

Water Management Expert for DRB, PB and HPB

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 118 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE II, ENTITLED "BOARDS," DIVISION 2, ENTITLED "PLANNING BOARD," SECTION 118-53, ENTITLED "COMPOSITION"; DIVISION 3, ENTITLED "DESIGN REVIEW BOARD," SECTION 118-72, ENTITLED "MEMBERSHIP"; AND DIVISION 4, ENTITLED "HISTORIC PRESERVATION BOARD," SECTION 118-103, ENTITLED "MEMBERSHIP," TO AMEND THE COMPOSITION OF THE PLANNING BOARD, DESIGN REVIEW BOARD, AND HISTORIC PRESERVATION BOARD TO INCLUDE A CATEGORY FOR A WATER MANAGEMENT EXPERT ON EACH BOARD; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the composition of the Historic Preservation Board, Design Review Board, and Planning Board are established in Chapter 118, Article II of the City Code; and

WHEREAS, the Mayor and City Commission desire to amend the composition of the Historic Preservation Board, Design Review Board, and Planning Board, to provide that one of the following individuals should be appointed to each board: an engineer, architect, or landscape architect with experience in water resources; a person licensed by the State of Florida in hydrology, water or wastewater treatment; a person with a degree in any water resources discipline; or a floodplain manager or a principal community administrator responsible for the daily implementation of flood loss reduction activities.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 118 of the Code of the City of Miami Beach, entitled "Administration and Review Procedures," Article II, entitled "Boards," is hereby amended as follows:

**CHAPTER 118
ADMINISTRATION AND REVIEW PROCEDURES**

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ARTICLE II. BOARDS**

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DIVISION 2. - PLANNING BOARD**

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Sec. 118-53. - Composition.

- (a) The planning board shall be composed of seven regular voting members. Each regular member shall be appointed with the concurrence of at least four members of the city commission. Each regular voting member shall serve for a term of two years. The planning director or designee, and city attorney or designee, shall serve in an advisory capacity.
- (b) All regular voting members of the board shall have considerable experience in general business, land development, land development practices or land use issues; however, the board shall at a minimum be comprised of:
 - (1) One architect registered in the State of Florida; or a member of the faculty of a school of architecture in the state, with practical or academic expertise in the field of design, planning, historic preservation or the history of architecture; or a landscape architect registered in the State of Florida; or a professional practicing in the fields of architectural or urban design, or urban planning;
 - (2) One developer who has experience in developing real property; or an attorney in good standing licensed to practice law within the United States;
 - (3) One attorney licensed to practice law in the State of Florida who has considerable experience in land use and zoning issues;
 - (4) One person who has education and/or experience in historic preservation issues. For purposes of this section, the term "education and/or experience in historic preservation issues" shall be a person who meets one or more of the following criteria:
 - a. Has earned a college degree in historic preservation;
 - b. Is responsible for the preservation, revitalization or adaptive reuse of historic buildings; or
 - c. Is recognized by the city commission for contributions to historic preservation, education or planning; and
 - (5) ~~Three~~ Two persons who are citizens at-large or engaged in general business in the city; and
 - (6) (i) A licensed professional engineer, licensed professional architect, or licensed professional landscape architect with expertise in water resources; (ii) a person licensed by the State of Florida in hydrology, water or wastewater treatment; or (iii) a person with a degree from an accredited college or university in a field of study related to water resources; or (iv) a floodplain manager or a principal community administrator responsible for the daily implementation of flood loss reduction activities including enforcing a community's flood damage prevention ordinance, updating flood maps, plans, and policies of the community, and any of the activities related to administration of the National Flood Insurance Program (NFIP) (a "water management expert").

- (c) No person except a resident of the city, who has resided in the city for at least one year, shall be eligible for appointment to the planning board. The residency requirement in this subsection (c) shall not apply to the water management expert appointed to the planning board pursuant to subsection (b)(6).
- (d) The city commission may waive the residency requirements by a 5/7ths vote in the event a person not meeting these requirements is available to serve on the board and is exceptionally qualified by training and/or experience.

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DIVISION 3. – DESIGN REVIEW BOARD

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Sec. 118-72. - Membership.

- (a) *Composition.* The design review board shall be composed of seven regular members. The seven regular members shall consist of:
 - (1) ~~Two~~ One architects registered in the United States;
 - (2) An architect registered in the State of Florida or a member of the faculty of a school of architecture, urban planning or urban design in the state, with practical or academic expertise in the field of design, planning, historic preservation or the history of architecture; or a professional practicing in the fields of architectural design or urban planning;
 - (3) One landscape architect registered in the State of Florida;
 - (4) One architect registered in the United States, or a professional practicing in the fields of architectural or urban design, or urban planning; or resident with demonstrated interest or background in design issues; or an attorney in good standing licensed to practice law within the United States; and
 - (5) Two citizens at-large; and
 - (6) (i) A licensed professional engineer, licensed professional architect, or licensed professional landscape architect with expertise in water resources; (ii) a person licensed by the State of Florida in hydrology, water or wastewater treatment; or (iii) a person with a degree from an accredited college or university in a field of study related to water resources; or (iv) a floodplain manager or a principal community administrator responsible for the daily implementation of flood loss reduction activities including enforcing a community's flood damage prevention ordinance, updating flood maps, plans, and policies of the community, and any of the activities related to administration of the National Flood Insurance Program (NFIP) (a "water management expert").

One person appointed by the city manager from an eligibility list provided by the ~~mayer's barrier free environment~~ disability access committee shall serve in an advisory capacity with no voting authority. The planning director, or designee, and the city attorney or designee, shall serve in an advisory capacity.

- (b) *Appointment.* Design review board members shall be appointed with the concurrence of at least four members of the city commission. An eligibility list for these professional membership categories may include, but shall not be limited to, suggestions from the following professional and civic associations as listed below:
- (1) American Institute of Architects, local chapter.
 - (2) American Society of Landscape Architects, local chapter.
 - (3) The Miami Design Alliance.
 - (4) American Planning Association, local chapter.
 - (5) The Miami Design Preservation League and Dade Heritage Trust.
 - (6) Other city civic, neighborhood and property owner associations.
- (c) *Residency and place of business.* All regular members shall reside in or have their primary place of business in the county, except for the water management expert appointed pursuant to subsection (a)(6), who need not reside in or have a principal place of business in the county. The two citizens-at-large members and one of the registered landscape architects, registered architects, or professionals practicing in the fields of architectural or urban design or urban planning shall be residents of the city.

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DIVISION 4. HISTORIC PRESERVATION BOARD

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Sec. 118-103. Membership.

- (a) The historic preservation board shall be composed of seven members. There shall be a member from each of the following categories:
- (1) A representative from the Miami Design Preservation League (MDPL), selected from three names nominated by such organization.
 - (2) A representative from Dade Heritage Trust (DHT), selected from three names nominated by such organization.
 - (3) Two at-large members, who have resided in one of the city's historic districts for at least one year, and who have demonstrated interest and knowledge in architectural or urban design and the preservation of historic buildings.
 - (4) An architect registered in the State of Florida with practical experience in the rehabilitation of historic structures.
 - (5) ~~An architect registered in the United States, a landscape architect registered in the State of Florida, a professional practicing in the field of architectural or urban design or urban planning, each of the foregoing with practical experience in the rehabilitation of historic structures; or an attorney at law licensed (to practice) in the United States, an engineer licensed in the State of Florida, (i) A licensed professional engineer, licensed~~

professional architect, or licensed professional landscape architect with expertise in water resources; (ii) a person licensed by the State of Florida in hydrology, water or wastewater treatment; (iii) a person with a degree from an accredited college or university in a field of study related to water resources; or (iv) a floodplain manager or a principal community administrator responsible for the daily implementation of flood loss reduction activities including enforcing a community's flood damage prevention ordinance, updating flood maps, plans, and policies of the community, and any of the activities related to administration of the National Flood Insurance Program (NFIP) (a "water management expert"), each of the foregoing with professional experience and demonstrated interest in historic preservation.

(6) A member of the faculty of a school of architecture in the State of Florida, with academic expertise in the field of design and historic preservation or the history of architecture, with a preference for an individual with practical experience in architecture and the preservation of historic structures.

- (b) All members of the board except the architect, ~~engineer, landscape architect, professional practicing in the field of architectural or urban design or urban planning and university faculty member, of the board and water management expert~~ shall be residents of, the city; provided, however, that the city commission may waive ~~this the~~ the ~~residency requirement (if applicable)~~ by a 5/7ths vote, in the event a person not meeting these residency requirements is available to serve on the board and is exceptionally qualified by training and/or experience in historic preservation matters. All appointments shall be made on the basis of civic pride, integrity, experience and interest in the field of historic preservation.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____ 2019.

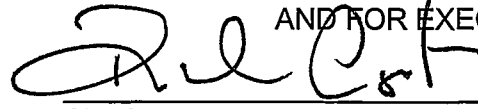
ATTEST:

Dan Gelber
Mayor

Rafael E. Granado
City Clerk

First Reading: May 8, 2019
Second Reading: June 5, 2019

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION



City Attorney

6-3-19

Date

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

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