

## 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 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:

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
Abandonment and Vacations (including mitigation plan approval)	Article 3, Division 12
Appeals (from decisions by the Board of Adjustment, Board of Architects and the Historic Preservation Board)	Article 3, Division 6
Appeals of Concurrency Review	Article 3, Section 3-1307
Building Moratoria	Article 3, Division 7
Building Site Determination	Article 3, Section 3-206, Article 3, Division 4
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
Conditional Uses	Article 3, Division 4
Planned Area Developments	Article 3, Division 5
Platting/Subdivision	Article 3, Division 9
Protection of Landowner's Rights	Article 3, Divisions 17 and 18
Abandonment and Vacations	Article 3, Division 12
Transfer of Development Rights	Article 3, Division 10
Vested Rights Determination	Article 3, Division 18
Zoning Code Text Amendments	Article 3, Division 14
Zoning Code Map Amendments	Article 3, Division 14
Zoning in Progress Request	Article 3, Section 3-703

### Division 2. Planning and Zoning Board

#### Section 2-201. Powers and duties.

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:

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
Abandonment and Vacations (including mitigation plan approval)	Article 3, Division 12
Comprehensive Land Use Plan Text and Map Amendments	Article 3, Division 15
Conditional Uses	Article 3, Division 4
Development Agreements	Article 3, Division 19
Developments of Regional Impact	Article 3, Division 16
Planned Area Developments	Article 3, Division 5
Platting/Subdivision	Article 3, Division 9
Transfer of Development Rights	Article 3, Division 10
Zoning Code Text Amendments	Article 3, Division 14
Zoning Code Map Amendments	Article 3, Division 14
Zoning in Progress Request	Article 3, Section 3-703

## ARTICLE 2 – DECISION MAKING AND ADMINISTRATIVE BODIES

### 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 (1) of whom shall be nominated by the City Manager, subject to approval of the City Commission, and one (1) 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 citizen and/or an owner, or spouse of an owner, of real property located within 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 shall be invited to attend and participate in the Board meetings when Comprehensive Land Use Plan and Zoning Code Map amendments are on the agenda which would, if approved, increase residential density on the property that is the subject of the application and have a potential impact on a public school.

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 1st, 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 (1) of the four (4) terms for which a member is eligible for appointment.

D. Removal. Any member of the Planning and Zoning Board may be removed with or without cause by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two (2) 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 schedule one (1) regular meeting each month, and special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedures to be followed at meetings, shall be as prescribed by the Chairperson and the Secretary of the Board.

B. Quorum; Required Vote. Four (4) members of the Board shall constitute a quorum and the affirmative vote of four (4) members shall be necessary for the adoption of any motion. A workshop meeting where no business is conducted may be held without a quorum. 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 only four (4) members of the Board are present, an applicant may request and be entitled to a postponement to the next regularly scheduled meeting of the Board. If a matter is postponed due to lack of a quorum, the Chairperson or Secretary of the Board may set a special meeting to consider such matter.

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### Section 2-204. Officers; Staff.

- A. Officers. The Planning and Zoning Board shall annually elect a chairperson and a vice-chairperson from among its members. All officers shall be elected for one (1) year terms and shall be eligible for re-election.
- B. Staff/Secretary. The ex-officio member of the Board shall provide such support services to the Board as may be necessary to assist the Board in the performance of its duties and shall serve as the Secretary for the Board.

### Section 2-205. Rules and records.

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

### 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 created to ensure that the City's architecture is consistent with the City's regulations and to preserve the traditional aesthetic character of the community. In addition to any power or duty delegated by the City Commission or the City Manager, the Board of Architects shall act as a recommending and a decision making Board for the following:

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
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
Recommend Historic Designations to Historic Preservation Board	Article 3, Division 11

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

- A. Membership.
  - 1. The Board of Architects shall be composed of at least seven (7) members.
  - 2. The City Manager, subject to the approval of the City Commission, shall appoint all members of the Board of Architects, 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.
- 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

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(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. Board members shall be automatically terminated for nine (9) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

### **Section 2-303. Meetings; Quorum; Required vote.**

- A. Meetings. The Board of Architects shall meet at least 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. The Secretary for the Board shall be responsible for setting the agenda of the Board prior to a meeting of the Board.
- 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 decision-making 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 2-304. Officers; Staff.**

- A. Officers. The Board of Architects shall annually elect a chairperson and a vice-chairperson from among its members. All officers shall be elected for one (1) year terms and shall be eligible for re-election.
- B. Staff/Secretary. The City Manager is authorized and empowered to appoint a Secretary for the Board.

### **Section 2-305. Rules and records.**

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

## **Division 4. Board of Adjustment**

### **Section 2-401. Powers and duties.**

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

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<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
Appeals (from staff decisions, including interpretations of this code by the Director of Building and Zoning, other than the City Architect or Historic Preservation Officer)	Article 3, Division 6
Determinations of Compliance with Distance Requirements	Article 5, Division 7
Variances	Article 3, Division 8
Recommend Amendments to the Zoning Code to the City Commission	Article 3, Division 14

### **Section 2-402. Membership; Terms; Vacancies; Removal.**

#### A. Membership.

1. The Board of Adjustment shall be composed of seven (7) members, five (5) of whom shall be appointed by the City Commission, one (1) of whom shall be nominated by the City Manager, subject to approval of the City Commission and one (1) 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 appointed by the City Commission. A member of the staff of the Building and Zoning 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 Board of Adjustment, 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 citizen and/or an owner, or spouse of an owner, of real property located within the City of Coral Gables during the term of appointment and also for at least five (5) years prior to appointment.

B. Terms. The members of the Board of Adjustment 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 31 of the next odd year or until their successor is appointed. No member of the Board of Adjustment 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 (1) 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. Any member of the Board of Adjustment may be removed with or without cause by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

### **Section 2-403. Meetings; Quorum; Required vote.**

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

B. Quorum; Required vote. Four (4) members of the Board shall constitute a quorum and the affirmative vote of four (4) members of the Board present shall be necessary to authorize a variance or grant an appeal. 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 only four (4) members of the Board are present, an applicant shall be entitled to a postponement to the next regularly scheduled 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 to consider such matter.

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### Section 2-404. Officers; Staff.

- A. Officers. The Board of Adjustment annually shall elect a chairperson and a vice-chairperson from among its members. All officers shall be elected for one (1) year terms and shall be eligible for re-election.
- B. Staff/Secretary. The ex-officio member of the Board shall provide such support services to the Board as may be necessary to assist the Board in the performance of its duties and shall serve as the Secretary for the Board.

### Section 2-405. Rules and records.

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

## 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:

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
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(B)(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 7
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	Article 3, Divisions 10 and 11
Increase public awareness of the value of historic conservation by developing and participating in public information programs	Article 3, Division 11
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	Article 3, Division 11
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	Article 3, Division 11
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	Article 3, Division 11
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	Article 3, Division 11

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<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
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	Article 3, Division 11
Advise the City Commission on all matters related to the use, administration and maintenance of City-owned designated historic landmarks and historic landmark districts	Article 3, Division 11

### **Section 2-502. Membership; Terms; Vacancies; Removal.**

#### A. Membership.

1. The Historic Preservation Board shall be composed of nine (9) members to be confirmed/appointed by the City Commission: one (1) member shall be nominated by each member of the City Commission; two (2) citizen at large members shall be nominated by the Commission as a whole; one (1) shall be nominated by the City Manager; and one (1) shall be nominated by the Board as a whole.
2. In making appointments to the Historic Preservation Board, membership shall be sought from persons of knowledge, experience, mature judgment, and background, having ability and desire to act in the public interest and representing insofar as may be possible the various special professional training, experience, and interests required to make informed and equitable decisions concerning conservation and protection of the physical environment, and also as follows:
  - a. The nominations made by the City Commission and City Manager shall include the following:
    - i. One (1) architect or preservation architect registered in the state.
    - ii. One (1) historian or architectural historian.
    - iii. One (1) certified planner or registered landscape architect.
    - iv. One (1) professional in the field of real estate, development, or licensed general contractor.
    - v. One (1) attorney-at-law.
    - vi. Three (3) citizen at large members.
  - b. The nomination made by the Board shall be an architect or preservation architect registered in the state.
  - c. Each member of the Board shall be a resident of the City during the term of his appointment, and also for at least five (5) years prior to appointment unless waived by a four fifths (4/5) vote of the City Commission.
  - d. Special advisors may be appointed by the City Commission upon recommendation by the Historic Preservation Board.

B. Terms. The members of the Historic Preservation 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 31 of the next odd year or until their successor is appointed. No member of the Historic Preservation Board shall serve more than eight (8) consecutive years on the Board.

C. Vacancies. Appointments to fill any vacancy on the Historic Preservation Board shall be for the remainder of the unexpired term. Appointments to unexpired terms shall not count as one (1) 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. Any member of the Historic Preservation Board may be removed with or without cause by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

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### Section 2-503. Meetings; Quorum; Required vote.

- A. Meetings. The Historic Preservation Board shall hold regular meetings and may hold special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Chairperson and Secretary of the Board.
- B. Quorum; Required Vote. Five (5) members of the Board shall constitute a quorum and the affirmative vote of a majority of the full Board shall be required for the adoption of any motion. A workshop meeting where no business is conducted may be held without a quorum. A tie vote or the lack of a majority 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 of the Board or the Historic Preservation Officer may set a special meeting as soon as practicable to consider such matter.

### Section 2-504. Officers; Staff.

- A. Officers. The Historic Preservation Board annually shall elect a chairperson and a vice-chairperson from among its members, as well as any other officers determined necessary by the Board. The Secretary of the Board shall be the Historic Preservation Officer who shall not be eligible to vote. All officers shall be elected for one (1) year terms and shall be eligible for re-election.
- B. Staff. The City Manager shall appoint a Historic Preservation Officer to assist the Board. The appointee shall be experienced and knowledgeable in respect to architectural history, urban design, local history, landscape materials, site planning and land use regulations and shall have the duties specified in Section 2-705.

### Section 2-505. Rules and records.

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

## Division 6. Code Enforcement Board

### Section 2-601. Powers and duties.

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

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
Code Violations	Article 7
Issue Subpoenas	Article 7

### Section 2-602. Membership; Terms; Vacancies; Removal.

- A. Membership.
1. The Code Enforcement Board shall be composed of seven (7) members, appointed by the City Commission.
  2. In making appointments to the Code Enforcement Board, membership shall be sought from persons residing in the City who have experience or interest in the fields of zoning and building control. Whenever possible, membership shall consist of an architect, a businessman, an

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engineer, a general contractor, a subcontractor and a realtor, but shall not be limited to these professions if there are no qualified persons available.

- B. Terms. The members of the Code Enforcement Board shall serve at the pleasure of the City Commission. All appointments shall be for three (3) year staggered terms.
- 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 three (3) terms for which a member is eligible for appointment, unless the unexpired term is three (3) years or more.
- D. Removal. Any member of the Code Enforcement Board may be removed with or without cause by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

### **Section 2-603. Meetings; Quorum; Required vote.**

- A. Meetings. The Code Enforcement Board shall hold regular meetings at least once every two (2) months and may hold special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Chairperson and Secretary of the Board.
- B. Quorum; Required vote. Four (4) members of the Board shall constitute a quorum and the affirmative vote of a majority of the full Board shall be required for the adoption of any motion. If a matter is postponed due to lack of a quorum, the Chairperson or Secretary of the Board may set a special meeting to consider such matter. If only four (4) members of the Board are present, an applicant shall be entitled to a postponement to the next regularly scheduled meeting of the Board.

### **Section 2-604. Officers; Staff.**

- A. Officers. The Code Enforcement Board annually shall elect a chairperson and a vice-chairperson from among its members. All officers shall be elected for one (1) year terms and shall be eligible for re-election.
- B. Staff. A Code Enforcement Officer shall be appointed by the City Manager to assist the Board and initiate enforcement actions.

### **Section 2-605. Rules and records.**

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

## **Division 7. Administrative decision makers and enforcement officers**

### **Section 2-701. City Manager.**

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

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

The City Attorney serves as the final authority with regard to legal issues involving interpretation and implementation of these regulations. An action to review any decision of the City Attorney may be taken by any person or persons, jointly or separately, aggrieved by such decision by filing with the Circuit Court

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in the manner and within the time prescribed by the Florida Rules of Appellate Procedure.

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

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

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
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
Interpretation of provisions of these regulations within the jurisdiction of the Building and Zoning Department, Board of Adjustment and Board of Architects	Articles 3, 4
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

### **Section 2-704. Planning Department.**

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

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
Building Site Determination	Article 3, Section 3-206
Comprehensive Land Use Plan (CLUP) Text and Map Amendments	Article 3, Division 15
Conditional Uses	Article 3, Division 4
Developments of Regional Impact (DRI)	Article 3, Division 16
Ensure Compliance with the CLUP	
Interpretation of provisions of these regulations within the jurisdiction of the Planning and Zoning Board	Articles 3, 4
Planned Area Developments	Article 3, Division 5
Preparation of reports and recommendations to the City Commission and the Planning and Zoning Board	Articles 3, 4
Platting/Subdivisions	Article 3, Division 9
Development Agreements	Article 3, Division 19
Transfer of Development Rights	Article 3, Division 10
Zoning Code Text Amendments	Article 3, Division 14
Zoning Code Map Amendments	Article 3, Division 14
Zoning in Progress Resolution	Article 3, Section 3-703

### **Section 2-705. Historical Resources Department and Historic 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 Historic Preservation Officer 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 Historic Preservation Officer shall:
  1. Schedule meetings of the Historic Preservation Board, prepare agendas, ensure that proper notice is carried out by persons or departments assigned to such duties, and provide the Board with such support as may be required to perform their duties .

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2. 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. Prepare national register of historic places nomination proposals.
4. Provide applicable advice, standards, guidelines and procedures to prospective applicants for Certificates of Appropriateness for historic landmarks and historic landmark districts.
5. 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. Develop and maintain a survey and record of unique historically or archaeologically significant sites, districts or zones within the City.
7. Maintain and update an official inventory delineating historic landmarks and a photographic documentation of all officially designated historic landmarks and historic landmark districts.
8. 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. Issue standard Certificates of Appropriateness and certificates of transferable development rights in accordance with the provisions of Article 3, Divisions 10 and 11.
10. Issue all approved Certificates of Appropriateness for designated historic landmarks and for properties within historic landmark districts.
11. 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.
12. Recommend to the Board concerning façade easements and the importance of other restrictions for the purpose of historic preservation.
13. Commencement of enforcement of maintenance and repair provisions pursuant to Article 7.
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.
15. Issue letters determining the historical significance of a property. Such determinations do not constitute development orders and are valid for a period of six (6) months. In the case where the Historic Preservation Officer or designee determines that the property does not meet the minimum eligibility criteria for designation, a permit for the demolition of the property must be issued within the six (6) month period. Whenever the six (6) month period has elapsed without action by the applicant, the applicant shall be required to file a new application.

### **Section 2-706. City Architect.**

The City Architect shall be a registered architect who is responsible for reviewing and submitting recommendations regarding the design of new buildings and structures and modifications to existing

## **ARTICLE 2 – DECISION MAKING AND ADMINISTRATIVE BODIES**

structures in the City in accordance with the procedures in Article 3 and the standards in Article 5, Division 6 of these regulations. The City Architect serves on the Development Review Committee.

### **Section 2-707. Development Review Official.**

The Development Review Official (DRO), who shall be qualified pursuant to the requirements of the position, is responsible for the overall coordination of the administration of these regulations. Specifically, the DRO is responsible for receiving applications for development approval, determining whether they are complete, and coordinating the review of the Development Review Committee. If it is determined appropriate by the City Manager, more than one (1) Development Review Official may be appointed.

### **Section 2-708. Building Official.**

The Building Official is responsible for the implementation of the various building codes adopted pursuant to the Florida Building Code and other applicable state statutes. The Building Official issues building permits and certificates of occupancy, upon a determination by the City of compliance of such applications with the City's regulations and any prior approvals by the City.

### **Section 2-709. Zoning Official.**

The Zoning Official is the Building and Zoning Department representative responsible for the Department's duties under this Code.

### **Section 2-710. Public Works Director.**

The Public Works Director is charged with the implementation, development and maintenance of the technical standards for site development relating to platting in the City.

### **Section 2-711. Code Enforcement Officer.**

The Code Enforcement Officer is charged with the initiation of and prosecution of enforcement actions pursuant to Article 7 of these regulations. The Code Enforcement Officer prepares reports and recommendations for the Code Enforcement Board.

## **Division 8. Development Review Committee.**

### **Section 2-801. Powers and duties.**

A Development Review Committee (DRC) is created to act as the first level of review for applications for development approval.

### **Section 2-802. Membership.**

The DRC shall be composed of representatives from every department/division of the City Administration appropriate to review an application for development approval, including the City Architect, Concurrency Administrator, Zoning Administrator, Building Official, Fire Marshall, Landscape Services Division Superintendent, Historic Preservation Officer, Planning Director, Public Works Director, and an assigned Police Sergeant and other persons as may be necessary and as determined by the City Manager.

### **Section 2-803. Responsibilities; Meetings.**

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