



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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Official Agenda for the November 24, 2020  
Local Planning Agency Zoom Virtual Hearing called for 5:30 P.M.

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**Zoom Room Meeting ID: 875 2668 1792 Password: 138915**

**For Dial In Only: Call 929.205.6099 Meeting ID: 875 2668 1792**

THE PUBLIC IS ENCOURAGED TO SUBMIT ALL COMMENTS VIA EMAIL TO [LPEREZ@GOLDENBEACH.US](mailto:LPEREZ@GOLDENBEACH.US) BY 12:00 P.M. TUESDAY, NOVEMBER 24, 2020.

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. ADOPTION OF AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS**

- 1. An Ordinance of the Town Council Amending the Town's Code to Revise Chapter 6, "Zoning," By Creating a New Section 66-9 "Public Uses of Facilities."**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES TO REVISE CHAPTER 66, "ZONING," BY CREATING A NEW SECTION 66-9 "PUBLIC USES AND FACILITIES", PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 1  
Ordinance No. 594.20

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 594.20

**D. ADJOURNMENT:**

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**DECORUM:**

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COUNCIL SHALL BE BARRED FROM THE COUNCIL CHAMBERS BY THE PRESIDING OFFICER. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACE CARDS SHALL BE ALLOWED IN THE COUNCIL CHAMBERS. PERSONS EXITING THE COUNCIL CHAMBERS SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COUNCIL CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS.

PURSUANT TO FLORIDA STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT PURPOSE, AFFECTED PERSONS 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. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

IF YOU NEED ASSISTANCE TO ATTEND THIS MEETING AND PARTICIPATE, PLEASE CALL THE TOWN MANAGER AT 305-932-0744 EXT 224 AT LEAST 24 HOURS PRIOR TO THE MEETING. RESIDENTS AND MEMBERS OF THE PUBLIC ARE WELCOMED AND INVITED TO ATTEND.



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

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## MEMORANDUM

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**Date:** November 24, 2020

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz,  
Town Manger *Alex B*

**Subject:** Ordinance No. 594.20 – Amending the Town’s Code to Revise  
Chapter 6, “Zoning,” By Creating a New Section 66-9 “Public  
Uses of Facilities.”

Items Number:

1

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### **Recommendation:**

It is recommended that the Town Council adopt the attached Ordinances No. 594.20 as presented.

### **Background:**

There are no changes from first reading when this item was approved unanimously.

We are recommending a change to the Towns Zoning Ordinance for the purpose of providing for additional public services and for public facilities to be permitted on properties within the Town as approved by the Town Council.

### **Fiscal Impact:**

None.

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 594.20

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES TO REVISE CHAPTER 66, "ZONING," BY CREATING A NEW SECTION 66-9 "PUBLIC USES AND FACILITIES", PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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

3           **WHEREAS**, the Town Council has studied the current Code provisions of the Town  
4 and found that certain modifications are necessary and desirable to provide further flexibility  
5 in the siting of public uses and facilities to serve the residents of the Town; and

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

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

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

13           **Section 1. Recitals Adopted.** That the preceding "Whereas" clauses are  
14 ratified and incorporated as a record of the legislative intent of this Ordinance.

15           **Section 2. Code Amended.** That the Town of Golden Beach Code is hereby  
16 amended to modify Article I. "In General," of Chapter 66, "Zoning" as follows:<sup>1</sup>

17           **CHAPTER 66 ZONING**

18           \* \* \*

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<sup>1</sup> Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

19 **ARTICLE I. IN GENERAL**

20 \* \* \*

21 **Sec. 66-9. – Public Uses and Facilities.**

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23 Public uses and facilities shall be permitted in any zoning district or  
24 construction zone at densities and intensities approved by the Town Council  
25 at a publicly noticed meeting.

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29 **Section 3. Code Amended.** That is any section, paragraph, sentence or word  
30 of this Ordinance or the application thereof to any person or circumstance is held invalid,  
31 that the invalidity shall not affect the other sections, paragraphs, sentences, words or  
32 application of this Ordinance.

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

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

41 **Section 6. Effective Date.** That this Ordinance shall be in full force and take  
42 effect immediately upon its passage and adoption.

43 The Motion to adopt the foregoing Ordinance was offered by Councilmember  
44 Luskin, seconded by Councilmember Einstein, and on roll call the following vote ensued:

45	Mayor Glenn Singer	<u>Aye</u>
46	Vice-Mayor Bernard Einstein	<u>Aye</u>
47	Councilmember Kenneth Bernstein	<u>Aye</u>
48	Councilmember Jaime Mendal	<u>Aye</u>
49	Councilmember Judy Luskin	<u>Aye</u>

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52 **PASSED AND ADOPTED** on first reading this 8<sup>th</sup> day of September, 2020.

53 The Motion to adopt the foregoing Ordinance was offered by \_\_\_\_\_,

54 seconded by \_\_\_\_\_, and on roll call the following vote ensued:

55	Mayor Glenn Singer	_____
56	Vice-Mayor Bernard Einstein	_____
57	Councilmember Kenneth Bernstein	_____
58	Councilmember Jaime Mendal	_____
59	Councilmember Judy Lusskin	_____

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62 **PASSED AND ADOPTED** on second reading this \_\_\_ day of \_\_\_\_\_, 2020.

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64 ATTEST:

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\_\_\_\_\_  
MAYOR GLENN SINGER

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

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

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