**CITY OF RIVIERA BEACH – MEMORANDUM**

**TO:** HON. MAYOR, CHAIRPERSON AND CITY COUNCIL

**THROUGH:** JONATHAN EVANS, CITY MANAGER, MPA, MBA, ICMA-CM

**FROM:** CLARENCE SIRMONS, DIRECTOR
DEVELOPMENT SERVICES DEPARTMENT

**SUBJECT:** **SPECIAL PRESERVATION ZONING ORDINANCE**

**DATE:** SEPTEMBER 16, 2020

**CC:** GENERAL PUBLIC

**Background:**

The City's Comprehensive Plan guides development activities and property use within the City. Specific Land Use Districts and a Future Land Use Map are contained within the City's Comprehensive Plan. These Land Use Districts and Future Land Use Map create the framework for the City's Zoning Districts, Zoning Map, and Land Development Regulations.

Development activities within the City must adhere to the City's Comprehensive Plan and Land Development Regulations. Also, Florida Statutes (Sec. 163.3202(1), "Land Development Regulations"), require that the City's Future Land Use Map and Zoning Map are consistent and compatible.

There is currently a compatibility issue between the City's Future Land Use Map and the City's Zoning Map. More particularly, the City's Future Land Use Map has designated an area of the City as Special Preservation; however, the City's Zoning Map has the same area classified as an RS-5 Single Family Dwelling District.

This Special Preservation Zoning Ordinance serves to ensure that the compatibility issue is corrected. This Ordinance also serves to accomplish the three items as follows:

1. To creation new "SP Special Preservation" Zoning District Land Development Regulations mirroring the requirements of the City's Comprehensive Plan Future

Land Use Element for Special Preservation Areas;

2. To amend the City's Zoning Map by incorporating the SP Special Preservation Zoning District on the City's Zoning Map mirroring the Special Preservation Future Land Use area per the City's Future Land Use Map; and

3. To sunset the current Special Preservation and Submerged Lands Moratorium (initially adopted by Ord. No. 4133, and extended by Ord. Nos. 4141, and 4146).

If this item is approved at second and final reading, City staff will update the Zoning Map to be consistent with the Special Preservation area, as shown on the Future Land Use Map. Thereafter, the City will then be in compliance with the Florida Statutes (Sec. 163.3202(1), "Land Development Regulations").

**Citywide Goal:**

The City-wide Goal is Accelerate Operational Excellence.

**Budget/Fiscal Impact:**

N/A

**Recommendation(s):**

City staff recommends City Council's approval of the attached Ordinance.

**Attachment(s):**

1. Special Preservation Zoning Ordinance
2. Exhibit "A", Zoning Map Amendment
3. Exhibit "B", Natural Resources Assessment 08.15.2020
4. Location Map
5. Location Map B&W
6. Planning and Zoning Board Meeting Packet 05.28.2020
7. Planning and Zoning Board Meeting Minutes 05.28.2020
8. Palm Beach Post Legal Ad Proof 6.27.2020
9. Mail Notice 6.24.2020
10. Palm Beach Post Legal Ad Proof 8.18.2020
11. Palm Beach Post Display Ad Proof 08.31.2020
12. Mail Notice 08.31.2020