

1 the entity buying the TDRs. They have a
2 certain amount of time to use them.
3 MS. GARCIA: Yes. Yes.
4 MS. BRAVO: Okay. So let the buyer beware.
5 MR. BEHAR: All right. So we have a motion
6 and a second.
7 Jill, can you please call the roll?
8 THE SECRETARY: Sure.
9 Mr. Menendez?
10 MR. MENENDEZ: Yes.
11 THE SECRETARY: Felix Pardo?
12 MR. PARDO: No.
13 THE SECRETARY: Gonzalo Sanabria?
14 MR. SANABRIA: Absolutely not.
15 THE SECRETARY: Ignacio Alvarez?
16 MR. ALVAREZ: No.
17 THE SECRETARY: Alicia Bravo -- Alice
18 Bravo, I'm sorry?
19 MS. BRAVO: Yes.
20 THE SECRETARY: Alex Bucelo?
21 MR. BUCELO: Yes.
22 THE SECRETARY: Robert Behar?
23 MR. BEHAR: Yes.
24 Item E-4.
25 MR. COLLER: What was the vote for that

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1 item?
2 THE SECRETARY: Four-three.
3 MR. COLLER: Four-three, right?
4 Okay. Item E-4, an Ordinance of the City
5 Commission providing for a text amendment to
6 the City of Coral Gables Official Zoning Code
7 by amending Article 7, "Sustainability and
8 Resilience Standards," Section 7-102, "Green
9 Building Requirements," to provide National
10 Green Building Standards (NGBS) requirements,
11 to provide -- I'm sorry, (NGBS) Silver
12 Certification as an acceptable option for
13 compliance; providing for a repealer provision,
14 severability clause, codification, and
15 providing for an effective date.
16 Item E-4, public hearing.
17 MR. SOUTHERN: Okay. This next text
18 amendment is relatively simple. As just read,
19 it's Section 7-102, Green Building
20 Requirements, within Article 7. The proposed
21 text amendment adds the National Green Building
22 Standards, the NGBS Silver, with certification
23 of energy star certification as an additional
24 compliance option.
25 As that section, 7-102A, basically reads

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1 right now, it's green building requirements,
2 "The following new construction is required
3 within 24 months after the issuance of a
4 Certificate of Occupancy or Completion,
5 whichever is less, to achieve no less than
6 Leadership in Energy and Environmental Design
7 Silver Certification, under the latest
8 applicable version of the LEED Green Building
9 Rating System of the U.S. Green Building
10 Council."

11 Bless you.

12 "Silver Certification by the Florida Green
13 Building Coalition," and that is where we're
14 adding, "The National Green Building Standards
15 Silver Certification with Energy Star
16 Certification."

17 So, if you look underneath that, you'll see
18 what we currently have in the Code about
19 buildings over 20,000 square feet and so on,
20 but all we're saying is, we're just simply
21 adding this additional standard into our green
22 building requirements. It's just giving
23 another option.

24 MR. BEHAR: I'm also going to defer to
25 Felix, as an architect, and we deal with this

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1 on a daily basis, I just want to make sure that
2 you make a provision that any qualified entity,
3 authority, you know, in addition, because you
4 do have -- you have LEED, you have Florida
5 Council, you have every -- multiple, you know,
6 that they all will qualify, right?

7 MR. SOUTHERN: Yes.

8 MR. PARDO: Yes, a hundred percent.

9 And the other thing is, I think that the
10 City should lead by example. They made an
11 exemption for themselves. I think that's
12 wrong. They should lead by example. If you
13 want it from the developer, we're going to do
14 it first.

15 MR. BEHAR: Yeah.

16 Before we go into us, public comments.
17 Anybody on --

18 THE SECRETARY: No.

19 MR. BEHAR: Okay. Close the public
20 comment.

21 Board discussion.

22 Felix, you want to continue? Are there any
23 other comments, Felix?

24 MR. PARDO: I'd like to make --

25 MR. BEHAR: Well, let me finish.

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1 MR. PARDO: Yes. So the whole point is
2 that, LEED, being the forerunner, is not the
3 only game in town --

4 MR. SOUTHERN: Correct.

5 MR. PARDO: -- okay, in the State of
6 Florida. And the second thing is that,
7 although the City doesn't have presently a lot
8 of buildings that are 20,000 square feet or
9 more, they may be having that soon, and leading
10 by example, I think, is really what we should
11 be doing.

12 So I would -- in any motion -- I support
13 this, but I would like to have both of those
14 things in there, exactly what Robert just said,
15 and also about the City not exempting
16 themselves, because I don't think that's a good
17 look.

18 MR. BEHAR: Okay. Ignacio?

19 MR. ALVAREZ: I agree.

20 MR. SANABRIA: Mr. Chairman --

21 MR. BEHAR: Let me come around, please.
22 Nestor.

23 MR. MENENDEZ: I agree.

24 MR. BUCELO: The same, I agree.

25 MR. BEHAR: Alice?

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1 MR. SANABRIA: I understand. So you're
2 saying it's compulsory, not optional, by a
3 building owner on a building project, correct?

4 MR. SOUTHERN: I mean, it's -- yes. It
5 would have to be considered, yes.

6 MR. BEHAR: All right. I'm also good. I
7 just, like I stated before, make sure we add as
8 many as we can, because LEED is not the only
9 game in town. We have Florida Council and we
10 have somebody else. I'm in favor of this.

11 With that said, I'm going to close the
12 Board comments. Do we have a motion?

13 MR. PARDO: I'd like to move the Staff
14 recommendation, with the two specific discussed
15 items, worded any way you want, but it has to
16 do, we're opening it up to the accredited
17 conservation -- certifications that exist in
18 the State of Florida.

19 MR. BEHAR: Certification, not
20 conservation.

21 MR. MENENDEZ: Yeah.

22 MR. PARDO: It came out the wrong way.
23 And, then, the second thing is that the City --
24 on City-owned property, that those parcels will
25 also -- will not be exempt.

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1 MS. BRAVO: Yes.

2 MR. BEHAR: Gonzalo.

3 MR. SANABRIA: Thank you, Mr. Chairman.

4 On the Staff report, on Section 7-102, Page
5 2, Item 1, "All buildings over 20,000 square
6 feet not owned by the City of Coral Gables."

7 MR. SOUTHERN: Yeah.

8 MR. SANABRIA: I just want some
9 clarification, Mr. Chairman, if this is now a
10 compulsory requirement or not.

11 MR. SOUTHERN: This is what's currently
12 existing in the Code.

13 MR. SANABRIA: Can you say that again?

14 MR. SOUTHERN: Yeah. That's already
15 existing within the Code.

16 MR. SANABRIA: So you're saying that any
17 building more than 20,000 square feet has to
18 abide by this?

19 MR. SOUTHERN: Go through these green
20 building requirements, correct.

21 MR. SANABRIA: They would have to be
22 compulsory? Not optional, it's compulsory,
23 right?

24 MR. SOUTHERN: The only thing added is the
25 underlined portion, yeah. That's correct.

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1 MR. COLLIER: Okay. Well, let's back up for
2 a little bit.

3 MR. PARDO: Okay.

4 MR. COLLIER: That's beyond this title.
5 We're not dealing with the -- the title doesn't
6 address City owned property. If we want to
7 have a comment, that the City should follow
8 this -- are you saying it's currently -- I
9 don't know --

10 MR. MENENDEZ: Craig, in Section 7-102,
11 where the green building requirements, Number
12 1, all buildings over 20,000 square feet, not
13 owned by the City of Coral Gables. So a
14 comment or whatsoever, just to eliminate the
15 language, from not to Gables --

16 MR. SOUTHERN: If you guys take a look at
17 Number 2, "The City of Coral Gables' buildings
18 and buildings constructed on City of Coral
19 Gables property, this requirement may be waived
20 by the City Manager or City Manager's designee,
21 if it can be demonstrated that compliance with
22 this requirement would create an unreasonable
23 burden on the construction project, that would
24 be inconsistent with furtherance of the
25 economic development goals of the City."

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MR. COLLIER: So I don't have a problem if the title said, removal of waiver -- of City's authority to waive this right, but the way the ordinance reads right now, it's a very technical change.

MR. MENENDEZ: Right.

MR. COLLIER: So if you want to have, as a comment to this item, that you believe that the City should not have the ability to waive and that they should be required to meet it, then that can be a comment to your approval.

MR. BEHAR: From the development side, if I have to do it, I think the City has to do it.

MR. MENENDEZ: I agree. And I think that's what Felix was saying, to change it, but as a comment --

MR. PARDO: Craig, keep in mind that, for example, the City owns the Biltmore Hotel, and let's say it's got more than 20,000 square feet, but it's an existing facility. They build a new facility, that's 20,000 square feet or more, they should have to comply.

MR. COLLIER: I'm not arguing with that this is a good idea or not. This is a pure title issue. The title to this item is related to --

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is just related to adding this green build standards in Section 7-102. Now you're having a substantive change, where you want to take away the City's authority, which the City has a right to do, and the Board could certainly recommend it, but that's beyond what's before the Board.

So all I'm saying is, just make it a comment.

MR. PARDO: I understand what you're saying, but any condition -- I mean, you're the lawyer, not me, any condition that you put on there, at the end of the day, it is a recommendation to the Commission.

MR. BEHAR: It's a recommendation.

MR. COLLIER: I'm saying, it's a recommendation, but it can't be included in this item the way it's drafted. Now, they can redo it and change the title and say -- and you can make a recommendation that this should be expanded to prevent the City from waiving that right.

MR. BEHAR: Felix, can you make a strong recommendation -- a comment to follow this, to go with this? Since we cannot alter this, we want to make sure that you make your motion to

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include a recommendation.

MR. MENENDEZ: Yeah, and I'll second that.

MR. PARDO: Out of respect, you know, I'm not going to debate, I just wanted to make sure that I understand that, because the title says standards. It doesn't say just sustainability and resilience.

MR. COLLIER: No. It says, "To provide national green" --

MR. PARDO: Okay. Now I understand.

MR. COLLIER: Okay. If it said, "To provide these standards and to remove waiver of the City" -- now, if the City wants to expand the title and go forward with it, that could be done. So I'm suggesting to you, that should be a recommendation.

MS. BRAVO: That would have to be advertised. That would have to be advertised.

MR. COLLIER: Exactly.

MR. BEHAR: At the end of the day, you and I know, any new project complies, you know, with basic certification.

MR. PARDO: And you and I know that, also, you know, when you have certification, that that means a lot to people, because you're the

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leader.

MR. BEHAR: You're --

MR. PARDO: Miami Beach does it, everybody else does it. We should do it, too.

MR. COLLIER: And I'm not arguing the merits.

MR. BEHAR: So you made a motion.

MR. PARDO: I'll make a motion --

MR. MENENDEZ: I'll second it.

MR. BEHAR: You made a motion.

MR. PARDO: Yes.

MR. BEHAR: Do you want to add the language to --

MR. PARDO: The language is that the Commission should --

MR. BEHAR: Mandate that City properties also follow --

MR. COLLIER: To expand this item to mandate the City has to meet these requirements.

MR. PARDO: Lead by example, no spun intended.

MR. COLLIER: Right.

MR. BEHAR: All right. So we have a motion and a second.

Jill.

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1 THE SECRETARY: Felix Pardo?
 2 MR. PARDO: Yes.
 3 THE SECRETARY: Gonzalo Sanabria?
 4 MR. SANABRIA: No.
 5 THE SECRETARY: Ignacio Alvarez?
 6 MR. ALVAREZ: Yes.
 7 THE SECRETARY: Alice Bravo?
 8 MS. BRAVO: Yes.
 9 THE SECRETARY: Alex Bucelo?
 10 MR. BUCELO: Yes.
 11 THE SECRETARY: Nestor Menendez?
 12 MR. MENENDEZ: Yes.
 13 THE SECRETARY: Robert Behar?
 14 MR. BEHAR: Yes.
 15 Last item, E-5.
 16 MR. COLLER: E-5, an Ordinance of the city
 17 Commission providing for text amendments to the
 18 City of Coral Gables Official Zoning Code by
 19 amending Section 3-200, "Principal Uses";
 20 amending Section 3-201, "Group Homes, Assisted
 21 Living Facilities, and Child Care Facilities,"
 22 to clarify statutory capacity and licensing
 23 requirements; adding Section 3-202, "Certified
 24 Recovery Residences," to establish procedures
 25 for review and approval consistent with state

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1 and federal law; amending Article 16,
 2 "Definitions," to add definitions for "Adult
 3 Day Care Center," "Certified Recovery
 4 Residence," "Dwelling Unit," and "Group
 5 Residential Home"; providing for a repealer
 6 provision, severability clause, codification,
 7 and providing for an effective date.
 8 Item E-5, public hearing.
 9 MR. SOUTHERN: All right. Good evening
 10 again, Vice Chair, Planning Board Members, out
 11 last proposed text amendment for the night.
 12 As Mr. Coller just read, this proposed
 13 ordinance establishes a regulatory framework
 14 for certified recovery residences, which is
 15 currently -- this would be in full alignment
 16 with Section 397.487 of the Florida State
 17 Statutes, which was just amended this year, in
 18 Chapter 2025-182, the Fair Housing Amended Act,
 19 which was originally enacted in 1988.
 20 So this legislation is a requirement by the
 21 State, that by January 1st of 2026, all
 22 municipalities adopt procedures for review and
 23 approval of Certified Recovery Residences,
 24 including processes for reasonable
 25 accommodations and prohibition for revocation,

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1 if necessary.

2 So, to briefly kind of give everybody a
 3 little bit of information and definition of
 4 what a Certified Recovery Residence is, as it
 5 is currently defined under Florida State
 6 Statute 397.487, "A dwelling unit or structure
 7 that provides a family-like living environment
 8 for persons recovering from substance use
 9 disorders. These residences emphasize peer
 10 support and shared accountability to maintain
 11 sobriety and do not provide -- and do not
 12 provide on-site medical treatment,
 13 detoxification or clinical counseling. Homes
 14 with six or fewer residents, excluding on-site
 15 Staff, are treated as single-family uses.
 16 Larger homes, with seven to fourteen residents,
 17 must comply with all State licensing, spacing
 18 and siting requirements, with the reasonable
 19 accommodations available, through a clear
 20 timely review process. Approvals may be
 21 revoked, if certification is lost and
 22 conditions are violated or the residence ceases
 23 operation for more than 180 days, consecutive
 24 days, with notice and opportunity for curing
 25 the situation."

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1 So the proposed ordinance also updates
 2 local -- City of Coral Gables definitions of
 3 group residential home, dwelling unit, and
 4 adult day care center, to assure consistency
 5 with current State laws. So when drafting
 6 these provisions, the Planning and Zoning Staff
 7 reviewed best practices from multiple other
 8 jurisdictions within the State of Florida that
 9 are currently going through the exact same
 10 process. The Town of Orchid; here in
 11 Miami-Dade County, the Town of Cutler Bay,
 12 Seminole County, they have already gone through
 13 this approval process, and quite honestly, the
 14 framework was looked at, in all of these.

15 This chapter, 2025-108, is -- more or less
 16 gives all of these requirements that is
 17 required by the State. Some municipalities or
 18 counties, they've just basically cut and paste
 19 the Senate Bill, and they've just went ahead
 20 and they've just added it into their code.
 21 We've tried to make it as simplified as
 22 possible, and just make sure that we just
 23 follow the basic framework.

24 So if you have any questions --

25 MR. BEHAR: Is this something that the

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