

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.

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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.

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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.  
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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.

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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:

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

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23                    SHALL THE ABOVE-DESCRIBED AMENDMENT BE ADOPTED?

24  
25                                YES \_\_\_\_\_                                NO \_\_\_\_\_  
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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.

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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.  
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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.  
42

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.

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AYE

\_\_\_\_\_  
NAY

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ALEXANDER COOKE, MAYOR

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AYE

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NAY

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PEGGY WHEELER, VICE MAYOR

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AYE

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NAY

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MARIANNE HOSTA, VICE MAYOR PRO TEM

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AYE

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NAY

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ELAINE K. COTRONAKIS, COUNCILMEMBER

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AYE

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NAY

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DD HALPERN, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

\_\_\_\_\_  
CAITLIN COPELAND-RODRIGUEZ  
TOWN CLERK

\_\_\_\_\_  
LEONARD G. RUBIN  
TOWN ATTORNEY