NORTH BAY VILLAGE
EST. 1945

NORTH BAY VILLAGE
OFFICIAL AGENDA
SUSTAINABILITY AND RESILIENCY TASK FORCE
VIRTUAL MEETING
MEETING ID: 852 9604 4171 | PASSCODE: 546489
WEDNESDAY, JUNE 25, 2025 at 6:30 PM

1. **Opening Items**
   A. Call to Order
   B. Roll Call

2. **Approval of Meeting Minutes: May Meeting**

   2.A. Meeting Minutes: May 27, 2025

   2025May27-SRTF-DraftMinutes.docx

3. **Old Business**

   3.A. Update on the Green Code Revisions Project: Redline Document

   redline NBV green code_RS.docx

4. **New Business**

   4.A. Update on Stormwater Master Plan by Roger Hogg

5. **Staff / Commission Liaison Updates**

6. **Public Comments**

7. **Agenda Items for Next Meeting: Tuesday, July 22, 2025**

8. **Adjournment**

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK AT 305-756-7171 EXT. 45 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY VILLAGE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE VILLAGE CLERK, NORTH BAY VILLAGE, 1666 KENNEDY CAUSEWAY. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE VILLAGE CLERK AT 305-756-7171 EXT 45. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE VILLAGE WEBSITE AT www.nbvillage.com.

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NORTH BAY VILLAGE SUSTAINABILITY AND RESILIENCY TASK FORCE

VIRTUAL MEETING MINUTES

TUESDAY, MAY 27, 2025, | 6:30 P.M.
MEETING ID: 832 6689 1812| PASSCODE: 215019

1. Call to Order / Roll Call:

a. Chair Alisha Graham called the virtual meeting to order at 6:30 p.m.

b. Roll Call

i. **Board Members Present:**

1. Chair Alisha Graham
2. Vice Chair Dave Doebler
3. Board Member Neil Krasner
4. Board Member Oliver Pfeffer
5. Board Member Brenda Krebs

ii. Village Staff Present:

1. Mayor Rachel Streitfeld
2. Commissioner Doris Acosta
3. Chief of Staff Leo Cosio
4. Assistant Village Clerk Isabel Betancourt
5. Legislative Aide Gabriella Russitano

iii. Additional Participants:

1. Marienella Watanabe, OilKontrol Florida
2. Fanny Marino, OilKontrol Florida

c. . Motion to select Oliver Pfeffer as Board Secretary: Board Member D. Doebler.

i. **Second**: Board Member N. Krasner seconded.
ii. **Vote:** All in favor – Voice Vote
iii. **Motion:** Passed

2. Approval of Last Meeting Minutes: **March 25, 2025**

a. No changes or recommendations – Minutes approved.

b. Board member A. Graham made the motion to approve. Board member D. Doebler seconded it and the motion passed by unanimous vote.

3. Old Business.

a. *Update on Status of Green Building Code Revisions Project*:

i. Green Building Code Draft Revisions will be submitted to the SRTF for review, comment and consideration prior to the June Meeting.

ii. Mayor Streitfeld asked that the City Planning Staff also be included, and for stormwater to be prioritized in the revised draft.

iii. Board member A. Graham mentioned that she has language about greywater to consider for the new draft.

4. New Business

a. OilKontrol Presentation.

i. OilKontrol's biodegradable fiber product, which absorbs hydrocarbon.

ii. The product can be used in various forms including bags, barriers, booms, and pillows, and is particularly effective for marine and industrial applications.

iii. While the village staff discussed potential local uses, Board member D. Doebler questioned the specific use cases for North Bay Village, suggesting it might be more suitable for larger organizations like Miami-Dade County or boating communities.

iv. Commissioner Acosta emphasized the importance of spreading awareness about the technology and its potential for environmental cleanup, particularly in addressing bay contamination issues.

v. Board member D. Doebler expressed skepticism about the product's ability to remove nitrogen and phosphorus, suggesting that live plants could do so but not agricultural waste products. Fanny Marino acknowledged the ongoing research and testing being conducted in Spain to determine how long the barrier can remain effective in water.

vi. Board member A. Graham proposed that the OilKontrol barrier might be a solution to filter hydrocarbons out of stormwater (especially at construction sites) before the water goes into the City's storm drains (which then flow into Biscayne Bay).

vii. Board member D. Doebler questioned the product's ability to absorb nitrogen and phosphate, and Fanny replied that there are studies she can share that support this claim.

viii. The OilKontrol technology could potentially be useful for marine patrol, but the advisory board noted they had no voting power and could only make recommendations to the commission

b. Presentation on Transitioning into Private Waste Services

i. The Village is considering switching from its current in-house solid waste collection service to a private provider due to aging trucks, high maintenance costs, and zoning restrictions that prevent storing trucks in North Bay Village.

ii. Leo Cosio presented two options: piggybacking on Coral Gables' contract with Waste Management or conducting a competitive bidding

process. The discussion revealed concerns about recycling performance and contamination rates, with Board member D. Doebler emphasizing the need to focus on improving recycling rather than just trash collection.

iii. Board member N. Krasner expressed concerns that 3 bids are usually required for new contracts, but Steve from Public Works confirmed that the City Charter allows the City to “piggy back” off already existing third party contracts with other local municipalities, specifically in this case utilizing the Waste Management contract with Coral Gables as an example.

iv. Board member D. Doebler asked if we have evaluated how (waste reduction, diversion and contamination rates) Waste Management has performed in their current contract with Coral Gables, and said this should be an important consideration if we are to pursue “piggy backing” off this contract.

v. Board member O. Pfeffer questioned the City’s claim in their presentation that “all options have been explored” in terms of keeping the solid waste collection in-house versus going to a 3rd party, and asked again about the possibility of looking into having City owned solid waste trucks stored offsite at zoned locations outside the City, but closer to the actual dumping grounds. The Village staff agreed to look into this in more detail and to further evaluate the costs and performance of all options before making a decision, with town halls planned for summer and a commission vote expected by September.

5. Staff/Commission Liaison Updates

i. Mayor Streitfeld welcomed Steve Buckland, the new Public Works Director, and Roger Hogg, the Capital Improvement Projects Manager, highlighting their roles and recent contributions.

ii. The Mayor also discussed the village's decision to hire a Chief Resilience Officer, emphasizing the need for a licensed engineer with expertise in sustainability and green infrastructure.

iii. Board member O. Pfeffer suggested having the future Chief Resilience Officer meet the Sustainability and Resiliency Committee, but the Mayor clarified that the Village manager makes hiring decisions.

iv. Board member N. Krasner expressed interest in learning more about the termination of the contract with Black and Veatch, and the Mayor offered to provide further details offline.

6. Public Comments: None.

7. Next Meeting scheduled for June 25, 2025

8. Adjournment:

a. Motion to Adjourn: Board Member N. Krasner motioned to adjourn,

i. **Second**: Board Member D. Doebler seconded.

ii. **Vote:** All in favor – Voice Vote
iii. **Motion:** Passed

b.Adjourned: 8:10pm

DIVISION 5. GREEN BUILDING PROGRAM[1]

§ 8.30 Purpose and intent.

The Village has determined that the demolition, construction, and maintenance of buildings within the Village will have a significant impact on the Village's environmental sustainability, resilience, cleanliness, impacts to Biscayne Bay, resource usage, waste management, and the health and productivity of the residents, employees, and visitors..The purpose of this chapter shall be to promote sustainable development within the Village by supporting resilient design and construction practices. Sustainable building practices will promote the economic health of the Village and ensure that the Village continues to become environmentally resilient in response to sea level rise and other effects of climate change. This chapter is designed to achieve the following objectives:

(a) Increase energy efficiency in buildings;

(b) Encourage water and resource conservation;

(c) Reduce waste generated by construction projects;

(d) Reduce long-term building operating and maintenance costs;

(e) Improve indoor air quality and occupant health;

(f) improve stormwater management;

(g) Encourage sound urban planning principles; and

(h) Improve water quality in Biscayne Bay

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.31 Applicability.

The green building requirements of this division shall apply to all applicants for building permits where the improvements to be permitted have a cost value of fifty percent or more of the value of the existing structures and improvements on the subject property. The green building requirements of this division shall apply in all zoning districts, form-based districts and transect zones within the Village . New single-family homes are exempt from the green building requirement, except for the following: 8.33.1 – 8.33.5

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.32 Requirements.

Requirements for applications subject to the green building program are as follows:

[1]Editor's note(s)—Ord. No. 2021-007, § 3(Exh. B), adopted Mar. 9, 2021, set out provisions intended for use as Div. 5, §§ 8.18—8.31. Inasmuch as there were already provisions so designated, these sections have been codified herein as §§ 8.30—8.43 at the discretion of the editor.

A. All development subject to the green building program shall comply with Section 8.33 and incorporate design options from the table in Section 8.33, Green Building Development Options

B. Upon site plan submittal, applicants shall provide a written description of their proposed strategy to incorporate design options in Section 8.33, Green Building Development Options. Such written description shall be signed and sealed by the accredited professional described in subsection (c) of this section. In the case of projects pursuing certification through an approved third-party green building program, a completed official certification checklist shall be submitted with the application.

C. All development subject to the green building program shall retain a USGBC LEED Accredited Professional, FGBC Designated Professional, an accredited NGBS Green Verifier, or other verified green building accredited professional within their planning and design team.

D. For those projects pursuing green building certification through an approved third-party green building program, the certification shall be obtained within 12 months of the issuance of a certificate of occupancy (CO) by North Bay Village. Failure to submit the green building certification to the Village within this timeframe shall result in a notice of violation (NOV).

E. No pennants, ribbons, balloons, flags, banners or similar material shall be placed on any green building feature.

F. Certification signage or green feature acknowledgment plaques shall be pre-approved as a part of the permit issuance process.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.33 Green building development features.

At the minimum, the following green building principles and development features shall be incorporated into all applications subject to the green building program:

1. Minimum FFE of Ground Floor of 10.0' NGVD (8.44 NAVD). [consider prohibiting fill because of drainage issues]
2. Energy Star rated equipment and/or appliances
3. Utilization of water re-use for irrigation; and/or rain sensors on irrigation system;
4. Utilization of plant materials for landscaping from the Florida-Friendly Plant list maintained by the University of Florida IFAS Extension; [70% of landscape and plant material shall be Florida Native (placeholder for NBV preferred plant list] the remaining 30% of plant and landscape materials shall be from IFAS
5. Maximize water use efficiency to obtain reductions in water usage through the utilization of high-efficiency fixtures (water faucets, water closets, urinals, showerheads);
6. LED lighting and/or compact fluorescent bulbs must be used instead of less energy efficient bulbs, and for any projects over 20,000 sq. ft. the project must register and report electric and water usage with the Miami-Dade Building Efficiency 305 (Be305) program, Energy Star Portfolio Manager or other similar program.
7. For any projects over 20,000 sq. ft. design the building/project to maximize energy performance through compliance with the mandatory and prescriptive requirements of ASHRAE/IESNA 90.1;
8. Permeable paving [make sure this doesn't make it easier to pave over sites] system for minimum of 80% of the site's hardscape, and limit disruption of natural water flows by managing stormwater runoff

through the implementation of a stormwater management plan that reduces impervious cover, promotes infiltration, and captures and treats stormwater runoff using acceptable best management practices (BMPs);

9. A Green Roof as per Section 8.38 below, or a Cool Roof defined as follows: A minimum of 75 percent of roof surface that covers floor area and is not used for roof penetrations or on-site renewable energy power systems shall achieve a minimum initial Solar SRI of 78 for a low-sloped roof (less than or equal to 2:12) and 3 year aged SRI of 64 as determined by the Cool Roof Rating Council or Energy Star. Steep-sloped roofs with a slope greater than 2:12; initial SRI of 39 and 3-year aged SRI of 32;
10. Low or No-VOC paints for all interior walls (Low-VOC means 50 grams per liter or less for flat; 150 grams per liter or less for non-flat paint) INTERIOR WALL PERMITS ARE NOT REQUIRED – WE CAN'T INCLUDE THIS.
11. In addition to the required Green Building features listed above, all applications subject to the green building program must register their project with one of the following Green Building Certification programs: Leadership in Energy and Environmental Design (LEED); Florida Green Building Coalition (FGBC); Enterprise Green Communities; or ICC 700 National Green Building Standard (NGBS).
12. Other Elements (Must include at least 2 of the following features:
    a. Photovoltaic system which generates at least 30% of energy demand based on daytime peak load on an annual basis;
    b. Solar water heating with at least an 80-gallon storage tank;
    c. LID/green infrastructure (e.g., use of bioswales, rain gardens, cisterns, filtration media, etc.) as described further below in Section 8.41;
    d. Diversion of waste from Landfill whereby for projects involving demolition, provide documentation that at least 30% of all demolition materials will be reclaimed, recycled or otherwise diverted from the landfill;
    e. Use of reclaimed and/or recycled materials which involves demonstration that at least 20% of the building materials contain reclaimed or recycled content.
    f. LEED, NGBS or FGBS Silver Certification or higher;
    g. Green Wall as per Section 8.38 of at least 1000 square feet in High Traffic Areas; [see ch. 15 8,39 of uldc]
    h. Wind Turbines designed to generate electricity as per Section 8.40 below.
    i. Rainbarrels.
    j. Provide other design feature(s) that conserve energy, promote sustainable landscapes, support public health or increase sustainability, to be determined at the discretion of the Village manager and reviewed on a case-by-case basis.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.34 Submittal requirements.

At the time of application submittal, the applicant must submit:

A. Documentation identifying and verifying the credentials of the USGBC LEED accredited professional, FGBC certifying agent, accredited NGBS Green Verifier, or other green building program accredited professional on the applicant's team.

B. A narrative and checklist certifying the inclusion of each green building feature, as required by Section 8.32(b), incorporated into the project design.

C. Verification that the applicant is pursuing a certification through a recognized third-party green building certification program (USGBC LEED, FGBC, NGBS, etc.), the points checklist, designated level of certification, and proof of application into the third-party green building program must be submitted. The applicant shall use the most current version of the chosen certification program.

D. The Village reserves the right to require a bond upon application for a project proposing a third-party green building certification to ensure completion of the project in accordance with the proposed green standards and receipt of the certification.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.35 Electric vehicle charging stations.

To promote the health, safety, and general welfare of the citizens in the preparation for the increasing utilization of electric vehicles, and to ensure the Village provides the infrastructure necessary to support the transition to this technology, the following shall apply:

A. All new multi-family residential and mixed-use projects shall install a minimum number of electric vehicle-charging station(s) with the project at the rate of five percent of the total number of required parking spaces. If five percent calculates to a fractional number, that fractional number must be rounded up to the next higher whole number.

B. All new and substantial redevelopment of commercial, office, hotel and civic uses shall install electric vehicle-charging station(s) with the project at the rate of five percent of the total number of required parking spaces. If five percent calculates to a fractional number, that fractional number must be rounded up to the next higher whole number.

C. An electric vehicle charging station sign shall be posted at the electric vehicle charging station stating, "Electric Vehicle Charging Station." Signs shall be no less than 24 inches wide by 18 inches high. Color and letter size specifications shall meet the Manual on Uniform Traffic Control Devices (MUTCD) requirements for sign designation (electric vehicle charging). Single-family residential stations are not required to meet the MUTCD standards.

D. The application documents for the project shall at a minimum identify the following:

   1. The location where the vehicle(s) will be parked;

   2. The location of the charging station(s); and

   3. The electrical plans showing the location of the meter, circuitry, panel schedules and routing.

E. Any new single-family development that elects not to install an electric vehicle charging station, or any project proposing substantial improvements to an existing single-family home, shall install the electric lines and circuit breakers to readily accommodate future installation. Lines shall be installed up to the point where the charging station will be located.

Electric vehicle charging station(s) shall be deemed permitted accessory equipment to conforming and nonconforming buildings in all zoning districts and categories.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.36 Bicycle parking/storage.

The provisions contained herein are intended to promote the health, safety, and general welfare of the citizens by provide support for alternative transportation methods.

A. Nonresidential development shall provide a minimum of six secure bicycle parking/storage spaces for each 50,000 square feet of floor area or part thereof.

B. Townhouse and multi-family development shall provide secure bicycle parking/storage spaces at a ratio of one space for each five residential units or fraction thereof for those units that do have an accompanying individual dedicated enclosed garage.

C. The location of the bicycle space/storage shall be indicated on the site plan.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.37 Rooftop photovoltaic solar systems and solar water heater systems.

The provisions contained herein are intended to promote the health, safety, and general welfare of the citizens by removing barriers to the installation of alternative energy systems and to encourage the installation of rooftop photovoltaic solar systems and/or rooftop solar water heater systems on buildings and structures within the Village.

A. Rooftop photovoltaic solar systems and/or solar water heater systems shall be deemed permitted accessory equipment to conforming and nonconforming buildings in all zoning categories and districts. Nothing contained in this chapter, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of rooftop photovoltaic solar systems or solar water heater systems that meet the requirements of this section, as accessory equipment to conforming and nonconforming buildings, including buildings containing nonconforming uses.

B. In order to be deemed permitted accessory equipment, rooftop solar photovoltaic or solar water heater systems may exceed the permissible height limit in any district by not more than five feet as specified in Subsection 8.17.G., Height Exemptions. For existing buildings nonconforming to height requirements, in order to be deemed permitted accessory equipment, solar photovoltaic or solar water heater systems may exceed the existing roof height by no more than five feet.

C. Prior to the issuance of a permit, the property owner(s) must acknowledge, as part of the permit application, that:

1. If the property is within a homeowners' association, condominium association, or otherwise subject to restrictive covenants, the property may be subject to additional regulations or requirements despite the issuance of a permit by the Village; and

2. The issuance of a permit for a rooftop photovoltaic solar system or solar hot water system does not create in the property owner(s), or any successor or assign in title, or create in the property itself, a right to remain free of shadows or obstructions to solar energy caused by development adjoining on other property or by the growth of any trees or vegetation on other property or the right to prohibit the development on or growth of any trees or vegetation on another property.

D. To the extent that the Village has discretion regarding the removal or relocation of trees, solar access shall be a factor taken into consideration when determining whether and where trees may be removed or relocated.

E. Rooftop photovoltaic solar systems and solar hot water systems shall be properly maintained and be kept free from hazards, including, but not limited to, faulty wiring, loose fastenings, or being maintained in a condition that is unsafe or detrimental to public health, safety, or general welfare.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.38 Green roof.

The provisions contained herein are intended to promote the health, safety, and general welfare of the citizens by removing barriers to the installation of green roof systems on buildings and structures within the Village. A green roof, also referred to as a living roof, shall mean a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional components such as a root barrier, drainage and irrigation system, and soil containment.

A. Green roof systems shall be deemed permitted accessory equipment to conforming and nonconforming buildings in all zoning categories. Nothing contained in this chapter, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of a green roof that meets the requirements of this section, as accessory equipment to conforming and nonconforming buildings, including buildings containing nonconforming uses.

B. In order to be deemed permitted accessory equipment, the green roof structural components (non-vegetative components) may exceed the permissible height limit in any district by not more than five feet as specified in Subsection 8.17.G., Height Exemptions. For existing buildings nonconforming to height requirements, in order to be deemed permitted accessory equipment, green roof structural components may exceed the existing roof height by no more than five feet.

C. Prior to the issuance of a permit, the property owner(s) must acknowledge, as part of the permit application, that if the property is within a homeowners' association, condominium association, or otherwise subject to restrictive covenants, the property may be subject to additional regulations or requirements despite the issuance of a permit by the Village.

D. To be deemed a green roof for the propose of achieving points for green building requirements the green roof must cover at least 25 percent of the total roof surface.

E. The green roof system shall be properly maintained and be kept free from hazards or conditions that are unsafe or detrimental to public health, safety, or general welfare and shall comply with the provisions established in the landscape code under Section 9.25, Green Walls.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.39 Green wall.

The provisions contained herein are intended to promote the health, safety, and general welfare of the citizens by removing barriers to the installation of green wall systems on buildings and structures within the Village. A green wall, also referred to as a living wall or vertical garden, shall mean an internal or external wall partially or completely covered with vegetation that includes a support structure and growing medium, and an integrated water delivery system.

A. Green wall systems shall be deemed permitted accessory equipment to conforming and nonconforming buildings in all zoning districts. Nothing contained in this chapter, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of a green wall that meets the requirements of this section, as accessory equipment to conforming and nonconforming buildings, including buildings containing nonconforming uses.

B. In order to be deemed permitted accessory equipment, the green wall structural components (non-vegetative components) may encroach into a side or rear yard setback by no more than three feet. For existing buildings nonconforming to setback requirements, in order to be deemed permitted accessory equipment, green wall structural components may encroach into any required setback by no more than three feet.

C. Prior to the issuance of a permit, the property owner(s) must acknowledge, as part of the permit application, that if the property is within a homeowners' association, condominium association, or otherwise subject to restrictive covenants, the property may be subject to additional regulations or requirements despite the issuance of a permit by the Village.

D. To be deemed a green wall for the propose of achieving points for green building requirements the green wall must cover at least 40 percent of the external surface on the wall on which it is constructed.

E. The green wall system shall be properly maintained and be kept free from hazards or conditions that are unsafe or detrimental to public health, safety, or general welfare and shall comply with the provisions established in the landscape code under Section 8.27, Green Wall.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.40 Wind turbines.

The provisions contained herein are intended to promote the health, safety, and general welfare of the citizens by removing barriers to the installation of alternative energy systems and to provide for the installation of wind turbines on rooftops or in yards within the Village. Wind turbines may be a vertical axis helical design or a pole with blades 'windmill' type horizontal axis design.

A. Wind turbine systems shall be deemed permitted accessory equipment to conforming and nonconforming buildings in all zoning districts. Nothing contained in this chapter, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of a wind turbine system that meets the requirements of this section, as accessory equipment to conforming and nonconforming buildings, including buildings containing nonconforming uses.

B. Due to design considerations and functionality requirements an efficient wind turbine system has a design potential to exceed the permissible height limits established in this Code. In order to be deemed permitted accessory equipment, the top of the wind turbine may exceed the permissible height limit in any district by not more than ten feet as specified in Subsection 8.17.G., Height Exemptions. Should a proposed wind turbine exceed the ten-foot limit, it will need to be approved through the variance process as established in Chapter 7, Variances.

C. Wind turbines shall maintain the setbacks established for the zoning district in which it is placed. Wind turbines shall maintain sufficient setback to ensure if it tips over it will not fall on adjacent property.

D. Wind turbines shall not be placed in a front yard unless a variance in accordance with *Chapter 7, Variance* is granted.

E. Wind turbines shall comply with all requirements contained within Chapter 96, Nuisances, Noise, of the Village general regulations.

F. Installation of a wind turbine shall require a building permit and shall comply with all requirements of the Florida Building Code.

G. A private wind turbine proposed within a public right-of-way may only be allowed upon approval by the Village Commission.

H. Wind turbines proposed to be placed in or over water or on docking facilities will need to be approved through the variance process as established in Chapter 7, Variances.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.41 Green infrastructure and low impact development (LID).

The provisions contained herein are intended to promote the health, safety, and general welfare of the citizens by removing barriers to the installation of green infrastructure or low impact development (LID) systems for stormwater management and/or water quality protection.

A. For projects that propose green infrastructure or low impact development systems for stormwater management and/or water quality protection the applicant must demonstrate the proposed system meets the applicable stormwater management and/or water quality protection requirements as required by the Village, Miami-Dade County, the South Florida Water Management District or the Florida Department of Environmental Protection as applicable.

B. The property owner shall provide the Village with the issued permit(s) from any external applicable jurisdictional agency if required for the green infrastructure or low impact development system.

C. The green infrastructure shall be maintained to ensure the efficacy of the system in managing stormwater and protecting water quality.

D. Should green infrastructure be proposed within an easement, at the time of application the applicant shall submit, a form signed by any holder of an easement or right-of-way on the property consenting to the installation of the green infrastructure within the easement or right-of-way, with an accompanying acknowledgement by the property owner that in the event the easement holder performs work in the easement that it is the property owner's responsibility to repair and replace the green infrastructure disturbed as a result of the work in the easement.

E. Private green infrastructure proposed within a public right-of-way, may only be allowed upon approval by the Village Commission.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

§ 8.42 Clotheslines.

Nothing in this Code precludes a property owner from installing and maintaining a clothesline in support of energy conservation measures. Installation of a clothesline shall conform to the following:

A. A clothesline cannot be installed in an easement without a form signed by any holder of an easement on the property consenting to the installation within the easement with an accompanying acknowledgement by the property owner that in the event the easement holder performs work in the easement that it is the property owner's responsibility to repair and replace the clothesline if disturbed as a result of the work in the easement.

B. A clothesline cannot be installed in a right-of-way.

C. A clothesline must maintain at a minimum a 15-foot setback from a waterbody.

D. Clotheslines cannot be installed in a front yard. A clothesline cannot be installed in a side yard unless the required side yard setback can be met.

E. Clotheslines are deemed permitted accessory equipment to conforming and nonconforming buildings in all residential zoning categories.

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)

(Ord. No. 2021-007, § 3(Exh. B), 3-9-21)