

## **City of Coral Gables** **Planning Department Staff Report**

**To:** Honorable Local Planning Agency (LPA) / Planning and Zoning Board Members

**From:** Planning Department

**Date:** May 12, 2010

**Subject:** **Comprehensive Plan – Capital Improvement Element (CIE) Annual Update.** An Ordinance of the City Commission of Coral Gables adopting the annual update to the Capital Improvements Element (CIE) within the City's Comprehensive Plan; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date.

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### **Recommendation**

The Planning Department recommends approval of the following;

1. An amendment to the City of Coral Gables Comprehensive Plan's Capital Improvement Element (CIE);
2. Transmittal of the amended CIE to the Department of Community Affairs (DCA) and South Florida Regional Planning Council (SFRPC) as required by State Statutes; and
3. Adoption of ordinance at one (1) public hearing pursuant to Section 163.3177(3)(b)2. F.S.

### **Background**

Every year pursuant to Florida Statutes, the City must update the CIE and adopt the required amendments into the Comprehensive Plan. The CIE annual update includes the City's current five-year Capital Improvement Program and revisions to the supporting data and analysis submitted with the previous year's update.

The purpose of the CIE is to identify the capital improvements needed to implement the Comprehensive Plan and ensure the adopted Level of Service (LOS) standards in the Comprehensive Plan are achieved and maintained for concurrency related facilities (sanitary sewer; solid waste; drainage; potable water; parks and recreation; schools; transportation facilities, including mass transit, where applicable; and public school facilities). The LOS requirements for each of the concurrency related facilities were amended as part of last year's Comprehensive Plan rewrite and are shown in *italic* in the proposed CIE annual update.

A draft Ordinance adopting the proposed CIE annual update is provided as Attachment A. The

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CIE annual update document is included as an attachment to the draft Ordinance with the proposed amendments to last year's CIE annual update shown in ~~strike thru/underline~~ format.

The CIE was updated last year with the Comprehensive Plan rewrite and adopted by Ordinance No. 2009-48 on November 17, 2009. It has been less than 7 months since the last annual update was submitted to DCA. Therefore, the amendments required with this proposed CIE annual update are relatively minor.

### Summary of Revisions

The CIE annual update and proposed amendments are included as an attachment with the draft Ordinance (see Attachment A). The amendments to the previously submitted annual update are shown in ~~strike thru/underline~~ format. A summary of the State mandate and corresponding amendments are as follows:

- A. State Statutes require that the City's five-year Capital Improvement Plan is updated by removing the previous year and adding a fifth year, and that funding sources also be updated. In addition, the update of the City's five-year plan needs to include the following:
  1. Add any new project initiated by the City;
  2. Eliminate projects that have been completed or abandoned; or
  3. Include timeline revisions for projects already included in the Capital Improvement Plan.

This requirement has been achieved by the following revisions in the CIE annual update:

1. Revisions to City's five-year Capital Improvement Program and the removal of FY 2008-09 and the addition of FY 2014-15 are shown in Table C.
2. Revisions to the funding summary are shown in Table B.
3. Specific capital projects and the five-year timeline for their implementation are provided in Appendix A, "The City of Coral Gables, Florida – Capital Improvement Program 2009-2015".
4. Text references within each LOS standard regarding the fiscal year and amount budgeted have been revised to indicate the correct fiscal year and amount budgeted.

- B. State Statutes also requires that public-private projects be identified in addition to those projects for which the City is fiscally responsible, including at a minimum water supply projects, transportation improvement projects and concurrency management for public schools. The only public-private LOS standards requiring revisions include the following:
  1. Solid waste (disposal); and
  2. Transportation improvement projects.

This requirement has been achieved by the following revisions in the CIE annual update:

1. The amount of County capital funding for solid waste disposal facilities serving the City indicated in the "Solid Waste" LOS standard has been revised.

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2. Revisions to the Miami Dade County Traffic Improvement Projects (TIP) and Florida Department of Transportation (FDOT) projects within or adjacent to the City of Coral Gables are shown in Tables A, D and E.

### Timeline

The adopted CIE annual update and amendments must be received by DCA by December 1 of each year. The annual update amendments are exempt from the twice-per-year limitation on the Comprehensive Plan amendment cycle, and may be adopted utilizing an expedited process. Under this expedited process, the City is not required to transmit the annual update as a proposed amendment and DCA does not issue an Objections, Recommendations and Comments (ORC) Report. Instead, the City only needs to adopt the CIE annual update at one (1) noticed public hearing; send the adopted amendment to DCA; and, DCA publishes a Notice of Intent after conducting a compliance review.

Effective December 1, 2011, if the City's adopted annual CIE update amendment is not received by DCA by December 1 of each year the local government is prohibited from adopting Future Land Use Map changes until the update amendment is submitted to the DCA. This prohibition on future amendments also applies to small-scale amendments.

The proposed amendment of the Comprehensive Plan's CIE requires review and recommendation by the Local Planning Agency (Planning and Zoning Board) prior to consideration by the City Commission. Florida State Statutes Section 163.3177(3)(b)2. provides for an expedited process for local governments to adopt the CIE annual update by ordinance requiring only one (1) public hearing. Therefore, only one public hearing is required for adoption by the City Commission, after which the adopted Ordinance and CIE annual update shall be forwarded to the Department of Community Affairs (DCA).

Upon recommendation from the Local Planning Agency/Planning and Zoning Board, the proposed CIE annual update will be scheduled for public hearing consideration by the City Commission as follows:

*City Commission, 1<sup>st</sup> Reading – May 25, 2010, 9:00 a.m. (Tentative)  
(Request will be made to waive 2<sup>nd</sup> Commission Reading)*

The above date and time are subject to change.

### Public Notice

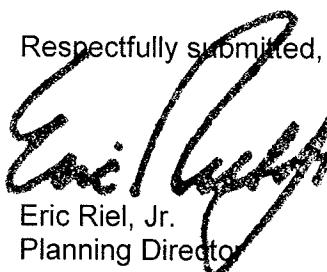
The Local Planning Agency/Planning and Zoning Board meeting agenda has been advertised and posted on the City web page and notice was posted on the City Hall notice board and in the Planning Department. The staff report and attachments are also posted on the City web page.

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Respectfully submitted,

  
Eric Riel, Jr.  
Planning Director

**Attachments:**

A. Draft Ordinance – CIE annual update

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