



**City of Coral Gables
Planning and Zoning Staff Recommendation**

Applicant:	City of Coral Gables
Application:	Zoning Code Text Amendment- Article 2, Article 2, "Decision Making and Administrative Bodies", Division 3. "Board of Architects", Section 3-301, "Powers and Duties"; Section 2-302, "Membership, Terms; Vacancies; Removal"; and Section 2-303, "Meetings; Quorum; Required Vote", Section 3-303, "Reconsideration of City Architect Administrative Determination" of Article 3 "Development Review"
Public Hearing - Dates/Time/ Location:	Planning and Zoning Board October 14, 2015, 6:00 – 9:00 p.m., City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134

Application Request.

The City of Coral Gables is requesting review and consideration of the following:

An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code: Article 2, "Decision Making and Administrative Bodies", Division 3. "Board of Architects", Section 3-301, "Powers and Duties"; Section 2-302, "Membership, Terms; Vacancies; Removal"; and Section 2-303, "Meetings; Quorum; Required Vote", repealing Section 3-303, "Reconsideration of City Architect Administrative Determination" of Article 3 "Development Review"; by updating the membership and certain procedures of the Board of Architects; providing for severability, repealer, codification, and an effective date.

Background Information.

On August 25, 2015, the City Commission approved certain Rules and Procedures (Rules) for the Board of Architects (Board) as provided in Sec. 2-305 of the Zoning Code. At that meeting, the Commission also directed a change to the Zoning Code that meetings of the Panel and full Board not be a quasi-judicial hearing, as requested by the Board. The attached Ordinance reflects this change, as well as the option to appoint alternates to the Board. This is necessary during the summer and holiday times when regular board members are not always available and it has been difficult to conduct the business of the

Board. Board staff has been in contact with past Board members who can offer their services during this period. As with regular members, the alternates will be appointed by the City Manager and approved by the City Commission by separate action. The Board on October 1, 2015, voted unanimously to approve the Zoning Code amendments (6-0).

Proposed Zoning Code Amendments.

Draft Ordinance in ~~strike through~~/underline format showing the proposed amendments is provided as Attachment A.

Public Hearing Timetable.

Consideration of the proposed Zoning Code amendments and the amended Rules and Procedures by the City Commission has been tentatively scheduled for Tuesday, November 10, 2015.

Public Notification.

The following has been completed to provide notice of the request:

Public Notice

Type	Date
Legal advertisement	10.02.15
Posted agenda on City web page/City Hall	10.09.15
Posted Staff report on City web page	10.09.15

Staff Recommendation.

The Planning and Zoning Division recommends approval of the following:

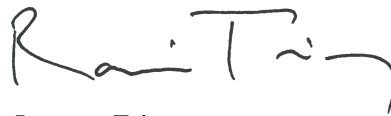
An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code: Article 2, "Decision Making and Administrative Bodies", Division 3. "Board of Architects", Section 3-301, "Powers and Duties"; Section 2-302, "Membership, Terms; Vacancies; Removal"; and Section 2-303, "Meetings; Quorum; Required Vote", repealing Section 3-303, "Reconsideration of City Architect Administrative Determination" of Article 3 "Development Review"; by updating the membership and certain procedures of the Board of Architects; providing for severability, repealer, codification, and an effective date.

Attachments.

- A. Draft Ordinance in ~~strike-through~~/underline format.
- B. PowerPoint Presentation.

Please visit the City's webpage at www.coralgables.com to view all Application materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



Ramon Trias
Director of Planning and Zoning
City of Coral Gables, Florida

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE: ARTICLE 2, "DECISION MAKING AND ADMINISTRATIVE BODIES", DIVISION 3. "BOARD OF ARCHITECTS", SECTION 2-301, "POWERS AND DUTIES"; SECTION 2-302, "MEMBERSHIP, TERMS; VACANCIES; REMOVAL" AND SECTION 2-303, "MEETINGS; QUORUM; REQUIRED VOTE"; REPEALING SECTION 3-303, "RECONSIDERATION OF CITY ARCHITECT ADMINISTRATIVE DETERMINATION" OF ARTICLE 3 "DEVELOPMENT REVIEW"; BY UPDATING THE MEMBERSHIP AND CERTAIN PROCEDURES OF THE BOARD OF ARCHITECTS; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Board of Architects (Board) was created to ensure that the City's architecture is consistent with the City's regulations and to preserve the aesthetic character of the community; and,

WHEREAS, in an effort to clarify certain policies and procedures of the Board, the Board and the City Commission approved certain Rules and Procedures on August 20, 2015, and August 25, 2015, respectively, that clarify and streamline certain review processes; and,

WHEREAS, it is now necessary to update the Zoning Code with respect to the Board of Architects to reflect the direction of the City Commission; and,

WHEREAS, after notice being duly published, a public hearing was held before the Planning and Zoning Board on October 14, 2015, at which hearing all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the October 14, 2015 Planning and Zoning Board meeting, the Board recommended (approval/denial) (vote: __ - __) of the text amendment; and,

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on _____, 2015 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a 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. The Official Zoning Code of the City of Coral Gables is hereby amended as follows (changes in ~~strike-through~~ / underline format):

Division 3. Board of Architects

Section 2-301. Powers and duties.

Pursuant to the City Charter, and subject to those provisions, a Board of Architects is a design review board created to ensure that the City’s architecture meets the design review standards of the Zoning Code, is consistent with the City’s regulations and to preserve the traditional aesthetic character of the community.

Section 2-302. Membership; Terms; Vacancies; Removal.

A. Membership.

1. The Board of Architects shall be composed of at least seven (7) members who serve as regular and alternate members.
2. The City Manager, subject to the approval of the City Commission, shall appoint all members of the Board of Architects as regular and alternate members, considering the following qualifications:
 - a. Each member shall have been a registered architect or landscape architect responsible for the design and construction of projects within the City of Coral Gables during the last five (5) years and shall have a minimum of ten (10) years’ experience in their profession.
 - b. Each member shall either be a resident or have their principal place of business in the City of Coral Gables.
 - c. If a member of the Board appointed is affiliated with the University of Miami, that board member must be a registered architect or landscape architect but is exempt from the other requirements of subsections a. and b.

B. Terms. The members of the Board of Architects shall serve at the pleasure of the City Commission. The terms of the members shall be as follows:

1. Two (2) years per term and not more than eight (8) consecutive years.
 2. The term of the members of the Board of Architects shall be so established that the terms of two (2) members of the Board will expire on June 30 and December 31 of each year, and two (2) new members will be appointed on July 1 and January 1 of each year.
- C. Vacancies. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term. Appointments to unexpired terms shall not count as part of the term limit.
- D. Removal. Any member of the Board of Architects may be removed with or without cause by a majority vote of the City Commission. Regular Bboard members shall be automatically terminated for 12 nine (9) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

Section 2-303. Meetings; Panel Review; Full Board Review. ~~Quorum; Required vote.~~

- A. Meetings. The Board of Architects ~~shall~~ may meet once each week, and such other times as the Board may determine, for the consideration of the business before the Board. All meetings shall be open to the public and the order of business and procedure to be followed shall be as prescribed by the Board. Rules of Procedure of the Board shall be approved by a majority of all Board members present. The Secretary for the Board shall be responsible for setting the agenda of the Board prior to a meeting of the Board. If a matter is postponed due to lack of a quorum, the Chairperson or the Secretary of the Board may set a special meeting as soon as practicable to consider such matter. Meetings of the Panel or the full Board are not quasi-judicial in nature.
- B. Panel Review. Any case brought before the Board may be heard by a panel of two (2) or three (3) members. A quorum of the full Board is not necessary to convene a Panel for official action. The approval of two (2) members on a two (2) or three (3) member Panel, signified by their signature on each set of plans and specifications required to be submitted with each application for a permit, shall be a prerequisite to the issuance of any permit required to be approved by the Board. The Board may review and recommend approval to another decision-making authority having jurisdiction or approve, approve with conditions or deny any application by use of a Panel.
- C. Review by full Board. At any time before the meeting, during the Panel review, the City Architect, a Board member or the applicant may determine that the Panel should be expanded to include all Board members present, in which case all Board members present will serve as the Panel, with a majority vote of the expanded Panel required for any action. A tie vote shall result in the automatic continuance of the matter to the next meeting, which shall be continued until a majority vote is achieved.

~~B. Quorum; Required vote. A majority of the Board shall constitute a quorum for the Board and except as provided in this section, the affirmative vote of a majority of the Board members present shall be necessary for any action. The approval of at least a majority of a panel of the Board of Architects, signified by their signature on each set of plans and specifications required to be submitted with each application for a permit, shall be a prerequisite to the issuance of any permit required to be approved by the Board. The Board of Architects may review and recommend approval to another decisionmaking authority having jurisdiction or approve, approve with conditions or deny any application by use of a panel of three (3) members of the Board constituting a panel. In the event a person is aggrieved by a decision of a panel, that person may request a hearing by the entire Board, which hearing shall be conducted as a quasi-judicial hearing and the decision shall be made by affirmative vote of a majority of the members of the Board. In the event a matter is considered by the entire Board of Architects, action shall be by the affirmative vote of the majority of the Board of Architects. Policies of the Board shall be approved by a majority of all the members of the Board. A tie vote shall result in the automatic continuance of the matter to the next meeting, which shall be continued until a majority vote is achieved. If a matter is postponed due to lack of a quorum, the Chairperson or the Secretary of the Board may set a special meeting as soon as practicable to consider such matter.~~

* * *

SECTION 3. Section 3-303 “Reconsideration of City Architect administrative determination” of Article 3 “Development Review” is hereby repealed.

SECTION 4. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 5. 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 6. 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 that the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

SECTION 7. If the Official Zoning Code of the City of Coral Gables Table of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 8. This ordinance shall become effective _____, 2015.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2015.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY



Planning and Zoning Board

Zoning Code Text Amendment Board of Architects

October 14, 2015

Proposed Zoning Code Text Amendment

Section 2-301. Powers and duties.

Pursuant to the City Charter, and subject to those provisions, a Board of Architects is a design review board created to ensure that the City's architecture meets the design review standards of the Zoning Code, is consistent with the City's regulations and to preserve the traditional aesthetic character of the community.

Section 2-302. Membership; Terms; Vacancies; Removal.

A. Membership.

1. The Board of Architects shall be composed of at least seven (7) members who serve as regular and alternate members.

Proposed Zoning Code Text Amendment

2. The City Manager, subject to the approval of the City Commission, shall appoint all members of the Board of Architects as regular and alternate members, considering the following qualifications:
 - a. Each member shall have been a registered architect or landscape architect responsible for the design and construction of projects within the City of Coral Gables during the last five (5) years and shall have a minimum of ten (10) years' experience in their profession.
 - b. Each member shall either be a resident or have their principal place of business in the City of Coral Gables.
 - c. If a member of the Board appointed is affiliated with the University of Miami, that board member must be a registered architect or landscape architect but is exempt from the other requirements of subsections a. and b.

Proposed Zoning Code Text Amendment

- B. Terms. The members of the Board of Architects shall serve at the pleasure of the City Commission. The terms of the members shall be as follows:
 1. Two (2) years per term and not more than eight (8) consecutive years.
 2. The term of the members of the Board of Architects shall be so established that the terms of two (2) members of the Board will expire on June 30 and December 31 of each year, and two (2) new members will be appointed on July 1 and January 1 of each year.

Proposed Zoning Code Text Amendment

- C. Vacancies. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term. Appointments to unexpired terms shall not count as part of the term limit.
- D. Removal. Any member of the Board of Architects may be removed with or without cause by a majority vote of the City Commission. Regular Board members shall be automatically terminated for 12 nine (9) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

Proposed Zoning Code Text Amendment

Section 2-303. Meetings; Panel Review; Full Board Review. Quorum; Required vote.

- A. Meetings. The Board of Architects shall may meet once each week, and such other times as the Board may determine, for the consideration of the business before the Board. All meetings shall be open to the public and the order of business and procedure to be followed shall be as prescribed by the Board. Rules of Procedure of the Board shall be approved by a majority of all Board members present. The Secretary for the Board shall be responsible for setting the agenda of the Board prior to a meeting of the Board. If a matter is postponed due to lack of a quorum, the Chairperson or the Secretary of the Board may set a special meeting as soon as practicable to consider such matter. Meetings of the Panel or the full Board are not quasi-judicial in nature.

Proposed Zoning Code Text Amendment

- B. Panel Review. Any case brought before the Board may be heard by a panel of two (2) or three (3) members. A quorum of the full Board is not necessary to convene a Panel for official action. The approval of two (2) members on a two (2) or three (3) member Panel, signified by their signature on each set of plans and specifications required to be submitted with each application for a permit, shall be a prerequisite to the issuance of any permit required to be approved by the Board. The Board may review and recommend approval to another decision-making authority having jurisdiction or approve, approve with conditions or deny any application by use of a Panel.
- C. Review by full Board. At any time before the meeting, during the Panel review, the City Architect, a Board member or the applicant may determine that the Panel should be expanded to include all Board members present, in which case all Board members present will serve as the Panel, with a majority vote of the expanded Panel required for any action. A tie vote shall result in the automatic continuance of the matter to the next meeting, which shall be continued until a majority vote is achieved.

Proposed Zoning Code Text Amendment

- B. Quorum; Required vote. A majority of the Board shall constitute a quorum for the Board and except as provided in this section, the affirmative vote of a majority of the Board members present shall be necessary for any action. The approval of at least a majority of a panel of the Board of Architects, signified by their signature on each set of plans and specifications required to be submitted with each application for a permit, shall be a prerequisite to the issuance of any permit required to be approved by the Board. The Board of Architects may review and recommend approval to another decisionmaking authority having jurisdiction or approve, approve with conditions or deny any application by use of a panel of three (3) members of the Board constituting a panel. In the event a person is aggrieved by a decision of a panel, that person may request a hearing by the entire Board, which hearing shall be conducted as a quasi-judicial hearing and the decision shall be made by affirmative vote of a majority of the members of the Board. In the event a matter is considered by the entire Board of Architects, action shall be by the affirmative vote of the majority of the Board of Architects. Policies of the Board shall be approved by a majority of all the members of the Board. A tie vote shall result in the automatic continuance of the matter to the next meeting, which shall be continued until a majority vote is achieved. If a matter is postponed due to lack of a quorum, the Chairperson or the Secretary of the Board may set a special meeting as soon as practicable to consider such matter.

Public Notifications

- ❖ The following has been completed to solicit input and provide notice of the application:

Type	Date
Legal advertisement	10.02.15
Posted agenda on City web page/City Hall	10.02.15
Posted Staff report on City web page	10.09.15

Staff Recommendation

- ❖ The Planning and Zoning Division recommends **approval** of the proposed Zoning Code text amendment



Planning and Zoning Board

Zoning Code Text Amendment Board of Architects

October 14, 2015