

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2021-232

A RESOLUTION OF THE CITY COMMISSION DIRECTING STAFF TO IMPLEMENT A PROCESS TO ALLOW THE PUBLIC TO PROVIDE WRITTEN INPUT ON PROJECTS DURING AN ESTABLISHED COMMENT PERIOD PRIOR TO DEVELOPMENT REVIEW COMMITTEE AND BOARD OF ARCHITECTS MEETINGS.

WHEREAS, pursuant to Section 14-108 of the Zoning Code, certain development projects must be reviewed by the Development Review Committee (“DRC”), a single administrative staff committee at which applicants can be provided input, advice, and comments regarding all applicable provisions and regulations applicable to the development applications, projects, or similar reviews before the projects are presented to the City Commission and/or the various development review boards of the City; and

WHEREAS, while DRC meetings are open to the public, no decision is made at the meeting and public comment is not intended to be solicited; and

WHEREAS, the City Commission acknowledges that allowing for public comment on proposed development projects scheduled for review by the DRC may be beneficial in some cases, yet recognizes that it would be challenging to allow for such comment to be made openly during the DRC meeting when applicants are seeking and being provided technical input from staff; and

WHEREAS, as set forth in Sec. 14-103 of the Zoning Code, the Board of Architects (“BOA”) “is a design administrative review board created to ensure that the City’s architecture meets the design review standards of the Zoning Code, is consistent with the City’s regulations and to preserve the traditional aesthetic character of the community;” and

WHEREAS, the City Commission desires to clarify that although public comment is not allowed during meetings of the DRC, the Commission wishes to provide a process so that the public can provide its written input on proposed projects reviewed by the DRC and those projects reviewed by the BOA that were reviewed by DRC; and

WHEREAS, the City Commission recognizes that Section 2-83 of the City Code provides rules for the public addressing the boards of the City and that specifically, section 2-83(d) provides that “[a]ny person making irrelevant, impertinent, or slanderous remarks or who becomes boisterous while addressing the commission shall not be considered orderly or decorous” and that the Civility Code adopted by Resolution No. 2016-279 and re-adopted by Resolution 2021-187 further establishes rules of decorum and civility “to facilitate an open, orderly and respectful environment for all those in attendance and to foster an atmosphere of fairness, courtesy and respect for differing points of view” and specifically provides that individuals attending a public meeting must, among other things, “[r]efrain from using

profanities, insults or other disparaging remarks” and [r]efrain from making comments, references or statements regarding race, gender, ethnicity, religion or sexual orientation;” and

WHEREAS, the City Commission desires that the City’s rules and regulations regarding citizen input, decorum, and civility set forth in Section 2-83 of the City Code and in the Civility Code adopted in Resolution 2016-279 and re-adopted in Resolution No. 2021-187 shall apply to written public input;

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

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon the adoption hereof.


SECTION 2. That the City Commission clarifies that public comment is not allowed during meetings of the DRC and directs staff to implement a process to allow for written public input, via a dedicated email address, on all projects to be reviewed by the DRC and for those projects reviewed by BOA that are also required to be reviewed by DRC during a comment period (the “public comment period”). The public comment period for DRC and BOA meetings shall conclude by the close-of-business the day prior to the DRC meeting or BOA meeting. All written public comment received during the public comment period shall be made available for the public to view on the City’s website under a “public comments” section for each DRC and BOA and shall be provided to each of the members of the DRC or BOA, respectively.

SECTION 3. That, to the extent that any written public input submitted pursuant to the process set forth in Section 2 contains “irrelevant, impertinent, or slanderous remarks,” “profanities, insults, or other disparaging remarks,” or “comments, references or statements regarding race, gender, ethnicity, religion or sexual orientation,” and no other relevant input, such written input shall not be made available on the City’s website and shall not be transmitted to the members of either the DRC or BOA.

SECTION 4. That this Resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF AUGUST, A.D., 2021.
(Moved: Mena / Seconded: Menendez)
(Yeas: Anderson, Fors, Jr., Mena, Menendez, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: G-19)


APPROVED:

DocuSigned by:

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VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

DocuSigned by:

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BILLY Y. URQUIA
CITY CLERK

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY