



## AGENDA ITEM NO. \_\_\_\_\_

### City of Coral Gables CITY COMMISSION MEETING July 7, 2009

#### ITEM TITLE:

**Ordinance on First Reading.** An Ordinance of the City Commission of Coral Gables granting approval to an amendment to the Zoning Code Article 2, Division 5, entitled "Historic Preservation Board", Section 2-503, "Meetings; Quorum; Required vote", providing for an automatic continuance in the event of a lack of majority vote, providing severability, providing for codification thereof, and providing for an effective date.

#### RECOMMENDATION OF THE CITY MANAGER:

Approval.

#### PLANNING DEPARTMENT RECOMMENDATION:

The Planning Department in association with the Historical Resources Department recommends approval of the amendment to Zoning Code Article 2, Division 5, entitled "Historic Preservation Board", Section 2-503, "Meetings; Quorum; Required vote", providing for an automatic continuance in the event of a lack of majority vote.

Exhibit A – Ordinance.

#### PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board at their 06.03.09 meeting unanimously recommended approval of the proposed Zoning Code text amendment (vote: 5-0).

#### BRIEF HISTORY:

This request seeks to eliminate an inconsistency in the Zoning Code whereby a tie vote of the Historic Preservation Board automatically returns for reconsideration at the next Board meeting, but a motion that does not achieve a majority (quorum) vote is treated as a failed motion and not required to return to the Board for further consideration. In the event of a non-majority vote, it becomes difficult for an applicant to proceed without Board direction and if the vote is appealed, it is difficult for the City Commission to direct the applicant to a solution.

Staff's report and background information is provided as Exhibit B. The Planning and Zoning Board's 06.03.09 meeting minutes are provided as Exhibit C.

#### LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments

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

<b>Date</b>	<b>Board/Committee</b>	<b>Comments (if any)</b>
06.03.09	Planning and Zoning Board	Recommended approval (vote: 5-0)

**PUBLIC NOTIFICATION(S):**

<b>Date</b>	<b>Form of Notification</b>
05.21.09	Published Planning and Zoning Board Meeting Agenda in newspaper.
07.03.09	Posted City Commission memo and all attachments on City web page.
06.23.09	Memo to City Clerk requesting advertisement of Ordinance heading on First Reading.

**APPROVED BY:**

<b>Department Director</b>	<b>City Attorney (If Applicable)</b>	<b>City Manager</b>
Eric Riel, Jr. Planning Director		

**EXHIBIT(S):**

- A. Ordinance.
- B. 06.03.09 Staff report and attachments.
- C. 06.03.09 Planning and Zoning Board meeting minutes.

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