

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2020-11 (AS AMENDED)

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 74 “TRAFFIC VEHICLES” SECTION 74-208 “STUDY CRITERIA, PROCESS AND EXPENSES” TO REQUIRE THE APPLICANT TO PAY AN UPFRONT FEE TO GUARANTEE COMPENSATION TO THE CITY’S CONSULTANT FOR THE METHODOLOGY MEETING; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE (*FOR RATIFICATION*)

WHEREAS, the City Commission accepted the recommendation of the City’s Transportation Advisory Board that the City review the traffic impact study procedure developed by the Board in Resolution 2017-213; and

WHEREAS, the City Commission adopted Ordinance No. 2018-09 requiring traffic impact studies whenever a proposed development will generate fifty (50) or more added (new) peak hour two-way trips to or from the site during the adjacent roadway’s peak hours or the development’s peak hours; and

WHEREAS, if a traffic impact study is required, the applicant shall request a methodology meeting with the Department staff and consultants to prepare a scope and budget for the traffic impact study; and

WHEREAS, the City Commission wishes to amend the existing ordinance to require the applicant to pay an upfront fee to guarantee compensation to the City’s consultant for the methodology meeting; and

WHEREAS, the Ordinance was adopted on first reading at the March 10th City Commission meeting and on second reading at the April 21st City Commission meeting; and

WHEREAS, due to the Coronavirus/COVID-19 Pandemic, and in accordance with Resolution No. 2020-74, the April 21st City Commission meeting was held virtually and it came to the City’s attention that the platform did not allow certain members of the public to access the meeting; and

WHEREAS, in an abundance of caution, the ordinance is being placed on the May 12th City Commission meeting agenda so as to allow for any member of the public who was unable to speak during the April 21st City Commission meeting to do so and for the Commission’s ratification of its adoption of the ordinance.

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

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 Ordinance upon adoption hereof.

SECTION 2. That the Code of Ordinances of the City of Coral Gables is hereby amended as follows¹:

Chapter 74 – Traffic and Vehicles

Sec. 74-208. – Study, Criteria, Process, and Expenses. –

* * *

(e) Expenses.

1. All reasonable expenses incurred in undertaking and conducting the independent traffic-impact study shall be paid by the applicant at the rates set out in the City’s continuing contract.
2. The applicant shall provide payment for the scoping meeting in the form of a check payable to the City of Coral Gables, for the amount of \$686.00. The meeting fee shall be limited to a maximum of \$686.00, which accounts for two (2) hours of the consultant’s project manager and traffic engineer. The scoping fee shall be calculated based on the pre-negotiated rates in the Traffic Impact Study Consulting Services Contract. The scoping meeting shall not be conducted until the scoping meeting fee is paid in full.
3. Before the study begins, the applicant shall pay an amount equal to fifty (50) percent of the expenses estimated by the provider set to perform the study, in accordance with subsection (b) above.
4. After the study is completed, but before any permit may be issued, the applicant shall pay the difference between the amount paid and the actual expenses incurred for the traffic study.

SECTION 3. REPEALER. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. SEVERABILITY. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. CODIFICATION. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the

¹ Deletions are indicated by strikethrough. Insertions are indicated by underline.

City of Coral Gables Code of Ordinances; and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions. . If the Official Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 6. If the Official Zoning Code of the City of Coral Gables Tables of Contents or other references portions is affected by these provisions, then changes are approved as part of this ordinance.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective immediately upon passage and adoption herein.

PASSED AND ADOPTED THIS 12th DAY OF MAY, A.D. 2020.

Adopted April 21, 2020

[Moved: Lago

Seconded: Keon

Fors, Keon, Lago, Mena, Valdes-Fauli]

Ratified May 12, 2020

[Moved:

Seconded:

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APPROVED:

RAUL VALDES-FAULI

MAYOR

ATTEST:

BILLY Y. URQUIA

CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY