

CITY OF CORAL GABLES, FLORIDA**ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, REPEALING SECTIONS 101-20, 101-21, 101-22, 101-23, 101-24, 101-25 AND 101-26 OF ARTICLE II, "DEVELOPMENT REVIEW COMMITTEE", OF CHAPTER 101, "ADMINISTRATION AND ENFORCEMENT", OF THE CORAL GABLES CODE OF ORDINANCES IN ITS ENTIRETY; REPEALING DIVISION 8 OF ARTICLE 2, "DECISION MAKING AND ADMINISTRATIVE BODIES", OF THE ZONING CODE OF CORAL GABLES IN ITS ENTIRETY; AMENDING SECTION 101-19, "DEVELOPMENT REVIEW COMMITTEE", OF CHAPTER 101, "ADMINISTRATION AND ENFORCEMENT", OF THE CORAL GABLES CODE OF ORDINANCES; AMENDING SECTION 3-204, "REVIEW BY DEVELOPMENT REVIEW COMMITTEE", OF THE ZONING CODE OF CORAL GABLES; AND PROVIDING FOR A NEW DIVISION 8, OF ARTICLE 2, OF THE ZONING CODE OF CORAL GABLES, BY UPDATING, REVISING AND CODIFYING DEVELOPMENT REVIEW COMMITTEE (DRC) PROCEDURES AND REVIEW REQUIREMENTS AS ORIGINALLY ESTABLISHED IN ORDINANCE NO. 2003-45; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Commission of the City of Coral Gables finds that the present and probable future growth of population and development in the City is of such importance to the quality of life of the residents of Coral Gables that the prudent regulation of development is required in order to ensure the provisions of certain minimum standards and to ensure the coordination of development proposals with such related matters as planning, zoning, historic preservation, landscaping, abandonment / vacations of right of way, off-street parking, traffic, fire, engineering, building code, and infrastructure, in order to protect the public health, safety, and welfare and to properly implement building, zoning, planning and land use ordinances and plans, in compliance with the Comprehensive Land Use Plan, Zoning Code and other applicable provisions or policies as amended and enacted by the City Commission; and

WHEREAS, Ordinance No. 0-2003-45 was adopted on December 2, 2003 amending the City Code and establishing the Development Review Committee (DRC) and provisions necessary for the DRC to regulate developments to ensure the provisions of certain minimum standards and ensure coordination of development proposals; and,

WHEREAS, the DRC provisions exist in both the Coral Gables Code of Ordinances and the Official Zoning Code of Coral Gables; and

WHEREAS, the DRC provisions have not been updated since adopted in 2003, and the proposed Zoning Code amendments would update, revise, and codify the current DRC

procedures and requirements; and,

WHEREAS, it is necessary to repeal certain sections of the Coral Gables Code of Ordinances and the Official Zoning Code of Coral Gables to provide for the updated DRC provisions; and

WHEREAS, after adequate notice was provided a public hearing was held before the Planning and Zoning Board on June 11, 2014 at which hearing all interested parties were afforded the opportunity to be heard and after due consideration the Planning and Zoning Board recommended approval (vote: 6-0) of the amendment; and

WHEREAS, after adequate notice was provided a public hearing for First Reading was held before the City Commission on September 11, 2014 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with the text amendment to the Zoning Code, and after due consideration and discussion (approved/denied) the amendment on First Reading (vote: __-__).

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

SECTION 1. 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. Sections 101-20, 101-21, 101-22, 101-23, 101-24, 101-25 and 101-26 of Article II, “Development Review Committee”, of Chapter 101, “Administration and Enforcement”, of the Coral Gables Code of Ordinances are hereby repealed in its entirety.

SECTION 3. Division 8 of Article 2, “Decision Making and Administrative Bodies”, of the Official Zoning Code of Coral Gables is hereby repealed in its entirety.

SECTION 4. The Coral Gables Code of Ordinances is hereby amended as follows (changes in in in strike-through / underline format):

Section 101-19. Development Review Committee Legislative intent.

Provisions and requirements for the development review committee have been revised and updated in Division 8, Article 2, of the Official Zoning Code of the City of Coral Gables. The development review committee (DRC) is an administrative committee, which reviews projects of varying scope that may require additional review before the city commission and/or the various development review boards appointed by the city commission (the boards). The DRC is an administrative and technical committee that reviews policy issues and technical issues raised by a development project. The DRC is a consolidation of other administrative committees, such as the preliminary review committee, street and alley vacation committee and landscape encroachment review committee and other administrative reviews and approvals that may be created. In addition to replacing the aforementioned city committees, the DRC will provide a public forum for the administrative departments of the city to comment and/or act

~~applications and requests. The DRC is intended to streamline and coordinate the review of the development process by identifying and addressing all of the issues that will subsequently be heard by the city commission and/or other land development boards of the city; therefore, minimizing the number of reviews by the city commission and the boards, and providing applicants with a single administrative committee at which they can be provided input, advice and comments regarding all applicable provisions and regulations applicable to the development applications, projects or similar reviews. On all applications referenced in this article the DRC shall conduct a public review of projects. Public review by the DRC shall occur when the application is filed with the appropriate department for review. The review of projects and comments on development proposals by the DRC shall not be construed to be an approval of any project presented to the development review committee.~~

SECTION 5. The Official Zoning Code of the City of Coral Gables is hereby amended as follows (changes in in in ~~strike-through~~ / underline format):

Section 3-204. Review by Development Review Committee.

After an application for development approval is determined to be complete and technically competent, the Development Review Committee (DRC) shall review the application pursuant to Sections 2-801 through 2-807. ~~in accordance with procedures adopted by the Committee and any procedures applicable to the application for development approval. The Development Review Official will coordinate the DRC review, identify concerns, and inform the applicant of any changes that need to be made to the applications to allow further review of the application to proceed.~~

~~The DRC shall review changes in use and all new commercial, multifamily, industrial, mixed-use projects, including but not limited to the following: plats; replats and subdivisions; overlay districts; planned area development; transfer of development rights; conditional uses required for public hearing review only; street and alley vacation; university campus district plan/amendments; developments of regional impacts; special use (S) districts reviews, properties requiring Planning and Zoning Board and other administrative reviews and/or approvals that may be included or amended. Encroachments permitted by Resolution of the City Commission shall not require DRC review.~~

SECTION 6. Division 8, “Development Review Committee”, of Article 2, “Decision Making and Administrative Bodies”, of the Official Zoning Code of the City of Coral Gables is hereby created to read as follows:

Division 8. Development Review Committee.

Section 2-801. Purpose and Intent.

The Development Review Committee (DRC) is an administrative staff committee, which reviews projects of varying scope that may benefit from staff input before the projects are presented to the City Commission and/or the various development review Boards appointed by the City Commission (the “Boards”). The DRC is also an administrative and technical committee that provides input on technical issues raised by a development project for consistency with policies established by the City Commission. The DRC is intended to streamline and coordinate the review of the development process by identifying and

addressing all of the issues that will subsequently be heard by the City Commission and/or other Boards of the City, therefore, minimizing the number of reviews by the City Commission and the Boards, and providing applicants with a single administrative committee at which they can be provided input, advice and comments regarding all applicable provisions and regulations applicable to the development applications, projects or similar reviews. The comments and input provided by the DRC is not meant to be an exhaustive technical review and additional comments may be raised upon formal submittal of more detailed development plans. Although the DRC meetings are open to the public, no decision is made at the meeting and public comment is not intended to be solicited.

On all applications referenced in this article, the DRC shall conduct a public review of projects. Public review by the DRC shall occur when the application is filed with the appropriate department for review. The review of projects and comments on development proposals by the DRC shall not be construed to be an approval of any project presented to the development review committee.

Section 2-802. Applications Requiring Review.

- A. The following development applications shall require DRC review:
1. All new buildings other than single family residences and duplexes;
 2. All plats, re-plats and subdivisions;
 3. Designations of overlay districts;
 4. Planned area developments (PADs);
 5. Transfer of development rights (TDRs);
 6. Conditional Uses;
 7. Street and alley vacations;
 8. Amendments to the University of Miami Campus Master Plan;
 9. Developments of Regional Impact (DRIs);
 10. Development Agreements;
 11. Applications for properties requiring site plan review by the Planning and Zoning Board and other administrative reviews and/or approvals that may be included or amended; and
 12. Other reviews as determined by the City Manager or the Development Services Director.
- B. The following development applications may be scheduled at the discretion of the DRC Chairperson:
1. Commercial, multi-family and industrial projects;
 2. Additions to commercial, multi-family, industrial, and mixed-use projects;
 3. Administrative review of off-site landscaping mitigation;
 4. Interior building renovation for uses permitted within the property's zoning district;
 5. Change of use otherwise permitted by code, when additional parking is required; and
 6. Encroachments permitted by resolution of the City Commission.

Section 2-803. Membership.

The DRC shall be composed of representatives from every department/division of the City

Administration, which reviews an application for development approval, including the Planning and Zoning Division, Building Division, Fire Department, Police Department, Public Services Division, Historical Resources Department, Parking Division, Public Works Department, and other departments as may be necessary and as determined by the City Manager. The Chairperson of the DRC shall be designated by the Development Services Director.

Section 2-804. Responsibilities.

The DRC reviews applications for development approvals for compliance with all applicable city, local, regional, state, and federal regulations. The DRC Chairperson coordinates all comments from each member of the DRC and provides input and comments on the application to assist the applicant in the development review process.

The DRC may identify changes and/or modifications on any plan(s) and or specification(s) presented as may be necessary to conform to the provisions of all applicable local, regional, state and federal requirements under the city authority. Technical review for all DRC members shall be in written form and shall cite relevant code sections, if appropriate. The DRC may also suggest or recommend such changes on any plans and specifications as may be requisite or appropriate to the maintenance of a high standard of construction, architecture, historic preservation, traffic and pedestrian circulation, landscape and open space, fire protection, public safety, engineering, infrastructure, planning, and zoning, in keeping with the protection and maintenance of the general health safety and welfare of the community and City of Coral Gables.

Section 2-805. Applications.

Applications for review by the DRC shall be submitted to the Planning and Zoning Division and shall be accompanied by an application fee as required herein and as adopted by the City Commission by separate Resolution. All plans, documents and support materials required to be submitted with the application shall be determined by the DRC Chairperson at the pre-application meeting. A listing of general information required to be submitted with the application is provided on the application form, unless determined otherwise by DRC Chairperson to be inapplicable. The DRC application shall be maintained and updated by the Planning and Zoning Division.

Section 2-806. Pre-application meeting.

All applicants are required to schedule a pre-application meeting with the Planning and Zoning Director, or designee, a minimum of seven (7) days prior to the DRC meeting submittal deadline to review the application requirements and determine the specific plans, documents and support materials that are required to be filed with the application.

Section 2-807. DRC Meetings.

The DRC shall meet on the last Friday of every month, unless conflicting with a designated holiday in which case the meeting will be scheduled on the Friday before the last Friday of the month. Nothing contained herein precludes the Chairperson from calling a special meeting to be held outside the time prescribed in this section. Applications for review by the

DRC shall be submitted a minimum of twenty-one (21) calendar days prior to the DRC meeting. The DRC Chairperson shall provide the applicant with copies of all comments submitted by the members of the DRC following the meeting. Action minutes shall be maintained by the DRC Chairperson.

The subject property shall be posted by the applicant at least ten (10) days prior to the DRC meeting. Such posting shall consist of a sign that shall be provided to the applicant by the Planning and Zoning Director, the surface of which shall not be larger than forty (40) square inches in area.

SECTION 7. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 8. 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 9. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 10. If the Official Zoning 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 11. This ordinance shall become effective _____, 2014.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2014.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY

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