since the passage of public school concurrency legislation in 2005, the City of Coral Gables has been participating in a countywide intergovernmental effort to comply with and implement the new requirements. The School Board presented an overview of school concurrency requirements and proposed regulations at the Planning and Zoning Board meeting of October 10, 2007 and City Commission meeting of November 13, 2007 (see Exhibit G). The statutory deadline for compliance for all local governments in Miami-Dade County was January 1, 2008, although no local governments in the county were able to meet this deadline, and none have completed the entire process as of this writing. The required amendments are as follows:

**1. Interlocal Agreement.** Amendment of the existing Interlocal Agreement between the City, School Board and other local governments in the County.

At its 12.11.07 meeting, the City Commission adopted the amended Interlocal Agreement via Resolution No. 2007-272 (see Exhibit H).

**2. Comprehensive Land Use Plan.** Amendments to the City's Comprehensive Land Use Plan (CLUP) providing for a new Educational Element, and amending the existing Capital Improvements and Intergovernmental Coordination Elements (see Exhibit A).

At its 12.11.07 meeting, the City Commission approved the Comprehensive Land Use Plan amendments on First Reading. The amendments were then transmitted to the South Florida Regional Planning Council, Florida Department of Community Affairs (DCA), and other applicable agencies for review and comment, pursuant to State statutes. On 02.11.08 DCA issued an Objections, Recommendations, and Comments (ORC) Report that raised a few minor and technical concerns with the City's proposed CLUP amendments (see Exhibit I). City staff has revised the amendments pursuant to the ORC report recommendations, and those changes are highlighted and provided in double ~~strike-through~~ / underline format in Exhibit A.

**3. Zoning Code.** Amendments to the City's Zoning Code providing for changes to the City's Concurrency Management System processes and regulations (see Exhibit B).

At its 01.22.08 meeting, the City Commission approved the Zoning Code amendment on First Reading, at which time the Commission requested that upon returning for 2<sup>nd</sup> Reading, Staff provide greater clarification regarding the City's procedures for concurrency review. In response, Building and Zoning Department Staff have provided an overview of the procedures (see Exhibit J), and will be present to discuss the issue in greater detail as necessary.

Failure to complete these amendments will halt the City's ability to amend the CLUP and Future Land Use Map, thereby preventing development projects that require changes to the CLUP text and map from moving forward.

Background materials are attached to supplement this request as referenced in the list of Exhibits further below.

**LEGISLATIVE ACTION:**

<b>Date:</b>	<b>Resolution/Ordinance No.</b>	<b>Comments</b>
11.13.07	N/A	Presentation of school concurrency overview by School Board staff (see Exhibit G).
12.11.07	Resolution No. 2007-272 (see Exhibit H)	Adoption of amended Interlocal Agreement; Approval on 1 <sup>st</sup> Reading of CLUP amendments.
01.22.08	N/A	Approval on 1 <sup>st</sup> Reading of Zoning Code amendment.

**OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):**

<b>Date</b>	<b>Board/Committee</b>	<b>Comments (if any)</b>
10.10.07	Planning and Zoning Board	Presentation of school concurrency overview by School Board staff.
11.14.07	Local Planning Agency / Planning and Zoning Board	Recommended approval of amendments to CLUP and Interlocal Agreement (vote: 6-0).
01.09.08	Planning and Zoning Board	Recommended approval of Zoning Code amendment (vote: 5-0).

**PUBLIC NOTIFICATION(S):**

<b>Date</b>	<b>Form of Notification</b>
11.02.07 and 12.27.07	Published ads giving Notice of Local Planning Agency / PZB Public Hearings (on file with Planning Department and available upon request).
11.16.07 and 03.10.08	Memorandums to City Clerk requesting publication of Ordinance/Resolution headings (on file with Planning Department and available upon request).
12.07.07, 1.18.08 and 1.21.08	Posted City Commission memos and exhibits on City web page.

**APPROVED BY:**

<b>Department Director</b>	<b>City Attorney (If Applicable)</b>	<b>City Manager</b>
<b>Eric Riel, Jr. Planning Director</b>	<b>Elizabeth Hernandez</b>	<b>David L. Brown</b>

**EXHIBIT(S):**

Exhibit A: Proposed Ordinance: CLUP text amendments.

Exhibit B: Proposed Ordinance: Zoning Code amendment.

Exhibit C: 11.14.07 Staff Report.

Exhibit D: 11.14.07 Excerpts of Planning and Zoning Board meeting minutes.

Exhibit E: 01.09.08 Staff Report.

Exhibit F: 01.09.08 Excerpts of Planning and Zoning Board meeting minutes.

Exhibit G: 11.13.07 MDCPS PowerPoint presentation.

Exhibit H: Resolution No. 2007-272 adopting the amended Interlocal Agreement.

Exhibit I: 02.11.08 DCA Objections, Recommendations, and Comments (ORC) Report.

Exhibit J: BZD Overview of Procedures for Concurrency Review.

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