

Overview of the Evaluation and Appraisal Report (EAR) for the City of Coral Gables Comprehensive Land Use Plan (CLUP)

Presentation to the Planning and Zoning Board

03.09.05

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Purpose

The State of Florida's local government comprehensive planning law, Chapter 163, Part 2, Florida Statutes (F.S.), requires that all counties and municipalities throughout Florida maintain long-range comprehensive planning programs, and that comprehensive planning should be a continuous and ongoing process.

As a part of this process, local governments are required to monitor numerous community characteristics relating to development, provision of services, environmental protection, and governmental activities, and periodically prepare what is known as an Evaluation and Appraisal Report (EAR). The purpose of the EAR is as follows:

1. Evaluate and assess the effectiveness, successes and failures of the local adopted comprehensive plan in accomplishing its adopted objectives;
2. Suggest changes or amendments needed to update the Comprehensive Land Use Plan (CLUP) including reformulated objectives, policies or standards;
3. Principal process for updating local comprehensive plans to respond to changes in state, regional, and local policies on planning and growth management, and changing conditions; and
4. Ensure effective intergovernmental coordination, and to identify major issues regarding the community's achievement of its goals.

The EAR is a state-mandated interim review of the CLUP taking place every seven years. The report is a summary audit of the progress that has been made along with the successes and shortcomings that have been encountered in implementing the plan. The City's CLUP, as does other local governments includes ten Elements with corresponding Goals, Objectives and Policies which provide for a long range plan. Those Elements include:

1. Future Land Use
2. Traffic Circulation
3. Housing,
4. Public Facilities,
5. Coastal Management,
6. Conservation,
7. Recreation and Open Space,
8. Intergovernmental Coordination,
9. Capital Improvements and
10. Historic Preservation.

The EAR report identifies changes that should be made in the CLUP in response to the results of the audit, to changing trends and conditions that affect the local community, and to changing state and regional growth management policies.

Chapter 163.3191, F.S. further specifies the procedures and criteria for the preparation, transmittal, adoption, and sufficiency review of the EAR and EAR-based CLUP amendments. Coral Gables adopted EAR must be transmitted to the Florida Department of Community Affairs (DCA) for its sufficiency review by April 1, 2006, as required by DCA.

In order to provide the Board with a step by step guide to preparing the EAR, Staff has provided the EAR guide entitled, *A Guide to Preparing an Evaluation and Appraisal Report* (see Attachment A). This guide was prepared by the Florida Department of Community Affairs (DCA) and provides step-by-step suggestions for completing the evaluation and adopting the report.

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History of Coral Gables CLUP and EAR

The EAR is essentially an audit of the existing CLUP and assesses the progress the City has made in its implementation. Listed below is a brief summary of the history of the Coral Gables CLUP:

- 1975 Florida legislature passed the Local Government Comprehensive Planning Act. This legislation recognized the traditional role of local government in land use control and was intended stimulate and guide the development and implementation of comprehensive plans by local government.
- 1980 The City's first CLUP was adopted as a result of the 1975 Local Government Comprehensive Planning Act.
- 1985 The legislature updated the 1975 Act and passed the Local Government Comprehensive Planning and Land Development Act (codified at Chapter 163, Florida Statutes), which substantially amended the 1975 Local Government Comprehensive Planning Act. It required local governments to amend their existing plans to ensure consistency with the State and Regional plans. Failure to do so would result in loss of state revenue-sharing to local governments and loss of grant money controlled by the state government.
- 1989 The City updated the CLUP as a result of the 1985 Local Government Comprehensive Planning and Land Development Regulation Act.
- 1995 The City completed its first EAR.
- 1998 As a result of the 1995 EAR, the City amended the CLUP to address the EAR findings. This is the City's current CLUP.
- 2002 The legislature modified the preparation of an EAR, which in addition to evaluating the CLUP Elements, would identify major issues of the community and analyze the adequacy of the CLUP Elements in addressing these issues.

Scoping Meeting and Identification of Major CLUP Issues

Prior to 2002, the requirements for the EAR were uniform. That meant that every local government, regardless of size or circumstance, had similar EARs in terms of the review criteria. The effect of the legislation adopted in 2002 is to allow the City to evaluate only those issues that pertain to and affect the City of Coral Gables.

This means that not every element of the CLUP needs to be thoroughly evaluated in the EAR, only those major issues that affect the City's ability to achieve its goals. However, each element as a whole must be briefly evaluated as to its successes or shortcomings in addition to any evaluation related to the local issues.

The first step in identifying these issues is to hold a Scoping meeting to reach agreement on the extent or scope of the EAR by identifying the issues that will be evaluated and the degree of effort that should be devoted to the components of the EAR.

The Scoping meeting provides a forum for City staff interaction with elected officials, City boards and committees, residents and property owners, adjacent local government staffs and with state and regional agencies to:

- Identify and discuss the major issues in your community that should be addressed in the EAR.
- Distribute data and share resources to assist in preparing the EAR.
- Discuss the degree of effort that each EAR component should receive.

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The Scoping meeting is scheduled for Wednesday, April 13, 2005 at 6:00 p.m. with the Planning and Zoning Board. The table below identifies those major issues identified by Staff that will be discussed at the Scoping session. Staff derived this list of issues from the issues identified through the public meetings and public outreach as part of the zoning code rewrite, the issues brought up during site plan review and from the numerous meetings held with stakeholders, citizens and property owners.

City of Coral Gables EAR 2006 – Scoping Issues Identified by Staff		
ISSUE	COMMENT	
1.	Complete Rewrite of Housing Element	
a.	Workforce Housing within the City of Coral Gables (mandated by Florida Statutes)	Need will be based on the Results of the Study, Include Recommendation from Result of Housing Study
b.	Promotion of Senior Housing within the City	The City will Evaluate areas within the City where it Senior Housing can be Supported
		The City will Evaluate ways in which to Promote Senior Housing
2.	Potential Encroachment of Commercial and High Intensity Residential into Single Family Residential	
a.	Strengthen Existing Policies and Create New Policies (Future Land Use Element) Supporting the New Zoning Code	Address the Potential Impacts and Implement Policies to Avoid Encroachment of Commercial and High Intensity Residential into Single Family Residential
3.	Mitigation of Traffic Impacts	
a.	Promote Alternative Modes of Transportation	Trolley, Encourage Creating a Fund where City will have a Traffic Study for the Entire City, Implement Alternative Modes of Transportation based on Result and Need of the Traffic Study
b.	Intergovernmental Coordination	Much of the Traffic Occurring within the City stems from Surrounding Cities
c.	Transportation Concurrency Exemption Zone	Promote Infill in that Area as defined within the Comprehensive, and the Possibility of Expansion into other areas of the City.
4.	Placement of Parks per the Parks Master Plan	
a.	Parks and Recreation is Conducting a Study, Follow Recommendation of Parks and Recreation Study	Implement Policy Recommendations.
b.	Acquire land for New Parks	Investigate the Use of TDR's to Acquire More Park Land - Mechanism to Gain or Purchase Park Land

Staff identified issues include:

Organization and Format of the EAR

The proposed 2006 Evaluation and Appraisal Report (EAR) addressing the Coral Gables Comprehensive Land Use Plan (CLUP) will be organized into one bound report and subdivided into five Chapters as follows.

1. Chapter 1 – Evaluation of Major CLUP Issues: evaluates the major issues as agreed upon by the City of Coral Gables and DCA.
2. Chapter 2 – Assessment of the CLUP Elements: evaluates each of the ten adopted Elements of the CLUP. Please find attached (provided as Attachment A) an example of the table that will be utilized.

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3. Chapter 3 – Assessment of State Required Special Topics: evaluates the four additional requirements of Chapter 163.3191, F.S., which are not reflected in the major issues. Those requirements include: Coordination of Land Use and Schools, Evaluation of Redevelopment in Coastal High Hazard Areas and Mitigation Strategies, Effect of Statutory and Rule Changes and Public Participation Summary.
4. Chapter 4 –Conclusions and Proposed Revisions: summarizes all conclusions and proposed revisions to the CLUP whether the revision originated from a major issue, an evaluation of the CLUP elements, or an evaluation of an additional requirement.
5. Chapter 5 – EAR-based Amendments: will include those CLUP amendments necessary to update the comprehensive plan including reformulated goals, objectives, policies or standards.

EAR and EAR-Based Amendments Review and Adoption Process

The Planning Department must prepare the proposed EAR and submit it to the Planning and Zoning Board (PZB) acting as the City's Local Planning Agency (LPA) in August 2005. The LPA will conduct at least one public hearing on the proposed EAR in September 2005, and finalize and submit a recommended EAR to the City Commission no later than December, 2005.

Concurrently, a copy of the PZB-recommended EAR will also be transmitted to the DCA and other reviewing agencies for its information. The City Commission will conduct a public hearing on the recommended EAR before taking action to adopt the EAR or adopt it with changes in February, 2006. The adopted EAR will be submitted to the DCA by March 1, 2006.

State law provides for the comprehensive plan to be amended consistent with the findings and recommendations contained in the adopted EAR. Chapter 163, Part 2, F.S. requires EAR-based plan amendments to be adopted within eighteen months after the EAR is determined to be sufficient by DCA. However, the City will submit amendments concurrently with the adopted EAR in March of 2006 in order to expedite and streamline the process. Miami-Dade County is currently in the process of adopting EAR-based amendments and indicated to Staff that it has been a laborious task to date. In preliminary discussions regarding the City's approach, DCA staff agreed that it was an efficient approach as the issues and solutions are being considered simultaneously.

A copy of the detailed timeline is provided as Attachment C.

Requested Action

1. Endorsement of the EAR timeline provided as Attachment C.
2. Confirmation of the Scoping Meeting scheduled for Wednesday, April 13, 2005 at 6:00 PM.
3. Review those major issues identified by staff and be prepared to discuss or add issues to the list for the Scoping meeting.

Attachments

- A. A Guide to Preparing an Evaluation and Appraisal Report
- B. Sample Table – Current CLUP EAR Findings and EAR Based Amendments
- C. EAR Timeline