

ORDINANCE NO. 3003

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 31-527 ENTITLED "DEFINITIONS" OF THE RESORT HOTEL ZONING DISTRICT IN CHAPTER 31 OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 7, 2001 the City adopted the 2001 Updated Comprehensive Plan which included the Resort Hotel Land Use Category; and

WHEREAS, on September 4, 2002, the City Council adopted the Resort Hotel zoning regulations; and

WHEREAS, on November 5, 2003, the City Council adopted an amendment to the Resort Hotel Zoning District by adding definitions for Resort Condominium; and

WHEREAS, on January 12, 2006, the Planning and Zoning Board held a public hearing to consider an amendment to the Definitions Section of the Resort Hotel Zoning Regulations, and provided a recommendation 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. That Chapter 31, Section 31-527, entitled "Definitions" of the Resort Hotel Zoning District, City of Riviera Beach Code of Ordinances is amended as follows:

Sec. 31-527. Definitions

(a) Resort Hotel: A facility licensed by the State of Florida offering transient lodging accommodations for the general public for a fee and which may include restaurants, meeting rooms, entertainment and recreational facilities. All suites and rooms shall have maid service provided by the establishment; be fully furnished; and be served by a central switchboard telephone system. No permanent residential uses are permitted, all suites and/or rooms must be offered for use as transient lodging accommodations for the general public during each year.

(b) Resort Hotel Suite: An area within an establishment a Resort Hotel licensed as a hotel or motel and/or resort condominium by the State of Florida, which area provides a sleeping accommodation and one kitchen or cooking facility for the use of one or more transient guests registered under one entry with the establishment Resort Hotel. A

resort hotel suite shall consist of a minimum floor area of 450 square feet (exclusive of bathroom, closet and balcony areas), and is permitted a maximum of two bedrooms. A Resort Hotel Suite shall have only one door directly accessible to the common area hallway.

(c) **Resort Hotel Room:** A room for the use of transient guests registered under one entry with the establishment Resort Hotel. A resort hotel room shall consist of a minimum floor area of 120 square feet (exclusive of bathroom, closet and balcony areas), and is permitted a maximum of one bedroom. No kitchen or cooking facilities are permitted in a resort hotel room. A Resort Hotel Room shall have only one door directly accessible to the common area hallway.

* * *

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. Specific authority is hereby granted to codify this Ordinance.

SECTION 5. This Ordinance shall take effect 10 days after adoption.

PASSED AND APPROVED on First Reading this ____ day of _____, 2006.

PASSED AND ADOPTED on Second Reading this ____ day of _____, 2006.

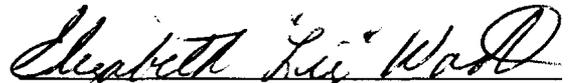
ORDINANCE NO. 3003
PAGE 3

PASSED AND APPROVED on the first reading this 18TH day of JANUARY
2006

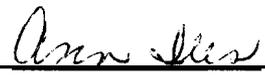
PASSED AND ADOPTED on second and final reading this 1 day of
February, 2006.

APPROVED:


MICHAEL D. BROWN, MAYOR


ELIZABETH "LIZ" WADE
CHAIRPERSON

(MUNICIPAL SEAL)

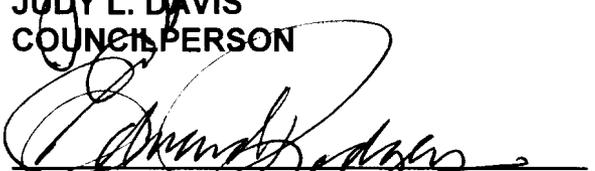

ANN ILES
CHAIR PRO TEM

ATTEST:


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


VANESSA LEE
COUNCILPERSON


JUDY L. DAVIS
COUNCILPERSON


EDWARD RODGERS
COUNCILPERSON

ORDINANCE NO. 3003

PAGE 4

1ST READING

2ND & FINAL READING

MOTIONED BY: A. ILES —

MOTIONED BY: A. ILES —

SECONDED BY: J. DAVIS

SECONDED BY: J. DAVIS —

E. WADE AYE

E. WADE AYE

A. ILES AYE

A. ILES AYE

V. LEE AYE

V. LEE ABSENT

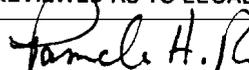
J. DAVIS AYE

J. DAVIS AYE

E. RODGERS AYE

E. RODGERS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, ITV ATTORNEY

DATE: 1/12/06

ORDINANCE NO. 3004 —

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING SECTION 14-72 (DEFINITIONS) OF ARTICLE IV" CHAPTER 14, OF THE CITY'S CODE OF ORDINANCES RELATING TO THE POLICE OFFICERS' PENSION PLAN TO PROVIDE FOR THE DELETION OF THE EXPIRED SPECIFIC RETIREMENT INCENTIVE RELATING TO ACCRUED UNUSED VACATION AND/OR SICK LEAVE; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Trustees for the Police Officers' Pension Plan has approved and recommended an amendment to the existing Code to delete language relating to the definition of salary which was in effect only for a specific period of time that has expired; and

WHEREAS, the Police Officers' Pension Plan's actuary has prepared a Statement of Actuarial Impact, which the City Council has received and considered; and

WHEREAS, the City Council deems it to be in the public interest to ensure financial soundness of the Police Officers' Pension Plan;

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

SECTION 1. That Section 14-72 of Article IV, Chapter 14 of the Riviera Beach Code is hereby amended by deleting the following stricken through words:

Sec. 14-72. Definitions.

Salary and compensation mean the total cash remuneration paid to a police officer for services rendered, and shall include those items as have been included as compensation in accordance with past practice and FS. § 185.02(4). ~~Notwithstanding any other provision of this section, current employees, whose accrued and unused vacation and/or sick leave accruals are governed by a written employment contract with the city and who have given the city manager an irrevocable notice of voluntary retirement, said retirement to be effective on or before June 30, 2001, shall be permitted to incorporate accrued and unused vacation and/or sick leave as determined by resolution of the city council.~~

SECTION 2. 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.

SECTION 3. If any word, phrase, clause, subsection or sections 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. 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 5. Specific authority is hereby granted to codify of this ordinance.

SECTION 6. That this ordinance shall be in full force and effective immediately upon its final passage and adoption.

PASSED AND APPROVED THIS 1ST DAY OF MARCH, 2006.

PASSED AND ADOPTED THIS 15TH DAY MARCH, 2006.

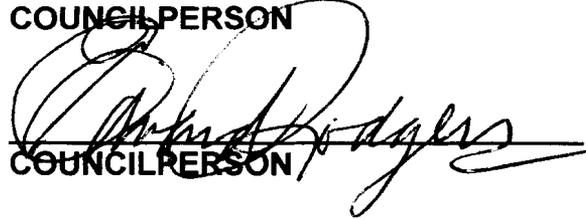
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APPROVED:


MICHAEL D. BROWN
MAYOR

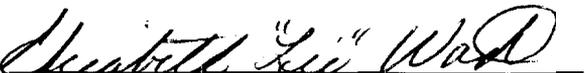

VANESSA LEE
COUNCILPERSON

(MUNICIPAL SEAL)

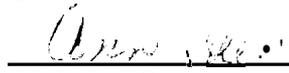

COUNCILPERSON

ATTEST:


RRIE


ELIZABETH "LIZ" WADE
COUNCILPERSON


COUNCILPERSON


ANN ILES
COUNCILPERSON

1ST READING

2ND & FINAL READING

MOTIONED BY: J. DAVIS _____

MOTIONED BY: A. ILES

SECONDED BY: A. ILES _____

SECONDED BY: J. DAVIS

E. WADE AYE

E. WADE AYE

A. ILES AYE

A. ILES AYE

V. LEE AYE

V. LEE AYE

J. DAVIS AYE

J. DAVIS AYE

E. RODGERS AYE

E. RODGERS AYE

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: _____

ORDINANCE NO. 3004
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.

Date

Carrie E. Ward, MMC, City Clerk

CD/SE/LU-06-02

ORDINANCE NO. 3005

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ASSIGNING A MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (UP TO 15 UNITS PER ACRE) FUTURE LAND USE MAP DESIGNATION FOR 7.1 ACRES LOCATED ON THE SOUTH SIDE OF LEO LANE ADJACENT TO INTERSTATE 95; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH FUTURE LAND USE MAP; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subject property annexed into the City of Riviera Beach on July 2, 2003; and

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 meets the requirements of Florida Statutes, Section 163.3187 (1) and Section 163.3164(27), which provides the small scale land use amendment requirements for the designation of this parcel as urban infill; and

WHEREAS, on February 9, 2006, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed future land use map amendment finding that it is consistent with the Comprehensive Plan, and voted to recommend approval to the City Council; and

WHEREAS, the City Council having reviewed the proposed amendment, finds it to be consistent with the Comprehensive Plan and its policies.

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

Section 1. Pursuant to Florida Statutes, the City of Riviera Beach, Florida, Comprehensive Plan Future Land Use Map is hereby amended assigning a medium density multi-family residential (up to 15 units per acre) land use designation in accordance with Section 163.3187(1)(c) for small scale amendments for the subject properties located on the south side of Leo Lane

ORDINANCE NO. 3005_____

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adjacent to Interstate 95 as described below:

PCN: 56-42-42-25-00-000-1170

PCN: 56-42-42-25-00-000-1171

PCN: 56-42-42-25-00-000-1320

PCN: 56-42-42-25-00-000-1260

Section 2. The Director of Community Development is hereby authorized and directed to update the City's Future Land Use Map by assigning the land use designation described by the Ordinance.

Section 3. Should any word, phrase, clause, subsection, section, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof than the part declared to be invalid.

Section 4. All Ordinances or parts of Ordinances in conflict herewith or to the extent of such conflict shall be repealed.

Section 5. 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 of the Administration Commission issues a final order determining that the adopted small scale amendment is in compliance.

PASSED AND APPROVED ON FIRST READING THIS 1ST DAY OF MARCH, 2006.

PASSED AND ADOPTED ON SECOND AND FINAL READING THIS 15TH DAY OF MARCH, 2006.

APPROVED:

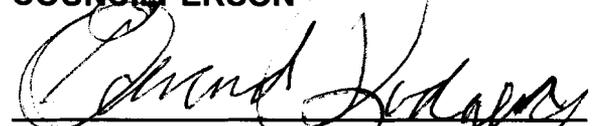


MICHAEL D. BROWN
MAYOR



VANESSA LEE
COUNCILPERSON

(MUNICIPAL SEAL)

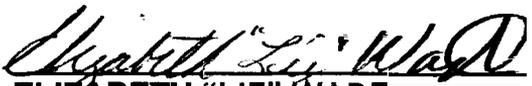


EDWARD RODGERS
COUNCILPERSON

ATTEST:



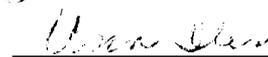
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



ELIZABETH "LIZ" WADE
COUNCILPERSON



JUDY
COUNCILPERSON



ANN ILES
COUNCILPERSON

1ST READING

2ND & FINAL READING

MOTIONED BY: V. LEE

MOTIONED BY: A. ILES -

SECONDED BY: A. ILES

SECONDED BY: V. LEE -

E. WADE AYE
A. ILES AYE
V. LEE AYE
J. DAVIS AYE
E. RODGERS AYE

E. WADE AYE -
A. ILES AYE - -
V. LEE AYE -
J. DAVIS AYE -
E. RODGERS AYE -

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: -

ORDINANCE NO. 3005

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.

Date

Carrie E. Ward, MMC, City Clerk

CD/SE/LU-06-02

Subject Property

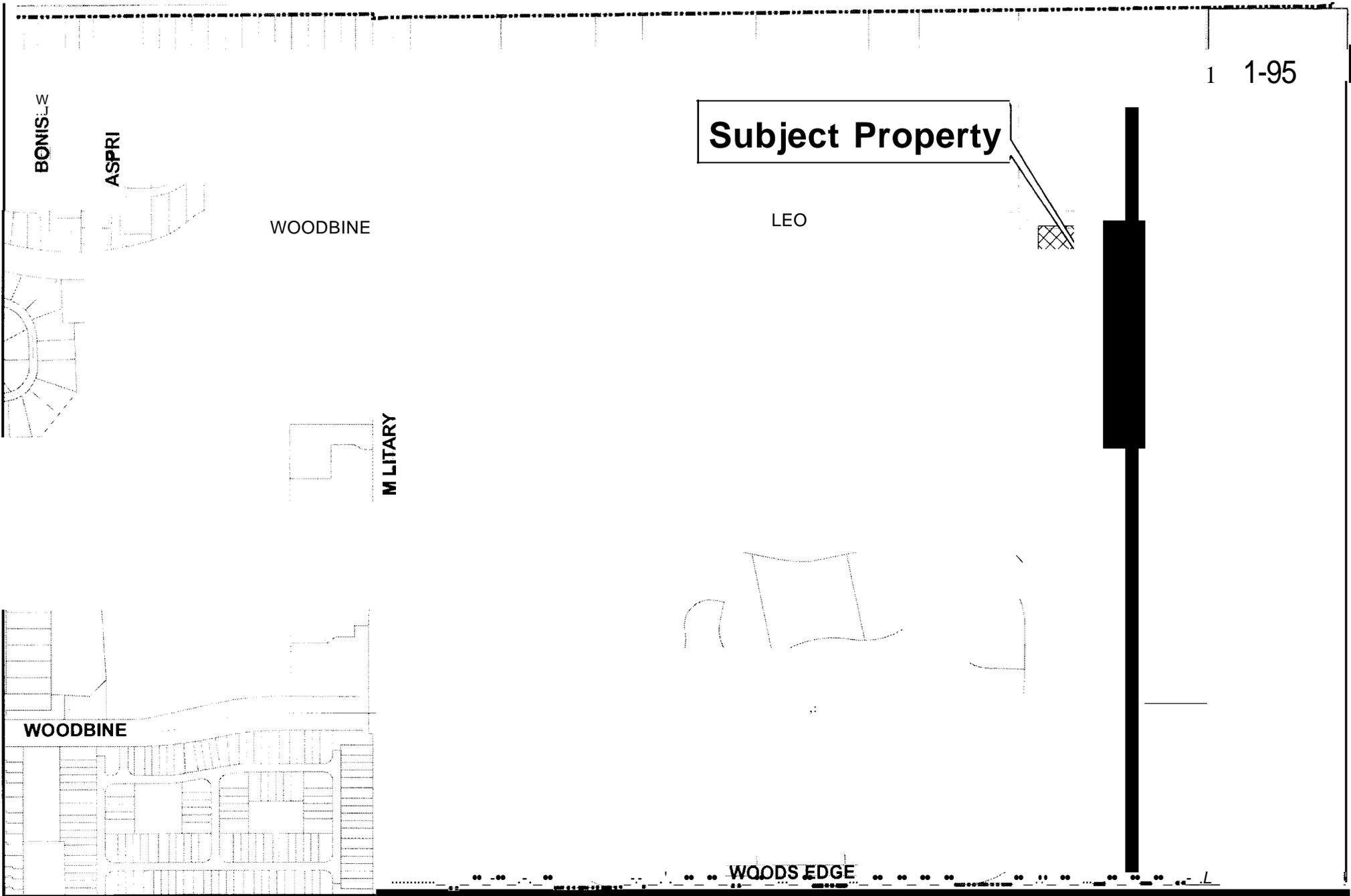


EXHIBIT A

Location Map Leo Lane LU & RZ

Data and Map Disclaimer: The Data is provided as is without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for use rests solely on the requester. The City of Riviera Beach and Palm Beach County make no warranties, expressed or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.

Subject Property

COM

MF-15



Land Use Map

Data and Map Disclaimer: The Data is provided as is without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Riviera Beach and Palm Beach County make no warranties, expressed or implied, for the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.

ORDINANCE NO. 3006

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 LOW DENSITY MULTIPLE FAMILY RESIDENTIAL DWELLING DISTRICT (RML-12) TO 7.1 ACRES LOCATED ON THE SOUTH SIDE OF LEO LANE ADJACENT TO INTERSTATE 95; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subject property annexed into the City of Riviera Beach on July 2, 2003; and

WHEREAS, Florida Statutes Chapter 166.041 provides procedures to adopt an ordinance involving less than ten (10) contiguous acres; and

WHEREAS, the proposed zoning classification for the subject property is consistent with the proposed MF-15 Medium residential density Future Land Use designation; and

WHEREAS, on February 9, 2006, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed zoning map amendment, and voted 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. The City of Riviera Beach Zoning Map is hereby amended to assign "RML-12" Low Density Multiple Family Residential Dwelling District zoning classification for property located on the south side of Leo Lane adjacent to Interstate 95, the subject property control numbers are as follows:

PCN: 56-42-42-25-00-000-1170
PCN: 56-42-42-25-00-000-1171
PCN: 56-42-42-25-00-000-1320
PCN: 56-42-42-25-00-000-1260

Section 2. The Director of Community Development is hereby authorized and directed to update the City's Zoning Map by assigning the zoning classification described by the Ordinance.

Section 3. Should any word, phrase, clause, subsection, section, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof than the part declared to be invalid.

Section 4. All Ordinances or parts of Ordinances in conflict herewith or to the extent of such conflict shall be repealed.

Section 5. That the effective date of this zoning map amendment shall be 31 days after adoption, or if the related land use amendment is challenged, the effective date will not be until the State Land Planning Agency of the Administration Commission issues a final order determining that the related small scale amendment is in compliance.

ORDINANCE NO. 3006
PAGE 3

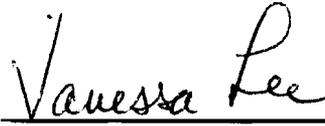
PASSED AND APPROVED on the first reading this 1ST day of MARCH
2006

PASSED AND ADOPTED on second and final reading this 15TH day of
MARCH 2006.

APPROVED:

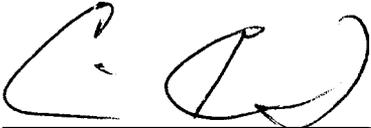


MICHAEL D. BROWN
MAYOR

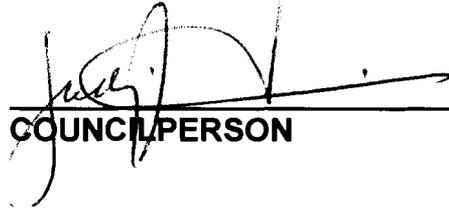


VANESSA LEE
COUNCILPERSON

(MUNICIPAL SEAL)
ATTEST:



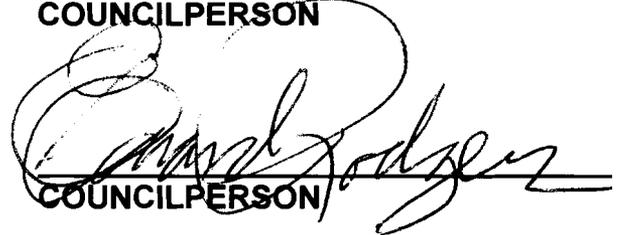
CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON



COUNCILPERSON



ANN ILES
COUNCILPERSON

1st READING

MOTIONED BY: V. LEE

SECONDED BY: A. ILES

V. LEE AYE

J. DAVIS AYE

E. WADE AYE

E. RODGERS AYE

A. ILES AYE

2nd & FINAL READING

MOTIONED BY: V. LEE

SECONDED BY: A. ILES

V. LEE AYE

J. DAVIS AYE

E. WADE AYE

E. RODGERS AYE

A. ILES AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMELA HANNA RYAN, CITY ATTORNEY

DATE: 2/21/06

ORDINANCE NO. 3006
PAGE5

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 the applicable Florida Statutes.

DATE

Carrie E. Ward, Master Municipal Clerk
City Clerk

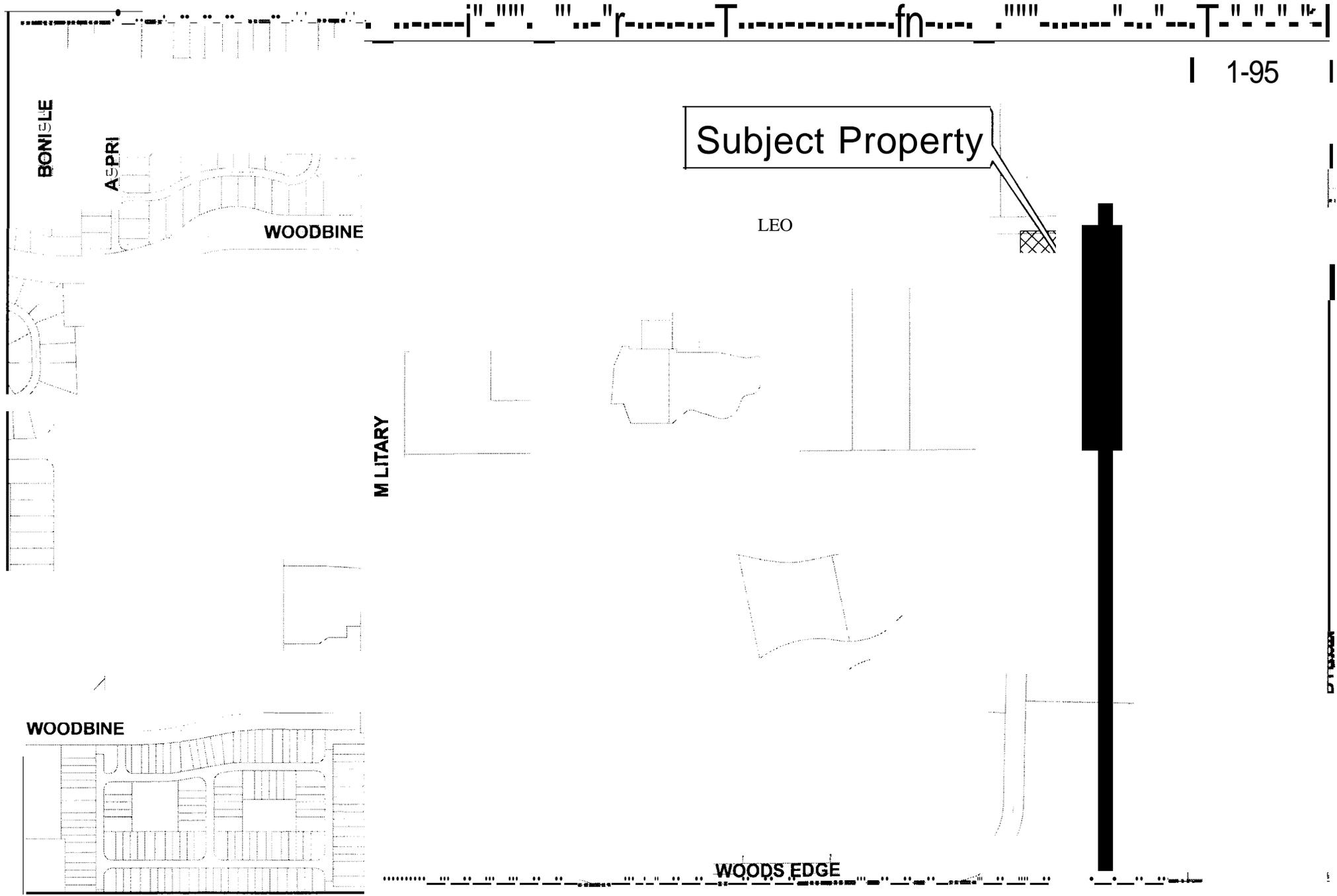


EXHIBIT A

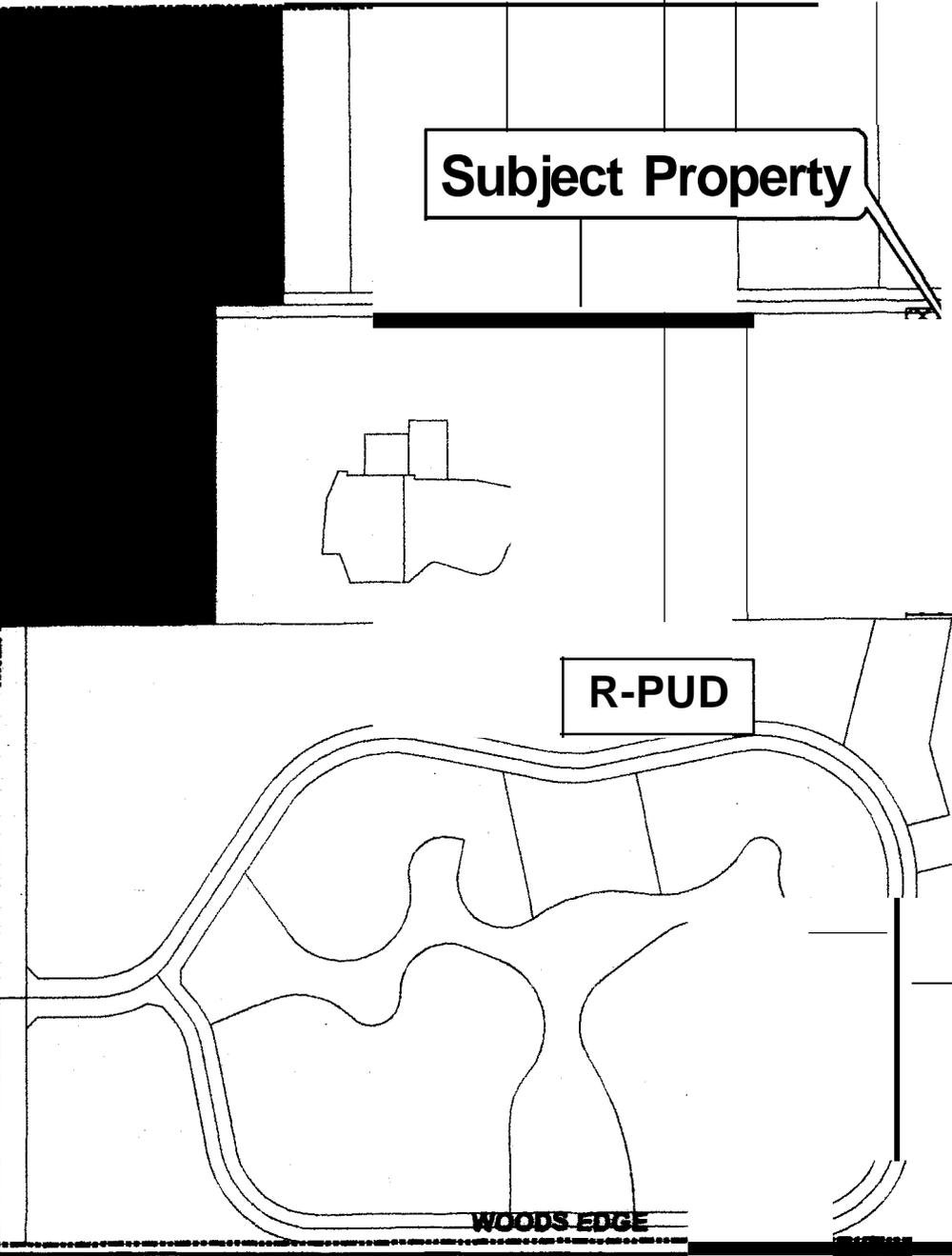
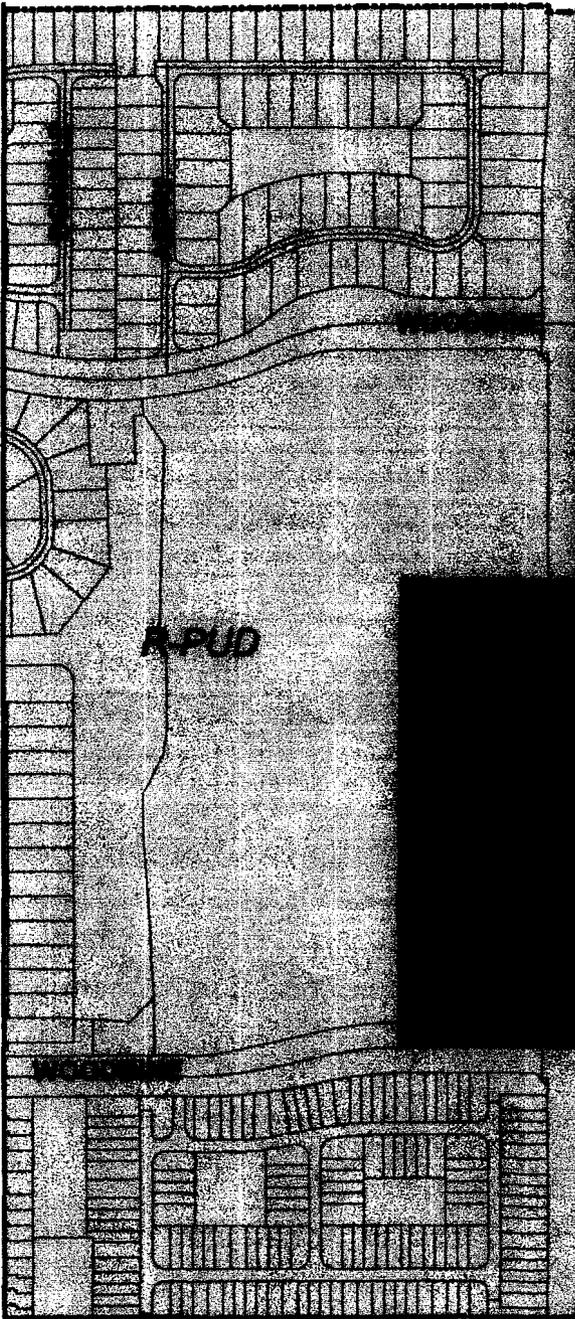
Location Map Leo Lane LV & RZ

Data and Map Disclaimer: The Data is provided as is without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for the appropriateness for use rests solely on the requester. The City of Riviera Beach and Palm Beach County make no warranties, expressed or implied, as to the use of the Data. There are no implied warranties or merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.

Subject Property

R-PUD

WOODS EDGE



Zoning Map

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