

1 TOWN OF JUNO BEACH, FLORIDA

2
3 ORDINANCE NO. 774

4
5 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO
6 BEACH, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT
7 TO ARTICLE III, "LEGISLATIVE," SECTION 7, "PROCEDURE," OF THE
8 TOWN CHARTER TO REQUIRE A UNANIMOUS VOTE OF ALL FIVE
9 MEMBERS OF THE TOWN COUNCIL TO AMEND THE TOWN'S LAND
10 DEVELOPMENT REGULATIONS TO INCREASE THE PERMITTED
11 HEIGHT OR DENSITY WITHIN ANY ZONING DISTRICT; PROVIDING
12 FOR THE FORM OF THE QUESTION; PROVIDING FOR THE BALLOT
13 TITLE AND EXPLANATORY LANGUAGE; PROVIDING FOR
14 ADVERTISING; PROVIDING FOR CODIFICATION, SEVERABILITY,
15 CONFLICTS AND AN EFFECTIVE DATE; PROVIDING FOR A
16 REPEALER; AND FOR OTHER PURPOSES.

17
18 WHEREAS, in accordance with Article VII, Section 3 of the Town Charter, the
19 Town's Charter Review Committee ("Committee") reviewed the provisions of the Charter
20 and recommended certain amendments; and

21
22 WHEREAS, the Committee recommended a revision to Article III, Section 7 of the
23 Town Charter to require a unanimous vote of all five members of the Town Council to
24 amend the Town's land development regulations to increase the permitted height or
25 density within any zoning district; and

26
27 WHEREAS, the Town Council determines that it is in the best interests of the
28 residents of the Town of Juno Beach to submit the proposed Town Charter amendment
29 to referendum vote.

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31 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
32 TOWN OF JUNO BEACH, FLORIDA as follows:

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34 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and
35 correct and are incorporated herein.

36
37 **Section 2.** The Town Council hereby amends Article III, "Legislative," Section 7,
38 "Procedure," of the Town Charter to read as follows (additional language is underlined):

39
40 **ARTICLE III. LEGISLATIVE**

41 * * *

42
43
44 **Sec. 7. Procedure.**

45 * * *

1 (f) Land development regulations. Any amendment to the town's land
2 development regulations that increases the permitted height or
3 density within any zoning district shall require an affirmative vote of
4 all five (5) councilmembers.
5

6 **Section 3.** The amendment to the Town Charter set forth in Section 2 above
7 shall not take effect unless and until it is submitted to the electors of the Town of Juno
8 Beach. The amendment shall be submitted at the Town's general election to be held on
9 Tuesday, March 19, 2024.

10
11 **Section 4.** The title of the ballot and explanatory statement setting forth the
12 substance of the amendment to the Town Charter shall appear on the ballot and shall
13 read as follows:

14
15 **AN AMENDMENT TO ARTICLE III OF THE TOWN CHARTER**
16 **RELATING TO LAND DEVELOPMENT REGULATIONS**
17

18 THIS AMENDMENT REQUIRES A UNANIMOUS VOTE OF ALL FIVE
19 MEMBERS OF THE TOWN COUNCIL TO AMEND THE TOWN'S LAND
20 DEVELOPMENT REGULATIONS TO INCREASE THE PERMITTED
21 HEIGHT OR DENSITY WITHIN ANY ZONING DISTRICT.

22
23 SHALL THE ABOVE-DESCRIBED AMENDMENT BE ADOPTED?

24
25 YES _____ NO _____
26

27 **Section 5.** The Town Clerk is hereby authorized and directed to advertise the
28 referendum election contemplated herein in accordance with Section 100.342, Florida
29 Statutes, and Section 8-6 of the Town Code of Ordinances.

30
31 **Section 6.** The provisions of this Ordinance shall become and be made part of
32 the Charter of the Town of Juno Beach, Florida.
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34 **Section 7.** If any section, paragraph, sentence, clause, phrase, or word of this
35 Ordinance is for any reason held by a court of competent jurisdiction to be
36 unconstitutional, inoperative or void, such holding shall not affect the remainder of the
37 Ordinance.
38

39 **Section 8.** All ordinances or parts of ordinances of the Town of Juno Beach,
40 Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of
41 such conflict.
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43 **Section 9.** This Ordinance shall become effective upon approval of a majority
44 of the electors casting their votes at the March 19, 2024 election. If not approved by a
45 majority of the voters voting in the election, this Ordinance shall be automatically
46 repealed.
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FIRST READING this _____ day of _____, 2023.

SECOND, FINAL READING AND ADOPTION this _____ day of _____, 2023.

AYE

NAY

ALEXANDER COOKE, MAYOR

AYE

NAY

PEGGY WHEELER, VICE MAYOR

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NAY

MARIANNE HOSTA, VICE MAYOR PRO TEM

AYE

NAY

ELAINE K. COTRONAKIS, COUNCILMEMBER

AYE

NAY

DD HALPERN, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CAITLIN COPELAND-RODRIGUEZ
TOWN CLERK

LEONARD G. RUBIN
TOWN ATTORNEY