

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 1, "IN GENERAL", SECTION 31-1, "DEFINITIONS"; AND AMENDING ARTICLE VII, "OFF-STREET PARKING AND LOADING", SECTION 31-577, "OFF-STREET PARKING RATIOS"; IN ORDER TO ADD A DEFINITION FOR AFFORDABLE HOUSING AND TO PROVIDE SPECIFIC PARKING RATIOS FOR THE ABOVEMENTIONED USE; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City received a text amendment request application from Millennia Housing Development, Ltd., which is the entity currently managing the Stonybrook Apartments; and

WHEREAS, said text amendment request proposes adding a definition for affordable housing and also providing a new off-street parking ratio of one automobile parking space required per affordable housing unit; and

WHEREAS, the City's off-street parking code (Sec. 31-577) currently requires a ratio of no less than two automobile parking spaces per residential unit, unless the unit is age-restricted and designated for use by elderly individuals; which allows for a ratio of 0.8 parking spaces per unit; and

WHEREAS, the required number of parking spaces associated with development and use of a property may impact the affordability of housing and the ability of developers to construct new affordable residential units; and

WHEREAS, Millennia Housing Management, Ltd., has submitted a Parking Management Plan for the Stonybrook Apartments (Azure Estates); and

WHEREAS, the City's Planning and Zoning Board reviewed the proposed text amendment request on April 26, 2018 and recommended that City Council approve this amendment; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Riviera Beach and the public at large.

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 as true and correct and are incorporated herein. It is the purpose and intent of this Ordinance to promote the health and general welfare of the residents and businesses of the City by creating a more livable community.

SECTION 2. Chapter 31, "Zoning", Article I, "In General", Section 31-1, "Definitions", is hereby amended as follows (with additions shown in underline format, deletions shown in ~~strikethrough~~):

* * *

Affordable Housing: An owner-occupied or rental dwelling unit with a purchase cost, value, or monthly rental, as applicable, equal to or less than the amounts established by the applicable standards for those individuals whose income is at or below 60 percent of Area Median Income as published by the United States Department of Housing and Urban Development and certified by the Department of Community and Economic Development.

* * *

SECTION 3. Chapter 31, "Zoning", Article VII, "Off-street parking and loading", Section 31-577, "Off-street parking ratios", is hereby amended as follows (with additions shown in underline format, deletions shown in ~~strikethrough~~)::

[Sec. 31-577. - Off-street parking ratios.]

The minimum off-street parking requirements for the uses indicated are as follows. Floor area and floor space in all instances not otherwise designated shall mean gross floor area.

- (1) *Residential uses.* For all residential uses:
 - a. ~~All~~ Residential units shall have at least two parking spaces per unit, including PUD residential developments.
 - b. Parking for units for the elderly shall provide at least 0.8 parking spaces per unit. Units for the elderly shall include independent living units and assisted living units. A Parking Analysis and Management Plan shall be provided in order to ensure that transportation and off-street parking needs will be met.
 - c. Affordable housing units shall provide at least one parking space per unit. A Parking Analysis and Management Plan shall be provided in order to ensure that transportation and off-street parking needs will be met.

1. The Parking Analysis and Management Plan shall include but is not limited to the following items:

a. Parking inventory and needs assessment; including current and proposed parking ratios, number of parking spaces utilized and required, including guest parking spaces, and number of vehicles owned by residents.

b. A narrative demonstrating how property management will accommodate anticipated parking needs and enforce parking provisions.

b. Identification of mass transit access; bus stops and routes, shelters, benches and other infrastructure.

c. Identification of pedestrian connectivity within the neighborhood and adjacent area, including bicycle paths and racks.

* * *

SECTION 4. Should any word, phrase, clause, subsection, section, part of provision of this Ordinance be declared by court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared invalid.

SECTION 5. All Ordinances or parts of Ordinances in conflict herewith or to the extent of such conflict shall be repealed.

SECTION 6. Specific authority is hereby granted to codify the 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 7. This Ordinance shall become effective immediately upon its final adoption by the City Council.

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ORDINANCE NO. _____
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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

TONYA DAVIS JOHNSON
CHAIRPERSON

ATTEST:

LYNNE L. HUBBARD
CHAIR PRO TEM

CLAUDENE L. ANTHONY,
CERTIFIED MUNICIPAL CLERK
CITY CLERK

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

JULIA A. BOTEL
COUNCILPERSON

TERENCE D. DAVIS
COUNCILPERSON

1ST READING

2ND & FINAL READING

MOTIONED BY: _____

MOTIONED BY: _____

SECONDED BY: _____

SECONDED BY: _____

L. HUBBARD _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

T. DAVIS JOHNSON _____

J. BOTEL _____

J. BOTEL _____

T. DAVIS _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

ANDREW DEGRAFFENREIDT, CITY ATTORNEY

DATE: _____