Sponsored by: Puto

City Council Introduction Date: May 10, 2005

Planning Commission Public Hearing Date: May 16, 2005

City Council Public Hearing Dates: June 14, 2005

June 28, 2005 **Enactment Date:** June 28, 2005

CITY OF MARATHON, FLORIDA ORDINANCE 2005 - 13

AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA, AMENDING ALL APPLICABLE SECTIONS OF CITY OF MARATHON CITY CODE 9.5, REVISING THE LAND DEVELOPMENT REGULATIONS TO IDENTIFY ADDITIONAL LOCATIONS OF PUBLIC BUILDINGS AND USES AND COMMUNITY PARKS; AND REVISING DEVELOPMENT STANDARDS APPLICABLE TO PUBLIC BUILDINGS AND USES TO PROVIDE FOR FLEXIBILITY IN APPLICATION OF LAND DEVELOPMENT REGULATIONS

WHEREAS, pursuant to Section 9(6)(A) of the City of Marathon City Charter (the "Charter"), the Monroe County Land Development Regulations (the "LDR's") in effect upon the date of the City's incorporation are the City's LDR's until such time as they are amended or replaced; and

WHEREAS, the City of Marathon is in the process of developing needed government facilities; and

WHEREAS, the City desires to develop municipal facilities in a manner that promotes fiscal soundness and efficiency provision of government success; and

WHEREAS, the City Council finds that it is necessary and desirable to clarify the criteria for development or redevelopment of government facilities with the City; and

WHEREAS, the City Council finds that providing flexibility in the standards applicable to development of government facilities will allow for sound decision making regarding types, locations and cost of government facilities provided by the City and therefore is in the best interests of the residents of the City, protect the public health, safety and welfare of the residents of the City, and furthers the purposes, goals, objectives and policies of the City's Transitional Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. Section 9.5 - 234 of the City Code is hereby amended to read as follows¹:

Sec. 9.5 – 234. Urban Residential – Mobile Home District (URM).

- (b) The following uses are permitted as major conditional uses in the Urban Residential Mobile Home District, subject to the standards and procedures set forth in article II, division 3:
 - (5) Land use overlay PB subject to provisions of section 95-257.
- **Section 2.** Section 9.5-235 of the City Code is hereby amended to read:

Sec. 9.5-235.1. Urban Mobile Home – Limited District (URM-L).

- (a) The following uses are permitted as of right in the URM-L district:
 - (1) Mobile homes;
 - (2) Recreational vehicles, as provided in F.S., ch. 513;
 - (3) Home Occupations Special use permit required.
 - (4) Accessory uses; and
 - (5) Wastewater nutrient reduction cluster systems that serve less than ten (10) residences.
 - (6) Public buildings and uses.
 - (7) Parks and community parks.

¹ Provisions added to existing text are shown by <u>underline;</u> provisions deleted from existing text are shown by <u>strikethrough</u>.

Section 3. Section 9.5-236 of the City Code is hereby amended to read:

Section 9.5-236. Sub Urban Residential District (SR).

(b) The following uses are permitted as minor conditional uses in the Sub Urban Residential District, subject to the standards and procedures set forth in article III, division 3:

- (3) Public building and uses; provided that:
 - a. The parcel proposed for development is separated from any established residential use by a class C buffer-yard a buffer determined by the planning director to be adequate; and
 - b. Access to U.S. 1 or other roadway(s) is by way of:
 - (i) An existing curb cut;
 - (ii) A signalized intersection; or
 - (iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet; or
 - (iv) Other access which is determined by planning staff to be adequate;

Section 4. Section 9.5-237 of the City Code is hereby amended to read:

Sec. 9.5-237. Suburban Residential District (Limited) (SR-L).

- (b) The following uses are permitted as major conditional uses in the Sub Urban Residential (Limited) District, subject to the standards and procedures et forth in article iii, division 3:
 - (1) Land use overlay PB subject to the provisions of section 9.5-257.

Section 5. Section 9.5-238 of the City Code is hereby amended to read:

Sec. 9.5-238. Sparsely Settled Residential District (SS).

(b) The following uses are permitted as minor conditional uses in the Sparsely Settled Residential District, subject to the standards and procedures set forth in article III, division 3:

- (3) Public buildings and uses, provided that:
 - a. The parcel proposed for development is separated from any established residential use by a class C buffer-yard an adequate buffer, as determined by the planning director; and
 - b. The parcel of land proposed for development is at least two (2) acres;

Section 6. Section 9.5-239 of the City Code is hereby amended to read:

Sec. 9.5-239. Native Area District (NA).

(b) The following uses are permitted as minor conditional uses in the Native Area District, subject to the standards and procedures set forth in article III, division 3:

- (1) Public buildings and uses, provided that:
 - a. The parcel proposed for development is separated from any established residential use by a elass (C) buffer-yard; an adequate buffer, as determined by the planning director; and
 - b. The parcel proposed for development is at least two (2) acres;
- (3) Agricultural uses, provided that:
 - a. The use is compatible with land uses established in the immediate vicinity of the parcel proposed for development;
 - b. The parcel proposed for development is separated from any established residential uses by at least a class C buffer-yard;
 - a. All outside storage areas are screened from adjacent uses by a solid fence, wall of hedge of a least six (6) feet in height; and

- (4) Attached wireless communications facilities, as accessory uses, pursuant to article VII, division 16, section 9.5-434.5(d) "Attached wireless communications facilities."
- (5) Stealth wireless communications facilities, as accessory uses, pursuant to article VII, division 16, section 9.5-434.5(3) "Stealth wireless communications facilities."
- (6) Satellite earth stations greater than or equal to two (2) meters in diameter, accessory uses, pursuant to article VII, division 16, section 9.5-434.5(f) "Satellite earth stations."
- (7) Parks and community parks.

Section 7. Section 9.5-242 of the City Code is hereby amended to read:

Sec. 9.5-242. Improved Subdivision District (IS).

- (d) The following uses are permitted as minor conditional uses in the Improved Subdivision District, subject to the standards and procedures set forth in article II, division 3:
 - (1) Parks and community parks;
 - (2) Public parks;
 - (3) Schools; and
 - (4) Satellite earth stations greater than or equal to two (2) meters in diameter, as accessory uses, pursuant to article VII, division 16, section 9.5-434.5(f) "Satellite earth stations."
 - (5) Public buildings and uses.

Section 8. Section 9.5-243 of the City Code is hereby amended to read:

Sec. 9.5-243. Destination Resort District (DR)

(a) The following uses are permitted as of right in the Destination Resort District:

(9) Public buildings and facilities.

(10) Community Parks.

(c) The following uses are permitted as major conditional uses in the Destination Resort District, subject to the standards and procedures set forth in article III, division 3:

(6) Land use overlays PB subject to provisions of section 9.5-257.

Section 9. Section 9.5-244 of the City Code is hereby amended to read:

Sec. 9.5-244. Recreational Vehicle District (RV).

(b) The following use is permitted as a minor conditional use in the Recreational Vehicle District, subject to the standards and procedures set forth in article III, division 3:

(7) Public buildings and uses.

Section 10. Section 9.5-247 of the City Code is hereby amended to read:

Sec. 9.5-247. Commercial Fishing Special District (CFSD).

The following uses are permitted in the Commercial Fishing Special Districts:

(c) CFSD 3 (Located on Marathon):

- (1) d. Public buildings and uses;
 - e. Community parks.

(n) CFSD 14 (Located on Marathon):

- (1) d. Public buildings and uses;
 - f. Community parks.

(o) CFSD 15 (Located on Marathon):

- b. Public buildings and uses.
- c. Community parks.

Section 11. Section 9.5-249 of the City Code is hereby amended to read: Sec. 9.5-249. Industrial District (I).

(a) The following uses are permitted as of right in the Industrial District:

(16) Community Parks

Section 12. Section 9.5-250 of the City Code is hereby amended to read: Sec. 9.5-250. Maritime Industries District (MI).

(a) The following uses are permitted as of right in the Maritime Industries District:

(17) Community Parks

Section 13. Section 9.5-252 of the City Code is hereby amended to read: Sec. 9.5-252. Airport District (AD).

(f) Airport District (AD), public and military airports: The following uses are permitted as minor conditional uses in the Airport District, subject to the standards and procedures set forth in article III, division 3:

- (3) Public buildings and facilities;
- (4) Community parks;

Section 14. Section 9.5-257.5 of the City Code is hereby amended to read:

Sec. 9.5-257. Public Buildings/Grounds Use overlay (PB).

Any use identified in the City of Marathon Transitional Comprehensive Plan as Public Buildings/Grounds (PB) and further identified on the Monroe County Future Land Use Map with a designation of "PB" may be overlaid on any new or existing land use district. The use within the overlay district shall be subject to all land development regulations of the underlying district with the exception of those regulations controlling density and intensity. The use within the overlay district shall be developed with the following density and intensity regulations:

Allocated Density (per acre)		Maximum Intensity (floor area ratio)
0 du 0 rooms/spaces	<u>N/A</u> <u>N/A</u>	0.30

F.A.R. requirements may be altered or waived by the Planning Director upon determination of public need and consistency with community character.

Section 15. Section 9.5-269 of the City Code is hereby amended to read:

Sec. 9.5-269. Maximum nonresidential land use intensities and district open space (1).

TABLE INSET (only changes shown on table; remainder of table unchanged)

LAND USE DISTRICT & USE	MAXIMUM FLOOR AREA RATIO	O.S.R.(1)
Urban Commercial:		
Commercial Retail:		
Public Buildings	0.35 (<u>5</u>)	0.2 (5)
Urban Residential:		
Public Buildings and Uses	0.30 (5)	0.2 (5)
Sub Urban Residential:		
Public Buildings and Uses	0.25 (5)	0.5 (5)
Sparsely Settled		
Public Buildings and Uses	0.20(5)	(2) (<u>5</u>)
Native Area:	·	
Public Buildings and Uses	0.20 (5)	(4) (<u>5</u>)
Mixed Use:		
Commercial Retail:		
Public Buildings and Uses	0.30 (5)	0.2 (5)
Industrial:		
Public Buildings and Uses	0.40 (5)	0.0 (5)
Industrial:		
Public Buildings and Uses	0.40 (5)	0.0 (5)
Mixed Use:		
Commercial Retail:		
Public Buildings and Uses	0.30.(5)	0.2.(5)
Industrial:		

Public Buildings and Uses	0.40.(<u>5</u>)	0.0 (5)
Maritime Industrial:		
Commercial Retail:		
Public Buildings and Uses	0.50 (<u>5</u>)	0.0 (5)
Commercial Retail:		
Public Buildings and Uses	0.30 (5)	0.2 (5)
Parks and Refuge:		
Public Buildings and Uses	0.20 (5)	0.0 (5)

(5) All F.A.R. and OSR for Public Buildings and Public Uses may be waived or altered by Planning Director upon determination of public need and consistency with community character. In the event the maximum floor area ratio and open space requirement for public buildings and uses are not listed for a specific District, the Planning Director shall determine the requirements during development review.

Section 16. Section 9.5-281 of the City Code is hereby amended to read:

Sec. 9.5-281. Minimum yards:

Applies to new construction only. <u>Yard requirements for Public Buildings and Uses may be varied or waived by Planning Director upon determination of public need, adequate buffering of adjacent uses, and consistency with community character.</u>

Section 17. Section 9.5-352 of the City Code is hereby amended to read:

Sec. 9.5-351. Required off-street parking.

(d) <u>Category of Specific Use for Determination of the Number of Spaces:</u> If a specific use does not fall within one of the above categories in subsection (c), then the parking space requirements shall be based on the most current edition of the Institute of

Transportation Engineer's Parking Generation Manual, or other appropriate documentation approved by the planning director. Parking Requirements for Public Buildings and Uses can be varied by the Planning Director if consistent with public health, safety, welfare and community character.

[existing subsections d-i renumbered as subsections e-j]

Section 18. Section 9.5-362 of the City Code is hereby amended to read:

Sec. 9.5-362. Landscaping standards.

Landscaping standards for off-street parking areas are set out in the diagrams which follow this section. The number of square feet of planting area is for every twenty-four (24) spaces, with fractional areas providing a proportional amount. <u>Landscaping standards for Public Buildings and Uses can be varied by the Planning Director if consistent with public health, safety, and welfare and community character.</u>

Section 19. Section 9.5-366 of the City Code is hereby amended to read:

Sec. 9.5-366. Street trees.

All street fronts not required to provide a scenic corridor or buffer-yards in accordance with sections 9.5-362, 9.5-363 or 9.5-364 shall plant trees. Such trees shall be native canopy trees, not intrusive to utilities or pavement, and shall be installed pursuant to a landscape plan, with the number of trees to be equal to at least one (1) canopy tree (three (3) inches dbh) per one hundred (100) feet of street length provided that n\in no event will less than one (1) street tree be provided for every lot. Existing natural native vegetation takes priority and satisfies this requirement. Tree planting requirement for Public Buildings and Uses can be varied or waived by the Planning Director if consistent with community character.

Section 20. Section 9.5-375 of the City Code is hereby amended to read:

Sec. 9.5-375. General.

No structure or land which abuts U.S. 1, SR 905 or SR 940, a boundary between two (2) different land use districts, or fronts on a major street shall hereafter be developed, used or occupied unless a scenic corridor or buffer-yard is provided in accordance with the requirements of this division. No structure other than a fence shall be placed within a required buffer-yard, provided that where there is existing native vegetation which will provide for a buffer-yard, no clearing will be permitted for the installation for a fence. Required buffer yards for Public

Buildings and Uses can be reduced or waived by Planning Director if consistent with community character.

- **Section 21.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.
- **Section 22.** The provisions of the City Code and all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.
- **Section 23.** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Marathon, Florida, that the sections of the Ordinance may be renumbered or re-lettered to accomplish to such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.
- **Section 24.** The provisions of this Ordinance constitute a "land development regulation" as State law defines that term. Accordingly, the City Clerk is authorized to forward a copy of this Ordinance to the State Department of Community Affairs for approval pursuant to Sections 380.05(6) and (11), Florida Statutes.
- **Section 25.** This Ordinance shall be effective immediately upon approval by the State Department of Community Affairs pursuant to Chapter 380, Florida Statutes.

ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON,

FLORIDA, this 28th day of June, 2005.

THE CITY OF MARATHON, FLORIDA

John Bartus, Mayor

AYES:

Mearns, Miller, Pinkus, Bartus

NOES:

None

ABSENT:

Bull

ABSTAIN:

None

ATTEST:

Cingy L. Ecklund

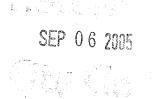
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

City Attorney

STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

In re: CITY OF MARATHON LAND
DEVELOPMENT REGULATIONS
ADOPTED BY ORDINANCE NO. 2005-13



FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), *Fla. Stat.*, and § 380.0552(9), *Fla. Stat.* (2004), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
- 2. On July 1, 2005, the Department received for review City of Marathon Ordinance No. 2005-13 that was adopted by the City of Marathon Board of City Commissioners on June 28, 2005 ("Ord. 2005-13"). Ord. 2005-13 amends Section 9.5 of the Marathon City Code, revises the land development regulations to identify additional locations of public buildings and uses and community parks, and revises development standards applicable to public buildings and uses to provide for flexibility in application of land development regulations.
 - 3. Ord. 2005-01 is consistent with the City's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

- 4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2004).
- 5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, *Fla. Stat.* (2004) and Rule 28-29.002 (superseding Chapter 27F-8), *Fla. Admin. Code*.

6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), *Fla. Stat.* (2004). The regulations adopted by Ord. 2005-13 are land development regulations.

- 7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
 - 8. Ord. 2005-13 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- 9. Ord. 2005-13 is not inconsistent with the remaining Principles. Ord. 2005-13 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 2005-13 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby <u>APPROVED</u>.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

James/L. Quint

State Planning Administrator Division of Community Planning Department of Community Affairs 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON

ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS <u>RECEIVED</u> BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27 day of August, 2005.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable John Bartus, Mayor City of Marathon 10054-55 Overseas Highway Marathon, Florida 33050

Cindy Ecklund, City Clerk City of Marathon 10045-55 Overseas Highway Marathon, Florida 33050

Mike Puto Acting City Manager City of Marathon 10054-55 Overseas Highway Marathon, Florida 33050

John Herin, Esq. Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A. Suite 2200 Museum Tower 150 West Flagler Street Miami, Florida 33130

By Hand Delivery or Interagency Mail:

Rebecca Jetton, ACSC Administrator Richard E. Shine, Assistant General Counsel