ORDINANCE NO. 2100-A

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE I ENTITLED "IN GENERAL" OF CHAPTER 6 ENTITLED "BUILDINGS" OF THE CODE OF ORDINANCES BY ENACTING SECTION 6-4 PROVIDING ON SITE CONSTRUCTION DISPOSAL FACILITY REQUIREMENTS; PROVIDING A BOARD OF ADJUSTMENT AND APPEAL TO HEAR APPEALS; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

Article I entitled "In General" of Chapter 6 entitled "Buildings" of the Code of Ordinances is amended by enacting Section 6-4. as follows:

SECTION 1. "Sec. 6-4. On site construction disposal facility required.

During the course of any construction a disposal facility for the storage of construction solid waste and debris accumulated from land clearing and construction in connection with building, excavation, structures, roads, street, sidewalk, rebuilding and altering buildings shall be provided on the site of construction with sufficient capacity to accomodate such solid waste and debris and preventing same from being placed, stored or accumulated beyond the site construction property lines.

In addition to the criminal penalty imposed herein, the building official shall enforce this section by the suspension of any building permit when such official determines the existence of a violation of this section."

SECTION 2.

"When there are practical difficulties or unnecessary hardships in the strict application of this ordinance, the City Council is hereby designated as a Board of Adjustment and Appeal and any person aggrieved may appeal to such Board of Adjustment and Appeal upon written notice and after a hearing the Board of Adjustment and Appeal may grant such relief as it deems equitable and just in the premises."

SECTION 3. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the provisions of the uniform maximum penalty Ordinance, Ordinance No. 1123, enacted on October 6, 1976.

SECTION 4. All Ordinances or parts of Ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 5. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not thereby be affected.

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

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

PASSED AND APPROVED on first reading this 5th day of November, 1980.

PASSED AND ADOPTED on second and final reading this 19th day of November, 1980.

APPROVED:

Mayor

Chairman

Chairman ProTem

(MUNICIPAL SEAL)

Councilmen

ATTEST:

Betty J. Butler
City Clerk

	1ST READING	2ND READING
MOTIONED BY:	Guider	Guider
SECONDED BY:	Bates	Dodd
G. NIKOLITS	aye	aye
C. GUIDER	aye	aye
R. DODD	absent	aye
C. LAWRENCE	aye	aye
P. BATES	aye	aye

r.

November 6, 1980

The Below Bill described by title only will be placed on second and final reading at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, Oct. 19, 1980 at 7:30 P.M. at the City Hall on 600 West Blue Heron Blvd. and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance.

ORDINANCE NO. 2100-A

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE I ENTITLED "IN GENERAL" OF CHAPTER 6 ENTITLED "BUILDINGS" OF THE CODE OF ORDINANCES BY ENACTING SECTION 6-4 PROVIDING ON SITE CONSTRUCTION DISPOSAL FACILITY REQUIREMENTS; PROVIDING A BOARD OF ADJUSTMENT AND APPEAL TO HEAR APPEALS; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING WORKING HOURS IN THE CITY CLERK'S OFFICE.

Interested parties may appear at the said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

Publish: November 12, 1980

ORDINANCE NO. 2101

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING PETITIONS FOR VOLUNTARY ANNEXATION OF CERTAIN PARCELS OF LAND IN THE UNINCORPORATED AREA OF PALM BEACH COUNTY, FLORIDA, CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF RIVIERA BEACH, PROVIDING FOR REDEFINING OF THE MUNICIPAL BOUNDARIES TO INCLUDE SAID PARCELS, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH: PROVIDING AN EFFECTIVE DATE THEREOF, AND FOR OTHER PURPOSES IN ACCORDANCE WITH CHAPTER 171, SECTION 171.044 FLORIDA STATUTES 1979.

WHEREAS in June 1970, the Legislature of the State of Florida by House Bill No. 5263 designated "Greater Riviera Beach Area" and specified that the City of Riviera Beach may annex the "Greater Riviera Beach Area" or any part thereof at any time in any manner then allowed by the constitution and general Laws of the State of Florida; and as provided by the City Charter; provided, however, that any area thus annexed must be adjacent to and contiguous to the existing limits of the City of Riviera Beach, and

WHEREAS, in July, 1972, Area Planning Board of Palm Beach County acting as agent for the Florida Department of Pollution Control designated City of Riviera Beach as the sole agent to provide water distribution and sewage collection and/or treatment in Greater Riviera Beach Area (also known as Reserve Annexation Area), and

WHEREAS, Mr. Lawrence W. Licht, as Partner in L.K.S. REALTY COMPANY, owners of property in the Reserve Annexation Area have submitted Voluntary Petitions for Annexation of their property, adjacent to the City of Riviera Beach. A copy of said Petition and Affidavit for Voluntary Annexation is attached and made a part of this Ordinance; and

WHEREAS, the City Council of the City of Riviera Beach, Florida, has examined the attached petition (Exhibit A.) and finds the following to be true

(a) The petitioner is the owner of the property described therein.

(b) The petition bears the notarized signature of owner of property in the area proposed to be annexed.

(c) The property proposed to be annexed is in the unincorporated area of Palm Beach County, contiguous to the present boundaries of the City of Riviera Beach, Florida.

(d) No parts of the property proposed to be annexed is included within the boundary of another incorporated municipality.

(e) The City has the capability to provide municipal services, e.g. fire and police protection, water and sewer services, garbage and trash collection to the subject parcel at same level of services as such services are provided within the rest of the municipality.

(f) Subject parcel is presently zoned IL (Light Industries) and is proposed to be developed as such.

(g) This ordinance is being initiated by the City of Riviera Beach, Florida, under Section 171.044 Voluntary Petition, F.S. 1979.

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

SECTION 1. Pursuant to Chapter 171, Section 171.044 Voluntary Annexation, Florida Statutes, 1979, City of Riviera Beach Florida, hereby declares its intent and desire to extend its municipal boundaries to include the following described land after the approval of this ordinance on second and final reading:

> Tract I less the West 198.0 feet thereof, according to the Plat No. 3, WESTROADS BUSINESS AND INDUSTRIAL PARK, as recorded in Plat Book 30 at pages 145 and 146 in and for public records Palm Beach County, Florida.

SECTION 2. This ordinance shall be read by title on first reading, and shall be published in its entirety once a week for four (4) consecutive weeks in a newspaper of general circulation in Palm Beach County, Florida. Thereupon after second reading by title only, this Ordinance shall become effective immediately upon its passage and adoption, and the annexation shall become effective ten (10) days thereafter.

SECTION 3. Within thirty (30) days after final passage and publication, a certified copy of this Ordinance shall be filed by the City Clerk with the Secretary of State of the State of Florida as a revision of its Charter, the Clerk of the Circuit Court, Palm Beach County and other agencies as required by law.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict repealed.

SECTION 5. Should any part of provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not effect the validity of the Ordinance

as a whole, or any part thereof other than the part declared to be invalid.

SECTION 6. All Ordinances of the City of Riviera Beach, Florida, shall apply to the property proposed to be annexed when the annexation is final.

SECTION 7. Palm Beach County Zoning classification IL (Light Industries) shall remain applicable to subject parcel upon effective date of the annexation until two (2) year limitation has expired.

SECTION 8. The corporate limits of the City of Riviera Beach are hereby redefined to include subject petition as follows:

"Beginning at the North West corner of Section 29, Range 43 East, Township 42 South, of the Tallahassee Meridian, Palm Beach County, Florida; thence easterly along the North lines of said Section 29, Section 28, and Section 27, of said Township and Range, to the point of intersection with the centerline of the Intracoastal Waterway thence northerly along said centerline of the Intrcoastal Waterway to the point of intersection with a line parallel to and 1,294 feet South of the North line of Section 22 of said Township and Range; thence easterly along said parallel line to a point in the westerly boundary of the submerged land area conveyed by the Trustees of the Internal Improvement Trust Fund of the State of Florida, to the Lake Worth Realty Company, a Florida Corporation by Trustee's Deed No. 17146, recorded in Deed Book 205, page 82, Public Records of Palm Beach County, Florida, thence northerly along said westerly boundary to the point of intersection with a line parallel to and 8,000 feet South of, the North line of Section 10, of said Township and Range; thence easterly along said parallel line to the water's edge of the Atlantic Ocean; thence southerly along the water's edge of the Atlantic Ocean to a point in the easterly extension of a line parallel and 998.96 feet South of the South line of a tract of land in Palm Beach County known as Replat of Yacht Harbor, as is recorded in Plat Book 23, Page 57, of the Public Records of Palm Beach County, Florida; thence westerly along said parallel line to the point of intersection with the center line of the channel of the Intracoastal

Waterway, as now established; thence southwesterly and southerly along said centerline of Channel to the South line of Township 42 South, Range 43 East; thence westerly along said South line of Township 42 South to the Southeast corner of Section 31, of said Township and Range; thence northerly along the East line of said Section 31 to the North Right-of-Way line of State Road 710; thence westerly along the Noth line of State Road 710 to it's point of intersection with the proposed center-line of Congress Avenue Right-of-Way; thence southerly along said centerline to it's point of intersection with the Southern Right-of- Way line of the Seaboard Coast Line Rail Road Right-of-Way as now established; thence southeasterly along said Southern Right-of-Way line to it's point of intersection with the South line of said Section 31, Township 42 South, Range 43 East; thence westerly along said South line of Section 31, to the Southeast corner of Section 36, Township 42 South, Range 42 East; thence continuing westerly along said South line of Section 36 to the point of intersection with the westerly Right-of-Way of the North Palm Beach County Water Control District Canal as now established; thence North easterly and northerly along said westerly Right-of-Way, and it's northerly extension to a point 230 feet North of the North West corner of said North Palm Beach Water Control District Canal Right-of-Way; thence easterly along a line parallel to and 230 feet North of the northern most Right-of-Way of said canal to a point 1527.09 feet West of the East line of Section 36, Township 42 South, Range 42 East; thence northerly along a line parallel to and 1527.09 feet West of the East line of said Section 36 a distance of 330 feet to a point; thence westerly along a line bearing North 88°-07'-21" West to the westerly Right-of-Way line of Military Trail (State Road 809); thence southerly along the westerly Right-of-Way line of said Military Trail to the South line of Section 36; thence westerly

along said South line of Section 36 to the Southwest corner of Section 36, Township 42 South, Range 42 East; thence northerly along the West line of said Section 36 to a point 52.5 feet South of the East-West center section line of said Section 36; thence easterly along a line parallel to and 52.5 feet southeasterly of the East-West Center Section line of said Section 36 to the East Right-of-Way line of Military Trail (State Road 809); thence northerly along the East Right-of-Way line of Military Trail to the East-West Center Section line of said Section 36, thence easterly along said East-West Center Section line to a point 558.31' West of the East line of said Section 36; thence North 2°-20'-11" East a distance of 250.00 feet to a point, thence North 87°-52'-34" West a distance of 73.13 feet to the beginning of a curve concave to the Southwest with a radius of 25.00 feet and a center angle 48°-11'-23"; thence southwesterly along the arc of said curve a distance of 21.03 feet to the beginning of a curve concave to the Northwest with a radius of 50.0 feet and a central angle of 138°-11'-23"; thence along the arc of said curve a distance of 221.20 feet to a point; thence North 2°-20'-11" East a distance of 415.20 feet to the southerly Right-of-Way of the Seaboard Coast Line Railroad as now established thence southeasterly along said southern Right-of-Way to the point of intersection with the western Right-of-Way of Central and Southern Florida Flood Control District Canal C-17; thence northerly along said western Right-of-Way of C-17, to the point of intersection with the easterly extension of the South line of an area of land in Palm Beach County known as Plat No. 2, Interstate Industrial Park as same is recorded in Plat Book 39, pages 131 & 132 Public Records of Palm Beach County; thence North 87°-35'-17"West to the easterly Right-of-Way line of I-95(State Road No.9); thence northwesterly along the easterly Right-of-Way of I-95 to a point

50 feet South of the North line of Section 31, Township 42 South, Range 43 East; thence 87°-56'-50" West a distance of 61.57 feet to a point; thence southeasterly along a line parallel to and 60 feet East of the easterly Right-of-Way line of I-95 a distance of 953.39 feet to a point; thence North 70°-39'-58" East a distance of 308.67 feet to a point; thence South 87°-56'-50" East a distance 742.74 feet to a point; thence 2°-03'-10" West a distance of 350 feet to a point; thence South 87°-56'50" East to the Western Right-of-Way line of Central and Southern Florida Flood Control District Canal C-17; thence northerly along said Western Right-of-Way line of said Canal C-17, to it's point of intersection with the South line of Section 30, Township 42 South, Range 43 East, Palm Beach County, Florida; thence continuing northerly along said western Right-of-Way line of C-17, a distance of 815.18 feet to a point; thence North 87°-40'-36" West a distance of 1210.66 feet to a point; thence North 2°-19'-24" East a distance of 400 feet to a point; on the southerly Right-of-Way line of Blue Heron Boulevard as recorded in Road Plat Book 2, page 171, Public Records, Palm Beach County, Florida, thence easterly along said southerly Right-of-Way line to it's point of intersection with the westerly Right-of-Way line of Central and Southern Florida Flood Control District Canal C-17; thence northerly along said westerly Right-of-Way line to a point 2,739.84 feet south of the North line of Section 30, said Township and Range; thence North 87°-40'-36" West a distance of 398.42 feet to a point; thence South 2°-19'24" West a distance if 135.0 feet to a point; thence North 87°-40'-36" West a distance 367.00 feet to a point; thence North 2°-19'-24" East a distance of 281.00 feet to a point; thence North 87°-40'-36" West a distance of 30 feet to a point; thence 2°-19'-24" East a distance of 533.52 feet to a point; thence South 87°-40'-36" East to the easterly Right-of-Way line

of Central and Southern Florida Flood Control District Canal C-17; thence southerly along said easterly Right-of-Way line to East-West center line of said Section 30, said Township and Range; thence easterly along said East-West center line to a point 668 feet West of the East line of said Section 30, thence northerly along a line parallel to and 668 feet West of the East line of said Section 30, a distance of 653.15 feet to a point; thence easterly at a right angle to the preceeding course to the East line of said Section 30; thence northerly along said East line to the northwest corner of Section 29, Range 43 East, Township 42 South, said point being the point of Beginning."

PASSED AND APPROVED on first reading this 5th day of November, 1980.

PASSED AND ADOPTED on second and final reading this 3rd day of December, 1980.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

Cornelius Lawrence

Phyllis E. Bates

ATTEST:

Betty J. Butler
City Clerk

Councilmen

	1ST READING	2ND READING
MOTIONED BY:	Guider	Lawrence
SECONDED BY:	Bates	Dodd
G. Nikolits	aye	aye
C.Guider	aye	aye
R. Dodd	Absent	aye
C. Lawrence	aye	aye
P. Bates	aye	aye

R.

Publish Palm Beach Post and Times
NOVEMBER 10, 17, 24 & Dec. 1, 1980

Missing

Ordinance

2102

Did not pass

CITY OF RIVIERA BEACH

VOLUNTARY ANNEXATION REPORT

DATE PETITION FILED: Oct. 1, 1980

NAME OF OWNER: L.K.S. Realty Co., Mr. Lawrence W. Licht, Partner,

DESCRIPTION OF PROPERTY: Tract I less West 198.0 ft, Plat #3 Westroads Industrial Park.

COMMENTS & CONCERNS FOR MUNICIPAL SERVICES:

DEVELOPMENTAL:

The property is zoned IL (Light Industries) by County Zoning Map and is proposed to be developed as under County Zoning standards shall be applied to the property.

UTILITIES:

There are water and sewer mains in the vicinity of the property and the City has the capacity to service proposed development at the site.

PUBLIC SAFETY:

Police and Fire Departments have indicated that no aditional manpower or equipment shall be needed to provide service for the property.

BENEFITS TO CITY:

From the viewpoint of City's annexation policies, this property is strategically situated. There are a number of pending petitions for annexation which will now become contiguous and may now be acted upon by City Council. Cost of providing services to the property shall considerably less compared with revenues and income to the City.

ORDINANCE NO. 2103

AN ORDINANCE DECLARING THE INTENT OF THE CITY COUNCIL OF CITY OF RIVIERA BEACH, FLORIDA, TO PLAN WITHIN ITS MUNICIPAL BOUNDARIES AS REQUIRED BY THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT OF 1975.

WHEREAS, by substantial majorities of both Houses of the Florida Legislature, the Local Government Comprehensive Planning Act (LGCPA) of 1975, was adopted on May 30, 1975; and

WHEREAS, the Act further requires that all units of local government must prepare and adopt a Comprehensive Plan as per requirements of the LGCPA; and

WHEREAS, the Act further requires that all units of local government adopt an appropriate ordinance declaring the intent of the local government to exercise authority of the Act to plan for the total area under its jurisdiction;

THE CITY COUNCIL OF CITY OF RIVIERA BEACH HEREBY ORDAINS:

We, the City, hereby declare its intent to exercise its authority to plan for the area under its jurisdiction as granted by the Local Government Comprehensive Planning Act of 1975.

PASSED AND APPROVED on first reading this 5th day of November, 1980.

PASSED AND ADOPTED on second and final reading this 19th day of November 1980.

APPROVED:

Mayor

Chairman

(MUNICIPAL SEAL)

Chairman Pro Tem

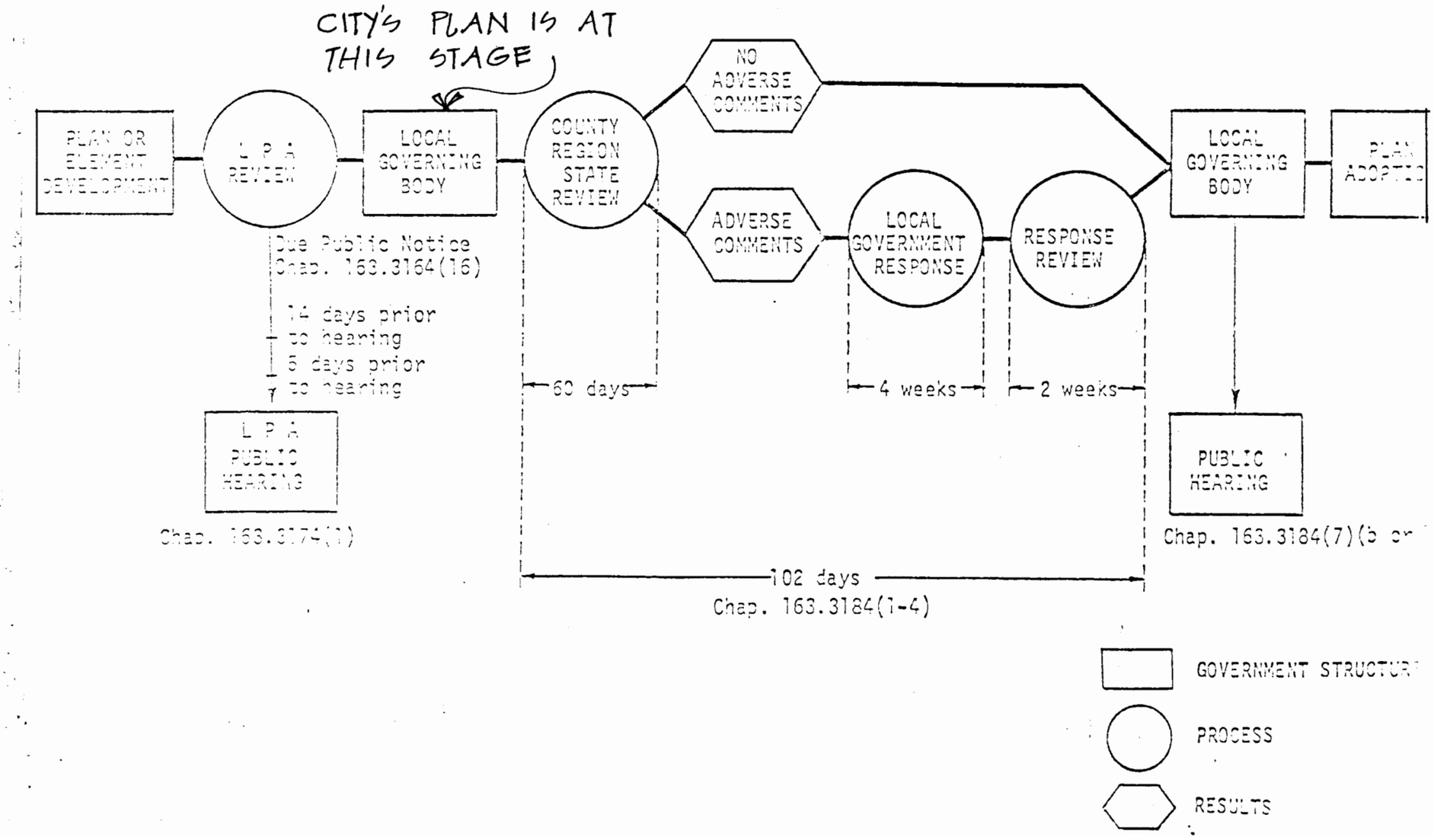
ATTEST:

Betty J. Butler
City Clerk

Councilmen

	1st Reading	2nd Reading
MOTIONED BY:	Guider	Dodd
SECONDED BY:	Bates	Bates
J.NIKOLITS	Aye	Aye
C.GUIDER	Aye	Aye
P.BATES	Aye	Aye
R.DODD	Absent	Aye
C.LAWRENCE	Aye	Aye

LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT
ADOPTION SCHEDULE



November 6, 1980

The below Bill described by title only will be placed on second and final reading at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, Oct. 19, 1980 at 7:30 P.M. at the City Hall on 600 West Blue Heron Blvd. and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance

2103

AN ORDINANCE DECLARING THE INTENT OF THE CITY COUNCIL OF CITY OF RIVIERA BEACH, FLORIDA, TO PLAN WITHIN ITS MUNICIPAL BOUNDARIES AS REQUIRED BY THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT OF 1975.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING WORKING HOURS IN THE CITY CLERK'S OFFICE.

Interested parties may appear at said meeting and be heard with respect to the Ordinance.

BY order of City Clerk

Publish:

November 12, 1980

ORDINANCE NO. 2104

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 23-19.3. ENTITLED "R-5 HIGH DENSITY RESIDENTIAL DISTRICT" OF ARTICLE II ENTITLED "USE DISTRICTS AND USES" OF CHAPTER 23, ENTITLED "ZONING" OF THE CODE OF ORDINANCES; REPEALING MORATORIUM ORDINANCES UPON FINAL PASSAGE AND ADOPTION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. Section 23-19.3. entitled "R-5 High Density Residential District" of Article II entitled "Use Districts and Uses" of Chapter 23 entitled "Zoning" of the Code of Ordinances is amended to read:

(B) Building site area regulations:

Paragraph (2) entitled "Density transfer" which reads:

~~"(2) Density transfer: -- Calculation of total site area to derive appropriate density transfer shall be computed as follows:~~

~~(a) -- Total land area from the east R.O.W. line to the coastal construction setback (control line) shall be computed at one hundred (100) per cent of the total dry land area between those two (2) points.~~

~~(b) -- Total land area east of coastal construction set back (control line) and the vegetation shall be calculated at fifty (50) per cent of the total land area between these two (2) points.~~

~~(c) -- Total land area east of vegetation line to the mean high water line shall be computed at twenty five (25) per cent of the total land area between these two (2) points.~~

~~(d) -- The total area of wetlands, marshes and lagoons etc., shall be computed at fifty (50) per cent of the total area contained within.~~

[illegible] called.

Paragraph (3) entitled "Density calculation" is amended to read:

"(3) Density calculation:

Calculation of site area to derive permitted density shall be computed as the total dry land area from the east R.O.W. 703 (A1A) to the coastal construction setback control line as established by Florida Department of Natural Resources (DNR): the total dry land area between these two (2) points.

The maximum allowed density is twenty-five (25) units per acre. Density limits are expressed in the maximum number of residenatial dwelling units permitted per acre of land. Density for the R-5 High Density Residential District and C-1B Restricted Commercial District shall be computed as follows:

Dwelling Unit Type	*Density Unit Count*
Motel/hotel room	.5
Efficiency	.7
One Bedroom	1.0
Two Bedrooms	1.1
Three Bedrooms	1.2
Each additional bedroom	.1

The Planning and Zoning Board on the advise of the director of CDEC shall determine the number of bedrooms archotectural standards. The mere labeling of a room as a "den","family room," "recreational room," or other such terms, does not preclude such room from counting as a bedroom for density purposes if that room is easily usable and accessible for bedroom purposes. No plans shall receive site plan approval or permits that allows illegal conversions, that create a greater density than that allowed under the applicable regulations.

Paragraph (5) entitled "Side yard" which reads:

~~(5)----Side-yard:--A-minimum-side-yard-of-at-least ten-(10)-per-cent-of-the-lot-or-twenty-(20)-feet whichever-is-greater-shall-be-maintained-for-all structures-excluding-accessory-structures-two-(2) stories-or-less.--The-accessory-structures,-e.g., parking-garages,-recreational-deck,-boiler-and generator-rooms.-etc.,-which-are-two-(2)-stories or-less-shall-set-back-a-minimum-of-twenty-(20) feet."~~

is repealed and revised to read:

"(5) Side Yard:

All structures in excess of two (2) stories shall have a minimum side yard of at least ten (10) percent of the lot or forty (40) feet, whichever is greater.

For structures two (2) stories or less a minimum yard of at lease ten (10) per cent of the lot or twenty (20) feet whichever is greater shall be maintained.

The accessory structures e.g., parking garages, recreational deck, boiler and generator rooms, etc., which are two (2) stories or less shall set back a minimum of twenty (20) feet."

Paragraph (8) entitled "High Rise Setback" which reads:

~~"(8)---High-Rise-Setback.--All-buildings-in-excess of-two-(2)-stories-shall-provide-additional-open-space-equal-to-three-(3)-feet-additional-setback from-each-property-line-(with-the-exception-of-the oceanside-property-line-which-is-regulated-by-the ocean-setback-regulations,-subparagraph-(7)-herein),-for-each-additional-story-of-height-except-in case-of-properties-two-hundred-fifty-(250)-feet-or less-in-width-which-will-provide-two-(2)-feet-additional-setback-from-each-property-line-(with the-exception-of-oceanside-property-line-which-is regulated-by-the-ocean-setback-regulations,-subparagraph-(7)-herein),-for-each-story-above-two-(2) floors."~~

is repealed and revised to read:

"(8) High Rise Setback:

All structures in excess of two (2) stories shall provide additional open space equal to four (4) feet additional setback from each property line which is regulated by the ocean setback regulations, subparagraph (7) herein for each additional story of height, except in the case of properties two hundred fifty (250) feet or less in width which will provide three (3) feet additional setback from each property line with the exception of ocean side property line which is regulated by the ocean setback regulations, subparagraph (7) herein, for each story of height above two (2) stories."

Paragraph (9) entitled "Floor area ratio" which reads:

~~"(9)---Floor-area-ratio.--All-nonresidential structures-shall-not-exceed-an-aggregate-building floor-area-(including-covered-parking)-ratio-to land-area-of-one-to-one-(1:1)."~~

is repealed and revised to read:

"(9) Floor Area Ration:

All residential structures shall not exceed an aggregate building floor area ratio to site area of one point three to one (1.3:1) "

Paragraph (11) entitled "Height limitation"

which reads:

~~"(11)--*Height-limitations.*---No-building-shall-be constructed-higher-than-twenty-four-(24)-stories or-two-hundred-and-forty-(240)-feet,-excluding mechanical-facilities,-ornamental-towers-and-antennae-which-shall-not-exceed-ten-(10)-feet-in additional-height."~~

is repealed and revised to read:

"(11) Height Limitation:

The height of any building shall not exceed the results of the following formula when rounded to the nearest whole number:

TOTAL ALLOWABLE DWELLING UNITS DIVIDED BY FOUR (4).

Where residential units are not permitted on ground level, the addition of one (1) story per building shall be granted provided that at least seventy-five (75) per cent of the ground floor is devoted to common areas accessable to residents.

No building shall be constructed higher than fifteen (15) stories or one hundred fifty (150) feet excluding mechanical facilities, ornamental towers and antennae, which shall not exceed ten (10) feet in additional height."

Paragraph (12) entitled "On oceanfront properties"

which reads:

~~"(12)--*On-Oceanfront-properties.*--Each-main structure-shall-not-exceed-one-hundred-----(100)-feet-in-width,-north-to-south-direction.--For-purposes-of-this-regulation, the-accessory-structure,-e.g.,-parking-garage,-etc.,-two-(2)-stories-or-less-in-height, shall-not-be-considered-as-part-of-the-main building."~~

is repealed and revised to read:

"(12) On ocean front properties: Each main structure shall not exceed one hundred and ten (110) feet in width, north to south direction. For the purpose of this regulation, the accessory structures, e.g., parking garages, etc., two (2) stories or less in height shall not be considered as part of the main building."

Paragraph (13) is entitled "Wetlands" and is enacted to read:

"(13) Wetlands:

In addition to the provisions of Paragraph (f) Landscaping, Subparagraph (3), all boundaries of wet lands shall be platted.

Paragraph (D) entitled "Site plan review" is amended to read:

(D) *Site plan review:* No construction or clearing of land may begin in any C-1B district prior to review of a site plan by the Riviera Beach Planning and Zoning Board.

The intent of this review shall be to ascertain that the proposed new development is in conformity with the comprehensive plan and is nor detrimental to the neighboring land use; and that an efficient pedestrian and vehicular traffic system including proper means of ingress and egress to the streets are provided for.

(1) *Site plan requirements:* Each site plan review shall include:

(a) All lot dimensions and area
(b) Dune crestline and mean high watermark.
(c) All building dimensions.
(d) Calculated densities, floor area ratios and parking counts.
(e) Utility plans, including storm water drainage.
(f) Landscaping plan.
(g) Points of ingress and egress.
(h) Easements for public access.
(i) Front elevations of all buildings.
(j) Placement and sizes of all signs.
(k) Ground floor elevation in relation to mean sea level.

"(2) Any site plan approved prior to the final enactment of this Ordinance shall not be subject to the provisions of this Ordinance, provided application for a building permit is filed with the city, accompanied with all the required permits, bonds, drawings, plans and other required documents necessary for the issuance of a building permit within ninety (90) days from the effective date of this Ordinance."

"(3) Any site plan approved prior to the final enactment of this Ordinance, which after the final enactment of this Ordinance, is changed or modified, shall comply with the provisions of this Ordinance."

SECTION 2. Emergency Ordinance No. 2098 enacted November 5, 1980, and Ordinance No. 2098A enacted November 19, 1980, declaring a Moratorium on Site Plan Review and Approval in R-5 and C-1B Districts are hereby deemed repealed upon final passage and adoption of this Ordinance.

SECTION 3. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the provisions of the uniform maximum penalty Ordinance, Ordinance No. 1123, enacted on October 6, 1976.

SECTION 4. All Ordinances or parts of Ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 5. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

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

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

PASSED AND APPROVED on first reading this 19th day of November, 1980.

PASSED AND ADOPTED on second and final reading this 3rd day of December, 1980.

SIGNATURES ON PAGE-7-

ORDINANCE NO. 8107

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

Councilmen

ATTEST:

City Clerk

	1ST READING	2ND READING
MOTIONED BY:	Lawrence	Dodd
SECONDED BY:	Dodd	Bates
G. NIKOLITS	aye	aye
C. GUIDER	aye	aye
R. DODD	aye	aye
C. LAWRENCE	aye	aye
P. BATES	aye	aye

R.

November 20, 1980

The below Bill described by title only will be placed on second and final reading at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, December 3, 1980 at 7:30 P.M. at the City Hall 600 West Blue Heron Blvd. and from time to time thereafter as may be necessary for the purpose of considering the following enactment of the Following Ordinance: 2104

Ordinance No. 2104

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 23-19.3. ENTITLED "R-5 HIGH DENSITY RESIDENTIAL DISTRICT" OF ARTICLE II ENTITLED "USE DISTRICTS AND USES" OF CHAPTER 23, ENTITLED "ZONING" OF THE CODE OF ORDINANCES; REPEALING MORATORIUM ORDINANCES UPON FINAL PASSAGE AND ADOPTION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING WORKING HOURS IN THE CITY CLERK'S OFFICE

Interested parties may appear at said meeting and be heard with respect to the Ordinance.

Publish: Nov. 26, 1980

ORDINANCE NO. 2105

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 23-20.1 ENTITLED "C-1B RESTRICTED COMMERCIAL DISTRICT OF ARTICLE II ENTITLED "USE DISTRICTS AND USES" OF CHAPTER 23 ENTITLED "ZONING" OF THE CODE OF ORDINANCES: REPEALING MORATORIUM ORDINANCES UPON FINAL PASSAGE AND ADOPTION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. Section 23-20.1. C-1B Restricted Commercial District of Article II entitled "Use Districts and Uses" of Chapter 23 entitled "Zoning" of the Code of Ordinances is amended to read:

(B) Building site area regulations:

Paragraph (2) entitled "Density transfer" which reads:

"~~(2) Density transfer: Calculation of total site area to derive appropriate density transfer shall be computed as follows:~~

~~(a) Total land area from the east R.O.W. line to the coastal construction setback (control line) shall be computed at one hundred (100) per cent of the total dry land area between those two (2) points.~~

~~(b) Total land area east of coastal construction setback (control line) and the vegetation shall be calculated at fifty (50) per cent of the total land area between these two (2) points.~~

~~(c) Total land area east of the vegetation line to the mean high water line shall be computed at twenty five (25) per cent of the total land area between these two (2) points.~~

~~(d) The total area of wetlands, marshes and lagoons, etc., shall be computed at fifty (50) per cent of the total area contained within.~~

Is repealed.

Paragraph (3) entitled "Density Calculation" is amended to read:

"(3) Density calculation:

Calculation of site area to derive permitted density shall be computed as the total dry land area from the east R.O.W. 703 (A1A) to the coastal construction setback control line as established by Florida Department of Natural Resourses (DNR): the total dry land area between these two (2) points.

The maximum allowed density is twenty-five (25) units per acre. Density limits are expressed in the maximum number of residential dwelling units permitted per acre of land. Density for the R-5 High Density Residential District and C-1B Restricted Commercial District shall be computed as follows:

Dwelling Unit Type	*Density Unit Count*
Motel/hotel room	.5
Efficiency	.7
One Bedroom	1.0
Two Bedrooms	1.1
Three Bedrooms	1.2
Each additional bedroom	.1

The planning and Zoning board on the advice of the director of CDEC shall determine the number of bedrooms architectural standards. The mere labeling of a room as a "den,""family room," "recreational room," or other such terms, does not preclude such room from counting as a bedroom for density purposes if that room is easily usable and accessible for bedroom purposes. No plans shall receive site plan approval or permits that allows illegal conversions, that create a greater density than that allowed under the applicable regulations.

Paragraph (5) entitled "Side yard" which reads:

~~(5)--Side-yard:--A-minium-side-yard-of-at-least ten-(10)-percent-of-the-lot-or-twenty-(20)-feet whichever-is-greater-shall-be-maintained-for-all structures-excluding-accessory-structures-two-(2) stories-or-less.--The-accessory-structures,-e.g., parking-garages,-recreational-deck,-boiler-and generator-rooms,-etc.,-which-are-two-(2)-stories or-less-shall-set-back-a-minimum-of-twenty-(20) feet."~~

is repealed and revised to read:

"(5) Side Yard:

All structures in excess of two (2) stories shall have a minimum side yard of at least ten (10) per cent of the lot or forty (40) feet, whichever is greater.

For structures two (2) stories or less a minimum yard of at least ten (10) per cent of the lot or twenty (20) feet whichever is greater shall be maintained.

The accessory structures e.g., parking garages, recreational deck, boiler and generator rooms, etc.,which are two (2) stories or less shall set back a minimum of twenty (20) feet."

Paragraph (8) entitled "High Rise Setback" which reads:

~~"(8)---High-rise-setback.--All-buildings-in-excess of-two(2)-stories-shall-provide-additional-open space-equal-to-three-(3)-feet-additional-setback from-each-property-line-(with-the-exception-of-the oceanside-property-line-which-is-regulated-by-the ocean-setback-regulations,-subparagraph-(7)--herein),-for-each-additionalstory-of-height-except-in case-of-properties-two-hundred-fifty-(250)-feet-or less-in-width-which-will-provide-two-(2)-feet-additional-setback-from-each-property-line-(with the-exception-of-oceanside-property-line-which-is regulated-by-the-ocean-setback-regulations,-subparagraph-(7)-herein),-for-each-story-above-two(2) floors."~~

is repealed and revised to read:

"(8) High Rise Setback:

All structures in excess of two (2) stories shall provide additional open space equal to four (4) feet additional setback from each property line which is regulated by the ocean setback regulations, subparagraph (7) herein for each additional story of height, except in the case of properties two hundred fifty (250) feet or less in width which will provide three (3) feet additional setback from each property line with the exception of ocean side property line which is regulated by the ocean setback regulations, subparagraph (7) herein, for each story of height above two (2) stories."

Paragraph (9) entitled "Floor area ratio" which reads:

~~"(9)---Floor-area-ratio.--All-nonresidential structures-shall-not-exceed-an-aggregate-building floor-area-(including-covered-parking)-ratio-to-land-area-of-one-to-one-(1.1)."~~

is repealed and revised to read:

"(9) Floor Area Ration:

All residential structures shall not exceed an aggregate building floor area ratio to site area of one point three to one (1.3:1.) "

Paragraph (11) entitled "Height limitation"

which reads:

~~"(11)--Height-limitation:--No-building-shall-be constructed-higher-than-twenty-four-(24)-stories or-two-hundred-and-forty-(240)-feet,-excluding mechanical-facilities,-ornamental-towers-and antennae-which-shall-not-exceed-ten-(10)-feet in-additional-height."~~

is repealed and revised to read:

"(11) Height Limitation:

The height of any building shall not exceed the results of the following formula when rounded to the nearest whole number:

TOTAL ALLOWABLE DWELLING UNITS DIVIDED BY FOUR (4).

Where residential units are not permitted on ground level, the addition of one (1) story per building shall be granted provided that at least seventy-five (75) per cent of the ground floor is devoted to common areas accessable to residents.

No building shall be constructed higher than fifteen (15) stories or one hundred fifty (150) feet excluding mechanical facilities, ornamental towers and antennae, which shall not exceed ten (10) feet in additional height."

Paragraph (13) is entitled "Wetlands" and is enacted to read:

"(13) Wetlands:

In addition to the provisions of Paragraph (f) Landscaping, Subparagraph (3), all boundaries of wetlands shall be platted.

Paragraph (D) entitled " Site plan review" is amended to read:

(D) *Site plan review:* No construction or clearing of land may begin in any R-5 district prior to review of a site plan by the Riviera Beach Planning and Zoning Board, (The site plan review requirements shall not apply to the single family dwelling units). The intent of this review shall be to ascertain that the proposed new development is in conformity with the comprehensive plan and is not detrimental to the neighboring land use; and that an efficient pedestrian and vehicular traffic system including proper means of ingress and egress to the streets are provided for.

(1) *Site plan requirements:* Each site plan review shall include:

(a) All lot dimensions and area.
(b) Dune crestline and mean high watermark.
(c) All building dimensions.
(d) Calculated densities, floor area ratios and parking counts
(e) Utility plans, including storm water drainage.
(f) Landscaping plan.
(g) Points of ingress and egress.
(h) Easements for public access.
(i) Front elevations of all buildings.
(j) Placement and sizes of all signs
(k) Ground floor elevation in relation to mean sea level.

"(2) Any site plan approved prior to the final enactment of this Ordinance shall not be subject to the provisions of this Ordinance, provided application for a building permit is filed with the city, accompanied with all the required permits, bonds, drawings, plans and other required documents necessary for the issuance of a building permit within ninety (90) days from the effective date of this Ordinance.

"(3) Any site plan approved prior to the final enactment of this Ordinance, which after the final enactment of this Ordinance, is changed or modified, shall comply with the provisions of this Ordinance.

SECTION 2. Emergency Ordinance No. 2098 enacted November 5, 1980, and Ordinance No. 2098A enacted November 19, 1980, declaring a Moratorium on Site Plan Review and Approval in R-5 and C-1B Districts are hereby deemed repealed upon final passage and adoption of this Ordinance.

SECTION 3. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the provisions of the uniform maximum penalty Ordinance, Ordinance No. 1123, enacted on October 6, 1976.

SECTION 4. All Ordinances or parts of Ordinances or Charter provisions in conflict hereiwith are to the extent of such conflict repealed.

SECTION 5. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

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

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

PASSED AND APPROVED on first reading this 19th day of November, 1980.

PASSED AND ADOPTED on second and final reading this 3rd day of December, 1980.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MINICIPAL SEAL)

ATTEST:

Betty J. Butler
City clerk

Councilmen

Ordinance No. 2105

	1ST READING	2ND READING
MOTIONED BY:	Dodd	Guider
SECONDED BY:	Guider	Dodd
G. NIKOLITS	Aye	Aye
C. GUIDER	Aye	Aye
R. DODD	Aye	Aye
C. LAWRENCE	Aye	Aye
P. BATES	Aye	Aye

R.