



"The Best Waterfront City in Which to Live, Work and Play."

CITY OF RIVIERA BEACH – MEMORANDUM

TO: MAYOR, CHAIRPERSON, AND CITY COUNCIL

FROM: CLARENCE SIRMONS, DIRECTOR, DEVELOPMENT SERVICES

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

SUBJECT: **ORDINANCE 4179- RIGHT OF WAY ABANDONMENT**

DATE: NOVEMBER 3, 2021

Background:

First Reading of Ordinance 4179 was considered and approved by the Council at its October 20, 2021 regular meeting. Accordingly, at this time, this Item is being presented for Second and final Reading.

Reiterated, this application is a proposed amendment to the Code of Ordinances Chapter 29, Section 29-66 “Relocation and Use of Public Rights-of-Way”, in order to change the section title, insert a purpose statement, intent and definitions sections, provide a process for the abandonment of public rights-of-ways, clarify the criteria for relocation of rights-of-way, and provide for applicability, conflicts, severability and codification, and providing for an effective date.

This proposed amendment to the code of ordinances is an initiative of City Administration partially in response to increased development pressures in Riviera Beach. Because land is at a premium, it is not uncommon for project proponents to express interest in abandoning rights-of-way that fall within their project perimeter in order to have more developable area. Typically rights-of-way have a public purpose such as providing vehicular or pedestrian access to a destination for the public or a travel route to another location. Rights of way may also have utilities (water, sewer, drainage) located within its boundary; relocation of these facilities will be at the expense of the petitioner for abandonment. This ordinance, modelled after that of Palm Beach County, establishes a process for consideration of right-of-way abandonment requests and establishes a mechanism for the City to be reimbursed for the real property that is essentially being transferred to the project

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proponent to increase their developable area. The Riviera Beach Community Redevelopment Agency (CRA) has reviewed this item and supports it as a tool for economic development.

Citywide Goal:

Build Great Neighborhoods

Budget/Fiscal Impact:

N/A

Recommendation(s):

City staff recommends approval of Ordinance 4179.

Attachments:

1. Ordinance No. 4179
2. Staff Report
3. Proposed Code
4. PBC Abandonment Article
5. Memorandum Dated October 20, 2021 – First Reading

