

City of Coral Gables
CITY COMMISSION MEETING
September 28, 2016

ITEM TITLE:

Ordinance on Second Reading. Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, amending Article 3, "Development Review," Division 21, "Art in Public Places Program," Section 3-2102 "Applicability," Section 3-2103, "Art in Public Places Fund Requirements, Waivers, and Exemptions," Section 2104 "Administration," and Section 3-2105 "Enforcement," Section 2-2106 "Definitions" ; increasing Art in Public Places contribution for non-municipal construction projects providing incentive for option to direct certain percentage of contribution to public parks and opens spaces, clarifying the ordinance by utilizing the words "alternative options" in lieu of the word "waivers," modifying procedures of the Art in Public Places Program; providing for repealer provision, severability clause, codification, and providing for an effective date.

DEPARTMENT HEAD RECOMMENDATION:

Approval

BRIEF HISTORY:

On August 23, 2016, the City Commission approved the Ordinance on First Reading with requests for the following information: listing of area Art in Public Places programs and fees; impact of removing soft costs from the ordinance definition of Construction Cost; estimate of Parks and Open Spaces fee collection based on pending projects.

On April 12, 2016, the City Commission passed and adopted Resolution 2016-92 which directed staff to prepare an ordinance amending the Art in Public Places Program to provide for increased contributions for non-municipal constructions projects, including as to the use of funds for public parks and open spaces.

Recognizing the importance of parks and open public spaces to enhance quality of life, the amended ordinance creates an incentive to increase donations of parks and open spaces.

In keeping with this intent, the use of the term "waiver" in the current ordinance would be better expressed as "alternative options." It is also appropriate to modify certain procedures and simple text amendments at this time.

The Cultural Development Board voted unanimously to recommend approval of the proposed Zoning Code text amendment (vote 5-0).

The Planning and Zoning Board (PZB) met on August 11 and recommended approval of the proposed Zoning Code text amendment with conditions, including a modification of the

construction cost definition and notification of the ordinance amendment to developers. The PZB recommends eliminating "soft" costs within the construction cost definition and adjusting for the difference to ensure no deficiency in collecting art acquisition fees.

LEGISLATIVE ACTION:

Date.	Resolution/Ordinance No.	Comments
August 23, 2016	Art in Public Places	Approved on First Reading



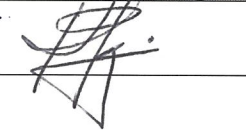
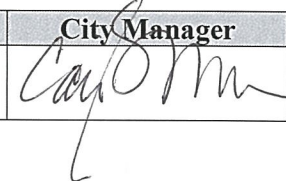
ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date.	Board/Committee	Comments
August 02, 2016	Cultural Development Board	Recommended approval (vote: 5-0)
August 10, 2016	Planning and Zoning Board	Recommended approval with conditions (vote: 4-1).

FINANCIAL INFORMATION: (If Applicable)

No.	Amount	Source of Funds
N/A		

APPROVED BY:

Department Director	City Attorney	Assistant City Manager	City Manager
			

ATTACHMENT(S):

1. Draft Ordinance
2. Area Art in Public Places programs
3. Art in Public Places fee estimate
4. Resolution 2016-92 combining AiPP fees from development projects
5. Excerpt Minutes from the Cultural Development Board meeting of August 02, 2016