



**City of Coral Gables**  
**CITY COMMISSION MEETING**  
**March 15, 2016**

**ITEM TITLE:**

**Ordinance on First Reading. Zoning Code Text Amendment.** 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"; Article 3 "Development Review", Section 3-303, "Reconsideration of City Architect Administrative Determination" and Section 3-606, "Procedures for Appeals" by updating the membership and certain procedures of the Board of Architects and requiring a conflict resolution meeting prior to a quasi-judicial hearing before the entire Board of Architects; providing for repealer provision, severability clause, codification, and providing for an effective date.

**Board of Architects Rules of Procedure.** Updated Rules of Procedure that govern the Board of Architects.

**DEPARTMENT HEAD RECOMMENDATION:**

Approval of the Ordinance on First Reading and the Board of Architects Rules of Procedure.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

The Planning and Zoning Board at their 10.14.15 meeting recommended approval (vote: 7-0).

**BRIEF HISTORY:**

On August 25, 2015, the City Commission approved certain Rules of Procedures for the Board of Architects (BOA) as provided in Sec. 2-305 of the Zoning Code. At its meeting of December 8, 2015, the Commission decided that a full quasi-judicial hearing by the BOA is crucial to establishing the record by which to consider the BOA's appeal.

In December of 2015, staff presented to the BOA the concept of an architect serving as a Special Master to hear the BOA's appeal as a step prior to the Commission hearing the appeal. The BOA was unanimously of the opinion that the panel offers a broad range of opinions and experiences to the discussion that will not occur with an individual serving as a Special Master who can overrule the BOA's decision. The BOA also preferred keeping the quasi-judicial appeal process in lieu of the Special Master option. The Rules and Procedure and the Ordinance change reflect this position.

The Rules and Procedures were also amended to require a conflict resolution process to occur PRIOR to the BOA hearing an appeal. It is staff's opinion that such a process may offer some design solutions to the issues raised by the disputing parties in a more collaborative forum. This process will involve the City Attorney's Office and the Planning and Zoning Director, and a resolution will ultimately be presented to the full BOA as a quasi-judicial hearing, which may also be appealed to the City Commission.

Further, the Commission heard a presentation on the Best Practices Guidelines for the BOA at its January 12, 2016 meeting. These Guidelines are also referenced in the Rules and Procedure.

The attached Ordinance reflects these changes, as well as the option to appoint alternates to the BOA. 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 BOA. 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 proposed amendment is provided in the draft Ordinance in ~~strike through~~/underline format attached as Exhibit A. The 10.14.15 Staff report and recommendation, excerpts from the 10.14.15 Planning and Zoning Board meeting minutes, and the updated Rules of Procedures are provided as Exhibits B, C and D, respectively.

**LEGISLATIVE ACTION:**

Date:	Resolution/Ordinance No.	Comments
N/A		

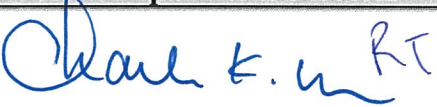

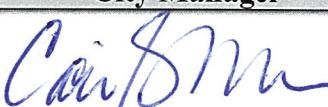
**OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):**

Date	Board/Committee	Comments (if any)
10.01.15	Board of Architects	Recommended approval (vote: 6-0).
10.14.15	Planning and Zoning Board	Recommended approval (vote: 7-0).

**PUBLIC NOTIFICATION(S):**

Date	Form of Notification
10.02.15	Planning and Zoning Board legal advertisement.
10.09.15	Planning and Zoning Board agenda posted at City Hall.
10.09.15	Planning and Zoning Board agenda, staff report, legal notice and all attachments posted on City web page.
03.11.16	City Commission meeting agenda posted on City web page.

**APPROVED BY:**

Asst. Department Director	City Attorney (If Applicable)	City Manager
		

**EXHIBIT(S):**

- A. Draft BOA Ordinance.
- B. 10.14.15 Staff report and recommendation with attachments.
- C. Excerpts of 10.14.15 Planning and Zoning Board meeting minutes.
- D. Updated Board of Architects Rules of Procedures.