

ORDINANCE NO. 4091

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, ENACTING A MORATORIUM FOR A PERIOD UP TO SIX MONTHS AS THE FILING AND/OR RECEIVING OF ANY APPLICATION FOR SITE PLANS ALONG THE BROADWAY CORRIDOR FROM SILVER BEACH ROAD TO THE MUNICIPAL LIMITS AND ALONG THE BLUE HERON BOULEVARD CORRIDOR FROM SINGER ISLAND TO THE MUNICIPAL LIMITS; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; 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**, pursuant to Section 163.3191(1), Florida Statutes, at least once every 7 years, each local government in the State of Florida shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect changes in state requirements in this part since the last update of the comprehensive plan, and notify the state land planning agency as to its determination; and

**WHEREAS**, by Ordinance Number 3073, the City of Riviera Beach's Comprehensive Plan was last amended on October 6, 2010; and

**WHEREAS**, the City Council desires to amend the City of Riviera Beach's Comprehensive Plan to establish new goals, objectives, and policies for the City's residents, visitors, and business owners; and

**WHEREAS**, the City has recently received multiple site plan applications and site development inquiries along the Broadway corridor from Silver Beach Road to the municipal limits, which is referred to locally as the "Downtown Corridor", and along the Blue Heron Boulevard corridor from Singer Island to the municipal limits; and

**WHEREAS**, to reflect the Community's Vision for the Downtown Corridor along Broadway and Blue Heron Boulevard, Staff is requesting an up to six months moratorium for accepting site plan applications along the Broadway corridor from Silver Beach Road to the municipal limits and Blue Heron Boulevard corridor from Singer Island to the municipal limits in order to study, evaluate and create the regulations and additional standards for the Broadway Corridor, Blue Heron Corridor, and the overall City as a whole and incorporate those regulations into the City's Comprehensive Plan and Land Development Regulations; and

**WHEREAS**, the City of Riviera Beach's Comprehensive Plan and Land Development Regulations, which is part of the City's Code of Ordinances, needs updating to incorporate, regulate and control the location of development within the City to reflect the community's new goals, objectives, and policies; and

**WHEREAS**, this Ordinance is being adopted in order to allow the City time to thoroughly review, study and revise the City's laws, rules, procedures and fees related to growth management and development along the Broadway Corridor from Silver Beach Road to the municipal limits and Blue Heron Boulevard Corridor from Singer Island to the municipal limits, while preserving the health, safety and welfare of the communities in the City of Riviera Beach; and

**WHEREAS**, it is the intention of the City Council to direct Staff to study, evaluate and create the regulations and additional standards for the placement, type, and management of development along the Downtown Broadway Corridor, Blue Heron corridor, and within the City of Riviera Beach; and

**WHEREAS**, the City Council has determined that the enactment of this Ordinance is for proper municipal purposes and protects the health, safety, and welfare of the 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 thereof.

**SECTION 2.** It is the purpose and intent of this Ordinance to promote the health, safety and general welfare of the residents and businesses of the City through the study and analysis of regulations to create additional standards for the placement, type, and management of development along the Broadway Corridor from Silver Beach Road to the municipal limits, the Blue Heron Boulevard corridor from Singer Island to the municipal limits, and within the City and incorporate those regulations into the City's Comprehensive Plan and Land Development Regulations within the City.

**SECTION 3.** This Ordinance for a moratorium shall apply to all lands along the Broadway Corridor from Silver Beach Road to the municipal limits of the City of Riviera Beach and along the Blue Heron Boulevard Corridor from Singer Island to the municipal limits of the City of Riviera Beach.

**SECTION 4.** The City Council hereby enacts a moratorium for up to six months prohibiting the filing and/or receiving of any application for site plan for new development along the Broadway Corridor from Silver Beach Road to the municipal limits and the Blue Heron Boulevard Corridor from Singer Island to the municipal limits. Staff is hereby directed to study, analyze and to create the regulations and additional standards for the placement, type, and management of development along the Broadway Corridor from Silver Beach Road to the municipal limits and Blue Heron Boulevard Corridor from Singer Island to the municipal limits and incorporate those regulations into the City's

Comprehensive Plan and Land Development Regulations within the City, which would further and promote the public health, safety, morals and general welfare.

**SECTION 5.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 6.** All Ordinances or parts of Ordinances in conflict herewith or to the extent of such conflict shall be repealed.

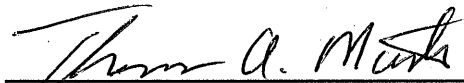
**SECTION 7.** This Ordinance shall take effect upon its final passage and approval by the City Council.

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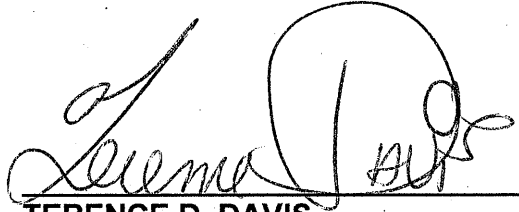
PASSED AND APPROVED on the first reading this 21ST day of  
DECEMBER 2016.

PASSED AND ADOPTED on second and final reading this 4TH day of  
JANUARY 2017.

APPROVED:



THOMAS A. MASTERS  
MAYOR



TERENCE D. DAVIS  
CHAIRPERSON

ATTEST:



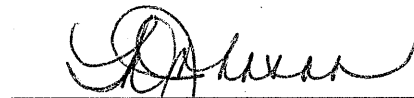
CLAUDENE L. ANTHONY  
CERTIFIED MUNICIPAL CLERK  
CITY CLERK



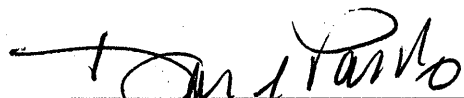
KASHAMBA MILLER-ANDERSON  
CHAIR PRO TEM



LYNNE L. HUBBARD  
COUNCILPERSON



TONYA DAVIS JOHNSON  
COUNCILPERSON



DAWN S. PARDO  
COUNCILPERSON

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1<sup>ST</sup> READING

MOTIONED BY: DAVIS JOHNSON

SECONDED BY: HUBBARD

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: L. HUBBARD

SECONDED BY: T. DAVIS-JOHNSON

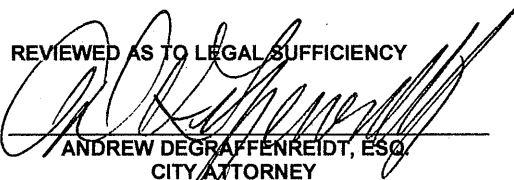
L. HUBBARD AYE

K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY  
  
ANDREW DEGRAFFENREIDT, ESQ.  
CITY ATTORNEY

DATE: 11/4/17