

ORDINANCE NO. 4075

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH ABANDONING HARBOR POINT DRIVE AS RECORDED IN PLAT BOOK 26, PAGE 71, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS SITUATE IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CONTAINING 32,167 SQUARE FEET, SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD; PROVIDING FOR CONFLICTS; PROVIDING FOR FILING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, KT 5000, LLC, desires to develop 4.39 acres of land at 5000 North Ocean Drive to construct a 48 unit, 19 story condominium, currently known as Harbor Point; and

WHEREAS, in order to fully develop the previously referenced 4.39 acres of land, KT 5000, LLC, has requested that the City abandon the Harbor Point Drive right-of-way, consisting of 32,167 square feet of land, +/- 0.74 acres, described herein and provided within attached Exhibit "A", and

WHEREAS, on January 14, 2016, the Planning and Zoning Board voted unanimously to approve the aforementioned abandonment; and

WHEREAS, the City Council of the City of Riviera Beach believes that the abandonment of Harbor Point Drive promotes the health, safety, and welfare of the citizens of Riviera Beach and desires to approve the abandonment of this right-of-way.

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

SECTION 1. The foregoing recitals are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

SECTION 2. The Harbor Point Drive right-of-way, specifically described and shown within "Exhibit A", attached hereto and archived as part of this ordinance, further described below, is hereby abandoned.

ALL OF HARBOR POINT DRIVE AS SHOWN ON THE PLAT OF HARBOR POINT, AS RECORDED IN PLAT BOOK 26, PAGE 71, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS SITUATE IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CONTAINING 32,167 SQUARE

**FEET, SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS,
COVENANTS, AND RIGHTS-OF-WAY OF RECORD.**

SECTION 3. The City finds that it is in the best interest of the health, safety and welfare of the public to abandon the land area referenced herein.

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or parts of Ordinances, and all Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.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. 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 6. 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.

SECTION 7. The Department of Community Development is hereby authorized and directed to provide copy of this Ordinance to appropriate taxing authorities.

SECTION 8. This Ordinance shall take effect upon its final passage and approval by the City Council.

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ORDINANCE NO. 4075
PAGE 3 of 5

PASSED and APPROVED on first reading this 3rd day of
FEBRUARY, 2016.

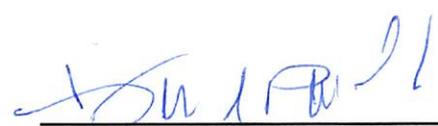
PASSED and ADOPTED on second and final reading this 17TH day of
FEBRUARY, 2016.

APPROVED:





THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

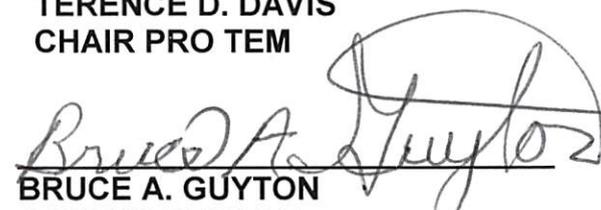
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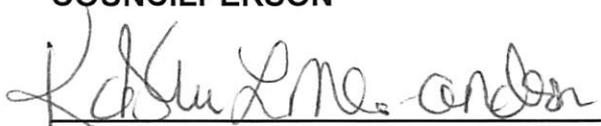
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



KASHAMBA L. MILLER-ANDERSON
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

ORDINANCE NO. 4075
PAGE 4 of 5

1ST READING

MOTIONED BY: B.GUYTON

SECONDED BY: C. THOMAS

B. GUYTON AYE

K. MILLER-ANDERSON AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

2ND & FINAL READING

MOTIONED BY: B. GUYTON

SECONDED BY: T. DAVIS

B. GUYTON AYE

K. MILLER-ANDERSON NAY

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY

Pamala H. Ryan
PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

DATE: 2/17/16

ORDINANCE NO. 4075
PAGE 5 of 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 the applicable Florida Statutes.

2-17-16
DATE



Claudene L. Anthony, Certified Municipal Clerk
City Clerk

ORDINANCE NO. 4076

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE DESIGNATION OF THREE PARCELS OF LAND (PARCEL CONTROL NUMBERS: 56434233080000310, 56434233090000520, AND 56434233090000510) ASSOCIATED WITH THE RIVIERA BEACH HEIGHTS COMMUNITY CENTER (SP-15-15), FROM SINGLE FAMILY RESIDENTIAL LAND USE TO COMMUNITY FACILITIES LAND USE.

WHEREAS, the residents of the Riviera Beach Heights neighborhood have requested a community facility in order to provide a space for various events and activities; and

WHEREAS, construction of a neighborhood community center would satisfy the residents' requests and also function as a neighborhood anchor, fostering a greater sense of place; and

WHEREAS, the City Council has supported this proposal and encouraged project approval and implementation; and

WHEREAS, the Florida Department of Transportation has committed to donating land for construction of the community center; and

WHEREAS, a public informational meeting was held on December 9, 2015 to discuss this project and there was overwhelming support of the community center proposal; and

WHEREAS, this proposal has been reviewed interdepartmentally by City staff and there are no outstanding staff questions or comments; and

WHEREAS, on January 14, 2016, the Planning and Zoning Board reviewed the community center project proposal and the associated proposal to amend the future land use designation and unanimously recommend approval; and

WHEREAS, the City Council desires to amend the future land use designation of three parcels of land (known by parcel control numbers 56434233080000310, 56434233090000520, and 56434233090000510) from single family residential to community facilities in order to accommodate the community center development (LU-15-01).

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

SECTION 1. The foregoing recitals are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

SECTION 2. A map depicting the current and proposed future land use designation has been attached hereto and shall be archived as part of this ordinance as Exhibit "A".

SECTION 3. The City Council hereby amends the future land use designation of three parcels of land (known by parcel control numbers 56434233080000310, 56434233090000520, and 56434233090000510) from single family residential to community facilities, as shown in Exhibit "A", in order to accommodate the community center development.

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. 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 6. The City Council hereby authorizes City staff to amend any and all maps and documents to reflect the aforementioned future land use amendment.

SECTION 6. This Ordinance shall take effect upon its final passage and approval by the City Council.

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ORDINANCE NO. 4076
PAGE 3 of 5

PASSED and APPROVED on first reading this 3RD day of
FEBRUARY, 2016.

PASSED and ADOPTED on second and final reading this 17TH day
of FEBRUARY, 2016.

APPROVED:

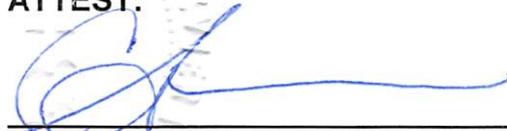


THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

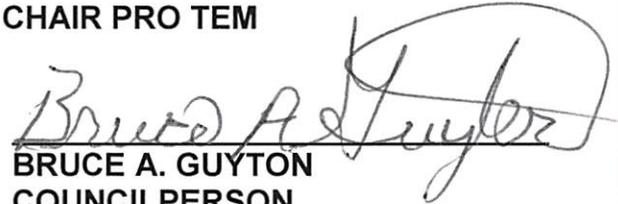
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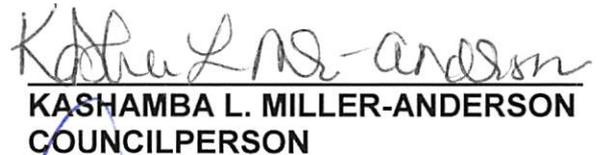
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



KASHAMBA L. MILLER-ANDERSON
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

ORDINANCE NO. 4076
PAGE 4 of 5

1ST READING

MOTIONED BY: C. THOMAS

SECONDED BY: T. DAVIS

B. GUYTON AYE

K. MILLER-ANDERSON AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

2ND & FINAL READING

MOTIONED BY: C. THOMAS

SECONDED BY: B. GUYTON

B. GUYTON AYE

K. MILLER-ANDERSON NAY

C. THOMAS AYE

D. PARDO ABSENT

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

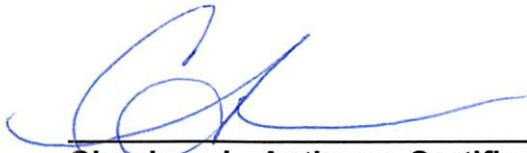
DATE: 2/17/16

ORDINANCE NO. 4076
PAGE 5 of 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 the applicable Florida Statutes.

2-17-16
DATE



Claudene L. Anthony, Certified Municipal Clerk
City Clerk

ORDINANCE NO. 4077

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ZONING DESIGNATION OF THREE PARCELS OF LAND (PARCEL CONTROL NUMBERS: 56434233080000310, 56434233090000520, AND 56434233090000510) ASSOCIATED WITH THE RIVIERA BEACH HEIGHTS COMMUNITY CENTER (SP-15-15), FROM RS-8 SINGLE FAMILY DWELLING DISTRICT TO COMMUNITY FACILITY ZONING DISTRICT.

WHEREAS, the residents of the Riviera Beach Heights neighborhood have requested a community facility in order to provide a space for various events and activities; and

WHEREAS, construction of a neighborhood community center would satisfy the residents' requests and also function as a neighborhood anchor, fostering a greater sense of place; and

WHEREAS, the City Council has supported this proposal and encouraged project approval and implementation; and

WHEREAS, the Florida Department of Transportation has committed to donating land for construction of the community center; and

WHEREAS, a public informational meeting was held on December 9, 2015 to discuss this project and there was overwhelming support of the community center proposal; and

WHEREAS, this proposal has been reviewed interdepartmentally by City staff and there are no outstanding staff questions or comments; and

WHEREAS, on January 14, 2016, the Planning and Zoning Board reviewed the community center project proposal and the associated proposal to amend the zoning designation and unanimously recommend approval; and

WHEREAS, the City Council desires to amend the zoning designation of three parcels of land (known by parcel control numbers 56434233080000310, 56434233090000520, and 56434233090000510) from RS-8 single family dwelling to community facility in order to accommodate the aforementioned community center development (RZ-15-01).

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

SECTION 1. The foregoing recitals are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

SECTION 2. A map depicting the current and proposed zoning designation has been attached hereto and shall be archived as part of this ordinance as Exhibit "A".

SECTION 3. The City Council hereby amends the zoning designation of three parcels of land (known by parcel control numbers 56434233080000310, 56434233090000520, and 56434233090000510) from RS-8 single family dwelling to community facility, as shown in Exhibit "A", in order to accommodate the community center development.

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. 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 6. The City Council hereby authorizes City staff to amend any and all maps and documents to reflect the aforementioned zoning designation amendment.

SECTION 6. This Ordinance shall take effect upon its final passage and approval by the City Council.

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ORDINANCE NO. 4077
PAGE 3 of 5

PASSED and APPROVED on first reading this 3rd day of
FEBRUARY, 2016.

PASSED and ADOPTED on second and final reading this 17th day of
FEBRUARY, 2016.

APPROVED:

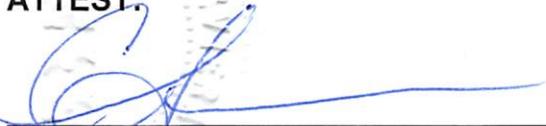


THOMAS A. MASTERS
MAYOR

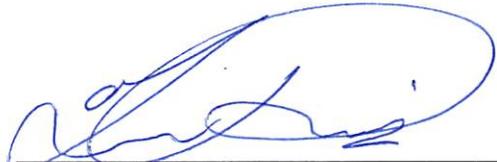


DAWN S. PARDO
CHAIRPERSON

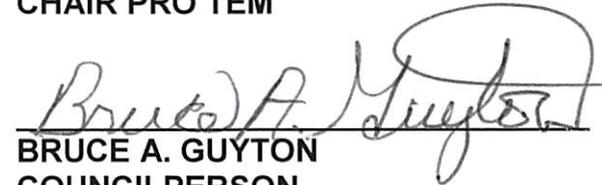
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CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



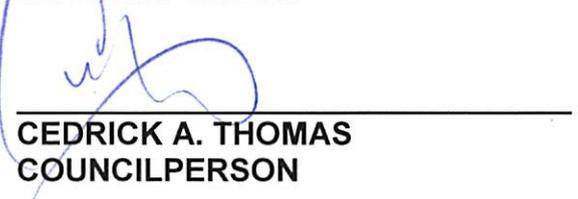
TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



KASHAMBA L. MILLER-ANDERSON
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

ORDINANCE NO. 4077
PAGE 4 of 5

1ST READING

MOTIONED BY: C. THOMAS

SECONDED BY: T. DAVIS

B. GUYTON AYE

K. MILLER-ANDERSON AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

2ND & FINAL READING

MOTIONED BY: C. THOMAS

SECONDED BY: B. GUYTON

B. GUYTON AYE

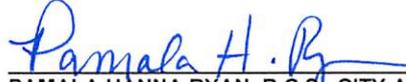
K. MILLER-ANDERSON AYE

C. THOMAS AYE

D. PARDO ABSENT

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

DATE: 2/17/16

ORDINANCE NO. 4077
PAGE 5 of 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 the applicable Florida Statutes.

2-17-16

DATE



Claudene L. Anthony, Certified Municipal Clerk
City Clerk

ORDINANCE NO. 4078

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 28 OF THE CITY'S CODE OF ORDINANCES ENTITLED "SIGNS", SECTION 28-5 "PROHIBITED SIGNS" AND SECTION 28-107 "SIGNS IN RESIDENTIAL, COMMERCIAL, PUBLIC AND INDUSTRIAL DISTRICTS", IN ORDER TO CREATE STANDARDS FOR INSTALLATION AND USE OF MONUMENT SIGNAGE WITHIN THE COMMUNITY FACILITY (CF) ZONING DISTRICT AND WITHIN PUBLIC RIGHT-OF-WAY BY CITY, COUNTY AND STATE AGENCIES; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach's Comprehensive Plan and Code of Ordinances controls and directs development and uses throughout the City; and

WHEREAS, the Sign Code, which is part of the City's Code of Ordinances, needs updating to create standards for installation and use of monument signs within the Community Facility (CF) Zoning District and within public right-of-way by City, County, and State agencies; and

WHEREAS, the City of Riviera Beach would like to create welcoming entry points into the City, which signage is often placed in the center median of the rights-of-way; and

WHEREAS, the City's code must be amended in order to allow the potential use of monument signs within the public right-of-way; and

WHEREAS, the Planning and Zoning Board held a public meeting on January 14, 2016, to discuss the proposed language to amend the City's Sign Code relating to the standards for monument signage within the CF Zoning District and within public right-of-way by City, County, and State agencies; and

WHEREAS, the Planning and Zoning Board recommended approval of these regulations; and

WHEREAS, the City Council has determined that the enactment of this Ordinance is appropriate and in the public interest of the City.

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 28 "Signs", Article I, "In General", section 28-5 "Prohibited Signs" is amended as follows:

Sec. 28-5. - Prohibited signs.

It shall be unlawful for any person to erect or use within the city:

* * *

- (7) Any sign or advertising structure, portable or fixed, other than ~~directional~~ signs erected by authorized city, county or state ~~officials~~ agencies placed or erected on or over any part of the public right-of-way, sidewalk, street, parking space or curb ~~or building setback line~~, except as provided for projection clearance for wall signs in section 28-118.

SECTION 2. That Chapter 28 "Signs", Article III, "Construction and Installation Standards", section 28-107 "Signs in residential, commercial, public and industrial districts" is amended as follows:

Sec. 28-107. - Signs in residential, commercial, public and industrial districts.

- (a) In districts zoned RS-5, RS-6, RS-8, RD-15, RML-12 and RM-15, no signs other than home nameplates shall be allowed; except that ~~churches, temples~~ places of worship, schools and hospitals shall be permitted to install monument signs totaling not more than 32 square feet in area per street front, which shall not be placed within five feet from the property line, ~~or maintained nearer the street than five feet from the building setback line.~~
- (b) In RMH-15, RM-20, RMH-20, RH, commercial, industrial, downtown, OP, RO, CF and U zoning districts, no sign shall be placed ~~or maintained within nearer the street than five feet from the building setback~~ property line. All signs in the aforementioned districts shall be not more than ~~32~~ 42 square feet in area per street front.
- (1) Signs erected by authorized city, county or state agencies within the CF zoning district or in public right-of-way, shall be not more than 175 square feet in area per street front.

SECTION 3. If any word, phrase, clause, subsection or section of this Ordinance is for any reason held 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. That this Ordinance shall take effect immediately upon its final approval and adoption.

SECTION 7. Specific authority is hereby granted to codify this Ordinance.

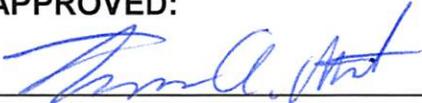
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ORDINANCE NO. 4078
PAGE 4 of 6

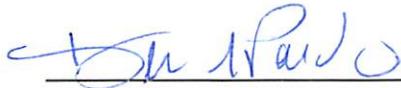
PASSED AND APPROVED on the first reading this 3rd day of
FEBRUARY 2016.

PASSED AND ADOPTED on second and final reading this 17TH
day of FEBRUARY 2016.

APPROVED:



THOMAS A. MASTERS
MAYOR

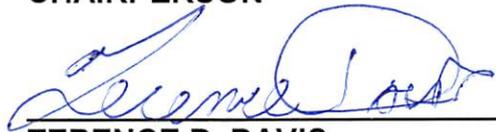


DAWN S. PARDO
CHAIRPERSON

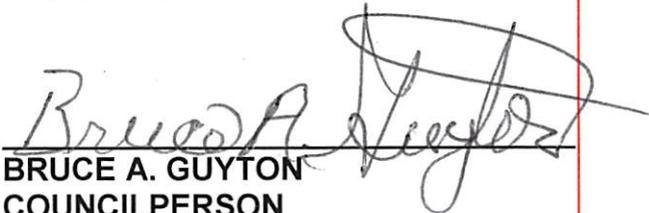
ATTEST:



CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



KASHAMBA L. MILLER-ANDERSON
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

1ST READING

MOTIONED BY: B. GUYTON

SECONDED BY: T. DAVIS

B. GUYTON AYE

K. MILLER-ANDERSON AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

2ND & FINAL READING

MOTIONED BY: B. GUYTON

SECONDED BY: C. THOMAS

B. GUYTON AYE

K. MILLER-ANDERSON AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

DATE: 2/17/16

ORDINANCE NO. 4078
PAGE 6 of 6

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.

2-17-16
DATE



Claudene L. Anthony, Certified Municipal Clerk
City Clerk