

ARTICLE 2 - DECISION MAKING AND ADMINISTRATIVE BODIES

Division 1. City Commission

Section 2-101. Powers and duties.

The City is governed by a City Commission consisting of five (5) elected members, including a Mayor, as more particularly set forth in the City Charter. In addition to any authority granted the City Commission by state law, City Charter or other regulations of the City, the City Commission shall have the power and duty to act as the final decision maker ~~in regarding~~ these regulations with respect to certain types of applications and appeals. In accordance with the standards and procedures of Article 3, Development Review, the City Commission is the final decision maker for:

| POWERS AND DUTIES | APPLICABLE STANDARDS/PROCEDURES |
|---|--|
| Abandonment and Vacations | Article 3, Division 12 |
| Appeals (from decisions by the Planning and Zoning Board, the Board of Adjustment, Board of Architects and the Historic Preservation Board) | Article 3, Division 6 |
| Building Moratoria | Article 3, Division 7 |
| Comprehensive Land Use Plan Text and Map Amendments | Article 3, Division 15 |
| Development Agreements | Article 3, Division 19 |
| Developments of Regional Impact | Article 3, Division 16 |
| Major Conditional Uses | Article 3, Division 4 |
| Planned Area Development | Article 3, Division 5 |
| Platting/Subdivision | Article 3, Division 9 |
| Protection of Landowner's Rights | Article 3, Divisions 17, 18 |
| Street and Alley Vacations | Article 3, Division 12 |
| Text of LDRs and Map Amendments | Article 3, Division 14 |
| Transfer of Development Rights (Receiver Site) | Article 3, Division 10 |
| Zoning Code Text Amendments | Article 3, Division 14 |
| Zoning Code Map Amendments | Article 3, Division 14 |

Division 2. Planning and Zoning Board

Section 2-201. Powers and duties.

A. Recommending body.

Pursuant to the City Charter, and subject to those provisions, a Planning and Zoning Board is created to act as the Local Planning Agency (LPA) of the City. In addition to any power or duty delegated by the City Commission or the City Manager, the Planning and Zoning Board shall act as the recommending Board to the City Commission for:

| POWERS AND DUTIES | APPLICABLE STANDARDS/PROCEDURES |
|---|--|
| Abandonment – Vacations | Article 3, Division 15 |
| Comprehensive Land Use Plan Text and Map Amendments | Article 3, Division 15 |
| Development Agreements | Article 3, Division 19 |
| Developments of Regional Impact | Article 3, Division 16 |
| Major Conditional Uses | Article 3, Division 4 |
| Platting/Subdivisions | Article 3, Division 9 |
| Street and Alley Vacations | Article 3, Division 12 |

| | |
|--|------------------------|
| Text of LDRs and Map Amendments | Article 3, Division 14 |
| Transfer of Development Rights (Receiver Site) | Article 3, Division 10 |
| Zoning Code Text Amendments | Article 3, Division 14 |
| Zoning Code Map Amendments | Article 3, Division 14 |

B. Final Decisions.

The Planning and Zoning Board shall act as the final decisionmaker, with an on appeals of minor conditional uses pursuant to Article 3 Divisions 4 and 76. to the City Commission, for:

| POWERS AND DUTIES | APPLICABLE STANDARDS/PROCEDURES |
|------------------------|---------------------------------|
| Major Conditional Uses | Article 3, Division 4 |

Section 2-202. Membership; Terms; Vacancies; Removal.

A. Membership.

1. The Planning and Zoning Board shall be composed of seven (7) members, five (5) of whom shall be appointed by the City Commission, one of whom shall be nominated by the City Manager, subject to approval of the City Commission and one of whom shall be nominated by the six (6) members so appointed, subject to approval of the City Commission. In the event that the six (6) members shall fail to agree on the seventh (7th) member, such member shall then be nominated by the City Commission after a thirty (30) day waiting period. A member of the Planning Department shall be named by the City Manager to act as a non-voting ex-officio member of the Board.
2. In making appointments to the Planning and Zoning Board, membership shall be sought from a diverse economic, social and professional representation and shall include members qualified and experienced in the fields of architecture, planning, landscape architecture, engineering, construction, planning and land use law and real estate. Each member of the Board shall also be a resident citizen in the City of Coral Gables during the term of appointment and also for at least five (5) years prior to appointment.
3. A representative of the school district appointed by the school board as a non-voting member of the Planning and Zoning Board to attend the Board meetings when Comprehensive Land Use Plan amendments and rezonings are on the agenda which would, if approved, increase residential density on the property that is the subject of the application.

B. Terms. The members of the Planning and Zoning Board shall serve at the pleasure of the City Commission. All appointments shall be for a two (2) year period commencing June 1, and ending on May 31st of the next odd year or until their successor is appointed. No member of the Planning and Zoning Board shall serve more than eight (8) consecutive years on the Board.

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 one of the four (4) terms for which a member is eligible for appointment, unless the unexpired term is two (2) years or more.

D. Removal. Pursuant to the City Charter, any member of the Planning and Zoning Board may be removed for any reason by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two-year period. Excused absences shall include illness and absence from the City.

Section 2-203. Meetings; Quorum; Required vote.

A. Meetings. The Planning and Zoning Board shall hold one regular meeting each month, and special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary

1 thereof, for the consideration of business before the Board. All meetings of the Board shall be open
2 to the public. The time and place of the meetings, and the order of business and procedures to be
3 followed at meetings, shall be as prescribed by the Chairperson and the Secretary of the Board.
4

5 **B. Quorum; Required Vote.** Four (4) members of the Board shall constitute a quorum and the
6 affirmative vote of a majority of the Board present shall be necessary for the adoption of any motion.
7 A workshop meeting where no business is conducted may be held without a quorum. A tie vote shall
8 result in the automatic continuance of the matter to the next meeting, which shall be continued until a
9 majority vote is achieved. If a matter is postponed due to lack of a quorum, the Chairperson of the
10 Board shall set a special meeting as soon as practicable to consider such matter.
11

12 **Section 2-204. Officers; Staff.**

13
14 **A. Officers.** The Planning and Zoning Board annually shall elect a chairperson and a vice-chairperson
15 from among its members, ~~as well as any other officers determined necessary by the Board.~~ All
16 officers shall be elected for one-year terms and shall be eligible for re-election.
17

18 **B. Staff/Secretary.** The ex-officio member of the Board shall provide such support services to the
19 Board as may be necessary to assist the Board in the performance of its duties and shall serve as the
20 Secretary for the Board. ~~The Board also may, subject to City Commission approval and consistent~~
21 ~~with appropriate budgetary procedures, recommend the securing of technical and professional~~
22 ~~services as may be necessary to facilitate the work of the Board.~~
23

24 **Section 2-205. Rules and records.**

25
26 The Planning and Zoning Board may establish such rules of procedure as it may determine necessary to
27 carry out its duties. Such rules of procedure shall be approved by the City Commission. All meetings
28 shall be conducted in accordance with Florida law and written records of the proceedings shall be a public
29 record maintained and filed with the Secretary of the Board.
30

31
32 **Division 3. Board of Architects**

33
34 **Section 2-301. Powers and duties.**

35
36 Pursuant to the City Charter, and subject to those provisions, a Board of Architects is created to ensure
37 that the City's architecture is consistent with the City's regulations and to preserve the traditional aesthetic
38 treatment of the community. In addition to any power or duty delegated by the City Commission or the
39 City Manager, the Board of Architects shall act as a recommending Board for the following:
40

| POWER & DUTIES | APPLICABLE STANDARDS/PROCEDURES |
|--|---------------------------------|
| Appeals from Decisions of the City Architect | Article 3, Division 6 |
| Building Permit Review/Architectural Design Standards Compliance | Article 3, Divisions 2-4 |
| Conditional Use Review | Article 3, Division 4 |

41
42 **Section 2-302. Membership; Terms; Vacancies; Removal.**

43
44 **A. Membership.**

- 45
46 1. The Board of Architects shall be composed of at least seven (7) members.
47
48 2. The City Manager, subject to the approval of the City Commission, shall appoint all members of
49 the Board of Architects, considering the following qualifications:
50

- 1 | a. Each member shall have been an ~~urban design professional~~, an architect or landscape
2 | architect responsible for the design and construction of projects within the City of Coral
3 | Gables during the last five (5) years and shall have a minimum of ten (10) years experience
4 | in their profession.
5 |
6 | b. Each member shall either be a resident or have their principal place of business in the City of
7 | Coral Gables.
8 |
9 | c. Each member shall be an ~~urban design professional~~ or registered architect or landscape
10 | architect in the State of Florida.
11 |
12 | d. A majority of members shall be members of the American Institute of Architects. _____
13 |

14 | **B. Terms.** The members of the Board of Architects shall serve at the pleasure of the City Commission.
15 | The terms of the members shall be as follows:
16 |

- 17 | 1. ~~Eighteen (18) months~~ Two (2) years per term and not more than eight (8) consecutive years.
18 |
19 | 2. The term of the members of the Board of Architects shall be so established that the terms of two
20 | (2) members of the Board will expire on June 30 and December 31 of each year, and two (2) new
21 | members will be appointed on July 1 and January 1 of each year.
22 |
23 | 3. ~~No regular member of the Board of Architects shall be reappointed as a member of the Board until~~
24 | ~~a minimum of twelve (12) months have intervened between appointments.~~
25 |

26 | **C. Vacancies.** Appointments to fill any vacancy on the Board shall be for the remainder of the
27 | unexpired term. Appointments to unexpired terms shall not count as part of the term limit.
28 |

29 | **D. Removal.** Pursuant to the City Charter, any member of the Board of Architects may be removed for
30 | any reason by a majority vote of the City Commission. Board members shall be automatically
31 | terminated for ~~three (3)~~ nine (9) unexcused absences in a two-year period. Excused absences shall
32 | include illness and absence from the City.
33 |

34 | **Section 2-303. Meetings; Quorum; Required vote.**
35 |

36 | **A. Meetings.** The Board of Architects shall meet at least twice each month, and such other times as the
37 | Board may determine, for the consideration of the business before the Board. All meetings shall be
38 | open to the public and the order of business and procedure to be followed shall be as prescribed by
39 | the Board. The Secretary for the Board shall be responsible for setting the agenda of the Board prior
40 | to a meeting of the Board and ~~only those items on the agenda of the Board shall be considered by~~
41 | ~~the Board. The Board may be divided into panels composed of a minimum of three members in order~~
42 | ~~to conduct the business of the Board. If an applicant waives the right to consideration of an~~
43 | ~~application by the full Board, the application may be considered by a panel. At the request of an~~
44 | ~~applicant, a panel decision shall be considered by the full Board.~~
45 |

46 | **B. Quorum; Required vote.**
47 |

- 48 | 1. Unless sitting as a panel, a majority of the Board shall constitute a quorum for the Board and the
49 | affirmative vote of a majority of the Board members present shall be necessary for any action.
50 | The approval of at least a majority of the Board of Architects, signified by their signature on each
51 | set of plans and specifications required to be submitted with each application for a permit, shall
52 | be a prerequisite to the issuance of any permit required to be approved by the Board. Policies of
53 | the Board shall be approved by a majority of all the members of the Board. A tie-vote shall result
54 | in the automatic continuance of the matter to the next meeting, which shall be continued until a
55 | majority vote is achieved. If a matter is postponed due to lack of a quorum, the Chairperson of
56 | the Board shall set a special meeting as soon as practicable to consider such matter.

1 | 2. If sitting as a panel, three (3) members shall constitute a quorum and the affirmative vote of a
2 | majority of the board members sitting on the panel, signified by their signature on each set of
3 | plans and specifications, shall be necessary for any action of the panel.

4 |
5 | **Section 2-304. Officers; Staff.**

6 |
7 | **A. Officers.** The Board of Architects annually shall elect a chairperson and a vice-chairperson from
8 | among its members, ~~as well as any other officers determined necessary by the Board.~~ All officers
9 | shall be elected for one-year terms and shall be eligible for re-election.

10 |
11 | **B. Staff/Secretary.** The City Manager is authorized and empowered to appoint a Secretary for the
12 | Board. ~~The Board may, subject to City Commission approval and consistent with appropriate~~
13 | ~~budgetary procedures, recommend the securing of technical and professional services as may be~~
14 | ~~necessary to facilitate the work of the Board.~~

15 |
16 | **Section 2-305. Rules and records.**

17 |
18 | The Board of Architects may establish such rules of procedure, including/allowing review by staff of items
19 | in addition to those contained in Section 3-205, as it may determine necessary to carry out its duties.
20 | Such rules of procedure shall be approved by the City Commission. All meetings shall be conducted in
21 | accordance with Florida law and written records of the proceedings shall be a public record maintained
22 | and filed with the Secretary of the Board.

23 |
24 |
25 | **Division 4. Board of Adjustment**

26 |
27 | **Section 2-401. Powers and duties.**

28 | Pursuant to the City Charter, and subject to those provisions, a Board of Adjustment is created to provide
29 | relief from hardships and errors in the application of the regulations. In addition to any power or duty
30 | delegated by the City Commission or the City Manager, the Board of Adjustment shall have the following
31 | powers and duties:
32 |
33 |

| POWER & DUTIES | APPLICABLE STANDARDS/PROCEDURES |
|---|---------------------------------|
| Appeals (from staff decisions <u>related to this Code</u> <u>other than the City Architect and Historic</u> <u>Preservation Officer</u>) | Article 3, Division 6 |
| Determinations of Compliance <u>with Distance</u> <u>Requirements</u> | Article 5, Division 8 |
| Variances | Article 3, Division 8 |

34 |
35 | **Section 2-402. Membership; Terms; Vacancies; Removal.**

36 |
37 | **A. Membership.**

38 |
39 | 1. The Board of Adjustment shall be composed of seven (7) members, five (5) of whom shall be
40 | appointed by the City Commission, one of whom shall be nominated by the City Manager,
41 | subject to approval of the City Commission and one of whom shall be nominated by the six (6)
42 | members so appointed, subject to approval of the City Commission. In the event that the six (6)
43 | members shall fail to agree on the seventh (7th) member, such member shall then be appointed
44 | by the City Commission. A member of the staff of the Building and Zoning Department shall be
45 | named by the City Manager to act as a non-voting ex-officio member of the Board.

46 |
47 | 2. In making appointments to the Board of Adjustment, membership shall be sought from a diverse
48 | economic, social and professional representation and shall whenever possible include members

1 qualified and experienced in the fields of architecture, planning, landscape architecture,
2 engineering, construction, planning and land use law and real estate. Each member of the Board
3 shall also be a resident citizen in the City of Coral Gables during the term of appointment and
4 also for at least five (5) years prior to appointment.
5

6 **B. Terms.** The members of the Board of Adjustment shall serve at the pleasure of the City Commission.
7 All appointments shall be for a two (2) year period commencing June 1, and ending on May 31st of
8 the next odd year or until their successor is appointed. No member of the Board of Adjustment shall
9 serve more than eight (8) consecutive years on the Board.

10 **C. Vacancies.** Appointments to fill any vacancy on the Board shall be for the remainder of the
11 unexpired term. Appointments to unexpired terms shall not count as one of the four (4) terms for
12 which a member is eligible for appointment, unless the unexpired term is two (2) years or more.
13

14 **D. Removal.** Pursuant to the City Charter, any member of the Board of Adjustment may be removed for
15 any reason by a majority vote of the City Commission. Board members shall be automatically
16 terminated for three (3) unexcused absences in a two-year period. Excused absences shall include
17 illness and absence from the City.
18

19
20 **Section 2-403. Meetings; Quorum; Required vote.**
21

22 **A. Meetings.** The Board of Adjustment shall hold one regular meeting per month, and special meetings
23 at such times as the Board may determine or at the call of the Chairperson or Secretary thereof, for
24 the consideration of business before the Board. All meetings of the Board shall be open to the public.
25 The time and place of the meetings, and the order of business and procedure to be followed at
26 meetings, shall be as prescribed by the Chairperson and the Secretary of the Board.
27

28 **B. Quorum; Required vote.** Four (4) members of the Board shall constitute a quorum and the
29 affirmative vote of a majority of the Board present shall be necessary to authorize a variance or grant
30 an appeal. A tie-vote shall result in the automatic continuance of the matter to the next meeting,
31 which shall be continued until a majority vote is achieved. If a matter is postponed due to lack of a
32 quorum, the Chairperson of the Board shall set a special meeting as soon as practicable to consider
33 such matter.
34

35 **Section 2-404. Officers; Staff.**
36

37 **A. Officers.** The Board of Adjustment annually shall elect a chairperson and a vice-chairperson from
38 among its members, as well as any other officers determined necessary by the Board. All officers
39 shall be elected for one-year terms and shall be eligible for re-election.
40

41 **B. Staff/Secretary.** The ex-officio member of the Board shall provide such support services to the
42 Board as may be necessary to assist the Board in the performance of its duties and shall serve as the
43 Secretary for the Board. ~~The Board also may, subject to City Commission approval and consistent~~
44 ~~with appropriate budgetary procedures, recommend the securing of technical and professional~~
45 ~~services as may be necessary to facilitate the work of the Board.~~
46

47 **Section 2-405. Rules and records.**
48

49 The Board of Adjustment may establish such rules of procedure as it may determine necessary to carry
50 out its duties. Such rules of procedure shall be approved by the City Commission. All meetings shall be
51 conducted in accordance with Florida law and written records of the proceedings shall be a public record
52 maintained and filed with the Secretary of the Board.
53
54
55
56

Division 5. Historic Preservation Board

Section 2-501. Powers and duties.

Pursuant to the City Charter, and subject to those provisions, a Historic Preservation Board is created to preserve, protect and harmonize new development with the historic resources that serve as visible reminders of the history and cultural heritage of the City, state or nation. In addition to any power or duty delegated by the City Commission or the City Manager, the Historic Preservation Board shall have the following powers and duties:

| POWER & DUTIES | APPLICABLE STANDARDS/PROCEDURES |
|--|---|
| Designation of Historic Landmarks and Historic Districts | Article 3, Division 11 |
| Review of development applications affecting historic resources; Special Certificates of Appropriateness (including variances) | Article 3, Division 11; Article 3, Division 8 |
| Delegate to the Historic Preservation Officer the authority to grant Standard Certificate of Appropriateness and other appropriate duties. | Article 2, Section 2-705(5); Article 3, Division 11 |
| Participation in national register program | Article 3, Division 11 |
| Enforcement of maintenance and repairs provisions | Article 3, Division 11 |
| Unsafe structures | Article 73, Division 11 |
| Recommend to the City Commission concerning the transfer of development rights, facade easements and the imposition of other restrictions, and the negotiations of historical property contracts for the purposes of historic preservation. | <u>Article 3, Divisions 10, 11</u> |
| Increase public awareness of the value of historic conservation by developing and participating in public information programs. | |
| Make recommendations to the City Commission concerning the utilization of grants from federal and state agencies or private groups and individuals, and utilization of City funds to promote the preservation of archaeologically, historically and aesthetically significant sites, districts and zones. | |
| Evaluate and comment upon decisions of other public agencies affecting the physical development and appearance of archaeologically, historically and aesthetically significant sites, districts and zones. | |
| Contact public and private organizations and individuals and endeavor to arrange intervening agreements to ensure preservation of archaeologically, historically or aesthetically significant sites, districts and zones for which demolition or destruction is proposed. | |
| In the name of the City and with the approval of the City Commission, apply for, solicit, receive, or expend any federal, state, or private grant, gift, or bequest of any funding, property, or interest in property in furtherance of the purposes of historical, archaeological, and heritage conservation. | |
| Recommend approval of historic markers and plaques and give recognition to designated historic | |

| | |
|---|--|
| landmarks and historic landmark districts within the City. | |
| Advise the City Commission on all matters related to the use, administration and maintenance of City-owned designated historic landmarks and historic landmark districts. | |

1
2 **Section 2-502. Membership; Terms; Vacancies; Removal.**
3

4 **A. Membership.**
5

- 6 1. The Historic Preservation Board shall be composed of nine (9) members to be confirmed by the
7 City Commission: One (1) member shall be appointed by each member of the City Commission;
8 two (2) citizens at large members shall be appointed by the Commission as a whole; one (1) shall
9 be nominated by the City Manager, ~~subject to approval of the City Commission~~ and one (1) shall
10 be ~~nominated as a citizen-at-large by the six (6) members so appointed, subject to approval of~~
11 ~~the City Commission.~~ appointed by the Board as a whole.
12
13 2. In making appointments to the Historic Preservation Board, membership shall be sought from
14 persons of knowledge, experience, mature judgment, and background, having ability and desire
15 to act in the public interest and representing insofar as may be possible the various special
16 professional training, experience, and interests required to make informed and equitable
17 decisions concerning conservation and protection of the physical environment, and also as
18 follows:
19
20 a. The six appointments made by the City Commission and City Manager shall include at least
21 one (1) each from the following professions:
22 i. One (1) architect or preservation architect registered in the state.
23 ii. One (1) historian or architectural historian.
24 iii. One (1) certified planner or registered landscape architect.
25 iv. One (1) professional in the field of real estate, development, or licensed general
26 contractor.
27 v. One (1) attorney-at-law.
28
29 b. The appointment made by the Board shall be of a citizen-at-large with a demonstrated
30 interest in preservation.
31
32 c. Each member of the Board shall be a resident of the City during the term of his appointment,
33 and also for at least five (5) years prior to appointment unless waived by a four fifths (4/5)
34 vote of the City Commission.
35
36 d. Special advisors may be appointed by the City Commission upon recommendation by the
37 Historic Preservation Board.
38

39 **B. Terms.** The members of the Historic Preservation Board shall serve at the pleasure of the City
40 Commission. All appointments shall be for a two (2) year period commencing June 1, and ending on
41 May 31st of the next odd year or until their successor is appointed. No member of the Historic
42 Preservation Board shall serve more than eight (8) consecutive years on the Board.
43

44 **C. Vacancies.** Appointments to fill any vacancy on the Historical Preservation Board shall be for the
45 remainder of the unexpired term. Appointments to unexpired terms shall not count as one of the four
46 (4) terms for which a member is eligible for appointment, unless the unexpired term is two (2) years
47 or more.
48

49 **D. Removal.** Pursuant to the City Charter, any member of the Historic Preservation Board may be
50 removed for any reason by a majority vote of the City Commission. Board members shall be

1 automatically terminated for three (3) unexcused absences in a two-year period. Excused absences
2 shall include illness and absence from the City.
3

4 **Section 2-503. Meetings; Quorum; Required vote.**
5

6 **A. Meetings.** The Historic Preservation Board shall hold regular meetings and may hold special
7 meetings at such times as the Board may determine or at the call of the Chairperson or Secretary
8 thereof, for the consideration of business before the Board. All meetings of the Board shall be open
9 to the public. The time and place of the meetings, and the order of business and procedure to be
10 followed at meetings, shall be as prescribed by the Chairperson and Secretary of the Board.
11

12 **B. Quorum; Required Vote.** Five (5) members of the Board shall constitute a quorum and the
13 affirmative vote of a majority of the full Board shall be required for the adoption of any motion. A
14 workshop meeting where no business is conducted may be held without a quorum. A tie vote shall
15 result in the automatic continuance of the matter to the next meeting, which shall be continued until a
16 majority vote is achieved. If a matter is postponed due to lack of a quorum, the Chairperson of the
17 Board shall set a special meeting as soon as practicable to consider such matter.
18

19 **Section 2-504. Officers; Staff.**
20

21 **A. Officers.** The Historic Preservation Board annually shall elect a chairperson and a vice-chairperson
22 from among its members, as well as any other officers determined necessary by the Board. The
23 Secretary of the Board shall be the historic landmark officer who shall not be eligible to vote. All
24 officers shall be elected for one-year terms and shall be eligible for re-election.
25

26 **B. Staff.** The City Manager, ~~subject to the advice and consent of the Historic Preservation Board,~~ shall
27 appoint an historic landmark officer to assist the Board. The appointee shall be experienced and
28 knowledgeable in respect to architectural history, urban design, local history, landscape materials,
29 site planning and land use regulations and shall have the duties specified in Section 2-705. ~~The~~
30 ~~Board also may, subject to City Commission approval and consistent with appropriate budgetary~~
31 ~~procedures, recommend the securing of technical and professional services as may be necessary to~~
32 ~~facilitate the work of the Board.~~
33

34 **Section 2-505. Rules and records.**
35

36 The Historic Preservation Board may establish such rules of procedure as it may determine necessary to
37 carry out its duties. Such rules of procedure shall be approved by the City Commission. All meetings
38 shall be conducted in accordance with Florida law and written records of the proceedings shall be a public
39 record maintained and filed with the Secretary of the Board.
40

41
42 **Division 6. Code Enforcement Board**
43

44 **Section 2-601. Powers and duties.**
45

46 Pursuant to the City Charter and Chapter 162 of the Florida Statutes, and subject to those provisions, a
47 Code Enforcement Board is created to enforce the codes and regulations in effect in the City. The Code
48 Enforcement Board shall have the following powers and duties:
49

| POWER & DUTIES | APPLICABLE STANDARDS/PROCEDURES |
|-----------------|---------------------------------|
| Code Violations | Article 7 |
| Issue Subpoenas | Article 7 |

50
51 **Section 2-602. Membership; Terms; Vacancies; Removal.**
52

53 **A. Membership.**

- 1 |
2 | 1. The Code Enforcement Board shall be composed of seven (7) members, appointed by the City
3 | Commission.
4 |
5 | 2. In making appointments to the Code Enforcement Board, membership shall be sought from
6 | persons residing in the eCity who have experience or interest in the fields of zoning and building
7 | control. Whenever possible, membership shall consist of an architect, a businessman, an
8 | engineer, a general contractor, a subcontractor and a realtor, but shall not be limited to these
9 | professions if there are no qualified persons available.
10 |
11 | **B. Terms.** The members of the Code Enforcement Board shall serve at the pleasure of the City
12 | Commission. All appointments shall be for a ~~three (3)~~ two (2) year staggered terms. No member of
13 | the Code Enforcement Board shall serve more than eight (8) consecutive years on the Board.
14 |
15 | **C. Vacancies.** Appointments to fill any vacancy on the Board shall be for the remainder of the
16 | unexpired term. Appointments to unexpired terms shall not count as one of the ~~three (3)~~ four (4)
17 | terms for which a member is eligible for appointment, unless the unexpired term is two (2) years or
18 | more.
19 |
20 | **D. Removal.** Pursuant to Sections 2-46(i) and 93 of the City Charter, any member of the Code
21 | Enforcement Board may be removed for any reason by a majority vote of the City Commission.
22 | Board members shall be automatically terminated for three (3) unexcused absences in a two-year
23 | period. Excused absences shall include illness and absence from the City.
24 |

25 | **Section 2-603. Meetings; Quorum; Required vote.**

- 26 |
27 | **A. Meetings.** The Code Enforcement Board shall hold regular meetings at least once every two (2)
28 | months and may hold special meetings at such times as the Board may determine or at the call of the
29 | Chairperson or Secretary thereof, for the consideration of business before the Board. All meetings of
30 | the Board shall be open to the public. The time and place of the meetings, and the order of business
31 | and procedure to be followed at meetings, shall be as prescribed by the Chairperson and Secretary of
32 | the Board.
33 |
34 | **B. Quorum; Required vote.** Four (4) members of the Board shall constitute a quorum and the
35 | affirmative vote of a majority of the full Board shall be required for the adoption of any motion. If a
36 | matter is postponed due to lack of a quorum, the Chairperson of the Board shall set a special meeting
37 | as soon as practicable to consider such matter.
38 |

39 | **Section 2-604. Officers; Staff.**

- 40 |
41 | **A. Officers.** The Code Enforcement Board annually shall elect a chairperson and a vice-chairperson
42 | from among its members, ~~as well as any other officers determined necessary by the Board.~~ All
43 | officers shall be elected for one-year terms and shall be eligible for re-election.
44 |
45 | **B. Staff.** ~~A Code Enforcement Officer. The Clerk of the Board shall be appointed by the City Manager to~~
46 | ~~assist the Board and initiate enforcement actions. The Board also may, subject to City Commission~~
47 | ~~approval and consistent with appropriate budgetary procedures, recommend the securing of technical~~
48 | ~~and professional services as may be necessary to facilitate the work of the Board, including Code~~
49 | ~~Enforcement Hearing Officers.~~
50 |

51 | **Section 2-605. Rules and Records.**

52 |
53 | The Code Enforcement Board may establish such rules of procedure as it may determine necessary to
54 | carry out its duties. All meetings shall be conducted in accordance with Florida law and written records of
55 | the proceedings shall be a public record maintained and filed with the Secretary of the Board.
56 |

1
2 **Division 7. Administrative decision makers and enforcement officers**

3
4 **Section 2-701. City Manager.**

5
6 The City Manager is the chief executive officer for the City of Coral Gables with ultimate authority over the
7 implementation of these regulations. The City Manager has the authority to delegate his authority to City
8 staff as necessary for the effective administration and enforcement of the regulations.
9

10 **Section 2-702. City Attorney.**

11
12 The City Attorney serves as the final authority with regard to legal issues involving interpretation and
13 implementation of these regulations.
14

15 **Section 2-703. Building and Zoning Department**

16
17 The Building and Zoning Director is the official charged with the administration of certain provisions of
18 these regulations:
19

| POWERS AND DUTIES | APPLICABLE STANDARDS/PROCEDURE |
|--|--------------------------------|
| Building Permits | Article 3, Division 2 |
| Certificates of Use | Article 3, Division 2 |
| Determination of Compliance with Development Standards | Articles 3, 4 |
| Enforcement of Zoning Code | Article 7 |
| Preparation of Reports and Recommendations for the Board of Adjustment and Board of Architects | Article 3, Divisions 6, 8 |
| Coordination of Concurrency Management Program | Article 3, Division 13 |

20
21 **Section 2-704. Planning Department**

22
23 The Director of the Planning Department is the official charged with the administration of certain
24 provisions of these regulations:
25

| POWERS AND DUTIES | APPLICABLE STANDARDS/PROCEDURE |
|--|--------------------------------|
| Comprehensive Land Use Plan (CLUP) Text Map Amendments | Article 3, Division 15 |
| Conditional Uses | Article 3, Division 4 |
| Developments of Regional Impact (DRI) | Article 3, Division 16 |
| Ensure Compliance with CLUP | |
| Interpretation of Provisions of these regulations within the Jurisdiction of the Planning and Zoning Board | Articles 3, 4 |
| Planned Area Development | Article 3, Division 5 |
| Preparation of reports and recommendations to the City Commission and the Planning and Zoning Board | Articles 3, 4 |
| Platting/Subdivision | Article 3, Division 9 |
| Text of regulations and Map Amendments | Article 3, Division 14 |
| Transfer of Development Rights | Article 3, Division 10 |
| Zoning Code Text Amendments | Article 3, Division 14 |

Section 2-7054. Historical Resources Department and Historical Preservation Officer

A. The Historical Resources Department shall be responsible for and enforce the provisions of these regulations as they relate to the historical resources of the City.

B. The City Manager shall appoint a person to serve as hHistoric pPreservation eOfficer to serve as secretary to the Historic Preservation Board. The appointee shall be experienced and knowledgeable in respect to architectural history, local history, landscape materials, site planning and land use regulations. The hHistoric landmark Preservation eOfficer shall:

~~1-3.~~ Schedule meetings of the Historic Preservation Board, prepare agendas and ensure that proper notice is carried out by persons or departments assigned to such duties.

~~2-4.~~ Prepare designation reports, which establish and define the historic significance and character of the proposed designated historic landmarks and historic landmark districts and all other items as described in Section 3-1103 et seq. for designation reports.

~~3-5.~~ Prepare :ational register of historic places nomination proposals.

~~4-6.~~ Provide applicable advice, standards, guidelines and procedures to prospective applicants for certificates of appropriateness for historic landmarks and historic landmark districts.

~~5-7.~~ Upon receipt of a complete application for a Certificate of Appropriateness for a designated historic landmark and for properties within an historic landmark district, review such application, which may include a field check of the site and referral to other departments or agencies as necessary, to determine any adverse effect upon the public welfare; and approve or deny standard certificates of appropriateness.

~~6-8.~~ Develop and maintain a survey and record of unique historically or archaeologically significant sites, districts or zones within the City.

~~7-9.~~ Maintain and update an official inventory delineating historic landmarks and a photographic documentation of all officially designated historic landmarks and historic landmark districts.

~~8-10.~~ Prepare summary reports of all decisions on applications for all certificates of appropriateness for designated historic landmarks and historic landmark districts including criteria and conditions for approval or denial.

~~9-11.~~ Issue all approved certificates of appropriateness for designated historic landmarks and for properties within historic landmark districts.

~~10-12.~~ Review and approve all final development plans for designated historic landmarks and historic landmark districts, for compliance with terms and conditions of applicable certificates of appropriateness, prior to issuance of any building permit.

~~11-13.~~ Commencement of enforcement of maintenance and repair provisions pursuant to Article 7.

~~12-14.~~ Work with state, county, other local governments, other city departments, public agencies, and private groups as required to provide a continuing effort to protect and preserve significant elements of the manmade and the natural environment through public education and encouragement of sound conservation policies.

1 | ~~13.15.~~ Issue letters determining the historical significance of a property. Such determinations do
2 | not constitute development orders and are valid for a period of six months. In the case where the
3 | ~~Historic Preservation Officer~~ or designee determines that the property does not meet the
4 | minimum eligibility criteria for designation, a permit for the demolition of the property must be
5 | issued within the six-month period. Whenever the six-month period has elapsed without action
6 | by the applicant, the applicant shall be required to file a new application.
7 |

8 | **Section 2-7065. City Architect.**
9 |

10 | The City Architect is responsible for reviewing and ~~approving~~ submitting recommendations regarding the
11 | design of new buildings and structures and modifications to existing structures in the City in accordance
12 | with the procedures in Article 3 and the standards in Article 5 Division 2 of these regulations. The City
13 | Architect is also responsible for reviewing all applications for development approval that require Board of
14 | Architect's review and shall serve on the Development Review Committee. The City Architect shall be
15 | licensed in the State of Florida.
16 |

17 | **Section 2-7076. Development Review Official**
18 |

19 | The Development Review Official (DRO) is responsible for the overall coordination of the administration of
20 | these regulations. Specifically, the DRO is responsible for receiving applications for development
21 | approval, determining whether they are complete, coordinating the review of the Development Review
22 | ~~Committee and Administrative Review Committee~~, and granting development ~~minor conditional use~~
23 | approval. If it is determined appropriate by the City Manager, more than one (1) Development Review
24 | Official may be appointed.
25 |

26 | **Section 2-7087. ~~Building Official.~~ Zoning Administrator.**
27 |

28 | ~~The Building Official is responsible for the implementation of the various building codes adopted by the~~
29 | ~~City. The Building Official issues building permits and certificates of occupancy, upon a determination by~~
30 | ~~the City of compliance of such applications with the City's regulations and any prior approvals by the~~
31 | ~~City. The Zoning Administrator is responsible for the overall implementation, interpretation, administration~~
32 | and enforcement of the Zoning Code.
33 |

34 | **Section 2-7098. City Engineer ~~Public Works Director.~~**
35 |

36 | ~~The City Engineer Public Works Director is charged with the implementation, development and~~
37 | ~~maintenance of the technical standards for site development in the City. The City Engineer makes~~
38 | ~~administrative decisions regarding concurrency compliance pursuant to Article 3, Division 13.~~
39 |

40 | **Section 2-7409. Code Enforcement Officer(s).**
41 |

42 | The Code Enforcement Officer(s) is/are charged with the initiation of and prosecution of enforcement
43 | actions pursuant to Article 7 of these regulations. The Code Enforcement Officer provides evidence for
44 | prepares reports and recommendations for the Code Enforcement Board's proceedings.
45 |

46 |
47 | **Division 8. Development Review Committee**
48 |

49 | **Section 2-801. Powers and Duties.**
50 |

51 | A Development Review Committee ("DRC") is created to act as the first level of review for applications for
52 | development approval.
53 |
54 |
55 |
56 |

1 **Section 2-802. Membership.**
2

3 The DRC shall be composed of representatives from every department or division of the City
4 Administration appropriate to ~~review an~~ provide technical advice on applications for development
5 approval, including the City Architect, Concurrency Administrator, Zoning Administrator, Building Official,
6 Fire Marshall, Landscape Services Division Superintendent, Historic Preservation Officer, Public Works
7 Engineer~~Director~~, and an assigned Police Sergeant and other persons as may be necessary.
8

9 **Section 2-803. Responsibilities/Meetings.**
10

11 The DRC reviews applications for development approvals for compliance with all applicable regulations
12 and the Development Review Official coordinates all comments from each member of the DRC and
13 makes a recommendation to the applicable decision-making body.
14