

**THE TOWN OF GOLDEN BEACH, FLORIDA**

**ORDINANCE NO. 575.17**

**AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING DIVISION 4. "DESIGN STANDARDS," DIVISION 8. "GARAGES," AND DIVISION 9. "DRIVEWAYS AND ACCESSWAYS," OF ARTICLE IV, "SUPPLEMENTAL DISTRICT REGULATIONS" OF CHAPTER 66, "ZONING," TO REVISE DRIVEWAY REQUIREMENTS AND DESIGN REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council periodically studies land development trends and issues and amends the Town's Land Development Regulations accordingly; and

**WHEREAS**, the Town Council has studied the current Code provisions of the Town and finds that certain modifications are necessary and desirable to further regulate the design and location of driveways; and

**WHEREAS**, a public meeting was held before the Local Planning Agency (LPA) of the Town to review the proposed modifications to the Town's Land Development Regulations; and

**WHEREAS**, the Town Council held duly advertised public meetings to consider the proposed modifications to the Town's Land Development Regulations.

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

Section 1: That the preceding "Whereas" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2: That the Town of Golden Beach Code is hereby amended to modify Division 4. "Design Standards," Division 8. "Garages," And Division 9. "Driveways And Accessways," of Article IV, "Supplemental District Regulations" of Chapter 66, "Zoning," to read as follows<sup>1</sup>:

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CHAPTER 66

ZONING

\* \* \*

ARTICLE IV. SUPPLEMENTAL DISTRICT REGULATIONS

\* \* \*

DIVISION 4. – DESIGN STANDARDS

Sec. 66-136. - ~~Design of Driveways Reserved.~~

~~(a) In addition to the garage requirement of sections 66-201 through 66-207, and design of Driveways as set forth in sections 66-221 through 66-225, each residence shall be required to provide one additional paved parking space on-site. The Driveway leading to the garage may be utilized for this purpose. Each such parking space shall be a minimum of nine feet in width and 20 feet in length.~~

~~(b) All applications for new or widened Driveways abutting State Road Number A1A shall be required to receive a permit from Florida Department of Transportation District Number 6 offices prior to receiving a permit for same from the Town.~~

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DIVISION 8. GARAGES

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**Sec. 66-205. Conversion.**

Any Owner of an existing home with a minimum two-car garage and who has obtained a Certificate of Occupancy on or after September 18, 2007 may obtain a building permit to convert existing garage(s) to be a part of the Living Area, subject to the condition that at least one garage with a minimum interior dimension of 11 by 22 feet must remain after conversion. Issuance of a building permit for a garage conversion shall also be subject to compliance with the following conditions:

(1) A building permit shall be issued to the property Owner upon presentation to the Town of properly engineered building plans, which plans shall set forth the following:

- a. The floor level of the garage to be enclosed shall be in compliance with the Florida Building Code and this Code.
  - b. Light and ventilation for the garage to be enclosed shall be provided as set forth in subsection 303.1 of the Florida Building Code.
  - c. The minimum room dimension and ceiling height for the garage structure to be enclosed shall be as set forth in section 304 of the Florida Building Code.
  - d. An external rendering of the structure to be enclosed shall be presented to the Building Regulation Advisory Board, which rendering shall show the garage structure as it will look after the completion of the enclosure.
  - e. The property Owner shall provide off-Street parking for a minimum of two cars upon the property on which the garage to be enclosed is located.
- (2) The property Owner, as a condition of obtaining a building permit, shall provide for the elimination of the asphalt-drive in front of the converted garage, which area shall be covered by landscaping or planters.

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## **DIVISION 9. DRIVEWAYS AND ACCESSWAYS**

### **Sec. 66-221. Compliance required.**

- (a) Driveway construction. In order to prevent the surface of roads within the Town from deterioration as a result of punctures or holes in surface covering caused by small rocks and debris some of which may originate from driveways consisting of gravel or loose stones, and to prevent loose stones, rocks and colloidal materials from washing into drains, resulting in clogging, all vehicle ingress and egress driveways between private property and a public Street shall comply with the plans and specifications approved by the Building Regulation Advisory Board and shall be constructed of materials required by this Code of Ordinances and in accordance with the driveway permit issued by the Town Building Official.
- (b) Required residential parking. In addition to the garage requirement of sections 66-201 through 66-207, and design of Driveways as set forth in sections 66-221 through 66-225, each residence shall be required to provide at least two parking spaces on-site. The Driveway leading to the garage may be utilized for this purpose.

Each such parking space shall be a minimum of nine feet in width and 20 feet in length.

- (c) All building permit applications for new or widened Driveways abutting State Road Number A1A shall be required to receive a permit from Florida Department of Transportation District Number 6 offices prior to receiving a permit for same from the Town

**Sec. 66-222. Materials permitted.**

All driveways shall be paved with decorative concrete impregnated with color, stamped concrete, concrete blocks, paving bricks, decorative concrete slabs separated by grass (natural or artificial), or other permanently fixed material (no loose rocks, stones, gravel, or sand) approved by the Building Regulation Advisory Board. Unfinished gravel driveways are not permitted. No new asphalt driveways shall not be permitted after November 15, 2011. Asphalt driveways existing after the above date may remain in such state until such time as they are subject to be replaced, repaired or renewed, when they shall be reconstructed as provided in this division. Unfinished gravel driveways are not permitted. All existing loose Chattahoochee stone driveways may remain in such state until such time as they are subject to be replaced, repaired or renewed, when they shall be reconstructed as provided in this division.

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**Sec. 66-226. Driveway Design Standards.**

- (a) Location of driveways - No portion of a driveway at a residence in the Town may be installed closer than five feet to the side and to any front (street) yard lot line, except at the driveway connection to the roadway. For circular driveways, the landscape strip dimension may taper at the property line. Further no portion of such driveway shall be installed in the side yard setback beyond the imaginary extension of a line extended from the front wall of the residence to the side yard lot line.

- (b) Driveway setback from structures - No portion of a driveway at a residence in the Town may be installed closer than two feet to a wall of a structure. Notwithstanding the above, the two-foot setback requirement is not required at garage door openings. If an existing garage is to be enclosed, a setback of two feet must be provided between the enclosed garage and any driveway surface. Within the two-foot setback area, landscape materials of a design and quantity as deemed necessary by the Building Regulation Advisory Board, shall be required.
- (c) Intersection with streets - Driveways for residences shall not encroach into the street corner radius of two intersecting streets, or be closer than 25 feet to the intersection of extended right-of-way lines.
- (d) Vehicular stacking adjacent to A1A – Any inbound security gate for property accessing A1A shall be set back a minimum of 18 feet from the street curb line to the face of the security gate to accommodate at least one inbound vehicle inside the street curb line to ensure inbound vehicles waiting to enter a site do not block traffic on State Road A1A.
- (e) Size of driveways.
- (1) Straight driveway configuration: Unless otherwise approved by the Building Regulation Advisory Board, based on architectural and aesthetic characteristics of a particular location, the minimum width of any straight driveway for a single-family residence in the Town shall be 18 feet and the maximum 20 feet. Notwithstanding the above, the minimum width of straight driveways may be reduced to 12 feet for a single lane driveway, provided there are two separate individual driveways for the residence.
- (2) Circular driveway configuration: Unless otherwise approved by the Building Regulation Advisory Board, based on architectural and aesthetic characteristics of a particular location, the minimum width of any circular driveway for a single-family residence in the Town shall be 12 feet, and the maximum width shall be 20 feet, and further provided that no portion of the driveway may be wider than 20 feet at the right-of-way line.

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Section 3: That is any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid,

that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

Section 4: That it is the intention of the Town Council of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5: That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6: That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

The Motion to adopt the foregoing Ordinance was offered by Vice Mayor Luskin, seconded by Councilmember Rojas, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Judy Luskin	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

**PASSED AND ADOPTED** on first reading this 22<sup>nd</sup> day of August, 2017.

The Motion to adopt the foregoing Ordinance was offered by Councilmember Bernstein, seconded by Councilmember Mendal, and on roll call the following vote ensued:

Mayor Glenn Singer Aye  
Vice-Mayor Judy Luskin Aye  
Councilmember Amy Isackson-Rojas Aye  
Councilmember Kenneth Bernstein Aye  
Councilmember Jaime Mendal Aye

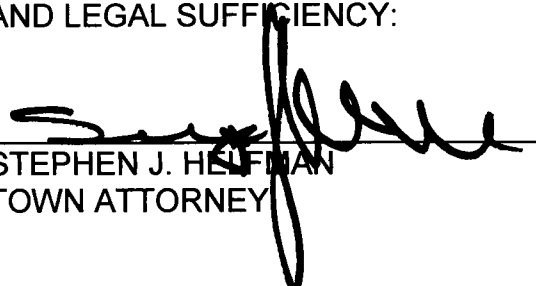
**PASSED AND ADOPTED** on second reading this 17<sup>th</sup> day of October,  
2017.

  
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MAYOR GLENN SINGER

ATTEST:

  
\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY