

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 23, "PUD PLANNED UNIT DEVELOPMENT DISTRICT", SECTION 31-494, "PROPERTY DEVELOPMENT STANDARDS FOR THE R-PUD RESIDENTIAL PLANNED UNIT DEVELOPMENT", IN ORDER TO PROVIDE FOR UPDATED RESIDENTIAL DEVELOPMENT STANDARDS TO PROMOTE CREATIVE DESIGN AND LAND USE; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Section 31-494 of the City's Code of Ordinances, which provides property development standards for the R-PUD, Residential Planned Unit Development District, was established in 1982 by Ordinance No. 2152, with only minor amendments occurring since that time; and

WHEREAS, since 1982, new development trends and community creation strategies have been popularized; and

WHEREAS, amendments to the City's R-PUD District development standards are now necessary in order to promote uniquely designed residential development, including a variety of housing types and configurations; and

WHEREAS, on December 8, 2016, the Planning and Zoning Board reviewed and recommend that the City Council approve the proposed amendments to the City's R-PUD development standards; and

WHEREAS, the City Council desires to amend development standards associated with the R-PUD District and has determined that the enactment of this Ordinance is appropriate and furthers the interests of the City, its residents and stakeholders.

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

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

SECTION 2. That Chapter 31, “Zoning”, Article V, “District Regulations”, Division 23, “PUD Planned Unit Development District”, Section 31-494, “Property Development Standards for the R-PUD Residential Planned Unit Development”, is amended as follows, with additions underlined and deletions shown in ~~strike through~~ format:

Sec. 31-494. - Property development standards for the R-PUD residential planned unit development.

The property development standards in the R-PUD residential planned unit development are as follows:

- (1) Single-family detached. The standards are the same as RS-5 single-family dwelling district in section 31-118.
- (2) Cluster housing, such as patio homes, townhouses, zero-lot lines, ~~etc.~~, and multifamily structures. The property development standards are:
 - a. Minimum lot size:
 - 1. Patio homes (attached, detached or on zero lot line): ~~4,500~~ 2,400 square feet.
 - 2. Townhouses: ~~4,800~~ 700 square feet.
 - b. Minimum lot width:
 - 1. Patio homes (attached, detached or on zero lot line): ~~45~~ 25 feet.
 - 2. Townhouses: ~~25~~ 15 feet.
 - c. Maximum height: 35 feet, or three stories.
 - d. Minimum floor areas:

1.	Efficiency	400 square feet
2.	One-bedroom	525 square feet
3.	Two-bedroom	800 square feet
4.	Three-bedroom	1,000 square feet
5.	More than three bedrooms	1,000 square feet

With 100 square feet for each additional bedroom.

- e. Distance between buildings:
 - 1. ~~Ten-Five~~ Five foot minimum ~~without window openings.~~
 - 2. ~~Twenty feet if at least one wall has window openings.~~
- f. Setbacks: There are no required setbacks or yards except for the following:

1. All setbacks shall be approved by the planning board and city council through the site plan review process.
 2. There shall be a setback or yard of not less than 25 feet in depth abutting all public road rights-of-way within or abutting a planned unit development district.
 3. There shall be a peripheral setback from boundary lines of the PUD of not less than 25 feet in depth. Except for accessways, no portion of this peripheral setback may be used for parking or other vehicular use area.
- (3) Each dwelling unit or other permitted use shall have access to a public street, either directly or indirectly via a private approach road, pedestrian way, court or other area dedicated by common easement guaranteeing access. Permitted uses are not necessarily required to front on a dedicated road. The city shall be allowed access on privately owned roadways, easements and common open space to ensure the police and fire protection of the area, to meet emergency needs, to conduct city services, and to generally ensure the health and safety of the residents of the planned unit development.
- (4) Density: The overall gross residential density in R-PUD shall not exceed 15 dwelling units per acre. The maximum permitted density is 30 units per acre for hotel/motel and/or independent and assisted living units.
- (5) Groupings: The total length of any townhouse structure shall not exceed ~~six~~ twelve units. No more than four consecutive units shall have the same front setbacks or front building line, in order to promote unique development design.

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. Specific authority is hereby granted to codify this Ordinance as 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.

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PASSED AND APPROVED on the first reading this _____ day of _____,
_____.

PASSED AND ADOPTED on second and final reading this _____ day of
_____, _____.

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

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1ST READING

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

ANDREW DEGRAFFENREIDT, ESQ.
CITY ATTORNEY

DATE: _____