



TOWN OF PALM SHORES

“The Little Town That Cares”

REGULAR TOWN COUNCIL MEETING

Tuesday, March 23, 2021

Immediately following the Board of Adjustments Public Hearing

AGENDA

- I Call to Order
- II Pledge of Allegiance
- III Roll Call
- IV Additions, Deletions or Changes to the Agenda
- V Presentations
- VI Approval of Minutes
 - A. February 23, 2021 Regular Town Council Meeting
- VII Public Forum: *Persons wishing to speak must fill out a speaker card and return it to the Clerk. Comments will be limited to three (3) minutes. Note, however, that State law and administrative rules prevent the Town Council from taking any formal action on any item discussed at this time. The Council may schedule such items as regular agenda items and act upon them in the future.*
- VIII Consent Agenda - *This section is reserved for routine, non-controversial items requiring council action. These items are handled with a singular motion and without council discussion. Any councilman may request that an item be removed from consent agenda for discussion under New Business.*
- IX Reports
 - A. Treasurer’s Report
 - B. Mayor’s Report
 - C. Council Reports
 - D. Town Planner Report
 - E. Town Building Official Report
 - F. Town Clerk/Code Enforcement Update
 - G. Charitable Contribution – Councilman Chambliss

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X Public Hearing

- A. Ordinance 2021-01 – Annexation Request -- Pineda Enterprises of Brevard LLC. Applicant Mark Maher.

AN ORDINANCE OF THE TOWN OF PALM SHORES, BREVARD COUNTY, FLORIDA, ANNEXING AND INCORPORATING PARCEL ID 26-37-19-DS-*-4.07 (0.26 ACRES), AND PARCEL ID 26-37-19-DS-*-3.04 (0.07 ACRES) AND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO, INTO THE CORPORATE LIMITS OF THE TOWN OF PALM SHORES; PROVIDING FOR NOTICE; PROVIDING FOR REPEAL OF EXISTING ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

- B. Ordinance 2021-02 - , Comprehensive Plan Amendment, Re-zoning Request - Pineda Enterprises of Brevard LLC. Applicant Mark Maher.

AN ORDINANCE OF THE TOWN OF PALM SHORES, BREVARD COUNTY, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT CHANGING THE FUTURE LAND USE DESIGNATION FROM BREVARD COUNTY NEIGHBORHOOD COMMERCIAL TO TOWN OF PALM SHORES COMMERCIAL AND A CHANGE OF ZONING CLASSIFICATION FROM BREVARD COUNTY GU TO TOWN OF PALM SHORES C-2 FOR TWO PARCELS NEWLY ANNEXED INTO THE TOWN DESCRIBED AS PARCEL ID 26-37-19-DS-*-4.07 (0.26 ACRES), AND PARCEL ID 26-37-19-DS-*-3.04 (0.07 ACRES) AND AS MORE FULLY DESCRIBED IN EXHIBIT A ATTACHED HERETO, AND CONTAINING 0.33 ACRES MORE OR LESS; EXTENDING THE TOWN'S GOALS, OBJECTIVES AND OTHE LAND USE PLANNING REQUIREMENTS TO THE SAID PARCELS; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR INCORPORATION INTO THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF EXISTING ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

- C. Resolution 2021-01- Palm Shores Office Park LLC Property Owner – Representative Danny Gordon. The property is located at 5560 N HIGHWAY 1, PALM SHORES 32940. A complete legal description and location map are attached. Variance No.: 21-1002 – to allow an exception to 157.285(F)(1) Building Height. A variance request for an increase in height from 40' to 52'6" has been requested due to fire sprinkler clearances, structural system depths, and required ceiling heights.

A RESOLUTION OF THE TOWN OF PALM SHORES, BREVARD COUNTY, FLORIDA APPROVING A VARIANCE TO CHAPTER 157, SECTION 157.285 OF THE CODE OF ORDINANCES OF THE TOWN TO THE BUILDING HEIGHT LIMITATION IN THE C-2 (GENERAL COMMERCIAL) ZONING DISTRICT; ALLOWING THE CONSTRUCTION OF A BUILDING EXCEEDING SUCH HEIGHT LIMITATIONS ON PROPERTY DESCRIBED IN THIS RESOLUTION; PROVIDING FOR CONDITIONS; PROVIDING FOR THE RECORDING OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

- D. Resolution 2021-02 – Preemption of Short-Term Rental – Oppose HB 219/SB522

A RESOLUTION OF THE TOWN OF PALM SHORES, BREVARD COUNTY, FLORIDA, OPPOSING LEGISLATION THAT PREEMPTS LOCAL DECISION MAKING RELATING TO SHORT-TERM RENTALS AND URGING THE FLORIDA LEGISLATURE TO RESTORE LOCAL MUNICIPALITIES' ABILITY TO PROTECT NEIGHBORHOODS HARMED BY IRRESPONSIBLE SHORT-TERM RENTAL COMPANIES THAT IGNORE LOCAL ORDINANCES AND INFRINGE UPON FLORIDIANS PEACEABLE ENJOYMENT OF THEIR HOMES.

- E. Resolution 2021-03 – Supporting Granting Cities and Counties to Provide Smoke-Free Zones or Designated Smoking Areas in Public Parks

A RESOLUTION OF THE TOWN OF PALM SHORES, BREVARD COUNTY, FLORIDA; SUPPORTING SB 334 AND HB 239 IN THE 2021 FLORIDA LEGISLATIVE SESSION; GRANTING CITIES AND COUNTIES THE ABILITY TO PROVIDE SMOKE-FREE ZONES OR DESIGNATED SMOKING AREAS IN PUBLIC PARKS.

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- F. Resolution 2021-04 – Opposing the Unwarranted or Overly Broad Preemption of Municipal Home Rule Powers.

A RESOLUTION OF THE TOWN OF PALM SHORES URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE UNWARRANTED OR OVERLY BROAD PREEMPTIONS OF MUNICIPAL HOME RULE POWERS; DIRECTING A COPY OF THIS RESOLUTION BE TRANSMITTED TO MEMBERS OF THE FLORIDA LEGISLATURE, THE FLORIDA LEAGUE OF CITIES, AND ANY OTHER INTERESTED PARTIES.

- G. Resolution 2021-05 – Opposing SB 60 and HB 883 Preventing Code Enforcement Officials from Investigating Anonymous Complaints

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM SHORES FLORIDA, STRONGLY OPPOSING SENATE BILL 60 AND HOUSE BILL 883 THAT UNNECESSARILY PREVENT MUNICIPAL CODE ENFORCEMENT DEPARTMENTS FROM INVESTIGATING ANONYMOUS CODE ENFORCEMENT COMPLAINTS, AND URGING THE FLORIDA LEGISLATURE TO NOT INTERFERE WITH LOCAL MUNICIPALITIES' ABILITY TO PROTECT THE HEALTH, SAFETY, WELFARE, AND VALUE OF THEIR NEIGHBORHOODS, AND TO ALLOW MUNICIPAL CODE ENFORCEMENT DEPARTMENTS TO CONTINUE INVESTIGATING UNLAWFUL CONDITIONS ON PROPERTIES WITHIN THE MUNICIPALITY, REGARDLESS OF THE SOURCE OF COMPLAINTS; DIRECTING THE TOWN CLERK TO DISTRIBUTE COPIES OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

- H. Resolution 2021-06 – Opposing House Bill 403 and monitoring Senate Bill 266 regarding home based business regulations.

A RESOLUTION OF THE TOWN OF PALM SHORES, BREVARD COUNTY FLORIDA, OPPOSING PASSAGE OF HOUSE BILL 403 AND MONITORING SENATE BILL 266 REGARDING HOME-BASED BUSINESSES REGULATION OR SIMILAR PROPOSED LEGISLATION; AND PROVIDING FOR AN EFFECTIVE DATE

XI New Business

- A. Site Plan Review – Optimus Sr. Living – Applicant Frederick, J. Mielke, Representative, Edward Fleis, Property Owner Rudan Holdings. Located at: 4490 N. US Highway 1, 1.8 miles south of Pineda Causeway on US Highway 1.

XII Old Business – None

XIII Adjournment