

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1709.05

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING AND ADOPTING AN EVALUATION AND APPRAISAL REPORT FOR THE TOWN OF GOLDEN BEACH COMPREHENSIVE PLAN SUBMITTED BY THE LOCAL PLANNING AGENCY; STATING THE INTENT OF THE TOWN COUNCIL TO AMEND THE TOWN'S ADOPTED COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND AUTHORIZING THE TOWN'S CONSULTANT PLANNER TO TRANSMIT THE REPORT TO THE DEPARTMENT OF COMMUNITY AFFAIRS IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach is a municipality located in Miami-Dade County, Florida; and

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, the Town Council adopted the current Town of Golden Beach Comprehensive Plan by Ordinance No. 368-88 on December 6th, 1988; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules, study issues and update data; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

WHEREAS, the Town's Comprehensive Planning Board (An Advisory Board but not the designated Local Planning Agency) has reviewed the Evaluation and Appraisal Report, provided for participation by the public in the process, and rendered its recommendations to the Town Council; and

WHEREAS, the Town Council, acting as the designated Local Planning Agency (LPA), has reviewed the Evaluation and Appraisal Report prepared by Michael Miller Planning Associates, Inc., the Town's Consulting Planner, held an advertised public hearing, provided for participation by the public in the process, and rendered its recommendations to the Town Council; and

WHEREAS, the Town Council has reviewed the Evaluation and Appraisal Report, held an advertised public hearing, and provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AS FOLLOWS:

SECTION 1. The Local Planning Agency provided for and heard comments at a duly noticed public meeting on the proposed Evaluation and Appraisal Report and has approved same for transmittal to the Town Council of Golden Beach and to the Department of Community Affairs. Based on the Local Planning Agency recommendation, the Town Council hereby adopts the Evaluation and Appraisal Report for the Town of Golden Beach Comprehensive Plan, attached hereto as Exhibit "A".

SECTION 2. The Town Council does hereby state its intention to amend the Town of Golden Beach Comprehensive Plan in accordance with the recommendations contained in the Evaluation and Appraisal Report.

SECTION 3. The Town Council does hereby authorize the Town Clerk and Michael Miller Planning Associates, Inc., as the Consultant Town Planner, to transmit the Evaluation and Appraisal Report and other supporting documentation to the Florida Department of Community Affairs for the purpose of a sufficiency review in accordance with Section 163.3191, Florida Statutes. The Town understands that the Evaluation and Appraisal Report is subject to further revision based upon comments from the Department of Community Affairs and other required review agencies.

SECTION 4. Severability. That a decision by a court of competent jurisdiction declaring invalid any section, paragraph, sentence, clause, phrase or other part of this Resolution shall not affect the validity of this Resolution as a whole or any parts thereof, other than the part so declared to be invalid.

SECTION 5. Conflict. That all Sections or parts of Sections of the Code of Ordinances, all Ordinances or parts of Ordinances, and all Resolutions, or parts of Resolutions, in conflict are hereby repealed to the extent of such conflict.

SECTION 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

Sponsored by Administration.

The motion to adopt the foregoing Resolution was offered by Mayor Singer, seconded by Councilman Paruas and on roll call the following vote ensued:

Mayor Singer:	<u>AYE</u>
Vice Mayor Lusskin:	<u>AYE</u>

Councilmember Einstein: AYE
Councilmember Iglesias: AYE
Councilmember Paruas: AYE

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this
17th day of May, 2005.



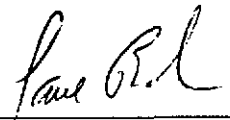
MAYOR GLENN SINGER

ATTEST:



CATHY SZABO
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



PAUL D. EICHNER, ESQ.
TOWN ATTORNEY

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