

## *DIVISION 2. ADMINISTRATION*

### **Sec. 13-15. City commission.**

The city commission is composed of five (5) elected members. The city commission serves as the legislative body for the city. It enacts land use plan and zoning changes, subdivision plats, revisions to the comprehensive plan and all other local ordinances. Pursuant to F.S. § 163.3174, the city commission has designated the planning and zoning board as the local planning agency.

(Ord. No. 115-86, § 104.01, 7-10-86; Ord. No. 159-87, § 104.01, 6-11-87)

### **Sec. 13-16. Planning and zoning board.**

- (a) *Responsibilities.* The planning and zoning board shall be responsible for the city's comprehensive planning program, and as required by F.S. § 163.3174, shall be designated as the city's local planning agency. The planning and zoning board shall advise on all matters pertaining to land planning and plan implementation. The board shall have the power to conduct investigations, hold public hearings, take testimony, review documentary evidence, issue orders, and make recommendations to the city commission on all activities relating to land planning and plan implementation. Specifically the board shall:
- (1) Prepare the comprehensive plan or plan amendment and shall make recommendations to the city commission regarding the adoption or amendment of such plan;
  - (2) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the city commission such changes in the comprehensive plan as may from time to time be required, including the periodic evaluation and appraisal of the comprehensive plan required by F.S. § 163.3191.
  - (3) Review and evaluate proposed land development regulations, the land development code, or amendments thereto, and make recommendations to the city commission as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof;
  - (4) Review and provide recommendations related to zoning ordinances;
  - (5) Evaluate rezoning requests and proposed zoning map changes and make recommendations to the city commission;
  - (6) Review proposed subdivision plats and make recommendations to the city commission;
  - (7) Review and provide recommendations related to all proposed site plans;
  - (8) Hear and decide appeals by parties pursuant to section 13-34, "Appeals";
  - (9) Review applications for such variances from the land development code as are authorized under the land development code and make recommendations to the city commission;
  - (10) Perform any other functions, duties or responsibilities as assigned by the city commission.
- (b) *Composition.* The planning and zoning board shall consist of five (5) members and one (1) alternate. Members shall, to the extent practicable, represent interests, specialties and qualifications in any of the following fields:

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- (1) Architecture, construction, engineering, environmental science, land use, land development, landscape architecture, law, real estate, sustainability, or urban planning; or
  - (2) Alternatively, demonstrate strong and sincere commitment to the intent set forth in this section or possession of an outstanding reputation for civic activity and interest, integrity, and responsibility, with preference to applicants who have completed Coconut Creek Citizen's Academy.
- (c) *Appointment and organization.* Each member of the city commission shall nominate one (1) person to fill each position on the planning and zoning board. A majority of the city commission shall approve the nominations. One (1) alternate member of the board shall be selected by the mayor and approved by a majority of the city commission. The term of office of the members and alternate member shall be as fixed by ordinance of the city.
- (d) *Board officers.* The chairperson and vice-chairperson shall be elected from the board membership. The chairperson and vice-chairperson shall serve one-year terms.
- (e) *Rules of procedure.* The planning and zoning board shall utilize Robert's Rules of Order to govern conduct of meetings. Attendance of three (3) members of the board at any duly authorized meeting shall constitute a quorum. An affirmative vote of three (3) members shall be necessary to adopt any motion considered by the board.
- (f) *Meetings.* The planning and zoning board shall hold one (1) regular meeting per month but may cancel any regular meetings or hold additional special meetings as necessary. Public notice of each regular meeting shall be displayed at city hall or advertised as prescribed by law.

(Ord. No. 115-86, § 104.02, 7-10-86; Ord. No. 159-87, § 104.02, 6-11-87; Ord. No. 123-96, § 1, 5-9-96; Ord. No. 2001-034, § 1, 10-11-01; Ord. No. 2017-008, § 2, 1-11-18; Ord. No. 2019-033, § 3, 1-23-20)

Charter reference(s)—Mandate to create a planning and zoning board, § 501.

Cross reference(s)—Boards, commissions and committees generally § 2-191 et seq.

### **Sec. 13-17. Reserved.**

Editor's note(s)—Former § 13-17, which pertained to the board of adjustment, has been deleted at the request of the city pursuant to a referendum of Nov. 11, 1990, at which the electorate voted to repeal former § 502 of the Charter which section provided that a board of adjustment be created by ordinance. Former § 13-17 derived from Ord. No. 115-86, § 104.03, as amended by Ord. No. 159-87, § 104.03.

### **Sec. 13-18. Department of development services.**

- (a) *Responsibilities.* The department of development services is directly responsible to the city manager. The department shall direct all matters pertaining to planning, building, engineering, and code enforcement. The department conducts and administers research, advanced planning, current planning, land use controls, and administrative services related to development permits.
- (b) *Specific duties.* Duties of the department of development services include preparation and recommendation related to the following items:
- (1) Comprehensive plan;
  - (2) Land development regulations and codes;
  - (3) The zoning ordinance;
  - (4) Zoning map changes;

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- (5) Subdivision plats;
  - (6) Site plans;
  - (7) Special land use requests;
  - (8) Engineering improvements;
  - (9) Capital improvements plan;
  - (10) Engineering inspections;
  - (11) Building inspections;
  - (12) Code compliance inspections;
  - (13) Occupational license inspections;
  - (14) Issuance of development permits;
  - (15) Issuance of building permits;
  - (16) Issuance of certificates of occupancy;
  - (17) Issuance of engineering permits;
  - (18) Administration of development fees and violation fines;
  - (19) Administration of city construction projects;
  - (20) Coordination of development activities with other agencies;
  - (21) Other projects as assigned by the city manager.

(c) *Enforcement of building and zoning regulations:*

- (1) The *Florida Building Code*, is hereby adopted and shall be applicable to and regulate all building in the city.
- (2) The director of development services shall be appointed by the city manager to enforce and administer the regulations of the *South Florida Building Code*. The director of development services shall be the principal enforcing officer of such code and it shall be his/her duty and responsibility to coordinate the work of all subordinate inspectors.
- (3) The director of development services shall be appointed by the city manager. The director of development services shall be responsible for enforcement and compliance with the contents of this chapter.

(d) *Enforcement of neighborhood preservation and enhancement program.* Pursuant to the provisions of F.S. §§ 163.524—163.526, the city is hereby authorized to participate in the neighborhood preservation and enhancement program. The city commission hereby designates the development services department as the agency to enforce the program.

(Ord. No. 115-86, § 104.05, 7-10-86; Ord. No. 159-87, § 104.05, 6-11-87; Ord. No. 2001-042, § 2, 2-28-02; 2002-013, §§ 1, 2, 8-22-02)

Cross reference(s)—Departments generally, § 2-41 et seq.

### **Sec. 13-19. Development review committee.**

- (a) The development review committee is established for the purpose of providing initial review of development plans and specifications to ensure technical code compliance on an administrative level.

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- (b) The development review committee shall be composed of a representative from planning, who shall prepare the agenda, engineering, public safety, public works, utilities, building and landscaping.
  - (c) The development review committee shall be responsible for the following with respect to ensuring technical code compliance and shall review all development permit applications including but not limited to:
    - (1) Comprehensive plan;
    - (2) Land use change petitions;
    - (3) Subdivisions;
    - (4) Site plans;
    - (5) Rezoning;
    - (6) Utility plans;
    - (7) Variances;
    - (8) Vacation and abandonment of streets and easements.

No application for a development permit issued by the City of Coconut Creek for the development of land within the city shall be reviewed or development permit issued, except in compliance with the requirements and procedures set forth in this section.

- (d) Crime Prevention Through Environmental Design (CPTED): Applications for plat approval as they relate to access to trafficways (Section 13-164), access to non-trafficway collector roads (Section 13-164), applications for site plan approval (Section 13-548) and design reviews (Section 13-37) shall undergo CPTED review for all uses except for one single family dwelling or one duplex. The CPTED review must be completed and signed by a person from law enforcement and/or City code enforcement and/or planner trained in CPTED. The CPTED designated person shall have successfully completed forty (40) hours of basic CPTED training. Compliance with the comments noted by the CPTED reviewers shall be voluntary for sites not owned or controlled by the city. To the extent such comments are consistent with the provisions of the City Code of Ordinances, compliance with comments noted by the CPTED reviewers shall be mandatory for all sites owned or leased by the city.

- (1) The CPTED review performed by the individuals set forth above shall encompass the following CPTED principles:
  - a. Provisions of natural surveillance.
    - 1. The placement and design of physical features to maximize visibility. This will include building orientation, windows, entrances and exits, parking lots, walkways, guard gates, landscape trees and shrubs, fences or walls signage and other physical obstructions.
    - 2. The placement of persons and/or activities to maximize surveillance possibilities.
  - b. Provision for natural access control.
    - 1. The use of sidewalks, pavement, lighting and landscaping to clearly guide the public to and from entrances and exits.
    - 2. The use of fences, walls or landscaping to prevent and or discourage public access to or from dark and/or unmonitored acres.
  - c. Provision of territorial reinforcement.
    - 1. The use of pavement treatments, landscaping, art, signage, screening and fences to define and outline ownership of property.

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- d. Maintenance.
    - 1. The use of low maintenance landscaping and lighting treatment to facilitate the CPTED principles of natural surveillance, natural access control and territorial reinforcement.
  - (e) Application for development permit. Any application for a development permit required or authorized under the City Code of Ordinances shall require an effective development order to be granted by the development services director or the city commission prior to issuance of a development permit. The office of development services shall be the central intake point for the filing of all applications and supporting documents for development permits. Except as otherwise provided in this article the following procedures shall govern the review of applications for development permits subsequent to filing:
    - (1) *Agency review:* Upon acceptance of an application for development permit, the planning and zoning manager shall forward a copy of the application and accompanying material to each of the following agencies for review:
      - a. A person from law enforcement and/or City Code enforcement who is trained in CPTED for plat applications and site plan applications.

(Ord. No. 115-86, § 104.06, 7-10-86; Ord. No. 159-87, § 104.06, 6-11-87; Ord. No. 101-96, § 1, 1-25-96; Ord. No. 157-96, § 1, 9-26-96; Ord. No. 2015-053, § 2, 10-8-15)

Cross reference(s)—Boards, commissions and committees generally, § 2-191 et seq.

### **Sec. 13-20. Reserved.**

Editor's note(s)—Ord. No. 119-96, § 1, adopted April 25, 1996, repealed former § 13-20, relative to the economic development board, which derived from Ord. No. 106-91, § 1, adopted Feb. 28, 1991 and Ord. No. 155-91, § 1, adopted Jan. 9, 1992.

### **Secs. 13-21—13-29. Reserved.**