

ORDINANCE NO. 4079

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ZONING DESIGNATION OF 4.68 ACRES OF A PARCEL OF LAND LOCATED AT 1301 PRESIDENT BARACK OBAMA HIGHWAY, FROM A LIMITED INDUSTRIAL (IL) ZONING DESIGNATION TO A GENERAL INDUSTRIAL (IG) ZONING DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Riviera Beach Code of Ordinances controls and directs the development of land within the municipal limits of the City; and

**WHEREAS**, section 31-97 of the City of Riviera Beach Code of Ordinances establishes that the City Council may, from time to time, amend, change or repeal district boundaries of the City's Zoning Map; and

**WHEREAS**, the City received an application to rezone approximately 4.68 acres of a parcel of land located at 1301 President Barack Obama Highway from a Limited Industrial (IL) zoning designation to a General Industrial (IG) zoning designation (RZ-15-02) to provide for the development of the site for manufacturing, processing, and fabrication; and

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

**WHEREAS**, on February 11, 2016, the Planning and Zoning Board reviewed the proposal to amend the zoning designation from Limited Industrial (IL) to General industrial (IG) and unanimously recommend approval; and

**WHEREAS**, the proposed zoning change is consistent with and compatible with the City's Comprehensive Plan; and

**WHEREAS**, the City Council desires to amend the zoning designation of approximately 4.68 acres of a parcel of land located at 1301 President Barack Obama Highway (parcel control number 56434233000003010) from Limited Industrial (IL) to General Industrial (IG) in order to provide for the aforementioned industrial development.

**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 City Council hereby amends the zoning designation of approximately 4.68 acres of a parcel of land located at 1301 President Barack Obama Highway (parcel control number 56434233000003010) from a Limited Industrial (IL) zoning designation to a General Industrial (IG) zoning designation in order to provide for proposed future industrial development.

**SECTION 3.** A map depicting the current and proposed zoning designations at 1301 President Barack Obama Highway has been attached hereto and shall be archived as part of this ordinance as Exhibit "A".

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

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ORDINANCE NO. 4079  
PAGE 3 of 5

PASSED AND APPROVED on the first reading this 2nd day of  
MARCH, 2016.

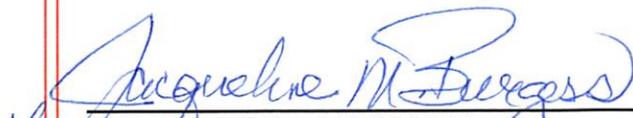
PASSED AND ADOPTED on second and final reading this 15th day of  
JUNE, 2016.

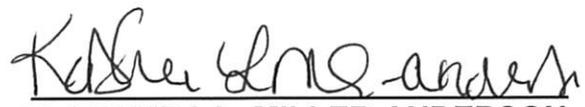
APPROVED:

  
\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

  
\_\_\_\_\_  
TERENCE D. DAVIS  
CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
CLAUDENE L. ANTHONY  
CERTIFIED MUNICIPAL CLERK  
CITY CLERK

  
\_\_\_\_\_  
KASHAMBA L. MILLER-ANDERSON  
CHAIR PRO TEM

  
\_\_\_\_\_  
LYNNE L. HUBBARD  
COUNCILPERSON

  
\_\_\_\_\_  
TONYA DAVIS JOHNSON  
COUNCILPERSON

  
\_\_\_\_\_  
DAWN S. PARDO  
COUNCILPERSON

1<sup>ST</sup> READING

MOTIONED BY: T. DAVIS

SECONDED BY: B. GUYTON

B. GUYTON AYE

K. MILLER-ANDERSON AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

2<sup>ND</sup> & FINAL READING

MOTIONED BY: D. PARDO

SECONDED BY: L. HUBBARD

L. HUBBARD AYE

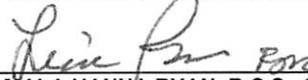
K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY

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

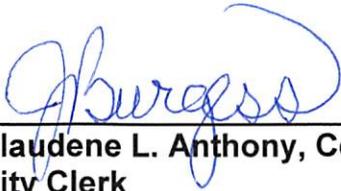
DATE: 6/15/16

ORDINANCE NO. 4079  
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.

6/15/16  
DATE

  
\_\_\_\_\_  
Claudene L. Anthony, Certified Municipal Clerk  
City Clerk

ORDINANCE NO. 4080

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S FUTURE LAND USE DESIGNATION FOR THE PROPERTIES LOCATED AT 301 AND 313 WEST 13<sup>TH</sup> STREET, APPROXIMATELY 0.22 ACRE OF LAND, FROM A COMMUNITY FACILITIES DESIGNATION TO A MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL DESIGNATION, IN ORDER TO FACILITATE THE DEVELOPMENT OF TWO NEW SINGLE FAMILY STRUCTURES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3184, Florida Statutes, permits local governments to adopt amendments to the City's Comprehensive Plan to ensure that the plan provides appropriate guidance for future growth and development; and

**WHEREAS**, City staff received two building permit applications from the Riviera Beach Community Development Corporation (CDC), an entity associated with the Riviera Beach Community Redevelopment Agency, in order to construct two new single family homes at 301 and 313 West 13<sup>th</sup> Street; and

**WHEREAS**, 301 and 313 West 13<sup>th</sup> Street currently have a Community Facilities future land use designation; and

**WHEREAS**, City staff informed the CDC that a small scale future land use amendment is required in order to develop single family residential units on these properties, which compelled the CDC to apply for said land use amendment (LU-16-01); and

**WHEREAS**, the existing land use map designation of Community Facilities shall be amended by this ordinance to a Medium Density Multiple Family Residential designation in order to facilitate the development of two single family homes and further promote the residential character of the surrounding neighborhood; and

**WHEREAS**, on May 12, 2016, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed future land use amendment (LU-16-01) and unanimously recommended approval to the City Council; and

**WHEREAS**, the City Council has determined that the enactment of this ordinance promotes and protects the health, safety and welfare of the general public.

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

**SECTION 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** That the City's Future Land Use Map is hereby amended from a Community Facilities land use designation to a Medium Density Multiple Family Residential (up to 15 units per acre) land use designation for the 0.22 acres of land located at 301 and 313 West 13<sup>th</sup> Street and that said revisions are attached hereto and made part of this ordinance as "Exhibit A".

**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.** 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.** Per Section 163.3187, Florida Statutes, "Process for adoption of small-scale comprehensive plan amendment", this ordinance shall be in full force and effect 31 days after adoption by the City Council.

**PASSED AND APPROVED** on the first reading this 1st day of JUNE 2016.

**PASSED AND ADOPTED** on second and final reading this 15th day of JUNE 2016.

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APPROVED:



**THOMAS A. MASTERS**  
MAYOR

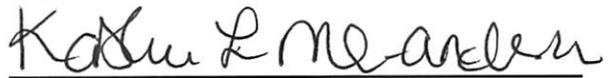


**TERENCE D. DAVIS**  
CHAIRPERSON

ATTEST:



**CLAUDENE L. ANTHONY**  
CERTIFIED MUNICIPAL CLERK  
CITY CLERK



**KaSHAMBA L. MILLER-ANDERSON**  
CHAIR PRO TEM



**LYNNE L. HUBBARD**  
COUNCILPERSON



**TONYA DAVIS JOHNSON**  
COUNCILPERSON



**DAWN S. PARDO**  
COUNCILPERSON

ORDINANCE NO. 4080

PAGE 4 of 5

1<sup>ST</sup> READING

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS JOHNSON

L. HUBBARD AYE

K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

2<sup>ND</sup> & FINAL READING

MOTIONED BY: T. DAVIS JOHNSON

SECONDED BY: L. HUBBARD

L. HUBBARD AYE

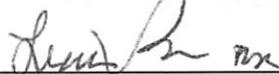
K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



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

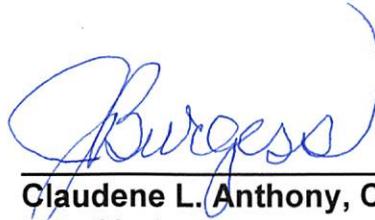
DATE: 2/15/16

ORDINANCE NO. 4080  
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.

6/15/16  
DATE

  
\_\_\_\_\_  
Claudene L. Anthony, Certified Municipal Clerk  
City Clerk

ORDINANCE NO. 4081

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S ZONING MAP DESIGNATION FOR THE PROPERTIES LOCATED AT 301 AND 313 WEST 13<sup>TH</sup> STREET, APPROXIMATELY 0.22 ACRE OF LAND, FROM A COMMUNITY FACILITY DESIGNATION TO A DOWNTOWN RESIDENTIAL DESIGNATION, IN ORDER TO FACILITATE THE DEVELOPMENT OF TWO NEW SINGLE FAMILY STRUCTURES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City's Code of Ordinances controls and directs the use and development of land within the municipal limits of the City; and

**WHEREAS**, Section 31-96 of the City's Code of Ordinances specifies zoning districts within the City in order to regulate and restrict uses of land and buildings; and

**WHEREAS**, Section 31-97 of the City of Riviera Beach Code of Ordinances establishes that the City Council may, from time to time, amend, change or repeal the boundaries of zoning districts shown upon the Zoning Map; and

**WHEREAS**, City staff received two building permit applications from the Riviera Beach Community Development Corporation (CDC), an entity associated with the Riviera Beach Community Redevelopment Agency, in order to construct two new single family homes at 301 and 313 West 13<sup>th</sup> Street; and

**WHEREAS**, 301 and 313 West 13<sup>th</sup> Street currently have a Community Facility zoning designation; and

**WHEREAS**, City staff informed the CDC that a zoning map amendment, in conjunction with concurrent approval of a small scale future land use map amendment is required in order to develop single family residential units on the aforementioned properties, which compelled the CDC to apply for said zoning and land use amendment (RZ-16-01 and LU-16-01); and

**WHEREAS**, following the associated land use amendment, the existing zoning map designation of Community Facility shall be amended by this ordinance to a Downtown Residential designation in order to facilitate the development of two single family homes at 301 and 313 West 13<sup>th</sup> Street and further promote the residential character of the surrounding neighborhood; and

**WHEREAS**, on May 12, 2016, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed zoning amendment (RZ-16-01) and unanimously recommended approval to the City Council; and

**WHEREAS**, the City Council has determined that the enactment of this ordinance promotes and protects the health, safety and welfare of the general public.

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

**SECTION 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** That the City's Zoning Map is hereby amended from a Community Facility zoning designation to a Downtown Residential zoning designation for the 0.22 acres of land located at 301 and 313 West 13<sup>th</sup> Street and that said revisions are attached hereto and made part of this ordinance as "Exhibit A".

**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.** 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.** This ordinance shall be in full force and effect upon the effective date of the corresponding land use ordinance for 301 and 313 West 13<sup>th</sup> Street (LU-16-01), which is an ordinance amending the future land use designation of 310 and 313 West 13<sup>th</sup> Street from Community Facilities to a Medium Density Multiple Family Residential designation.

**PASSED AND APPROVED** on the first reading this 1st day of JUNE 2016.

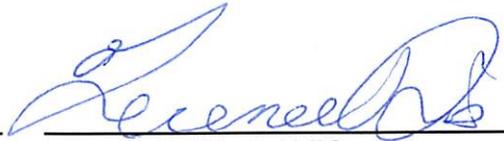
**PASSED AND ADOPTED** on second and final reading this 15th day of JUNE 2016.

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APPROVED:



THOMAS A. MASTERS  
MAYOR



TERENCE D. DAVIS  
CHAIRPERSON

ATTEST:

  
for

CLAUDENE L. ANTHONY  
CERTIFIED MUNICIPAL CLERK  
CITY CLERK



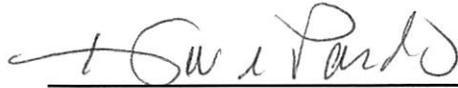
KASHAMBA L. MILLER-ANDERSON  
CHAIR PRO TEM



LYNNE L. HUBBARD  
COUNCILPERSON



TONYA DAVIS JOHNSON  
COUNCILPERSON



DAWN S. PARDO  
COUNCILPERSON

1<sup>ST</sup> READING

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS JOHNSON

L. HUBBARD AYE

K. MILLER-ANDERSON AYE

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D. PARDO AYE

T. DAVIS AYE

2<sup>ND</sup> & FINAL READING

MOTIONED BY: D. PARDO

SECONDED BY: K. MILLER-ANDERSON

L. HUBBARD AYE

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T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY

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

DATE: 6/15/16

ORDINANCE NO. 4081  
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.

6/15/16  
DATE



\_\_\_\_\_  
Claudene L. Anthony, Certified Municipal Clerk  
City Clerk