

ORDINANCE NO. 2956

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING THE ZONING MAP FOR SIX (6.0) ACRES OF LAND LOCATED SOUTH OF BLUE HERON BOULEVARD, WEST OF AVENUE "U" BY CHANGING THE ZONING CLASSIFICATION FROM "SINGLE FAMILY RESIDENTIAL (RS-6)" TO "COMMUNITY FACILITY (CF)"; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Chapter 166,041 provides procedures to adopt an ordinance involving less than ten (10) contiguous acres; and

WHEREAS, the subject property is currently assigned City of Riviera Beach Single Family Residential (RS-6) zoning classification; and

WHEREAS, on December 11, 2003, the Planning and Zoning Board reviewed the proposed zoning change from "RS-6 Single Family Residential to "CF" Community Facility District zoning classification, and forwarded a recommendation to the City Council; and

WHEREAS, the proposed zoning classification for the subject property was reviewed for consistency with the City of Riviera Beach Comprehensive Plan Future Land Use Map and was found to be consistent by the City Council sitting as the Local Governing Body whom held a Public Hearing on this ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

Section 1. The City of Riviera Beach Zoning Map is hereby amended from "RS-6" Single Family Residential to "CF" Community Facility for the following sUbject property:

PARCEL 1:

The West 523,75 feet of the East 1047,5 feet of the North 416 feet of the South 2080 feet of the Northeast ¼ of Section 31, Township 42 South, Range 43 East, located in Palm Beach County, Florida, less the easement over the East 30 feet thereof for roadway right of way purposes; and the party of the first part does sell, assign, convey and devise any and all rights it may have in and to said easement and all reversion, reverted or remainder rights it may have in and to the East 30 feet of the West 523.75 feet of the East 1047,5 feet of the North 416 feet of the South 2080 feet of the

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Northeast $\frac{1}{4}$ of Section 31, Township 42 South, Range 43 East, located in Palm Beach County, Florida.

PARCEL 2:

Commencing from the Northeast corner of Section 31) Township' 42 South, Range 43 East a distance of 307.19 feet South along the East line of Section 31, thence run Westerly at an angle of 90 degrees 31' North to South, a distance of 523.75 feet to the POINT OF BEGINNING' thence continue Westerly on the same course a distance of 141.66 feet; thence run Southerly at an angle of 90 degrees 31' East to South, a distance of 307.5 feet. thence run, Easterly at an angle of 89 degrees 29' West to East a distance of 141.66 feet; thence run Northerly at an angle of 90 degrees 31' West to North a distance of 307.5 to the POINT OF BEGINNING.

Together with the following described easement LEGAL DESCRIPTION FOR
INGRESS AND EGRESS

Being a portion of land in the Northeast 1/4 of Section 31, Township 42 South, Range 43 East, located in Palm Beach County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of The Church of the True Faith Plat. As recorded in Plat Book 46, Page 107, in the Public Records of Palm Beach County, Florida; thence South 02° 19' 49" West along the West right of way line of Avenue U as recorded in Deed Book 1030, Page 509 a distance of 20.00 feet to the Northeast corner of those lands described in O. R. Book 8663, Page 1116 in said public records, said point marked with a 5/8" iron rod and cap labeled Bonner, LS 4088, said point also being the **POINT OF BEGINNING**; thence continue South 02° 19' 49" West along the West right of way line as recorded in Deed Book 1030, Page 507, of said public records a distance of 30.00 feet, thence North 88° 19' 20" West on a line 30 feet South of and parallel to the North line of said O.R. Book 8663, Page 1116 a distance of 382.19 feet; thence South 57° 24' 45" West a distance of 142.18 feet to the West line of those lands recorded in O.R. Book 8276, Page 361 of said public records; said line being the West line of the East 523.75 feet of said Northeast 1/4 thence North 02° 19' 49" East along said West line a distance of 30.00 feet to the Northeast corner of those lands described in O.R. Book 2186, Page 1919, of said public records; thence continue on said West line a distance of 80.06 feet to the Northwest corner of those lands described in O.R. Book 8276, Page 361; thence along said North line of said Parcel South 88° 19' 20" East, said line being the North line of South 265.73 feet of the North 797.52 feet of the Northeast 1/4 of said Section 31, a distance of 498.73 feet to the **POINT OF BEGINNING**.

Section 2. If any word, phrase, clause, subsection or section of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of any remaining portions of this Ordinance.

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Section 3. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

Section 4. That this Ordinance shall not be codified.

Section 5. That the Director of Community Development is hereby authorized and directed to update the City's Zoning Map in accordance with the changes described by this Ordinance.

Section 6. That the effective date of this zoning change shall be 31 days after adoption, or if the zoning change is challenged the effective date will not be until a final order determining that the land use amendment is in compliance.

*****THE REMAINING PAGE IS LEFT BLANK INTENTIONALLY*****

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PAGE 4

PASSED AND APPROVED on First Reading this 21ST day of JANUARY, 2004.

PASSED AND ADOPTED on Second Reading this 4TH day of FEBRUARY, 2004.

APPROVED:


MICHAEL D. BROWN, MAYOR


DAVID SCHNYER, CHAIRPERSON

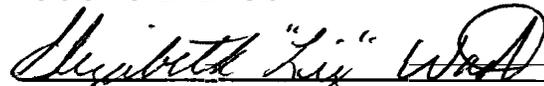
[MUNICIPAL SEAL]


SYLVIA LEE BLUE, CHAIR PRO-TEM

ATTEST:


DONALD WILSON,
COUNCILPERSON


CARRIE E. WARD, MMC
CITY CLERK


ELIZABETH "LIZ" WADE,
COUNCILPERSON


ANN ILES,
COUNCILPERSON

FIRST READING

SECOND AND FINAL READING

MOTIONED BY:	<u>E. WADE</u>
SECONDED BY:	<u>A. ILES</u>
D.SCHNYER	<u>AYE</u>
S.BLUE	<u>AYE</u>
D. WILSON	<u>ABSENT</u>
E. WADE	<u>AYE</u>
A.ILES	<u>AYE</u>

MOTIONED BY:	<u>D. WILSON</u>
SECONDED BY:	<u>E. WADE</u>
D. SCHNYER	<u>OUT</u>
S.BLUE	<u>AYE</u>
D. WILSON	<u>AYE</u>
E. WADE	<u>AYE</u>
A.ILES	<u>AYE</u>

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 1/14/04

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CERTIFICATION OF PUBLICATION

I hereby certify that notice of the proposed enactment of this ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by applicable Florida Statutes.

January 3, 2004

Date



Carrie E. Ward, MMC, City Clerk

ORDINANCE NO. 2957

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A SMALL-SCALE FUTURE LAND USE AMENDMENT TO THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN BY ASSIGNING A COMMUNITY FACILITIES FUTURE LAND USE DESIGNATION FROM SINGLE FAMILY RESIDENTIAL ON SIX (6.0) ACRES OF LAND LOCATED SOUTH OF BLUE HERON BOULEVARD AND WEST OF AVENUE "U"; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH FUTURE LAND USE MAP; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Section 163.3187(1)(c) provides the requirements for adoption of small-scale amendments to the Future Land Use Map of the Comprehensive Plan; and

WHEREAS, the Subject property is currently designated Single Family Residential (up to six dwelling units per acre) on the Future Land Use Map and is being amended to Community Facilities; and

WHEREAS, the subject property meets the requirements established by the Statutes in amending the City of Riviera Beach Comprehensive Plan for small-scale developments; and

WHEREAS, on December 11, 2003, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed small-scale amendment at a Public Hearing and forwarded a recommendation of approval to the City Council; and

WHEREAS, the proposed small-scale amendment for the subject property was reviewed for consistency with the City of Riviera Beach Comprehensive Plan Future Land Use Map and was found to be consistent by the City Council at a Public Hearing of this Ordinance; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Future Land Use Map of the City of Riviera Beach is hereby amended in accordance with Florida Statute, Section 163.3187(1)(c) for small-scale amendments for the subject property as described below:

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PAGE 2

PARCEL 1:

The West 523.75 feet of the East 1047.5 feet of the North 416 feet of the South 2080 feet of the Northeast ¼ of Section 31, Township 42 South, Range 43 East, located in Palm Beach County, Florida, less the easement over the East 30 feet thereof for roadway right of way purposes; and the party of the first part does sell, assign, convey and devise any and all rights it may have in and to said easement and all reversion, reverted or remainder rights it may have in and to the East 30 feet of the West 523.75 feet of the East 1047.5 feet of the North 416 feet of the South 2080 feet of the Northeast ¼ of Section 31, Township 42 South, Range 43 East, located in Palm Beach County, Florida.

PARCEL 2:

Commencing from the Northeast corner of Section 31) Township 42 South, Range 43 East, a distance of 307.19 feet South along the East line of Section 31, thence run Westerly at an angle of 90 degrees 31' North to South, a distance of 523.75 feet to the POINT OF BEGINNING; thence continue Westerly on the same course a distance of 141.66 feet; thence run Southerly at an angle of 90 degrees 31' East to South, a distance of 307.5 feet. thence run, Easterly at an angle of 89 degrees 29' West to East a distance of 141.66 feet; thence run Northerly at an angle of 90 degrees 31' West to North a distance of 307.5 to the POINT OF BEGINNING.

Together with the following described easement LEGAL DESCRIPTION FOR
INGRESS AND EGRESS

Being a portion of land in the Northeast 1/4 of Section 31, Township 42 South, Range 43 East, located in Palm Beach County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of The Church of the True Faith Plat. As recorded in Plat Book 46, Page 107, in the Public Records of Palm Beach County, Florida; thence South 02° 19' 49" West along the West right of way line of Avenue U as recorded in Deed Book 1030, Page 509 a distance of 20.00 feet to the Northeast corner of those lands described in O. R. Book 8663, Page 1116 in said public records, said point marked with a 5/8' iron rod and cap labeled Bonner, LS 4088, said point also being the **POINT OF BEGINNING**; thence continue South 02° 19' 49" West along the West right of way line as recorded in Deed Book 1030, Page 507, of said public records a distance of 30.00 feet, thence North 88° 19' 20" West on a line 30 feet South of and parallel to the North line of said O.R. Book 8663, Page 1116 a distance of 382.19 feet; thence South 57° 24' 45" West a distance of 142.18 feet to the West line of those lands recorded in O.R. Book 8276, Page 361 of said public records; said line being the West line of the East 523.75 feet of said Northeast 1/4 thence North 02° 19' 49" East along said West line a distance of 30.00 feet to the Northeast corner of those lands described in O.R. Book 2186, Page 1919, of said public records; thence continue on said West line a distance of 80.06 feet to the Northwest corner of those

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lands described in *OR.* Book 8276, Page 361; thence along said North line of said Parcel South 88° 19' 20" East, said line being the North line of South 265.73 feet of the North 797.52 feet of the Northeast 1/4 of said Section 31, a distance of 498.73 feet to the **POINT OF BEGINNING**.

Section 2. If any word, phrase, clause, subsection or section of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of any remaining portions of this Ordinance.

Section 3. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

Section 4. That this Ordinance shall not be codified.

Section 5. That the Director of Community Development is hereby authorized and directed to update the City's Future Land Use Map in accordance with the changes described by this Ordinance.

Section 6. That the effective date of this small-scale plan amendment shall be 31 days after adoption, or if the amendment is challenged, the effective date will not be until the State Land Planning Agency or the Administration Commission issues a final order determining that the adopted small-scale amendment is in compliance.

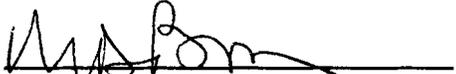
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ORDINANCE NO. 2957
PAGE 4

PASSED AND APPROVED on First Reading this 21ST day of JANUARY, 2004.

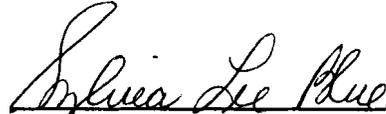
PASSED AND ADOPTED on Second Reading this 4TH day of FEBRUARY, 2004.

APPROVED:

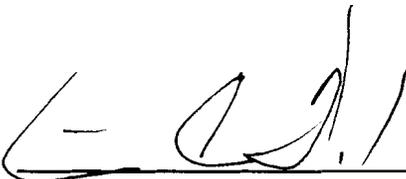

MICHAEL D. BROWN, MAYOR

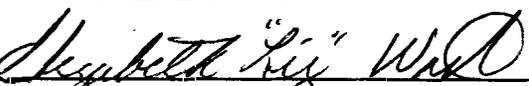

DAVID CHNYER, CHAIRPERSON

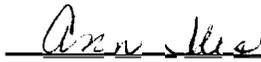
[MUNICIPAL SEAL]


SYLVIA LEE BLUE, CHAIR

ATTEST:


**CARRIE E. WARD, MMC
CITY CLERK**

—
COUNCILPERSON

**ELIZABETH "LIZ" WADE,
COUNCILPERSON**

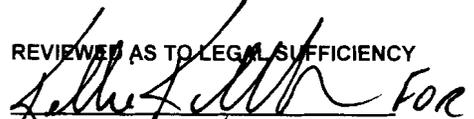

**ANN ILES,
COUNCILPERSON**

FIRST READING

MOTIONED BY: S. BLUE
SECONDED BY: E. WADE
D. SCHNYER AYE
S.BLUE AYE
D. WILSON ABSENT
E. WADE AYE
A.ILES AYE

SECOND AND FINAL READING

MOTIONED BY: D. WILSON
SECONDED BY: A. ILES
D. SCHNYER OUT
S.BLUE AYE
D,WILSON AYE
E,WADE AYE
A.ILES AYE

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 1/14/04

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PAGE 5

CERTIFICATION OF PUBLICATION

I hereby certify that notice of the proposed enactment of this ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by applicable Florida Statutes.

January 3, 2004
Date



Carrie E. Ward, MMC, City Clerk

ORDINANCE NO: 2958

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE INLET HARBOR CITY OF RIVIERA BEACH REDEVELOPMENT PLAN MODIFICATION 2001; FINDING THAT THE PLAN CONFORMS TO SECTIONS 163.360,163.361,163.362, AND 166.041, FLORIDA STATUTES; DIRECTING THAT THE PLAN BE CARRIED OUT IN ACCORDANCE WITH ITS TERMS; SUBMITTING SAID PLAN TO EACH TAXING AUTHORITY THAT LEVIES AD VALOREM TAXES ON TAXABLE REAL PROPERTY CONTAINED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY, CODIFICATION, AND CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Riviera Beach Community Redevelopment Agency (the "Agency"), a duly created community redevelopment agency, created and established pursuant to Part III of Chapter 163, Florida Statutes; ratified and confirmed by City of Riviera Beach by Ordinance No. 2883 and Final summary Judgment in case number CA-01-8461-AN, pursuant to Sections 163.355, 163.360, 163.361 and 163.362, Florida Statutes (2000), has caused to be prepared a modification of the 2001 Inlet Harbor Redevelopment Plan (the "Plan"); and

WHEREAS, the Agency submitted the Plan to the City's Planning and Zoning Board which serves as the Local Planning Agency; and

WHEREAS, the Local Planning Agency, held a public meeting on January 8,2004, with respect to said conformity with the Comprehensive Plan; and

WHEREAS, the Agency held a public hearing, duly noticed, on January 14, 2004, and, after receiving comments from the public and discussion by the Board of Commissioners, approved the Plan; and

WHEREAS, the Community Redevelopment Agency having reviewed the recommendation of the Local Planning Agency, and including the Local Planning Agency's recommendation for approval, submitted the Plan to the City Council of the City of Riviera Beach; and

WHEREAS, the Council found that the Plan meets the requirements for approval as contained in Chapter 163 of the Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein.

SECTION 2. The City Council finds that the amendment to the 2001 Inlet Harbor City of Riviera Beach Redevelopment Plan which is attached and incorporated into this Ordinance, meets the requirements of Chapter 163, Florida Statutes. The attached Exhibits include the following:

- Exhibit A (Text Amendments in strike-through and underline format)
- Exhibit B (Maps CRA 01,02,03)
- Exhibit C (Tables 5, 6, 8.2, 8.3, 8.4)

SECTION 3. The City Council, having held a public hearing as required by law and having received the comments from the public, the Planning and Zoning board acting as the Local Planning Agency, and from the City of Riviera Beach Community Redevelopment Agency, approves the amendment to the 2001 Inlet Harbor City of Riviera Beach Redevelopment Plan.

SECTION 4. The amendment to the 2001 Inlet Harbor City of Riviera Beach Redevelopment Plan, having been approved by the City Council is therefore deemed to be in full force and effect and the Community Redevelopment Agency is directed to carry out the Plan in accordance with its terms.

SECTION 5. The amended Community Redevelopment Plan shall serve as the Land Development Regulations for the CRA, and any variations granted pursuant to this Plan shall control the development of real property within the Community Redevelopment Area.

SECTION 6. Should anyone or more of the provisions of this Ordinance be held invalid, such provision shall be null and void and shall be deemed separate from the remaining provisions and shall in no way affect the validity of any of the remaining provisions of the Ordinance.

SECTION 7. All Ordinances or parts of Ordinances in conflict are hereby repealed.

SECTION 8. This Ordinance shall not be codified.

SECTION 9. This Ordinance shall take effect immediately upon its adoption.

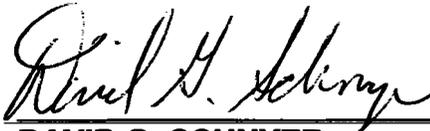
PASSED AND APPROVED on First Reading this 4th day of February 2004.

PASSED AND ADOPTED on Second Reading this 18th day of February 2004.

APPROVED:

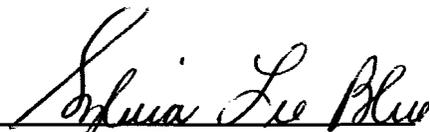


MICHAEL D. BROWN,
MAYOR



DAVID G. SCHNYER,
CHAIRPERSON

[MUNICIPAL SEAL]

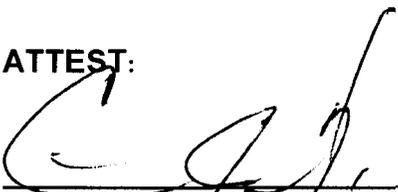


SYLVIA LEE BLUE,
CHAIR PRO-TEM

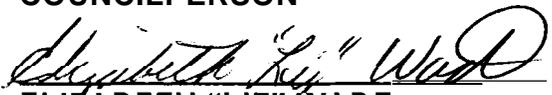


DONALD R. WILSON
COUNCILPERSON

ATTEST:



CA .W R,
MASTER MUNICIPAL CLERK
CITY CLERK

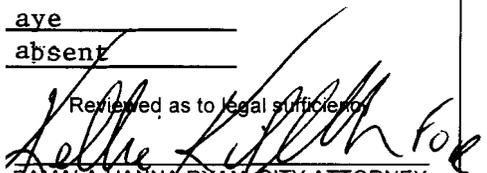


ELIZABETH "LIZ" WADE
COUNCILPERSON

absent

ANN ILES
COUNCILPERSON

	<u>1st Reading</u>	<u>2nd & Final Reading</u>
MOTIONED BY:	D. Wilson _____	D. Wilson _____
SECONDED BY:	A. Iles _____	E. Wade _____
D.SCHNYER	aye _____	aye _____
S.BLUE	aye _____	aye _____
D. WILSON	aye _____	aye _____
E. WADE	aye _____	aye _____
A.ILES	aye _____	absent _____

Reviewed as to legal sufficiency


RAMALA HANNA RYAN, CITY ATTORNEY

ORDINANCE NO. 2959

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA UPDATING THE ZONING MAP OF THE CITY OF RIVIERA BEACH BY ASSIGNING A ZONING CLASSIFICATION OF "IHC-PUD" TO APPROXIMATELY 1.26 ACRES OF LAND FOR PROPERTIES LOCATED NORTH OF THE INTERSECTION OF BLUE HERON BOULEVARD AND AVENUE "A"; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; AND PROVIDING ~~FOR CODIFICATION AND~~ AN EFFECTIVE DATE.

WHEREAS, the City has met the requirements of Florida Statutes Section 166.041 (3)(a) which provides the procedures for the adoption of an Ordinance that changes the zoning designation for property; and

WHEREAS, on January 22, 2004, the Planning and Zoning Board held a public meeting to consider the rezoning application, and voted to recommend approval to the City Council; and

WHEREAS, the City finds that the proposed amendment is consistent with the adopted Comprehensive Plan and the Community Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

Section 1. The Zoning Map of the City of Riviera Beach is hereby amended to assign an IHC-PUD classification to approximately 1.26 acres of property with the following Parcel Control Numbers:

56-43-42-28-17-000-0190	56-43-42-28-17-000-0200
56-43-42-28-17-000-0240	56-43-42-28-17-000-0230
56-43-42-28-17-000-0220	56-43-42-28-13-000-0270
56-43-42-28-13-000-0290	

Section 2. If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 3. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4. The Director of Community Development is hereby authorized and

directed to update the City's Zoning Map by assigning all zoning classifications described by the Ordinance.

Section 5. This Ordinance shall not be codified.

Section 6. This Ordinance shall take effect 10 days after adoption.

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ORDINANCE NO. 2960

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, VACATING AND ABANDONING THE EAST 237.59 FEET OF THE RIGHT-OF-WAY OF EAST 28TH STREET AND 334.58 FEET OF THE RIGHT-OF-WAY OF LAKESHORE DRIVE (ALSO KNOWN AS AVENUE "A"), BEGINNING AT THE NORTH RIGHT-OF-WAY OF EAST 27TH STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, that portion of Lakeshore Drive commencing at Lot 19 of Leewood Park proceeding southerly to East 27th Street is a public right-of-way; and

WHEREAS, that portion of East 28th Street approximately 237.59 feet of that right-of-way is also a public right-of-way; and

WHEREAS, Inlet Harbor Marina owns property on both sides of the referenced right-of-way; and

WHEREAS, Inlet Harbor Marina is requesting that the City of Riviera Beach abandon and vacate that portion of Lakeshore Drive and East 28th Street as described in Exhibit "A"; and

WHEREAS, that portion of right-of-way being requested for vacation all lie within the Community Redevelopment Area of the City of Riviera Beach and is consistent with the adopted Redevelopment Plan; and

WHEREAS, Inlet Harbor Marina has agreed to construct a temporary access for Lakeshore Drive to accommodate public access until the City constructs a permanent one; and

WHEREAS, the City Council has held a public hearing and found that the above referenced rights-of-way should be vacated and abandoned as a public right-of-way.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

Section 1. That the portion of Lakeshore Drive and East 28th Street more particularly described in Exhibit "A" be vacated and abandoned and the City of Riviera Beach hereby relinquish all claim, right, title, and interest in said property for public right-of-way purposes.

Section 2. The City finds that it is in the best interest and general welfare of the Public to vacate and abandon the property referenced herein.

Section 3. As a condition of, and prior to the closure of the existing Lakeshore Drive alignment, Inlet Harbor Marina shall construct a temporary public access for Lakeshore Drive; and at no time during the demolition of the old Lakeshore Drive and reconstruction of the temporary Lakeshore Drive access shall any public utility services to the public be interrupted due to Inlet Harbor Marina activities.

Section 4. If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 5. That all sections or parts of sections of the Code of Ordinances, all Ordinances or parts of Ordinances, and all 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 effective immediately upon its final passage and adoption.

Section 7. The City Clerk of the City of Riviera Beach is hereby authorized and directed to file and record this Ordinance in the Public Records of Palm Beach County, Florida.

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PASSED AND APPROVED on first reading this 4th day of February, 2004.

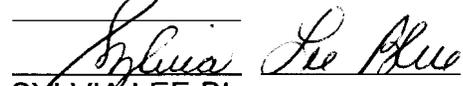
PASSED AND ADOPTED on second and final reading this 18th day of February, 2004.

APPROVED:


MICHAEL D. BROWN,
MAYOR

[MUNICIPAL SEAL]

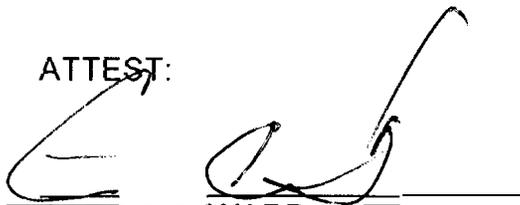

DAVID SCHNER
CHAIRPERSON

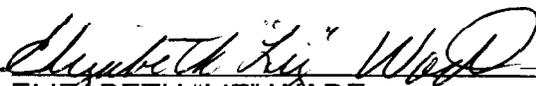

SYLVIA LEE BL

^{DAVI}

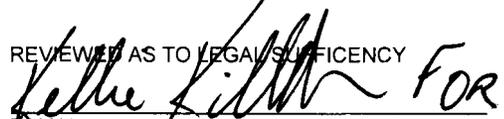
DONALD R. WILSON
COUNCILPERSON

ATTEST:


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


ELIZABETH "LIZ" WADE
COUNCILPERSON

absent
ANN ILES
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY
 FOR
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 1/28/04

FIRST READING

MOTIONED BY: S. Blue
SECONDED BY: A. Iles
D. SCHYNER aye
S. BLUE aye
D. WILSON aye
E. WADE aye
A. ILES aye

SECOND AND FINAL READING

MOTIONED BY: S. Blue
SECONDED BY: D. Wilson
D. SCHYNER aye
S. BLUE aye
D. WILSON aye
E. WADE aye
A. ILES absent

ORDINANCE NO. 2963

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, SECTION 31-362 ENTITLED "USES PERMITTED" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has met the requirements of Florida Statutes Section 166.041 (3)(C)(1) which provides the procedures for the adoption of an Ordinance that changes the list of permitted uses within a zoning category; and

WHEREAS, on January 8, 2004 the Planning and Zoning Board held a public hearing to consider the amendment to Sections 31-362 (a)(1) entitled "Uses Permitted" of the City of Riviera Beach Code of Ordinances and voted unanimously to recommend approval to the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

Section 1. Chapter 31, Sections 31-362 (a)(1) entitled "Uses Permitted" of the City of Riviera Beach Code of Ordinances is hereby amended to include the following use:

New vehicle dealerships.

Section 2. The strike through and underline amendment to Chapter 31, Sections 31-362 (a)(1) is attached as Exhibit A.

Section 3. If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 4. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of this Ordinance may be renumbered to accomplish such intentions.

Section 5. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 6. Specific authority is hereby granted to codify this Ordinance.

Section 7. This Ordinance shall take effect 10 days after adoption.

PASSED AND APPROVED on First Reading this 4th day of February 2004.

PASSED AND ADOPTED on Second Reading this 18th day of February 2004.

APPROVED:


MICHAEL D. BROWN,
MAYOR

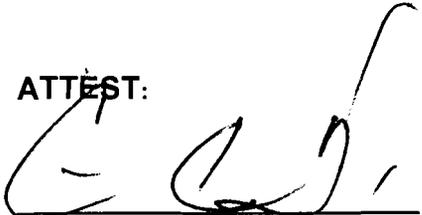

DAVID G. SCHNYER,
CHAIRPERSON

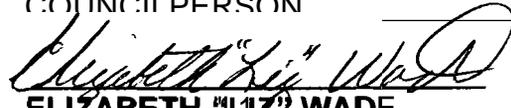
[MUNICIPAL SEAL]


SYLVIA LEE BLUE,
CHAIR PRO-TEM


DONALD R. WILSON
COUNCIL PERSON

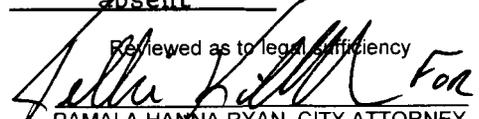
ATTEST:


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


ELIZABETH "LIZ" WADE
COUNCILPERSON

absent
ANN ILES
COUNCILPERSON

	1st Reading	2nd & Final Reading
MOTIONED BY:	S. Blue _____	S. Blue _____
SECONDED BY:	A. Iles _____	D. Wilson _____
D, SCHNYER	aye _____	aye _____
S. BLUE	aye _____	aye _____
D. WILSON	aye _____	aye _____
E. WADE	aye _____	aye _____
A. ILES	aye _____	absent _____

Reviewed as to legal sufficiency

PAMALA HANNA RYAN, CITY ATTORNEY

ORDINANCE NO. 2964

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT POLICY 1.12.3 OF THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN, RESULTING FROM A STIPULATED SETTLEMENT AGREEMENT ADOPTED BY RESOLUTION 131-03; DIRECTING THE COMMUNITY DEVELOPMENT DIRECTOR TO AMEND THE COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida "Local Government Comprehensive Planning and Land Development Regulation Act" of 1985 provides procedures to amend the adopted Comprehensive Plan; and

WHEREAS, on December 18, 2002, the City of Riviera Beach adopted a text amendment to its Comprehensive Plan Future Land Use Element, Objective 1.12, Policy 1.12.3; and

WHEREAS, on February 10, 2003, the Department of Community Affairs published a "Notice of Intent" to find the text amendment to City of Riviera Beach Comprehensive Plan "In Compliance"; and

WHEREAS, the text amendment was challenged and eventually settled through a Stipulated Agreement on June 4, 2003.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. Policy 1.12.3 of the Future Land Use Element of the City of Riviera Beach Comprehensive Plan is hereby amended to read as follows:

Objective 1.12: School Siting; Policy 1.12.3

"All proposed school sites shall be located away from industrial uses, major arterial roadways, railroads, airports, seaports, and similar land uses to avoid noise, odors, dust, and traffic impacts and hazards. School sites may be located away from the above areas and hazards by providing buffering including but not limited to: open spaces, landscaped areas, fences, walls, berms or any combination thereof used to physically separate or screen one use or property from another so as to visually shield, to block noise, lights or other nuisances, and by taking measures deemed necessary to ensure safety from any hazardous or noxious conditions."

ORDINANCE NO. 2964
PAGE 2

SECTION 2. If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

SECTION 3. Specific authority is hereby granted to codify this Ordinance in the City of Riviera Beach Comprehensive Plan.

SECTION 4. This Ordinance shall take effect immediately upon its final passage and adoption.

*****THE REMAINING PAGE IS LEFT BLANK INTENTIONALLY*****

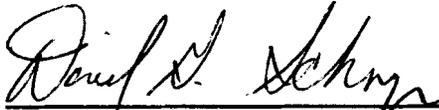
ORDINANCE NO. 2964
PAGE 3.

PASSED AND APPROVED on the first reading this 17th day of March 2004.

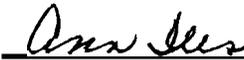
PASSED AND ADOPTED on second and final reading this 7th day of April, 2004.

APPROVED:


MICHAEL D. BROWN, MAYOR


DAVID G. SCHNYER
CHAIRPERSON

(MUNICIPAL SEAL)


ANN ILES
CHAIR PRO TEM

ATTEST:

Absent
DONALD R. WILSON
COUNCILPERSON


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


JUDY L. DAVIS
COUNCILPERSON

ELIZABETH "LIZ" WADE
COUNCILPERSON

1ST READING

2ND & FINAL READING

MOTIONED BY: D. WILSON

MOTIONED BY: E. WADE

SECONDED BY: E. WADE

SECONDED BY: J. DAVIS

D. SCHNYER AYE

D. SCHNYER AYE

A. ILES AYE

A. ILES AYE

D. WILSON AYE

D. WILSON ABSENT

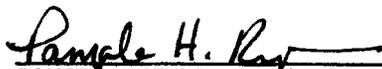
J. DAVIS AYE

J. DAVIS AYE

E. WADE AYE

E. WADE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 3/17/04

ORDINANCE NO. 2964
PAGE 4

CERTIFICATION OF PUBLICATION

I hereby certify that notice of the proposed enactment of this ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by applicable Florida Statutes.

March 17, 2004

Date

C. E. Ward

Carrie E. Ward, MMC, City Clerk

ORDINANCE NO. 2965

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH, COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND UPDATING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida "Local Government Comprehensive Planning and Land Development Regulation Act" of 1985 provides procedures to amend the adopted Comprehensive Plan; and

WHEREAS, Florida Statutes Section 163.3184, entitled "Process for Adoption of Comprehensive Plan or Plan Amendment," provides the requirements for transmittal and adoption of amendments to the Comprehensive Plan; and

WHEREAS, on November 13 & December 2, 2003, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed amendment at a Public Hearing, and forwarded a recommendation to the City Council; and

WHEREAS, on December 3, 2003, the City Council approved the proposed amendment on first reading; and

WHEREAS, the proposed map amendment was heard on first reading under Ordinance No. 2953 as a text and map change.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Future Land Use Map of the City of Riviera Beach is hereby amended in accordance with the amendments shown on Exhibit "A" attached, and detailed below:

Exhibit "A" Area #	Parcel Control Number	Acres	Existing Land Use	Proposed Land Use
1	56434231000001010	7.64	Single-Family Res.	Multifamily Res. 15du per acre
2	56434231000001780	12.58	Single-Family Res.	Multifamily Res. 15du per acre
3	56434231170000010	14.41	Industrial	Multifamily Res. 15du per acre
4	56434231000001580	.18	Single-Family Res.	Multifamily Res. 15du per acre
5	56434231000001570	.14	Single-Family Res.	Multifamily Res. 15du per acre
6	56434231000001560	.14	Single-Family Res.	Multifamily Res. 15du per acre

7	56434231000001450	.14	Single-Family Res.	Multifamily Res. 15du per acre
8	56434231000001440	.14	Single-Family Res.	Multifamily Res. 15du per acre
9	56434231000001430	.14	Single-Family Res.	Multifamily Res. 15du per acre
10	56434231000001420	.14	Single-Family Res.	Multifamily Res. 15du per acre
11	56434231000001410	.14	Single-Family Res.	Multifamily Res. 15du per acre
12	56434231000001400	.14	Single-Family Res.	Multifamily Res. 15du per acre
13	56434231000001582	.55	Single-Family Res.	Multifamily Res. 15du per acre
14	56434231000001460	.17	Single-Family Res.	Multifamily Res. 15du per acre
15	56434231000001470	.16	Single-Family Res.	Multifamily Res. 15du per acre
16	56434231000001480	.16	Single-Family Res.	Multifamily Res. 15du per acre
17	56434231000001490	.16	Single-Family Res.	Multifamily Res. 15du per acre
18	56434231000001500	.16	Single-Family Res.	Multifamily Res. 15du per acre
19	56434231000001501	.16	Single-Family Res.	Multifamily Res. 15du per acre
20	56434231000001000	.82	Single-Family Res.	Multifamily Res. 15du per acre
21	56434231000001590	.14	Single-Family Res.	Multifamily Res. 15du per acre
22	56434231000001540	.14	Single-Family Res.	Multifamily Res. 15du per acre
23	56434231000001530	.14	Single-Family Res.	Multifamily Res. 15du per acre
24	56434231000001520	.14	Single-Family Res.	Multifamily Res. 15du per acre
25	56434231000001000	.82	Single-Family Res.	Multifamily Res. 15du per acre

Section 2. That should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or work be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance.

Section 3. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions, in conflict herewith, are hereby repealed to the extent of such conflict

Section 4. That the effective date of this plan amendment shall be the date a final order of compliance is issued by the Florida Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with section 163.3184 (9), Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependant on this amendment may be issued or commence before it has become effective.

Section 5. The Director of Community Development is hereby authorized and directed to update the Comprehensive Plan as described by this Ordinance after the effective date as established in Section "4" of this Ordinance.

ORDINANCE NO. 2965
PAGE 3

PASSED AND APPROVED on First Reading this 3RD day of DECEMBER, 2004.

PASSED AND ADOPTED on Second Reading this 21ST day of APRIL, 2004.

APPROVED:



MICHAEL D. BROWN
MAYOR



DAVID G. SCHNYER
CHAIRPERSON

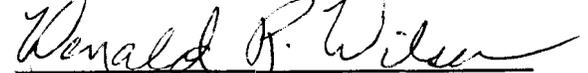
ATTEST:



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



ANN ILES
CHAIRPERSON



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON

ABSENT

ELIZABETH "LIZ" WADE
COUNCILPERSON

FIRST READING

MOTIONED BY: S. BLUE

SECONDED BY: A. ILES

D. SCHNYER: AYE

A. ILES: AYE

D. WILSON: AYE

~~J. DAVIS~~ S. BLUE: AYE

E. WADE: AYE

SECOND AND FINAL READING

MOTIONED BY: D. WILSON

SECONDED BY: A. ILES

D. SCHNYER: AYE

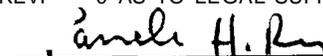
A. ILES: AYE

D. WILSON: AYE

J. DAVIS: AYE

E. WADE: ABSENT

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 4/14/04

ORDINANCE NO. 2965
PAGE 4

CERTIFICATION OF PUBLICATION

I hereby certify that notice of the proposed enactment of this ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by applicable **Statutes.**

April 21, 2004
Date

Florida

[Signature] [Signature] [Signature]

Carrie E. Ward, MMC, City Clerk