



City of Coral Gables
CITY COMMISSION MEETING
February 13, 2024

ITEM TITLE:

Ordinance on Second Reading. Zoning Code Text Amendment.

An Ordinance of the City Commission amending Section 14-103.3. “Meeting; Panel Review; Full by Full Board; Conflict Resolution Meeting; Special Master Quasi-Judicial Hearing” in order to amend certain procedures related to the conflict resolution and Special Master Quasi-Judicial Process for appeals of decisions by the Board of Architects; providing for repealer provision, severability clause, codification, enforceability, and providing for an effective date.

DEPARTMENT HEAD RECOMMENDATION:

Approval.

PLANNING AND ZONING BOARD RECOMMENDATION:

At the January 10, 2024 meeting, the Planning and Zoning Board recommended approval (vote: 4-2) with the condition to not require the proposed panel of Special Masters.

BRIEF HISTORY:

No changes have been made since First Reading.

The Board of Architects (BOA) is responsible for determining whether development applications satisfy the Design Review Standards set forth in Article 5, Section 5-102 of the Zoning Code. These standards include adherence to design principles such as the compatibility of elements of color, materials, fenestration, and proportion, as well as an intrinsic sense of order in all aspects of design. When a proposed building does not meet this criteria, the BOA can deny the proposed design, at which point the applicant or aggrieved person may appeal the denial.

Section 14-103.3 of the Zoning Code provides the procedures for persons aggrieved by a decision of the Board of Architects. As requested by a member of the Commission, Staff prepared a Zoning Code text amendment to refine some of the procedures related to the decision-making processes. The proposed Zoning Code text amendment clarifies that if the conflict resolution meeting results in a settlement, the settlement must proceed to a quasi-judicial public hearing. In addition, the proposed amendment also explains that single-family residences will be heard by one Special Master, while all other properties are heard by a panel of three Special Masters at a quasi-judicial public hearing. Lastly, the proposed amendment requires the Board of Architects to review any substantial changes to the design of a project made during the conflict resolution or Special Master hearing process.

Planning & Zoning Board

At the January 10th, 2024 meeting, the Planning and Zoning Board discussed the proposed panel of 3 Special Masters and the requirement to return to the Board of Architects if substantial changes had been

made during the appeals process. A few of the Board members raised the concerns of incorporating 2 additional Special Masters to review larger projects and the appointment process. The Board recommended approval of the technical changes of the proposed amendments, but recommended removing the proposed panel of Special Masters (vote: 4 - 2).

The draft Ordinance for the Zoning Code text amendment is provided as Exhibit A. The only changes since first reading is to indicate that while the Ordinance is effective upon adoption, implementation of the three-member panel for certain Special Master quasi-judicial hearings will not occur until such time as the City Manager has appointed and the Commission has approved sufficient Special Masters. Until such time, all Special Master quasi-judicial hearings shall be heard by one Special Master.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments

PUBLIC NOTIFICATION(S):

Date	Form of Notification
12.05.23	City Commission meeting agenda posted on City webpage.
12.28.23	Legal Advertisement for Planning & Zoning Board.
01.05.24	Posted PZB agenda and Staff report.
01.29.24	Legal Advertisement.
02.06.24	City Commission meeting agenda posted on City webpage.

FINANCIAL INFORMATION:

No.	Amount	Account No.	Source of Funds
1. Additional Special Master Fees for Panels	\$4,000/annually	TBD	
Total: N/A	\$0		

Fiscal Impact:

Additional fees for special masters at quasi-judicial panel hearings.

EXHIBIT(S):

- A. Draft Ordinance.
- B. 01 10 24 PZB Staff Report with attachments.
- C. Excerpt of 01 10 24 PZB Meeting Minutes.