

Land Use Board Consent Agenda Procedures

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED “MIAMI BEACH RESILIENCY CODE,” CHAPTER 2, ENTITLED “ADMINISTRATION AND REVIEW PROCEDURES,” ARTICLE I, ENTITLED “LAND USE BOARDS,” SECTION 2.2.4, ENTITLED “PUBLIC HEARING,” SECTION 2.1.1, ENTITLED “GENERALLY,” TO MODIFY THE MEETING AND AGENDA PROCEDURES FOR CITY LAND USE BOARDS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission desire to amend the current meeting and agenda procedures for land use boards in the Land Development Regulations; and

WHEREAS, all of the City’s land use boards currently hold public hearings for relevant applications as part of the development review process; and

WHEREAS, depending on the length of a land use board agenda, public hearings can sometimes result in long meetings and the continuation of applications; and

WHEREAS, codifying procedures for the option of utilizing a consent agenda for the City’s land use boards would promote the general health, safety and welfare of the residents of the City; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

SECTION 1. Chapter 2 of the Miami Beach Resiliency Code, entitled “Administration and Review Procedures,” Article II, entitled “General Development Application and Hearing Procedures,” is hereby amended as follows:

CHAPTER 2 - ADMINISTRATION AND REVIEW PROCEDURES

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ARTICLE I – LAND USE BOARDS

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2.1.1 GENERALLY

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2.1.1.6 Meetings and agendas

a. Procedures. Unless appointed by the city commission, each land use board shall by majority vote select a chairperson and vice chairperson. Meetings of each land use board shall be held within a reasonable time upon receipt of an application, or at such other times as the board may determine, or upon call of the chairperson or the planning director. Each land use board shall follow Robert's Rules of Order, subject to the limitations of the city's Charter and ordinances and shall keep minutes of its proceedings showing its action on each question considered. All meetings shall be open to the public. Members of the public at the meeting shall have the right to address the land use board and to present evidence.

b. Consent agendas. The planning director may establish a consent agenda for each land use board. For an application to be considered as a consent item, the following shall be required:

1. Prior to the meeting, the applicant shall agree to all conditions set forth in the draft development order for the application.

2. All voting members of the board present at the meeting shall agree to forgo a presentation and/or questions on the application.

3. There is limited public comment on the proposal, after the chairperson opens the application and requests public comment.

If all of these conditions are met for an application listed under a consent agenda, the board may approve the project without any further discussion.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 3. CODIFICATION.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten (10) days following adoption.

PASSED AND ADOPTED this ____ day of _____, 2025.

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk

Sponsored By: Commissioners Alex Fernandez and David Suarez

First Reading: _____, 2025

Second Reading: _____, 2025

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

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