

ORDINANCE NO. 10-1559

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90-15 (b) (1) ONE OF THE BOARD MEMBERS MUST BE A FLORIDA-LICENSED ARCHITECT OR A FLORIDA-LICENSED GENERAL CONTRACTOR OR A A CERTIFIED PLANNER OR A FLORIDA-LICENSED LANDSCAPE ARCHITECT TO SERVE ON THE PLANNING AND ZONING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 90-15 (b) requires among other things that: “(1)... One of the [P & Z ] board members must be a Florida-licensed architect; and

**WHEREAS**, it now appears this requirement as it relates to licensed architects is too stringent and the Commission wanted to enlarge the group of professionals from which to select a board member and therefore the Commission has added different professionals; and

**WHEREAS**, The Planning and Zoning Board, as the local planning agency for the Town, has held a public hearing on August 26, 2010 and recommended approval of the proposed amendments to the Code of Ordinances and also found the proposed Code amendments to be consistent with the Comprehensive Plan; and

**WHEREAS**, after due public notice, and having received input and participation by interested members of the public and staff, and having considered the Town of Surfside Planning & Zoning Board’s recommendation, the Town Commission finds the proposed change to the Code necessary and in the best interest of the community; and

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

**Section 2. Amendments to the Code of Ordinances.** The Code of Ordinances shall be amended as follows:

**Sec. 90-15.** Membership/quorum, minimum qualifications, officers, terms of officers, vacancies, general regulations, recommendations, expenditures, indebtedness.

(b) *Minimum board member qualifications:*

(1) *Zoning matters:* The planning and zoning board, when performing its zoning functions, shall consist of five members. One of the board members must be a Florida-licensed architect or a Florida-licensed general contractor or certified planner (AICP) or a Florida-licensed landscape architect. Each commissioner shall be entitled to one board appointment, not subject to majority approval. ~~The town commissioner responsible for appointing a Florida-licensed architect shall rotate through the commission beginning with Seat 1.~~ Three members present at the planning and zoning board meetings shall constitute a quorum.

**Section 3. Inclusion in the Code.** It is the intention of the Commission, and it is hereby ordained that this Ordinance shall become and be made a part of the Town of Surfside Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

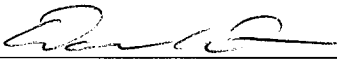
**Section 4. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 5. Conflicts.** Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

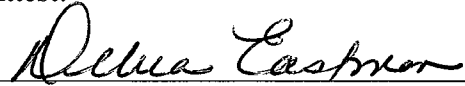
**Section 6. Effective Date.** This ordinance shall become effective in ten (10) days after second reading.

**PASSED** and **ADOPTED** on First Reading the 10<sup>th</sup> day of August, 2010.

**PASSED** and **ADOPTED** on Second Reading this 14 day of Sept., 2010.


  
\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

  
\_\_\_\_\_

Debra Eastman, Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

On ~~Second~~ Reading Moved by: Commissioner Karukin

On Second Reading Seconded by: Commissioner Kupelman

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**Vote:**

Mayor Dietch	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Vice Mayor Graubart	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Commissioner Karukin	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Commissioner Kopelman	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Comissioner Olchyk:	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>