

City of Coral Gables City Commission Meeting
Agenda Item F-2
April 10, 2018
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Pat Keon
Commissioner Vince Lago
Commissioner Frank Quesada
Commissioner Michael Mena

City Staff

City Manager, Cathy Swanson-Rivenbark
Assistant City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item F-2 [0:00:00 p.m.]

An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Article 4, "Zoning Districts," Section 4-101, "Single-Family Residential (SFR) District;" and Article 5, "Development Standards," and Article 8, "Definitions;" to modify and clarify provisions regulating single-family residential standards related to garages, Floor Area Ratio (FAR) calculations, building height, fences and walls, accessory uses, and lot coverage; providing for a repealer provision, severability clause, codification, and providing for an effective date. (03 14 18 PZB recommended approved, Vote 5-0) (This is an action related to the City Commission Workshop that was held on January 8, 2018 and 1st Reading, which was heard at the March 27, 2018 City Commission Meeting).

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Agenda Item F-2 - Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code to modify and clarify provisions regulating single-family residential standards related to garages, Floor Area Ratio (FAR) calculations, building height, fences and walls, accessory uses, and lot coverage.

Mayor Valdes-Fauli: Now, we'll take up F-2.

Vice Mayor Quesada: Thank you.

City Manager Swanson-Rivenbark: And there are speaker cards for this one, just so you know.

City Attorney Ramos: An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Article 4, "Zoning Districts," Section 4-101, "Single-Family Residential District;" and Article 5, "Development Standards," and Article 8, "Definitions;" to modify and clarify provisions regulating single-family residential standards related to garages, Floor Area Ratio calculations, building height, fences and walls, accessory uses, and lot coverage; providing for a repealer provision, severability clause, codification, and providing for an effective date. This ordinance is on second reading, and it is a public hearing item.

Mayor Valdes-Fauli: Alright.

Commissioner Lago: I mean...

Commissioner Mena: So...

Commissioner Lago: Are we going to have a discussion, or are we -- or you want staff to present first? What do you want to do?

Commissioner Mena: You know, I think the issue here -- I sent an email around earlier this week about the fact that the provision from this particular ordinance relating to Hammock Lakes, that we had discussed at the Sunshine meeting, and then again, at first reading, was removed. And so, we need to make a decision on how we proceed, you know. We talked about it last time.

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We were all in favor of -- at a -- as I recall, at a minimum, the 25 percent that was in that version and, potentially, even increasing it further. So, we just need to have a discussion, but I'm happy to hear from staff first and...

City Manager Swanson-Rivenbark: And Commissioner...

Commissioner Mena: We can go from there.

City Manager Swanson-Rivenbark: Mena, this wasn't a removal of staff because the recommendation or the direction we're going is incorrect. We are going in that right direction. This was removed because we failed to notify the neighborhood and felt that -- and some type of courtesy notice would be appropriate. But the City staff is not changing its recommendation on what that number should be. We just failed to reach out to Hammock Lakes. And also, later, Snapper Creek was added and there had been no courtesy notification. So, what we're suggesting is that if the Commission is willing, that we hear this item. We come back to you at rapid fire and we'll give you a date and time as to when we would be back -- because I know that's important -- as to even if we do a courtesy notice, that this next meeting will be hearing on first reading, Hammock Lakes, Snapper Creek. Second reading would be shortly thereafter. But it is important for us to give some type of courtesy notice to the neighborhoods that would be affected by that decision.

Vice Mayor Quesada: So, you -- from the notice that you're suggesting, it's just publicizing it?

City Manager Swanson-Rivenbark: That's -- I think that's a minimum courtesy. I don't know what a neighborhood community meeting would be necessary, but just the courtesy. It could be no one chooses to comment on it, and then you could move quickly to second reading.

City Attorney Ramos: So, from a legal standpoint, aside from the courtesy notice issue, which may be best practice, but the issue is Snapper Creek was not on the first reading, so it cannot be

added to second because it wasn't on first. Hammock Lakes was on first, but when the second reading version was advertised, it was not on there. So, there's been no actual notice that Hammock Lakes will be taken up now, and there's been no actual notice that Snapper Creek...

Vice Mayor Quesada: Is there a legal...

City Attorney Ramos: That Snapper Creek...

Vice Mayor Quesada: Is there a legal requirement for notice?

City Attorney Ramos: Was ever taken on -- yes, but what I'm...

Vice Mayor Quesada: Okay.

City Attorney Ramos: Explaining now -- so, my recommendation is we can move forward with this now and then have it come back next time with Snapper Creek and Hammock Lakes, or we can defer this item and have Hammock Lakes only added next time, but that's going to make it take longer.

Commissioner Keon: Right. I would just assume that we would...

Mayor Valdes-Fauli: I want to move forward with what we have before us.

Commissioner Keon: Move forward, yeah.

Mayor Valdes-Fauli: We should move forward.

Commissioner Keon: Yeah. I'd like to see us move forward...

Commissioner Lago: Why would it...

Commissioner Keon: With what we have.

Commissioner Lago: Madam City Attorney, why would it take longer if we defer? I'd like to do it as clean as possible and I'd like to make sure we have just one ordinance...

Mayor Valdes-Fauli: Okay.

Commissioner Lago: That is all encompassing, which was, again, what we've been discussing for eight months now, I think, or six months, since we had the Sunshine meeting...

City Attorney Ramos: If we wanted to add both Snapper Creek and Hammock Lakes to this one, we would have to go on first again.

Commissioner Lago: That's fine.

City Attorney Ramos: So, it would come on first next meeting, and this one, as drafted, would not pass, so you lose two weeks, basically.

Commissioner Keon: Okay, but this is here on...

City Attorney Ramos: Second.

Commissioner Keon: On second reading. So, I understand how you feel. I would really like to move this and get it -- move it, and then come back with the other two communities that, because they're site specifics and deal with them as site specifics, and do that very quickly.

Commissioner Mena: But...

Commissioner Keon: On the next meeting, I'd like to see the first reading...

Commissioner Lago: I also...

Commissioner Keon: And on the following meeting, I'd like to do the second reading. And it doesn't -- it does not affect, in any way, what is before us. It allows us to move this forward so we can begin to enforce this.

Commissioner Mena: I just -- I don't -- again, I'm sitting here wondering why we can't move forward with Hammock Lakes. I understand Snapper Creek is different because it wasn't in there. Hammock Lakes was in there.

Mayor Valdes-Fauli: It was in there.

Commissioner Mena: We talked about it. It was on first reading. It was on -- we talked about it at the Sunshine meeting. There are various residents who have reached out who have plans that are on hold who did have notice of this, and in reliance on the changes that was going to be happening today, are waiting on those plans. If we do -- if we have to re-notice on first and re-notice on second, you're talking about, at a minimum, a month delay at that point.

Commissioner Keon: No. Is it a month (INAUDIBLE)?

City Attorney Ramos: Yeah, it's two more readings.

Commissioner Lago: Yeah.

Commissioner Mena: Yeah.

Commissioner Keon: But I think that you...

Mayor Valdes-Fauli: But let's...

City Attorney Ramos: I think...

City Manager Swanson-Rivenbark: Unless you do...

Mayor Valdes-Fauli: This is before us at this point. Why don't we move forward...

Commissioner Lago: And not only that...

Mayor Valdes-Fauli: With this?

Commissioner Lago: I think, Mayor, we also have to take into account -- I know it doesn't have to do with the City, but if we approve Hammock Lakes and Snapper Creek, which I think this Commission is 100 percent behind...

Commissioner Keon: Yes.

Commissioner Lago: On, obviously, making them whole -- and I had a great conversation with Jorge Hernandez this morning, and you know, he reemphasized the fact that what we're doing today is we're making them whole. We're not providing them any special privileges. As a matter of fact, they're actually below the threshold in regards to what other areas of the city, which are in the same level deserve and have currently, 35 percent; Cocoplum, Journey's End, you know, Gables Estates. You know, I agree with Commissioner Mena in regards to -- I don't understand exactly what happened with the issue of Hammock Lakes. This here, if we were to approve this today and move on and approve Hammock -- Snapper Creek, it would have to go before the HOA of both of those...

Commissioner Keon: No.

Commissioner Lago: Or Snapper Creek? I think it would have to go -- it would have to go before one.

Commissioner Mena: Snapper Creek, I believe it does.

Commissioner Lago: It would have to go before Snapper Creek for ratification by the HOA anyways. So, I haven't gotten one phone call or one email...

Mayor Valdes-Fauli: No.

Commissioner Lago: From any resident that's told me that they oppose this. What I'm a little bit confused and why I say the deferral -- is because I don't want to cut this up because I'm -- as you've noticed by certain things and certain motions that I've made today and certain things that I've been asking, scheduling is critical. You know, I don't want to see this fall behind. We approve this today, and then we're still dealing with this three, four, five months from now.

Mayor Valdes-Fauli: It will not...

Commissioner Keon: It won't.

Mayor Valdes-Fauli: I'm very much against, like you are, things falling behind. And -- but also, if this is before us and there are residents, Commissioner Mena says, waiting for this approval, I think it would be unfair for us to postpone this...

Commissioner Mena: They're waiting...

Mayor Valdes-Fauli: When we have gone through the...

Commissioner Mena: But they're waiting for it...

Commissioner Lago: Hammock Lakes...

Commissioner Mena: With the language about Hammock Lakes, which is not...

Commissioner Lago: Snapper Creek.

Commissioner Mena: Currently in what was published for second reading...

Commissioner Lago: Well, and I know...

Commissioner Mena: Because it was taken out.

Commissioner Lago: And I know...

Commissioner Keon: Right.

Commissioner Lago: Two residents right now that are from Snapper Creek.

Commissioner Mena: So, why can't we approve it today with the Hammock Lakes language that was in there on first reading to begin with?

Commissioner Keon: Because it wasn't advertised.

City Attorney Ramos: So, I just have to advise you that it's subject to challenge because the second...

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: Version was not advertised with Hammock Lakes. So, if you were in Hammock Lakes and you wanted to complain, you wouldn't have come today...

Commissioner Lago: But why wasn't it...

City Attorney Ramos: Because you thought they had taken it out.

Commissioner Lago: But why wasn't it noticed with Hammock Lakes? That's my question. Why wasn't it placed? Why was the decision made -- and I found out about this -- on Thursday, my meeting with the City Manager and staff was at 4. I think I showed up 30 minutes late, so I'll take some of the blame. But I ended up having this conversation at 4:45. The agenda's published at 5. So, my question to you is, this is something that we should have brought up before, especially after the litany of discussions and how many times have we brought this? We've had special meetings. We've had Sunshine meetings. We've met with staff. Jorge Hernandez came the previous meeting and we had a discussion. You know, we've had multiple meetings. It's not as if we're discussing this for the first time. I just don't -- it's just a bad look for the City. It's a bad look for this Commission, and I think that we can do better, and I feel that we're falling short here. And I will not move forward unless I have a commitment that it will be on the next Commission, and that the second reading will be on the subsequent Commission meeting. Because...

Mayor Valdes-Fauli: I agree.

Commissioner Lago: This meeting today has been overrun with delays.

Commissioner Mena: (INAUDIBLE).

Commissioner Lago: Everything is delayed or there isn't an answer. So, to me, it's frustrating that Hammock Lakes at least is not being covered today because I have to deal -- not me, excuse me. We have to deal with the residents who will call and will say, hey, what happened? You know, I thought it was under -- it was going to be heard and ratified in today's Commission meeting.

Commissioner Mena: Yeah. Madam City Attorney, can we -- if we move forward today with the Hammock Lakes language, you're saying it's subject to challenge. Can you, I don't know, sort of do a belts and suspenders sort of re-notice for the next meeting, and then finalize it there, in an abundance of caution, so that if anybody wants to come speak they can or...

City Attorney Ramos: It would be -- you would bring it up again on second reading is, I guess, what it would be. You could. I don't know what two weeks gains, but yes, you could technically notice it, bring it back on second again and make sure nobody objects. And if somebody does, then somebody who moved in favor can move for reconsideration.

Commissioner Lago: No, but we would have to have a completely separate ordinance to deal with Snapper Creek, correct?

Commissioner Keon: Yes.

City Attorney Ramos: Correct.

Commissioner Keon: And it would take two meetings. So, I mean, I'd like to see us move forward with what we have so the people that are waiting to do -- one, we can deal with plans that are coming forward that are going to be affected by this. I really -- I believe that we can ask the Manager to hold for consideration all of those plans that are currently submitted for Hammock Lakes and Snapper Creek and not make a determination on the zoning on them,

knowing that it is going to move forward and they're not going to tell them they have to have a variance or they're not going to stop it. They're going to -- and if it's a couple of weeks, it's a couple of weeks. But they can go through all of the other, you know, permitting processes with it and, you know, not -- and hold them harmless because -- so we can move forward with that, but allow, you know, this to go through and then do that. Now, I do remember -- and I had this conversation, asking if, because they were site specific -- and you know, I don't know how many of those homeowners in those areas are the original homeowners that were there at the time that it was annexed into the city or they rely on, you know, there is a certain aesthetic in each of those communities that is different, that is different than Gables Estates or other places. You know, Hammock Lakes is a hammock. You know, if there was the intent of that lot coverage was to maintain that hammock appearance of some sort, and if somebody wants to comment on it before we decide what it should be, they should have an opportunity. I asked that long before it was said, no, but I think maybe in their own discussion, there was a -- there came to the realization that, yes, probably they should have because they were site specifics. And every time you change a site specific, they are different already than anybody else, so they should be noticed. And so, yes, it slows it down. Should they have been noticed before? Yes, they should have. It wasn't done -- and at this point, you know, I think you -- I would like to see them just correct that. Do the notice, do the things and move it through as quickly as possible. And you want a commitment as to -- it has to be advertised for what, ten days prior?

City Attorney Ramos: Only for second.

Commissioner Keon: Only for second. What is...

City Attorney Ramos: First, we have...

Commissioner Keon: The first?

City Attorney Ramos: Plenty of time. Regular advertising publishing.

Commissioner Keon: Okay, so...

City Attorney Ramos: We don't have to put it in the newspaper.

Commissioner Keon: This could be placed on the next agenda on first reading for Hammock Lakes and Snapper Creek.

City Attorney Ramos: Yes.

Commissioner Keon: Okay, so it's the next agenda...

City Manager Swanson-Rivenbark: So...

Commissioner Keon: Which is the 24th. It can come back to us for final reading the first meeting in May.

City Manager Swanson-Rivenbark: So, another option -- and I take responsibility. I believe if there's going to be a text amendment that is geographic specific, we owe the courtesy of notification to those that are affected. It's not a legal requirement, but it is a courtesy notice. So, while staff may have had a different opinion, I'm sorry that we did not coordinate internally, and I'm sorry if the owners were impacted by that. Hammock Lakes, we can send out notices tomorrow alerting them that, on second reading, we will bring this item back and you can hear it on the 24th. And we can treat Snapper Creek, which came back at the end of March, that was introduced into the discussion -- it wasn't the discussion that was the whole -- throughout the whole process. We can rapidly present that, but we can also separate that from Hammock Lakes so Hammock Lakes doesn't have to do an additional first reading because we're making no changes to what the recommendation is. We're merely wanting to notify the residents.

Mayor Valdes-Fauli: What is the pleasure of the Commission?

Commissioner Keon: I would move this and come back...

Vice Mayor Quesada: Commissioner Mena...

Mayor Valdes-Fauli: Okay, move it then.

City Attorney Ramos: I believe there are some people who want to speak before you all decide.

Commissioner Mena: (INAUDIBLE).

Mayor Valdes-Fauli: What?

Commissioner Mena: Subject to challenge.

City Attorney Ramos: There are some public speakers before...

Mayor Valdes-Fauli: Fine, but...

City Attorney Ramos: You all decide.

Mayor Valdes-Fauli: Will you move it?

Commissioner Keon: I would move it.

Mayor Valdes-Fauli: Is there a second?

Commissioner Keon: But I think there's a public...

Mayor Valdes-Fauli: I know, I know. We will hear from -- you'll move it. Is there a second?

Commissioner Lago: I'll second, as long as...

Mayor Valdes-Fauli: Okay.

Vice Mayor Quesada: I'm sorry. I didn't hear what the motion was. My apologies...

Commissioner Lago: Motion -- the motion...

Commissioner Keon: To move what we have before us...

Commissioner Lago: Yes.

Commissioner Keon: And come back...

Commissioner Lago: And make sure the schedule is adhered to that Commissioner Keon...

Vice Mayor Quesada: Come back on the 24th on second reading, like what the Manager proposed?

Commissioner Keon: Yes.

Commissioner Mena: No. Well...

Commissioner Keon: The first reading would be for Snapper Creek and Hammock Lakes together, after being noticed on the 24th, and then it will come back for a second reading on the first meeting in May.

Vice Mayor Quesada: But I'm...

City Manager Swanson-Rivenbark: No. I'm sorry.

Commissioner Mena: It wouldn't be first reading...

City Manager Swanson-Rivenbark: I gave another alternative, and I'm sorry to make it confusing.

Vice Mayor Quesada: This is quicker, what she's about to suggest.

City Manager Swanson-Rivenbark: Hammock Lakes can be advertised now for second reading for the 24th.

Commissioner Keon: Okay.

City Manager Swanson-Rivenbark: We can send out the courtesy notices that we...

Commissioner Keon: Okay.

City Manager Swanson-Rivenbark: Want to do for Hammock Lakes.

Mayor Valdes-Fauli: Okay.

City Manager Swanson-Rivenbark: Snapper Creek can come to the Commission first reading, and then second reading. My question to you is are you interested in having Planning & Zoning Board briefed on the amendments for Snapper Creek, and would you want that between first and second reading, or would you want to waive that requirement?

Commissioner Keon: I would waive it. I would waive the requirement...

City Manager Swanson-Rivenbark: It is the...

Commissioner Keon: For it to go to Planning & Zoning.

City Manager Swanson-Rivenbark: It is the prerogative of the Commission, as long as the City Attorney is comfortable with that.

Commissioner Mena So, Hammock...

City Attorney Ramos: Absolutely.

Commissioner Mena: Lakes...

City Attorney Ramos: It's a recommending board.

Commissioner Mena: So, Hammock Lakes would come back next meeting on second reading, but as a standalone?

City Attorney Ramos: Presumably, if this passes today, then it comes back as a standalone.

Commissioner Mena: And is that -- any issue with that?

City Attorney Ramos: No.

Mayor Valdes-Fauli: No. Alright, so it's been moved and seconded. There are people here wishing to speak. No? Okay, I have a card from Maria de la Guardia, who is a registered

lobbyist, Benjamin & Brooke Gettler, and she doesn't say whether she is a proponent or not, but I have a card from her here, so we acknowledge her having been here.

Vice Mayor Quesada: I have -- is there any -- are there any other speaker cards?

Mayor Valdes-Fauli: No.

Vice Mayor Quesada: So, I have just one other separate issue in this as well...

Commissioner Keon: Yeah.

City Manager Swanson-Rivenbark: Specifically to Hammock Lakes.

Commissioner Keon: No.

Vice Mayor Quesada: It's artificial turf.

Commissioner Keon: It's the turf.

Vice Mayor Quesada: That's included in this.

City Manager Swanson-Rivenbark: I'm sorry? That's...

Vice Mayor Quesada: Because that's a part of this as well, yeah.

City Attorney Ramos: The overall...

City Manager Swanson-Rivenbark: It's citywide. There are no noticing requirements.

Vice Mayor Quesada: So, I just want to say a thank you to staff for changing the language there. I guess now, just to be complicated now, I'm going to say, is this going too far?

Planning and Zoning Director Trias: We did the best we could based on...

Vice Mayor Quesada: I know, I know. Because, obviously, I -- my fear was that if the Board of Architects, just because of the positions they've taken in the past, that they're going to be completely against it and we give them all the power, then it'll never happen. Now, it's basically saying anyone can put it in anywhere basically at any time. So, explain to me the sentence, areas of recyclable artificial turf at the ground level are allowed as a component of the overall design for landscape requirements. So, explain to me what a component of the overall design means.

Planning and Zoning Director Trias: The idea of the language was to allow for some general discussion by the Board of Architects that deals with the overall design. So, for example if...

Vice Mayor Quesada: So, they're allowed in similar locations, but they won't allow you just to cover your entire property in artificial turf.

Planning and Zoning Director Trias: Generally, everybody who has talked to me about this issue, they have very reasonable designs. They have...

Vice Mayor Quesada: Yeah.

Planning and Zoning Director Trias: Artificial, you know...

Vice Mayor Quesada: It makes sense.

Planning and Zoning Director Trias: Yeah.

Vice Mayor Quesada: Yeah. Those are the situations that I have seen, but obviously, we need to legislate to make sure that we don't get an unreasonable situation. So, as far as the recyclable artificial turf, there are some that look amazing, and there's some that look absolutely horrible.

Planning and Zoning Director Trias: Yes.

Vice Mayor Quesada: Will staff -- I mean, will you have a guide similar to the paint that -- what's allowed and what's not allowed? Have you thought about -- has that been discussed?

Planning and Zoning Director Trias: The City architect has a collection of samples in his office...

Vice Mayor Quesada: Okay.

Planning and Zoning Director Trias: And they use it...

Vice Mayor Quesada: Okay.

Planning and Zoning Director Trias: Typically.

Vice Mayor Quesada: I don't think we...

Planning and Zoning Director Trias: Yeah.

Vice Mayor Quesada: Need to decide what's allowed and not, but just as long as it's not a bad-looking version of it.

Mayor Valdes-Fauli: Well, but...

Commissioner Mena: To chime in on that...

Mayor Valdes-Fauli: Artificial metal turf.

Commissioner Mena: To chime in on that, Ramon, I don't...

Vice Mayor Quesada: On the roofs.

Commissioner Mena: You know, at Betsy Adams Park, I'm not sure if you're aware of the issue with the artificial turf there.

Planning and Zoning Director Trias: Yes, yes, yes.

Commissioner Mena: I don't know if you're all aware of that.

Vice Mayor Quesada: The static?

Unidentified Speaker: Yep.

Planning and Zoning Director Trias: The static, yes.

Commissioner Mena: And that was because the Board of Architects required a more aesthetically pleasing looking artificial turf. But now, every time you go with your kids, you're shocking them every two seconds.

Planning and Zoning Director Trias: Yes.

Vice Mayor Quesada: Which happened to you the other day.

Commissioner Lago: It happened to me on Sunday.

Commissioner Mena: It happened to me when I was there. So, can we just keep that in mind with respect to whatever samples we're going to use or not use?

Planning and Zoning Director Trias: We -- yes. We...

Commissioner Mena: Make sure that...

Vice Mayor Quesada: Yeah.

Commissioner Mena: It's nonstatic.

Planning and Zoning Director Trias: The answer is yes.

Commissioner Mena: Thank you.

Vice Mayor Quesada: Okay.

Commissioner Keon: Are they going to change that that's there?

Commissioner Mena: Yes.

Vice Mayor Quesada: Yes.

Commissioner Mena: That's why we're going to have to change it.

Commissioner Keon: Thank you.

City Manager Swanson-Rivenbark: Well, it's not our intention to shock children...

Commissioner Keon: To shock children.

City Manager Swanson-Rivenbark: When they come to play.

Commissioner Keon: It's not the perfect scenario.

Vice Mayor Quesada: And it's a pretty intense shock, too.

Commissioner Keon: Poor kids.

Mayor Valdes-Fauli: Alright.

Vice Mayor Quesada: Alright, I'm good. That's all. I just wanted to clarify that.

Planning and Zoning Director Trias: Thank you.

Commissioner Lago: Take the roll, take the roll.

Commissioner Keon: Was the language -- we had some question about the language...

Mayor Valdes-Fauli: Yeah.

Commissioner Keon: With regard to (INAUDIBLE) districts. Peter, did you...

Planning and Zoning Director Trias: We...

Commissioner Keon: Peter Iglesias, have you reviewed that?

Mayor Valdes-Fauli: (INAUDIBLE) take a vote.

Planning and Zoning Director Trias: We included a definition of free board, which is a brand-new definition...

Commissioner Keon: Okay.

Planning and Zoning Director Trias: And that's in the back.

Commissioner Keon: Yes.

Planning and Zoning Director Trias: And then we clarified the language just to say what you, as the Commission, meant. I mean, very simple. And it's -- we tried to simplify it as much as possible.

Commissioner Keon: Okay. Yes, thank you for that.

Assistant City Manager Iglesias: The reason we did that is because there is a free board required in the FEMA requirements.

Commissioner Keon: Right.

Assistant City Manager Iglesias: This is additional free board that they...

Commissioner Keon: Yes.

Assistant City Manager Iglesias: May do.

Planning and Zoning Director Trias: And I...

Commissioner Keon: Okay.

Planning and Zoning Director Trias: I guess the key design issue is that we're saying up to three feet, just to keep the houses compatible with...

Commissioner Keon: Okay, so at what level now -- at what point in the building process do these new regulations go into effect? Is it people that are currently in the -- you know, that are in permitting? Do these apply? Or is it new permitting going forward from here, this day?

Assistant City Manager Iglesias: As long as the permit is not issued, they will apply and they modify their plans to meet those requirements.

Commissioner Keon: Okay. Thank you.

Mayor Valdes-Fauli: Alright, will you call the roll, please?

City Attorney Ramos: Sir, did you close the public hearing?

Mayor Valdes-Fauli: Huh?

City Attorney Ramos: Did you close the...

Mayor Valdes-Fauli: Yeah, the...

City Attorney Ramos: Public hearing?

Mayor Valdes-Fauli: Public hearing. There was nobody, except for one card that I read, and the person didn't say...

Commissioner Keon: Wasn't here.

Mayor Valdes-Fauli: Whether she was for or against.

City Attorney Ramos: Very well.

Mayor Valdes-Fauli: Will you call the roll, please?

Commissioner Lago: Yes.

Commissioner Mena: Yes.

Vice Mayor Quesada: Yes.

Commissioner Keon: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)