



**REGULAR CITY COUNCIL MEETING  
AGENDA  
CHAMBERS**

**RIVIERA BEACH, FL 33404  
December 4, 2013  
5:30 PM**

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**NOTICE**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THE PROCEEDINGS SHALL CONTACT THE OFFICE OF THE CITY MANAGER AT 561-845-4010 NO LATER THAN 96 HOURS PRIOR TO THE PROCEEDINGS; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICES 1-800-955-8771 (TDD) OR 1-800-955-8770 (VOICE) FOR ASSISTANCE.

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**MAYOR**

**THOMAS A. MASTERS**

**CHAIRPERSON**

**CEDRICK A. THOMAS - DISTRICT 3**

**CHAIR PRO-TEM**

**DAWN S. PARDO - DISTRICT 4**

**COUNCILPERSONS**

**BRUCE A. GUYTON - DISTRICT 1**

**JUDY L. DAVIS - DISTRICT 2**

**TERENCE "TD" DAVIS - DISTRICT 5**

## **ADMINISTRATION**

**RUTH C. JONES, CITY MANAGER**

**CARRIE E. WARD, MMC, CITY CLERK**

**PAMALA H. RYAN B.C.S., CITY ATTORNEY**

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PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting, such interested person, at own expense, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105.

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### **LOBBYING - ORDINANCE 4001 - ADOPTED SEPTEMBER 2011**

Lobbyist registration and reporting forms are available for you online and in print.  
Forms can be obtained in the Office of the City Clerk & in the Council Chambers.  
Registration and reporting forms shall be submitted to the Office of the City Clerk.

ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM; PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE STAFF PRIOR TO THE BEGINNING OF THE MEETING. MEMBERS OF THE PUBLIC SHALL BE GIVEN A TOTAL OF THREE (3) MINUTES FOR ALL ITEMS LISTED ON THE CONSENT AGENDA. MEMBERS OF THE PUBLIC WILL BE GIVEN THREE (3) MINUTES TO SPEAK ON EACH REGULAR AGENDA ITEM. IN NO EVENT WILL ANYONE BE ALLOWED TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

## **CITY CLERK CALL TO ORDER**

**Roll Call**

**Invocation**

**Pledge of Allegiance**

**AGENDA Approval: Additions, Deletions, Substitutions**

**Disclosure by Council**

**Adoption of Agenda**

### **CONSENT AGENDA**

**ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILPERSON SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.**

## **MINUTES**

## **RESOLUTIONS**

1. **RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DELETION OF THE CLASSIFIED POSITION OF PLUMBING INSPECTOR AND ADDING THE CLASSIFIED POSITION OF COMBINATION INSPECTOR; AND PROVIDING AN EFFECTIVE DATE.**

2. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO PALM BEACH COUNTY, ON BEHALF OF THE CITY, FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$180,000 FOR THE FISCAL YEAR 2013-2014 FOR RECONSTRUCTION OF WEST 37TH STREET BETWEEN AVENUE J AND AVENUE K; AND PROVIDING AN EFFECTIVE DATE.
3. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FOR THE YOUTH EMPOWERMENT TEEN PROGRAM IN THE AMOUNT OF \$100,000; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

**END OF CONSENT AGENDA**

**PETITIONS AND COMMUNICATIONS FOR FILING**

**AWARDS AND PRESENTATIONS**

4. PRESENTATION BY THE HEALTH CARE DISTRICT OF PALM BEACH COUNTY CELEBRATING 25 YEARS SERVING PALM BEACH COUNTY RESIDENTS.

**PUBLIC HEARINGS**

5. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM BEAR NECESSITY DAYCARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 1951 AVENUE "H" EAST; AND PROVIDING FOR AN EFFECTIVE DATE.
6. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM A GRANDMA'S LOVE FAMILY DAYCARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 1600 AVENUE "F"; AND PROVIDING FOR AN EFFECTIVE DATE.
7. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM EULA GRAY'S FAMILY DAYCARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 301 W. 22ND CT.; AND PROVIDING FOR AN EFFECTIVE DATE.

8. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM ANDREA'S LITTLE ANGELS FAMILY CHILD CARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 574 W. 6TH ST.; AND PROVIDING FOR AN EFFECTIVE DATE.
9. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM BOATWRIGHT FAMILY CHILD CARE HOME, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 390 W. 33RD ST.; AND PROVIDING FOR AN EFFECTIVE DATE.

#### **ORDINANCES ON FIRST READING**

10. ORDINANCE NO. \_\_\_\_\_ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING THE CITY OF RIVIERA BEACH'S CODE OF ORDINANCES LAND DEVELOPMENT REGULATIONS FOR THE COMMUNITY REDEVELOPMENT AREA BY AMENDING CHAPTER 31, "ZONING", ARTICLE I, "IN GENERAL", SECTION 31-1, "DEFINITIONS" BY ADDING DEFINITIONS; AMENDING CHAPTER 31, "ZONING", ARTICLE IV, "NONCONFORMING USES" ADDING SECTION 31-80, "NONCONFORMITIES IN THE DOWNTOWN ZONING DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 1, "GENERALLY", REVISING SECTION 31-96, "DESIGNATION OF DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DELETING DIVISION 24, "IHC INLET HARBOR CENTER OVERLAY ZONING DISTRICT" AND ADDING DIVISION 26, "DOWNTOWN ZONING DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE VI, "SUPPLEMENTAL DISTRICT REGULATIONS", REVISING SECTION 31-543, "CHURCHES"; AMENDING CHAPTER 29, "STREETS AND SIDEWALKS", ARTICLE II, "CONSTRUCTION", DIVISION 2, "STREETS", SECTION 29-65, "STREET DESIGN STANDARDS FOR THE COMMUNITY REDEVELOPMENT AREA" AND ADDING SECTION 29-66, "RELOCATION AND USE OF PUBLIC RIGHTS-OF-WAY"; AMENDING THE CITY'S ZONING MAP TO INCLUDE THE NEW DOWNTOWN ZONING DISTRICTS WITHIN THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; SPECIFIC AUTHORITY IS HEREBY GIVEN TO CODIFY THIS ORDINANCE AND THE EXHIBITS; AND PROVIDING AN EFFECTIVE DATE.
11. ORDINANCE NO. \_\_\_\_\_ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ABANDONING ALL OF THE RIGHT-OF-WAY KNOWN AS GRAND VIEW PLACE NORTH, TOGETHER



WITH ALL OF EAST 13TH STREET LYING EAST OF A LINE THAT IS 5 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF AVENUE 'C', TOGETHER WITH ALL OF EAST 14TH STREET LYING EAST OF A LINE THAT IS 5 FEET EAST OF THE SAID EAST RIGHT-OF-WAY LINE OF AVENUE 'C', ALL AS SHOWN ON RIVIERA, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 90 AND 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TO FACILITATE DEVELOPMENT IN ACCORDANCE WITH THE RIVIERA BEACH MARINA DISTRICT MASTER PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY AND RECORDING; AND PROVIDING AN EFFECTIVE DATE.

**COMMENTS FROM THE PUBLIC -7:00 PM Non-Agenda Item Speakers (Three Minute Limitation)**

Please be reminded that the City Council has adopted a set of "Rules of Decorum Governing Public Conduct during Official Meetings", which had been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.

Public Comments shall begin at 7:00 PM unless there is no further business of the City Council, which in that event, it shall begin sooner. In addition; however, if an item is being considered at 7:00 PM, then comments from the public shall begin immediately after the item has been concluded.

**REGULAR**

12. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO PROHIBIT FISHING FROM BLUE HERON BRIDGE NO. 930269 AND TO INSTALL "NO FISHING" SIGNS; AND PROVIDING AN EFFECTIVE DATE.

**DISCUSSION AND DELIBERATION**

13. DISCUSSION ON THE GENERAL EMPLOYEES PENSION BOARD ORDINANCE AS IT RELATES TO BOARD APPOINTMENTS.

**COMMUNITY BENEFITS REQUEST**

14. J.A.Y. OUTREACH MINISTRIES - COUNCILWOMAN DAWN S. PARDO - \$500 - CHRISTMAS TREE FUNDRAISER
15. COUNCILWOMAN PARDO'S ANNUAL TOY DRIVE - \$500 - COUNCILMAN BRUCE A. GUYTON - DONATION TO PARDO'S JINGLE & MINGLE ANNUAL TOY DRIVE.
16. RIVIERA BEACH PARKS & RECREATION - \$500 - COUNCILMAN BRUCE A. GUYTON - FOR THE RIVIERA BEACH BARRACUDA SWIM TEAM ANNUAL BANQUET AND END OF YEAR ACTIVITIES.

**BOARD APPOINTMENTS**

17. **BOARD APPOINTMENT OF GIL VETTER TO THE GENERAL  
EMPLOYEES PENSION BOARD BY MAYOR THOMAS A.  
MASTERS.**

**DISCUSSION BY CITY MANAGER**

**LEGAL DISCUSSION/REQUEST**

**CITY COUNCIL COMMITTEE REPORTS**

**STATEMENTS BY THE MAYOR AND CITY COUNCIL**

**ADJOURNMENT**

**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** CONSENT  
RESOLUTION

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**Subject:** That City Council approve the resolution to delete the one (1) classified position of Plumbing Inspector and add one (1) classified position of Combination Inspector to the Community Development 2013-2014 Fiscal Year Budget.

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**Recommendation/Motion:** That City Council approves the reclassification of the position of plumbing inspector to the position of combination inspector in the Community Development Budget 2013-2014 Fiscal Year Budget.

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<b>Originating Dept.</b>	Human Resources	<b>Costs:</b>	Savings of approximately \$27,000.
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<b>User Dept.</b>	Human Resources	<b>Funding Source:</b>	
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<b>Advertised:</b>	No	<b>Budget Account Number:</b>	001-0715-524-0-1201
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**Date:**

**Paper:**

<b>Affected Parties:</b>	Not Required
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**Background/Summary:**

That the 2013-2014 Community Development Department Budget be amended by adding one (1) classified position of Combination Inspector and deleting one (1) classified position of Plumbing Inspector. Just recently, the Plumbing Inspector's position became vacant due to the employee's retirement. The combination inspector's position was created a few years ago with the intent of phasing out the individual specialty inspectors; e.g. electrical inspector, mechanical inspector, plumbing inspector, etc. With the creation of combination inspector, this would allow all inspectors to cross train to perform inspections in the various inspection trades. Therefore, at this time the department is requesting the reclassification of the position due to the retirement of the plumbing inspector. In this year's Community Development Budget, there will be a savings of approximately \$27,000.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

**Fiscal Years** 2014

**Capital Expenditures**

**Operating Costs** 46,106

**External Revenues**

**Program Income (city)**

**In-kind Match (city)**

**Net Fiscal Impact** 46,106

**NO. Additional FTE Positions (cumulative)**

**Is Item Included in Current Budget?** Yes

**Budget Account NO:** 001-0715-524-0-1201

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

**C. Department Fiscal Review**

There will be a savings of approximately \$27,000 in the Community Development Budget.

**III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

**Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:

📎 [RESOLUTION - COMBINATION INSPECTOR.doc](#)

Resolution - plumbing inspector

📎 [Copy of combination inspector salary schedule change.xls](#)

Deletion of plumbing inspector

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DELETION OF THE CLASSIFIED POSITION OF PLUMBING INSPECTOR AND ADDING THE CLASSIFIED POSITION OF COMBINATION INSPECTOR AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the classified position of Plumbing Inspector became vacant and the request is to delete the position and increase the complement of Combination Inspector in the Community Development Department 2013-2014 Fiscal Year Budget; and

WHEREAS, the 2013-2014 Community Development Budget shall be amended by increasing the number of Combination Inspectors from one (1) to two (2); and

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

SECTION 1. That the classified position of Plumbing Inspector be deleted from the General Employees Job Classification List as follows:

<u>JOB CLASSIFICATION</u>	<u>POSITION</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
GENERAL EMPLOYEES	PLUMBING INSPECTOR	15	\$42,683 – 66,159

SECTION 2. That the deleted position of plumbing inspector be reclassified to combination inspector as follows:

<u>JOB CLASSIFICATION</u>	<u>POSITION</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
GENERAL EMPLOYEES	COMBINATION INSPECTOR	17	\$46,106-\$71,464

RESOLUTION NO. \_\_\_\_\_  
PAGE 2

SECTION 3. That this Resolution shall take effect upon its passage and approval by City Council.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_,  
2013.

[THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]



RESOLUTION NO. \_\_\_\_\_  
PAGE 3

APPROVED:

\_\_\_\_\_  
THOMAS MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
CARRIE E. WARD, MMC  
CITY CLERK

\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

Motioned by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

C. THOMAS \_\_\_\_\_  
D. PARDO \_\_\_\_\_  
B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_  
T. DAVIS \_\_\_\_\_

REVIEWED TO LEGAL SUFFICIENCY

\_\_\_\_\_  
PAMALA H. RYAN, CITY ATTORNEY

\_\_\_\_\_  
DATE

**CITY OF RIVIERA BEACH, FL**  
**JOB CLASSIFICATION LIST - 10/01/13**

<b>Grade</b>	<b>Minimum</b>	<b>Midpoint</b>	<b>Maximum</b>	<b>Job Code and Title</b>
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**GENERAL EMPLOYEES SALARY SCHEDULE**

**CITY OF RIVIERA BEACH, FL**  
**JOB CLASSIFICATION LIST - 10/01/13**

Grade	Minimum	Midpoint	Maximum	Job Code and Title
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**GENERAL EMPLOYEES SALARY SCHEDULE**

**CLASSIFIED FULL-TIME POSITIONS**

<b>15 A</b>	42,683.25	54,421.24	66,159.23	
<b>W</b>	820.83	1,046.56	1,272.29	
<b>H</b>	20.52	26.16	31.81	
<b>B</b>	1,641.66	2,093.12	2,544.59	5053 ELECTRICAL/MECHANICAL INSPECTOR <del>5054 PLUMBING INSPECTOR</del> 0015 PARALEGAL
<b>17 A</b>	46,106.24	58,785.17	71,464.10	
<b>W</b>	886.66	1,130.48	1,374.31	
<b>H</b>	22.17	28.26	34.36	
<b>B</b>	1,773.32	2,260.97	2,748.62	5059 COMBINATION INSPECTOR 5060 COMBINATION PLANS EXAMINER
<b>18 A</b>	47,817.73	60,967.13	74,116.53	
<b>W</b>	919.57	1,172.44	1,425.32	
<b>H</b>	22.99	29.31	35.63	
<b>B</b>	1,839.14	2,344.89	2,850.64	1017 MULTI-MEDIA SPECIALIST 6033 I.T. SPECIALIST/WEBMASTER
<b>20 A</b>	51,240.73	65,331.05	79,421.38	
<b>W</b>	985.40	1,256.37	1,527.33	
<b>H</b>	24.63	31.41	38.18	
<b>B</b>	1,970.80	2,512.73	3,054.67	6035 SYSTEMS ADMINISTRATOR 3038 SENIOR PLANNER/GIS SPECIALIST
<b>23 A</b>	56,946.69	63,246.06	88,265.43	
<b>W</b>	1,095.13	1,216.27	1,697.41	
<b>H</b>	27.38	30.41	42.44	
<b>B</b>	2,190.26	2,432.54	3,394.82	3014 GIS COORDINATOR

**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** CONSENT  
RESOLUTION

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**Subject:** A Resolution authorizing the City Manager to submit an application to Palm Beach County for receiving Community Development Block Grant (CDBG) funds and providing an effective date.

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**Recommendation/Motion:** Staff recommends that the City Council approve the resolution.

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<b>Originating Dept.</b>	Public Works	<b>Costs:</b>	\$425,000 (\$180,000 County) (\$245,000 City)
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<b>User Dept.</b>	Public Works	<b>Funding Source:</b>	CDBG Funds and Paving & Drainage Funds
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<b>Advertised:</b>	No	<b>Budget Account Number:</b>	
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**Date:**

**Paper:**

<b>Affected Parties:</b>	Not Required
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**Background/Summary:**

The Palm Beach County Department of Economic Sustainability (DES) will be soliciting applications for CDBG funds for fiscal year 2013-14. Each participating municipality is required to submit an application for funding each year. The City is expected to receive between \$180,000 and \$190,000. The City's estimated \$235,000 share will be allocated from 2013-14 Paving and Drainage and Street Improvement Fund accounts. The Northwest Neighborhood Strategy Area qualifies, per CDBG guidelines, for construction improvements. Staff recommends this funding be utilized to reconstruct West 37th Street between Avenue J and Avenue K (See attached location Maps).

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
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<b>Capital Expenditures</b>	\$425,000	\$0	\$0
<b>Operating Costs</b>	\$0	\$0	\$0
<b>External Revenues</b>	\$180,000	\$0	\$0
<b>Program Income (city)</b>	\$0	\$0	\$0
<b>In-kind Match (city)</b>	\$0	\$0	\$0
<b>Net Fiscal Impact</b>	\$245,000	\$245,000	\$0
<b>NO. Additional FTE Positions (cumulative)</b>	N/A		

**Is Item Included in Current Budget?** No

**Budget Account NO:**

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

CDBG Funds and Paving & Drainage Funds

**C. Department Fiscal Review**

### **III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

### **Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:

 [RESOLUTION TO APPLY FOR FUNDING 2013-2014.doc](#)

Resolution

 [AGENDA\\_ITEM-Authorization to Apply for CDBG.doc](#)

Agenda Item Summary

 [Location map CDBG W37thJK NP.pdf](#)

West 37Th Street Location Map

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO PALM BEACH COUNTY, ON BEHALF OF THE CITY, FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$180,000 FOR THE FISCAL YEAR 2013-2014 FOR RECONSTRUCTION OF WEST 37<sup>TH</sup> STREET BETWEEN AVENUE J AND AVENUE K; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Palm Beach county receives Community Development Block Grant Funds from the U.S. Department of Housing and Urban Development for the implementation and execution of certain activities and projects; and

**WHEREAS**, Palm Beach County will be soliciting proposals for its Community Development Block Grant Program for fiscal year 2013-14; and

**WHEREAS**, The City of Riviera Beach has entered into an interlocal agreement with Palm Beach County for implementation of community development projects; and

**WHEREAS**, The City of Riviera Beach has conducted a public meeting, obtained citizens input on community development projects and ranked those projects.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA as follows:**

**SECTION 1.** The City Council hereby approves the submission of an application to Palm Beach County for Community Development Block Grant Funds for fiscal year 2013-14.

**SECTION 2.** That these funds are to be used for improving West 37<sup>th</sup> Street between Avenue J and Avenue K in the Northwest Neighborhood Strategy Area; and that the City is committing \$245,000 of the Street Improvement Funds for this project in addition to the County CDBG allocation of \$180,000.

**SECTION 3.** That these projects shall be priority number one for funding consideration.

**SECTION 4.** That the City Manager is authorized to execute the application



**RESOLUTION NO. \_\_\_\_\_**  
**PAGE 2**

**SECTION 5.** That the Resolution take effect upon its passage and approval by City Council.

**PASSED and APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**RESOLUTION NO. \_\_\_\_\_**  
**PAGE: 3**

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERRENCE D. DAVIS  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

T. DAVIS \_\_\_\_\_

**REVIEWED AS TO LEGAL SUFFICIENCY**

\_\_\_\_\_  
PAMALA HANNA RYAN, ESQ., B.C.S., CITY ATTORNEY

**DATE:** \_\_\_\_\_

# CITY OF RIVIERA BEACH CITY COUNCIL

## AGENDA ITEM SUMMARY

MEETING DATE: December 04, 2013

AGENDA ITEM SUMMARY NO. G13-121-1

☐ AWARDS / PRESENTATIONS / PETITIONS  
☒ CONSENT  
☐ PUBLIC HEARING  
☐ ORDINANCE ON SECOND READING  
☐ ORDINANCE ON FIRST HEARING

☐ REGULAR  
☒ RESOLUTION  
☐ DISCUSSION & DELIBERATION  
☐ BOARD APPOINTMENT  
☐ WORKSHOP

**TITLE/SUBJECT:** A resolution authorizing the City Manager to submit an application to Palm Beach County for receiving Community Development Block Grant (CDBG) funds and providing an effective date.

**RECOMMENDATION / MOTION:** Staff recommends that the City Council approve the resolution.

• Assistant City Manager	Library (N/A)
• City Attorney	Marina (N/A)
• City Clerk	Police (N/A)
Community Development (N/A)	• Public Works
• Finance	Purchasing (N/A)
Fire (N/A)	Recreation & Parks (N/A)
CRA (N/A)	Utilities

APPROVED BY CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

<b>Originating Dept.</b> Public Works	<b>Costs:</b> <u>\$425,000</u> (\$180,000 County) (\$245,000 City)	<b>City Council Actions:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied _____ <input type="checkbox"/> Tabled to _____ <input type="checkbox"/> Referred to Staff _____
<b>User Dept.</b> Public works	<b>FY:</b> <u>2013-14</u> <b>Funding Source:</b> <input type="checkbox"/> Capital Improvement <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Other: Paving and Drainage Street Improvement Funds	<b>Attachments:</b> 1. Resolution 2. Location Map
<b>Advertised:</b> <b>Date:</b> <b>Paper:</b> <input checked="" type="checkbox"/> Not Required	<b>Budget Account Number:</b> <u>301-0716-----</u>	
<b>Affected Parties</b> <input type="checkbox"/> Notified <input checked="" type="checkbox"/> Not Required		

**SUMMARY/BACKGROUND:** The Palm Beach County Department of Housing and Community Development (HCD) will be soliciting applications for CDBG funds for fiscal year 2013-14. Each participating municipality is required to submit an application for funding each year. The City is expected to receive between \$180,000 and \$190,000. The City's estimated \$235,000 share will be allocated from 2013-14 Paving and Drainage and Street Improvement Fund accounts. The Northwest Neighborhood Strategy Area qualifies, per CDBG guidelines, for construction improvements. Staff recommends this funding be utilized to reconstruct West 37<sup>th</sup> Street between Avenue J and Avenue K (see attached location maps).

## EXHIBIT A-1

## II. FISCAL IMPACT ANALYSIS

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	<u>\$425,000</u>	<u>\$0.00</u>			
Operating Costs	<u>None</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
External Revenues	<u>\$180,000</u>	<u>\$0.00</u>			
Program Income (City)	<u>None</u>				
In-Kind Match (City)	<u>None</u>				
<b>NET FISCAL IMPACT</b>	<b><u>\$245,000</u></b>	<b><u>\$0.00</u></b>	<b><u>\$0.00</u></b>	<b><u>\$0.00</u></b>	<b><u>\$0.00</u></b>

**NO. ADDITIONAL FTE  
POSITIONS (Cumulative)**

Is Item Included In Current Budget? Yes      No. XX  
 Budget Account No.: Fund 000 Dept/Division 0000 Org. 000 Object 0  
 Reporting Category: 0000

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

### CDBG Funds and Paving & Drainage Funds

**C. Departmental Fiscal Review:** \_\_\_\_\_

### III. REVIEW COMMENTS

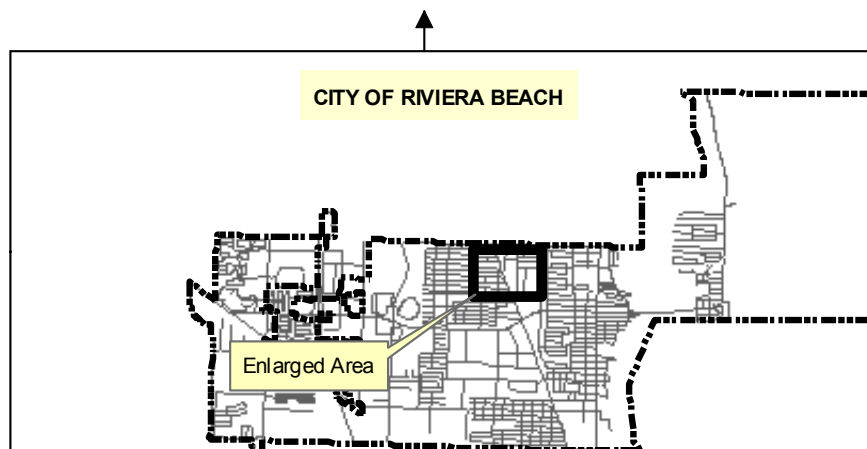
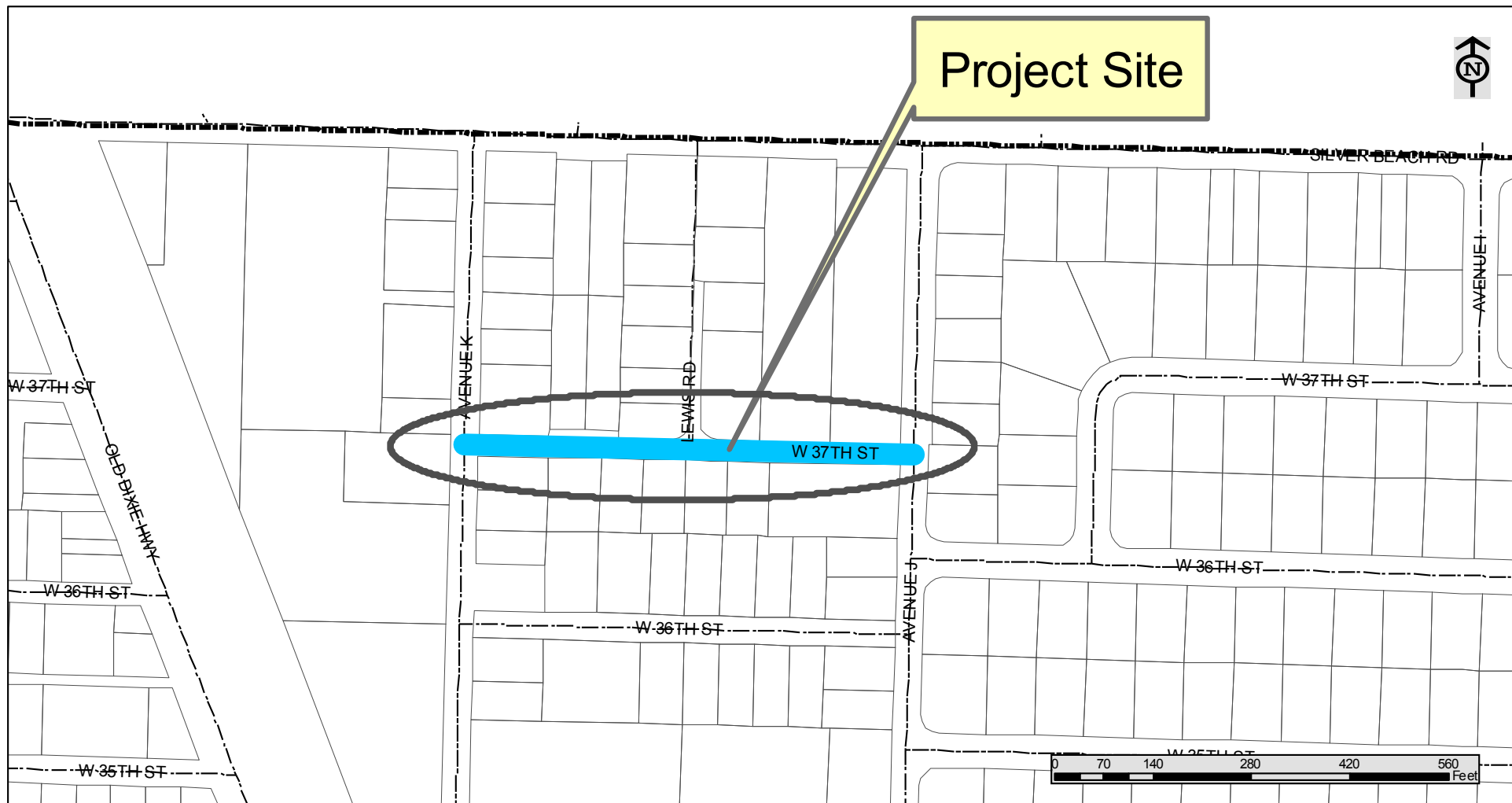
**A. Finance Department and/or Purchasing/Intergovernmental Relations/Grants Comments:**

## Finance Department

## Purchasing and Grants

**B. Other Department Review:**

**Department Director**



## LOCATION MAP W. 37TH STREET FROM J TO K.

Legend	
	Parcel Boundary
	Street Center Line
	W_37th
	Municipal Boundary

Map Created on November, 2013  
by the City of Riviera Beach Engineering Div.

D:\CDBG Application\W37hJK\_112213\Location Map CDBG\_W37hJK NP

**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** CONSENT

---

**Subject:** PALM BEACH CONTY INTERLOCAL AGREEMENT

---

**Recommendation/Motion:** Staff recommends approval of Resolution

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<b>Originating Dept.</b>	Executive	<b>Costs:</b>	\$100,000
<b>User Dept.</b>	Youth Empowerment Teen Program	<b>Funding Source:</b>	
<b>Advertised:</b>	No	<b>Budget Account Number:</b>	Regular Salary: 151-0202-569-3-1201 - \$17,940; FICA: 151-0202-569-3-2101 - \$1372.41; Contractual Svc: 151-0202-569-3-3101 - \$ 22,980; Office Supplies: 151-0202-569-3-5201 - \$2500.00; Program Supplies: 151-0202-569-3-5201 - \$600.00; Training & Development: 151-0202-569-3-5403 - \$7961.00; Food/Snacks: 151-0202-569-3-3101 - \$3000.99; Advertising & Marketing: 151-0202-569-3-3101 - \$5000; Apprenticeship (Summer Career Mentoring/Employment): 151-0202-569-3-3101 - \$38045.60; Printing & Binding: 151-0202-569-3-4701 - \$600;

**Date:**

**Paper:**

**Affected** Not Required

## Parties:

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### Background/Summary:

Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing the mayor and City Clerk to execute County resolution of the Palm Beach County Interlocal Agreement between the Board of County Commissioners, and the City of Riviera Beach Youth Empowerment Teen Program in the amount of \$100,000 to provide anti-violence teen activities i.e. education, life skills, skill building, apprenticeship, etc. for the youth of Riviera Beach. This Interlocal Agreement also will fund cost for the City of Riviera Beach Youth Empowerment Teen Program to hire a P/T Recreation Worker. Interlocal Agreement is to begin October 1st, 2013 through September 30th, 2014. Approval of this resolution agreement will authorize the Finance Director to set up a budget for the same and providing for an effective date.

## II. Fiscal Impact Analysis

### A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<u>2013</u>	<u>2014</u>
---------------------	-------------	-------------

<b>Capital Expenditures</b>		
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<b>Operating Costs</b>		
------------------------	--	--

<b>External Revenues</b>		
--------------------------	--	--

<b>Program Income (city)</b>		
------------------------------	--	--

<b>In-kind Match (city)</b>		
-----------------------------	--	--

<b>Net Fiscal Impact</b>		
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<b>NO. Additional FTE Positions (cumulative)</b>		
--	--	--

<b>Is Item Included in Current Budget?</b>	No	
--	----	--

<b>Budget Account NO:</b>	Regular Salary: 151-0202-569-3-1201 - \$17,940; FICA: 151-0202-569-3-2101 - \$1372.41; Contractual Svc: 151-0202-569-3-3101 - \$ 22,980; Office Supplies: 151-0202-569-3-5201 - \$2500.00; Program Supplies: 151-0202-569-3-5201 - \$600.00; Training & Development: 151-0202-569-3-5403 - \$7961.00; Food/Snacks: 151-0202-569-3-3101 - \$3000.99; Advertising & Marketing: 151-0202-569-3-3101 - \$5000; Apprenticeship (Summer Career Mentoring/Employment): 151-0202-569-3-3101 - \$38045.60; Printing & Binding: 151-0202-569-3-4701 - \$600;
---------------------------	---

### B. Recommended Sources of Funds/Summary of Fiscal Impact :

### C. Department Fiscal Review

## III. Review Comments

### A. Finance Department Comments:



B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

**Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:

 [RB\\_F2014\\_Final\\_ILA-approved\\_byPGE\\_CJC\\_10-23-13\\_REVISED\\_RB\\_Legal.doc](#)

Interlocal Agreement BCC & CRB

 [2014\\_county\\_budget.xlsx](#)

2013/2014 CJC Budget

 [2014\\_county\\_exhibit\\_b.docx](#)

CJC Exhibit B

 [RES.YEP\\_INTERLOCAL.11272013.vg.dpm.doc.pdf](#)

RES.YEP, INTERLOCAL

**INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY  
COMMISSIONERS, PALM BEACH COUNTY, FLORIDA, AND THE CITY OF  
RIVIERA BEACH, FLORIDA**

**THIS INTERLOCAL AGREEMENT** is made as of the \_\_\_\_ day of \_\_\_\_\_, 2013, by and between Palm Beach County, a Political Subdivision of the State of Florida, by and through its Board of Commissioners, hereinafter referred to as the COUNTY, and the City of Riviera Beach, a municipality located in Palm Beach County, Florida, hereinafter referred to as the CITY, each one constituting a public agency as defined in Part I of Chapter 163, Florida Statutes.

**WITNESSETH:**

**WHEREAS**, Section 163.01 of the Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969, authorizes local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, Part I of Chapter 163 of the Florida Statutes permits public agencies as defined therein to enter into interlocal agreements with each other to exercise jointly any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

**WHEREAS**, The Criminal Justice Commission (CJC), upon direction from the Board of County Commissioners (BCC), continues the development of a Youth Violence Prevention Project which addresses the increase in violent crimes; and

**WHEREAS**, the COUNTY will reimburse the CITY for the expenses outlined in the budget, Exhibit B, up to the amount of \$100,000 from October 1, 2013 through September 30, 2014 for the Youth Violence Prevention Project set forth in Exhibits A; and

**NOW, THEREFORE**, in consideration of the mutual representations, terms and covenants hereinafter set forth, the parties hereto agree as follows:

**ARTICLE 1 - SERVICES AND PROGRAMMATIC REQUIREMENTS**

The CITY'S responsibility under this INTERLOCAL AGREEMENT is to provide professional services in the area of YOUTH VIOLENCE PREVENTION/YOUTH EMPOWERMENT CENTER, as more specifically set forth in the Scope of Work detailed in Exhibit A.

The CITY agrees that it shall implement one Youth Empowerment Center as part of the countywide efforts of the Youth Violence Prevention Project in partnership with the COUNTY.

The CITY agrees to specific programmatic requirements, including but not limited to, the following:

- A. Maintain books, records, documents, and other evidence which sufficiently and properly reflects all costs of any nature expended in the performance of this Contract in accordance with generally accepted accounting principles.
- B. Maintain records in accordance with the Public Records Law, Chapter 119, Florida Statutes.
- C. No private or confidential data collected, maintained or used during the course of the contract period shall be disseminated except as authorized by statute during the contract period or thereafter.
- D. Allow the COUNTY, through the Criminal Justice Commission, to monitor the CITY and ensure that the fiscal and programmatic goals as outlined in the Scope of Work (Exhibit A) are adhered to by permitting authorized representatives to have access to records upon reasonable notice for the purpose of review, analysis, inspection and audit. Services will be monitored against administrative and programmatic standards designed to measure program efficiency and effectiveness. The CITY shall maintain business and accounting records detailing the performance of the contract. Monitoring includes announced and unannounced site visits performed by the COUNTY. The CITY shall comply with site visits.
- E. Reimburse funds to COUNTY that are deemed by the COUNTY in its sole discretion to be misused or misspent.
- F. The COUNTY'S Executive Director of the Criminal Justice Commission may authorize adjustments in the budget of up to 10% provided there is not an increase in the total amount.
- G. The COUNTY'S representative shall review in advance all capital, event, and trip expenses in excess of \$500.00. All events/trips must have their own budgets. All equipment and capital items costing more than \$300.00 shall be inventoried and marked. A list of all such items shall be provided to the COUNTY'S representative within twenty (20) days of receipt and prior to payment by the COUNTY. In the event of the termination of the Youth Violence Prevention Project/Youth Empowerment Center by either party under this or subsequent contracts, the items purchased hereunder shall be immediately transferred to the COUNTY.
- H. All subcontracts for services herewith, shall require prior review and written authorization by the COUNTY'S representative.
- I. Submit a Report of Monthly Measurable Outcomes Report for each program, within 10 days of the end of each calendar month (i.e. January 10, for the month of December) that reflects the CITY'S progress in attaining its goals as outlined in the Scope of Work, Exhibit A. Failure to provide this information in a timely fashion and in the format required will be grounds for financial reimbursements to be withheld by COUNTY staff.

## **ARTICLE 2 – CONTRACT REPRESENTATIVE/LIAISON**

The COUNTY'S representative/liaison during the performance of this INTERLOCAL AGREEMENT shall be Brenda Oakes, telephone no. 355-1617.

The CITY'S representative/liaison during the performance of this INTERLOCAL AGREEMENT shall be Melissa Garvin, telephone number 719-5002. Subcontract providers report to the CITY's representative.

### **ARTICLE 3 – SCHEDULE**

The CITY shall commence services on October 1, 2013 and regardless of the date COUNTY executes complete all services by September 30, 2014.

### **ARTICLE 4 - PAYMENTS TO CITY**

A. The total amount to be paid by the COUNTY under this INTERLOCAL AGREEMENT for all services and shall not exceed a total INTERLOCAL AGREEMENT amount of one-hundred thousand, dollars (\$100,000). The CITY shall notify the COUNTY's representative in writing when 90% of the "not to exceed amount" has been reached. The CITY will bill the COUNTY on a monthly basis, or as otherwise provided, at the amounts set forth in Exhibit B for services rendered toward the completion of the Scope of Work. Where incremental billings for partially completed items are permitted, the total billings shall not exceed the estimated percentage of completion as of the billing date.

B. The CITY shall submit monthly programmatic reports and monthly financial invoices to the COUNTY which will include a reference to this INTERLOCAL AGREEMENT, identify the project and identify the amount due and payable to the CITY, as well as confirmation of the CITY's expenditures for the Project. Programmatic reports received trigger payments to the CITY. Invoices and related backup shall be provided to support grant funds and CITY funds.

C. Invoices received from the CITY pursuant to this INTERLOCAL AGREEMENT will be reviewed and approved by the COUNTY's representative, to verify that services have been rendered in conformity with the INTERLOCAL AGREEMENT. Approved invoices will then be sent to the Finance Department for payment. Invoices will normally be paid within thirty (30) days following the COUNTY representative's approval.

D. Final Invoice: In order for both parties herein to close their books and records, the CITY will clearly state "final invoice" on the CITY'S final/last billing to the COUNTY. This shall constitute CITY'S certification that all services have been properly performed and all charges and costs have been invoiced to Palm Beach County. Any other charges not properly included on this final invoice are waived by the CITY.

### **ARTICLE 5 - TERMINATION**

This INTERLOCAL AGREEMENT may be terminated by the CITY upon sixty (60) days' prior written notice to the COUNTY's representative in the event of substantial failure by the COUNTY to perform in accordance with the terms of this INTERLOCAL AGREEMENT through no fault of the CITY. It may also be terminated, in whole or in part, by the COUNTY, with or without cause, immediately upon written notice to the CITY. Unless the CITY is in breach of this INTERLOCAL AGREEMENT, the CITY shall be paid for services rendered to the COUNTY'S satisfaction through the date of termination. After receipt of a Termination Notice and except as otherwise directed by the COUNTY the CITY shall:

- A. Stop work on the date and to the extent specified.
- B. Terminate and settle all orders and subcontracts relating to the performance of the terminated work.
- C. Transfer all work in process, completed work, and other materials related to the terminated work to the COUNTY, including program, capital and equipment items purchased.
- D. Continue and complete all parts of the work that have not been terminated.

## **ARTICLE 6 – PERSONNEL**

The CITY represents that it has, or will secure at its own expense, all necessary personnel required to perform the services under this INTERLOCAL AGREEMENT. Such personnel shall not be employees of or have any contractual relationship with the COUNTY.

All of the services required hereinunder shall be performed by the CITY or under its supervision, and all personnel engaged in performing the services shall be fully qualified and, if required, authorized or permitted under state and local law to perform such services.

Any changes or substitutions in the CITY'S key personnel, as may be listed in Exhibit A, must be made known to the COUNTY'S representative and written approval must be granted by the COUNTY's representative before said change or substitution can become effective.

The CITY warrants that all services shall be performed by skilled and competent personnel to the highest professional standards in the field.

All of the CITY'S personnel (and all subcontractors), while on COUNTY premises, will comply with all COUNTY requirements governing conduct, safety and security.

## **ARTICLE 7 - SUBINTERLOCAL AGREEMENT**

The COUNTY reserves the right to accept the use of a subcontractor or to reject the selection of a particular subcontractor and to inspect all facilities of any subcontractor in order to make a determination as to the capability of the subcontractor to perform properly under this INTERLOCAL AGREEMENT. The CITY is encouraged to seek additional small business enterprises for participation in subcontracting opportunities. If the CITY uses any subcontractors on this project the following provisions of this Article shall apply:

If a subcontractor fails to perform or make progress, as required by this INTERLOCAL AGREEMENT, and it is necessary to replace the subcontractor to complete the work in a timely fashion, the CITY shall promptly do so, subject to acceptance of the new subcontractor by the COUNTY.

The CITY agrees to maintain all relevant records and information necessary to document compliance pursuant to Palm Beach County Code, Chapter 2, Article III, Sections 2-71 through 2-80.13 and any revisions thereto, and will allow the COUNTY to inspect such records.

## **ARTICLE 8 - AVAILABILITY OF FUNDS**

The COUNTY'S performance and obligation to pay under this INTERLOCAL AGREEMENT for subsequent fiscal years are contingent upon annual appropriations for its purpose by the Board of County Commissioners.

#### **ARTICLE 9 – INDEMNIFICATION**

The parties to this INTERLOCAL AGREEMENT and their respective officers and employees shall not be deemed to assume any liability for the acts, omissions, and negligence of the other party. Further, nothing contained herein shall be construed as a waiver of sovereign immunity by either party, as provided for in section 768.28, Florida Statutes.

#### **ARTICLE 10 - SUCCESSORS AND ASSIGNS**

The COUNTY and the CITY each binds itself and its partners, successors, executors, administrators and assigns to the other party and to the partners, successors, executors, administrators and assigns of such other party, in respect to all covenants of this INTERLOCAL AGREEMENT. Except as above, neither the COUNTY nor the CITY shall assign, sublet, convey or transfer its interest in this INTERLOCAL AGREEMENT without the prior written consent of the other.

#### **ARTICLE 11 – REMEDIES**

This INTERLOCAL AGREEMENT shall be governed by the laws of the State of Florida. Any legal action necessary to enforce the INTERLOCAL AGREEMENT will be held in Palm Beach County. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity, by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

No provision of this INTERLOCAL AGREEMENT is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this INTERLOCAL AGREEMENT, including but not limited to any citizen or employees of the COUNTY and/or CITY.

#### **ARTICLE 12 - CONFLICT OF INTEREST**

The CITY represents that it presently has no interest and shall acquire no interest, either direct or indirect, which would conflict in any manner with the performance of services required hereunder, as provided for in Chapter 112, Part III, Florida Statutes, and the Palm Beach County Code of Ethics. The CITY further represents that no person having any such conflict of interest shall be employed for said performance of services.

The CITY shall promptly notify the COUNTY's representative, in writing, by certified mail, of all potential conflicts of interest of any prospective business association, interest or other circumstance which may influence or appear to influence the CITY'S judgement or quality of services being provided hereunder. Such written notification shall identify the prospective business association, interest or circumstance, the nature of work that the CITY may undertake and request an opinion of the COUNTY as to whether the association, interest or circumstance would, in the opinion of the

COUNTY, constitute a conflict of interest if entered into by the CITY. The COUNTY agrees to notify the CITY of its opinion by certified mail within thirty (30) days of receipt of notification by the CITY. If, in the opinion of the COUNTY, the prospective business association, interest or circumstance would not constitute a conflict of interest by the CITY, the COUNTY shall so state in the notification and the CITY shall, at its option, enter into said association, interest or circumstance and it shall be deemed not in conflict of interest with respect to services provided to the COUNTY by the CITY under the terms of this INTERLOCAL AGREEMENT.

#### **ARTICLE 13 - EXCUSABLE DELAYS**

The CITY shall not be considered in default by reason of any failure in performance if such failure arises out of causes reasonably beyond the control of the CITY or its subcontractors and without their fault or negligence. Such causes include, but are not limited to, acts of God, force majeure, natural or public health emergencies, labor disputes, freight embargoes, and abnormally severe and unusual weather conditions.

Upon the CITY'S request, the COUNTY shall consider the facts and extent of any failure to perform the work and, if the CITY'S failure to perform was without it or its subcontractors fault or negligence, the INTERLOCAL AGREEMENT Schedule and/or any other affected provision of this INTERLOCAL AGREEMENT shall be revised accordingly, subject to the COUNTY'S rights to change, terminate, or stop any or all of the work at any time.

#### **ARTICLE 14 – ARREARS**

The CITY shall not pledge the COUNTY'S credit or make it a guarantor of payment or surety for any INTERLOCAL AGREEMENT, debt, obligation, judgement, lien, or any form of indebtedness. The CITY further warrants and represents that it has no obligation or indebtedness that would impair its ability to fulfill the terms of this INTERLOCAL AGREEMENT.

#### **ARTICLE 15 - DISCLOSURE AND OWNERSHIP OF DOCUMENTS**

The CITY shall deliver to the COUNTY's representative for approval and acceptance, and before being eligible for final payment of any amounts due, all documents and materials prepared by and for the COUNTY under this INTERLOCAL AGREEMENT.

To the extent allowed by Chapter 119, Florida Statutes, all written and oral information not in the public domain or not previously known, and all information and data obtained, developed, or supplied by the COUNTY or at its expense will be kept confidential by the CITY and will not be disclosed to any other party, directly or indirectly, without the COUNTY'S prior written consent unless required by a lawful court order. All drawings, maps, sketches, programs, data base, reports and other data developed, or purchased, under this INTERLOCAL AGREEMENT for or at the COUNTY'S expense shall be and remain the COUNTY'S property and may be reproduced and reused at the discretion of the COUNTY.

All covenants, agreements, representations and warranties made herein, or otherwise made in writing by any party pursuant hereto, including but not limited to any representations made herein relating to disclosure or ownership of documents, shall survive the execution and delivery of this INTERLOCAL AGREEMENT and the consummation of the transactions contemplated hereby.



Notwithstanding any other provision in this INTERLOCAL AGREEMENT, all documents, records, reports and any other materials produced hereunder shall be subject to disclosure, inspection and audit, pursuant to the Palm Beach County Office of the Inspector General, Palm Beach County Code, Sections 2-421 - 2-440, as amended.

#### **ARTICLE 16 - INDEPENDENT CONTRACTUAL RELATIONSHIP**

The CITY is, and shall be, in the performance of all work services and activities under this INTERLOCAL AGREEMENT, an Independent Contractor, and not an employee, agent, or servant of the COUNTY. All persons engaged in any of the work or services performed pursuant to this INTERLOCAL AGREEMENT shall at all times, and in all places, be subject to the CITY'S sole direction, supervision, and control. The CITY shall exercise control over the means and manner in which it and its employees perform the work, and in all respects the CITY'S relationship and the relationship of its employees to the COUNTY shall be that of an Independent Contractor and not as employees or agents of the COUNTY.

The CITY does not have the power or authority to bind the COUNTY in any promise, agreement or representation.

#### **ARTICLE 17 - CONTINGENT FEES**

The CITY warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the CITY to solicit or secure this INTERLOCAL AGREEMENT and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the CITY, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or making of this INTERLOCAL AGREEMENT.

#### **ARTICLE 18 - ACCESS AND AUDITS**

The CITY shall maintain adequate records to justify all charges, expenses, and costs incurred in estimating and performing the work for at least three (3) years after completion or termination of this INTERLOCAL AGREEMENT. The COUNTY shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at the CITY'S place of business.

Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County INTERLOCAL AGREEMENTS, transactions, accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of the CITY, its officers, agents, employees, and lobbyists in order to ensure compliance with INTERLOCAL AGREEMENT requirements and detect corruption and fraud.

Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

## **ARTICLE 19 – NONDISCRIMINATION**

The CITY warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity and expression.

## **ARTICLE 20 - AUTHORITY TO PRACTICE**

The CITY hereby represents and warrants that it has and will continue to maintain all licenses and approvals required to conduct its business, and that it will at all times conduct its business activities in a reputable manner. Proof of such licenses and approvals shall be submitted to the COUNTY's representative upon request.

## **ARTICLE 21 – SEVERABILITY**

If any term or provision of this INTERLOCAL AGREEMENT, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this INTERLOCAL AGREEMENT, or the application of such terms or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of this INTERLOCAL AGREEMENT shall be deemed valid and enforceable to the extent permitted by law.

## **ARTICLE 24 - PUBLIC ENTITY CRIMES**

As provided in F.S. 287.132-133, by entering into this INTERLOCAL AGREEMENT or performing any work in furtherance hereof, the CITY certifies that it, its affiliates, suppliers, subcontractors and CITYs who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the 36 months immediately preceding the date hereof. This notice is required by F.S. 287.133(3)(a).

## **ARTICLE 25 - MODIFICATIONS OF WORK**

The COUNTY reserves the right to make changes in Scope of Work, including alterations, reductions therein or additions thereto. Upon receipt by the CITY of the COUNTY'S notification of a contemplated change, the CITY shall, in writing: (1) provide a detailed estimate for the increase or decrease in cost due to the contemplated change, (2) notify the COUNTY of any estimated change in the completion date, and (3) advise the COUNTY if the contemplated change shall affect the CITY'S ability to meet the completion dates or schedules of this INTERLOCAL AGREEMENT.

If the COUNTY so instructs in writing, the CITY shall suspend work on that portion of the Scope of Work affected by a contemplated change, pending the COUNTY'S decision to proceed with the change.

If the COUNTY elects to make the change, the COUNTY shall initiate a Contract Amendment and the CITY shall not commence work on any such change until such written amendment is signed by the CITY and approved and executed on behalf of Palm Beach County.

## **ARTICLE 26 – NOTICE**

All notices required in this INTERLOCAL AGREEMENT shall be sent by certified mail, return receipt requested, hand delivery or other delivery service requiring signed acceptance. If sent to the COUNTY, notices shall be addressed to:

Michael Rodriguez, Executive Director  
Palm Beach County Criminal Justice Commission  
301 North Olive Avenue – 10<sup>TH</sup> floor  
West Palm Beach, FL 33401

With copy to:  
Palm Beach County Attorney's Office  
301 North Olive Ave. – 6<sup>th</sup> floor  
West Palm Beach, Florida 33401

If sent to the CITY, notices shall be addressed to:  
Thomas A. Masters, Mayor  
600 W. Blue Heron Blvd.  
City of Riviera Beach  
Riviera Beach, FL 33404

## **ARTICLE 27 - ENTIRETY OF INTERLOCAL AGREEMENTUAL AGREEMENT**

The COUNTY and the CITY agree that this INTERLOCAL AGREEMENT sets forth the entire agreement between the parties, and that there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in this INTERLOCAL AGREEMENT may be added to, modified, superseded or otherwise altered, except by written instrument executed by the parties hereto in accordance with Article 25- Modifications of Work.

## **ARTICLE 28 - CRIMINAL HISTORY RECORDS CHECK**

If CITY'S employees or subcontractors are required under this INTERLOCAL AGREEMENT to enter a "critical facility," as identified in Resolution R-2003-1274, the CITY shall comply with the provisions of Chapter 2, Article IX of the Palm Beach County Code ("Criminal History Records Check" section). The CITY acknowledges and agrees that all employees and subcontractors who are to enter a "critical facility" will be subject to a fingerprint based criminal history records check. Although COUNTY agrees to pay for all applicable FDLE/FBI fees required for criminal history record checks, the CITY shall be solely responsible for the financial, schedule, and staffing implications associated in complying with this section of the Palm Beach County Code.

The CITY shall conduct a Criminal History Records Check including fingerprinting for all CITY employees or subcontractors who are in direct contact with youth program participants as per Florida Statute, Chapter 435.

## **ARTICLE 29 - REGULATIONS; LICENSING REQUIREMENTS**

The CITY shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, to include those applicable to conflict of interest and collusion. CITY is presumed to be familiar with all federal, state and local laws, ordinances, codes and regulations that may in any way affect the services offered.

**THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK**

**IN WITNESS WHEREOF**, the Board of County Commissioners of Palm Beach County, Florida has made and executed this INTERLOCAL AGREEMENT on behalf of the COUNTY and CITY has hereunto set its hand the day and year above written

**CITY: Riviera Beach, FL**

By: \_\_\_\_\_  
Thomas A Masters, Mayor  
Riviera Beach, FL

**ATTEST:**

Sharon R. Bock, Clerk and Comptroller

By: \_\_\_\_\_  
Deputy Clerk

**PALM BEACH COUNTY  
BOARD OF COUNTY  
COMMISSIONERS**

By: \_\_\_\_\_  
Chair

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Assistant County Attorney

**APPROVED AS TO TERMS  
AND CONDITIONS**

By: \_\_\_\_\_  
Michael L. Rodriguez  
Executive Director

Agency: **City of Riviera Beach**

2013-2014 Proposed Budget For Youth Empowerment  
Exhibit B

EXPENDITURES			City Funding	County Funding
1. Salaries				
a. Director			\$ 55,120.00	
b. P/T Youth Worker	\$15.00/hr x 30 hrs/wk x 52 wks		\$ 23,400.00	
c. P/T Recreation Worker	\$11.50hrly x 30hrs/wk x 52wks			\$ 17,940.00
Total Salaries			\$ 78,520.00	\$ 17,940.00
2. Employee Benefits				
a. FICA [ .0765 x \$78,5200.00=\$6006.78]			\$ 6,006.78	
FICA (.0765 x \$17940.00=1372.41) - P/T Recreation Worker				\$ 1,372.41
b. Retirement (52.20% of salary amount \$55120)			\$ 28,772.64	
c. Health & Dental Insurance			\$ 8,879.00	
d. Life Insurance			\$ 172.00	
3. Total Employee Benefits			\$ 43,830.42	\$ 1,372.41
4. Total Salaries & Benefits			\$ 122,350.42	\$ 19,312.41
5. Facilities Management - Vehicle Maintenance - Fuel Charges				
a. Building Maintenance (plumbing, A/C maintenance, etc.)			\$ 250.00	
b. Yearly fire extinguisher inspection			\$ 50.00	
c. Yearly fire monitoring service – 1yr contract	(Simplex Grinnell - Contract ending 09/30/2014)		\$ 1,096.00	
d. Pest Control - \$40 x 12 months			\$ 480.00	
e. Vehicle Maintenance			\$ 1,800.00	
f. Fuel			\$ 1,800.00	
Total Facilities Management - Vehicle			\$ 5,476.00	
5a. Facilities (In-Kind)				
YEP Administrative Office - location Lindsey Davis (main building)				

100 sq ft x \$17.93 per square foot (market rent) x 12 months								
<b>6. Communications/Utilities</b>								
a. Telephone (Building Land Line monthly billing \$65.00 x 780.00)							\$ 300.00	
b. Utilities (Water \$ 65 monthly x 12=\$780)							\$ 780.00	
c. Internet Service/Cable (Comcast) \$124.00 x 12 months=\$1488							\$ 1,488.00	
d. Sprint Mobile (\$99 x 12 monthly=\$1188)							\$ 1,188.00	
<b>7. Total Building/Occupancy - Vehicle Maintenance - Fuel - Communications - Utilities</b>							<b>\$ 5,632.00</b>	
<b>8. Printing &amp; Supplies</b>								
a. Office Supplies (Pens, Paper, Pencils, Folders, etc)							\$ 1,500.00	<b>\$ 2,500.00</b>
b. Advertising & Marketing							\$ 1,000.00	<b>\$ 5,000.00</b>
c. Toshiba Copier/Fax Monthly Maintenance (\$112.45 x 12 months=\$1349.40)							\$ 1,500.00	
d. Youth Off-site Site Tee-Shirts 75 shirts x \$8.00 per shirt								<b>\$ 600.00</b>
e. Printing & Binding								<b>\$ 600.00</b>
<b>9. Total Printing/Supplies/Marketing</b>							<b>\$ 4,000.00</b>	<b>\$ 8,700.00</b>
<b>10. Food Service</b>								
a. Sam's - snacks, lunches, etc. (\$500.00 quarterly x 4 quarters)							\$ 2,000.00	<b>\$ 3,000.99</b>
<b>11. Educational Programs</b>							<b>\$ 2,000.00</b>	<b>\$ 3,000.99</b>
a. <b>WHAT THE FUNCTION</b> (EOC, FLVS, INDIVIDUAL/GROUP SUBJECT TUTORIAL) Group ACT prep							\$ 2,000.00	<b>\$ 3,500.00</b>
b. <b>Science Dissection/Anatomy program</b> \$12 x (30) youth participants								<b>\$ 360.00</b>
c. <b>College Tour/Admission/Information Session</b> (shared cost with parents/fundraising)								<b>\$ 3,500.00</b>
Scholarships Seminars								
<b>Total</b>							<b>\$ 2,000.00</b>	<b>\$ 7,360.00</b>
<b>12. Prevention Programs</b>								
a. <b>CAP - Street Smart - Making Healthy Decision</b> (4 weeks - no cost)								





15. Apprenticeship Programs		
a. Build A Computer - Take it Home		\$ 4,500.00
(8-12) week Program (upon finishing program youth/family will receive (12) months of Internet services at residence at \$9.95 per month)		
(24) youth to be trained		
b. Comcast Internet Service (24 youth x \$9.95 monthly service x 12 months)		\$ 2,865.60
c. Youth Summer Career Employment Mentoring		\$ 30,680.00
10 week employment position x (20) youth x \$7.67/hrly x (20) hours weekly		
Total		\$ 38,045.60
16. Total administrative/program cost		\$146,587 \$100,000

<b>Riviera Beach Youth Empowerment Center Program:</b>	<b>Responsibility</b>
<b>Youth Empowerment Facility</b>	<b>City</b>
<b>Youth/Teen Advisory Council</b> Council or Board of youth from the target area meets every other month minimally to recommend programs and policies of the Youth Empowerment Center. Agendas and minutes are prepared and submitted as well as sign in sheets. Youth are pre and post tested on leadership skills.  <b>The Center should be adequately staffed and 2014 funds should be used to enhance the current staffing complement. Staff selection should mirror the youth served and preference should be given to adding a male to the current complement.</b>	<b>City</b>
<b>Teen Center</b> Provide educational and recreational programming 5 days a week (minimum) with 10 interest-based programs/pro-social activities per week (excluding recreation). Maintain a clean safe and secure environment. Work with the youth council to identify new educational recreational programs, activities and special events. Provide a monthly calendar for public release no later than the 1 <sup>st</sup> day of the month.	<b>City</b>
<b>Targeted Recruitment</b> Recruitment should be targeted for at-risk youth. Sources are not limited to but should include: juvenile probation officers, youth court participants, participants of other diversion programs, school personnel and law enforcement.	
<b>Courts</b> Partner with Alternative Sanctions by participating in the Evening Reporting Center program.	<b>Courts/City</b>
<b>After-school Activities</b> Provide a variety of the latest recreational programs: martial arts, yoga, surfing, swimming, tennis hip hop dance, and organized athletics.	<b>City</b>
<b>Tutoring</b> Provide after-school tutoring, including assessment and or SAT skill building. Collect report cards and mid-semester reports to target youth's educational deficiencies.	<b>City</b>
<b>Mentoring</b> Provide mentors for youth to support and be positive role models. Staff to serve as adult mentors.	<b>City</b>
<b>Job Training and Employment Services</b> Partner with Workforce Alliance or other source to provide at-risk youth resources leading to graduation, additional workplace skills, and job placement.	<b>Workforce Alliance and Palm Beach Community College</b>
<b>Case Management – Informal</b> Provide information on existing resources for youth including school programs, job training and employment opportunities, and services available.	<b>City and MOU with collaborating agencies</b>
<b>Assessment</b> Each youth is assessed for risk of offending or reoffending using the Domains Assessment or the Prevention Assessment Tool. Assessments are submitted monthly.	<b>City</b>
<b>Transportation</b> The youth surveyed indicated that a major issue to attending programs and activities is transportation. <b>The city must provide transportation at multiple pick up and drop off sites and field trips.</b>	<b>City</b>
<b>Collaborative Partnerships</b> Leadership or the City's designated contact person participates in a minimum of ten (10) CJC or School District sponsored collaborative meetings throughout the year.	<b>City-Youth Empowerment Administrative Staff</b>
<b>Life Skills</b> Provide a variety of life skills in an environment conducive to learning and interesting to high school youth.	<b>City</b>
<b>Admission – Terminated</b> Youth are admitted on the first day of participation and are terminated at request or after 120 days of non participation.	<b>City</b>



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FOR YOUTH EMPOWERMENT TEEN PROGRAM IN THE AMOUNT OF \$100,000; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Criminal Justice Commission of Palm Beach County continues their development of a Youth Violence Prevention Project which addresses the increase in violent firearm crimes; and

**WHEREAS**, the Youth Empowerment Teen Program meets the requirements for administering youth prevention/intervention services; and

**WHEREAS**, on December 5<sup>th</sup>, 2006 the Board of County Commissioners (BCC) approved funding to initiate partnerships with Riviera Beach, West Palm Beach and Lake Worth to implement the Youth Violence Prevention Project, and

**WHEREAS**, the Criminal Justice Commission has recommended the use of Palm Beach County grant funds to support the partnership by providing funds for the CITY to participate; and

**WHEREAS**, the COUNTY agreed to reimburse the CITY for expenses, up to the amount of \$100,000 from October 1, 2013 through September 30, 2014, for the Youth Violence Prevention Project,

**NOW, THEREFORE**, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

1. The Term of the Interlocal Agreement is amended to provide that the Interlocal Agreement shall continue until September 30, 2014.

RESOLUTION NO. \_\_\_\_\_

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

**SECTION 1.** That the Mayor and City Clerk are authorized to execute the Interlocal Agreement between the City of Riviera Beach and the Board of County Commissioners, Palm Beach County grant in the amount of \$100,000 to the Youth Empowerment Teen Program.

**SECTION 2.** The Director of Finance and Administrative Services is authorized to set up a budget as follows:

From:		
<b>Revenue Account:</b>	151-00-33-7200	\$100,000
To:		
<b>Regular Salary:</b>	151-0202-569-3-1201	\$17,940
<b>FICA:</b>	151-0202-569-3-2101	\$1372.41
<b>Contractual Svc:</b>	151-0202-569-3-3101	\$22,980
<b>Office Supplies:</b>	151-0202-569-3-5201	\$2,500
<b>Program Supplies:</b>	151-0202-569-3-5201	\$600
<b>Printing:</b>	151-0202-569-3-4701	\$600
<b>Food/Snacks:</b>	151-0202-569-3-3101	\$3,000.99
<b>Training/Dev.</b>	151-0202-569-3-5403	\$7,961
<b>Advertising/Market:</b>	151-0202-569-3-3101	\$5,000
<b>Apprenticeship:</b>	151-0202-569-3-3101	\$38,045.60

**SECTION 3.** This Resolution shall take effect immediately upon its passage and approval by the City Council.

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RESOLUTION NO. \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY

-----  
PAMALA HANNA RYAN, CITY ATTORNEY, B.C.S.

DATE: \_\_\_\_\_

**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** AWARDS/PRESENTATIONS/PETITIONS

---

**Subject:** HEALTH CARE DISTRICT OF PALM BEACH COUNTY CELEBRATING 25 YEARS  
SERVING PALM BEACH COUNTY RESIDENTS.

---

**Recommendation/Motion:**

---

<b>Originating Dept.</b>	CITY MANAGER	<b>Costs:</b>
<b>User Dept.</b>	ALL	<b>Funding Source:</b>
<b>Advertised:</b>	No	<b>Budget Account Number:</b>
<b>Date:</b>		
<b>Paper:</b>		
<b>Affected Parties:</b>	Not Required	

---

**Background/Summary:**

PRESENTATION BY THE HEALTH CARE DISTRICT OF PALM BEACH COUNTY CELEBRATING  
25 YEARS SERVING PALM BEACH COUNTY RESIDENTS.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

**Fiscal Years**

**Capital Expenditures**

**Operating Costs**

**External Revenues**

**Program Income (city)**

**In-kind Match (city)**

**Net Fiscal Impact**

**NO. Additional FTE Positions (cumulative)**

**Is Item Included in Current Budget?** No

**Budget Account NO:**

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

**C. Department Fiscal Review**

### **III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

### **Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

### **ATTACHMENTS:**

Name:

Description:

No Attachments Available



**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** RESOLUTION

---

**Subject:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM BEAR NECESSITY DAYCARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 1951 AVENUE "H" EAST AND; PROVIDING FOR AN EFFECTIVE DATE.

---

**Recommendation/Motion:** Staff recommends a motion to approve the resolution.

---

<b>Originating Dept.</b>	COMMUNITY DEVELOPMENT	<b>Costs:</b>	N/A
<b>User Dept.</b>	THE CITY	<b>Funding Source:</b>	N/A
<b>Advertised:</b>	Yes	<b>Budget Account Number:</b>	N/A
<b>Date:</b>	NOV - 6 - 2013		
<b>Paper:</b>	PALM BEACH POST		
<b>Affected Parties:</b>	Notified		

---

**Background/Summary:**

Currently, the City of Riviera Beach's Land Development Regulations permits the use of daycare facilities when all City regulations are satisfied. On November 3, 2010, the City of Riviera Beach City Council approved Resolution No. 138-10, which directed staff to develop new Land Development Regulations pertaining to daycare uses in order for the City's Code of Ordinances to be consistent with House Bill Number 1045 (H B 1045). On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities" via Ordinance No. 3092. On September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications. On September 9, 2013 LaConia Butler submitted a Large Family Child Care Home Special Exception application to staff, which has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. After the staff review process was completed, the Planning and Zoning Board reviewed the Special Exception Application and recommended approval on November 14, 2013.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<u>N/A</u>
<b>Capital Expenditures</b>	N/A
<b>Operating Costs</b>	N/A
<b>External Revenues</b>	N/A
<b>Program Income (city)</b>	N/A
<b>In-kind Match (city)</b>	N/A
<b>Net Fiscal Impact</b>	N/A
<b>NO. Additional FTE Positions (cumulative)</b>	N/A

**Is Item Included in Current Budget?** No

**Budget Account NO:** N/A

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

N/A

**C. Department Fiscal Review**

MARY MCKINNEY

**III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

NO COMMENTS

**Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email


Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:

 [SE-13-02 - RES.docx](#)

Resolution

 [SE-13-02 Staff Report.pdf](#)

Staff Report

 [SE-13-02 - LOCATION MAP.pdf](#)

Location Map

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM BEAR NECESSITY DAYCARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 1951 AVENUE "H" EAST AND; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 31-62 of the City of Riviera Beach Land Development Code establishes the requirements for granting Special Exception applications; and

**WHEREAS**, the City Council amended Daycare Land Development Regulations via Ordinance No. 3092 on May 18, 2011; and

**WHEREAS**, Special Exception review and approval by the City Council is required for a Large Family Child Care Home (up to 12 children); and

**WHEREAS**, on September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications; and

**WHEREAS**, LaConia Butler, submitted a Special Exception application for a Large Family Child Care Home on September 9, 2013; and

**WHEREAS**, Staff has reviewed the application and the application meets the City's requirements for granting a Special Exception approval; and

**WHEREAS**, the Planning and Zoning Board met on November 14, 2013 to review the Special Exception application and recommended approval to the City Council; and

**WHEREAS**, the City Council finds that the proposed Special Exception application is consistent with the City's Comprehensive Plan and the Land Development Code Regulations.

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

**SECTION 1.** The City Council finds that the Special Exception application from Bear Necessity Daycare is consistent with the City's Comprehensive Plan and the Land

**RESOLUTION NO. \_\_\_\_\_**  
**PAGE 2 OF 3**

Development Regulations, and hereby approves it to operate at 1951 Avenue "H" east.

**SECTION 2.** Should any one or more of the provisions or elements of this Resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of the Resolution.

**SECTION 3.** This Resolution shall take effect immediately upon approval.

**PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

**\*\*\*\*\* THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK \*\*\*\*\***

RESOLUTION NO. \_\_\_\_\_  
PAGE 3 OF 3

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

-----  
PAMALA HANNA RYAN, B.C.S.,  
CITY ATTORNEY

DATE: \_\_\_\_\_



**CITY OF RIVIERA BEACH STAFF REPORT  
CASE NUMBER SE-13-02  
NOVEMBER 14, 2013**

**AN APPLICATION FROM BEAR NECESSITY DAYCARE REQUESTING A SPECIAL EXCEPTION APPROVAL TO OPERATE A LARGE FAMILY CHILD CARE HOME, AT 1951 AVENUE H EAST, WITHIN A SINGLE FAMILY STRUCTURE ON A 9323 SQ. FT. PARCEL.**

---

**A. Applicant:** LaConia Butler.

**B. Request:** The applicant is requesting a special exception to operate a Large Family Child Care Home within the Single Family (RS-6) Zoning District.

**C. Location:** The proposed location is on the south side of W 20<sup>th</sup> Street, between Avenue H west and Avenue H east.

**D. Property Description and Uses:** The subject property description and uses are as follows:

Parcel Control Number: 56-43-42-28-25-009-0010.

Parcel Size: 9323 sq. ft.

Existing Use: One residential structure, currently occupied by the applicant, as a Family Day Care Home with up to 6 kids and 1 staff member.

Zoning: Single Family (RS-6) Zoning District.

Future Land Use: Single Family Residential.

**E. Adjacent Property Description and Uses:**

North: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

South: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

East: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

West: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

**F. Background:**

On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities". On September 4, 2013 the City Council extended the One-Year fee waiver period for Large Family Child Care Homes. Days later, LaConia Butler

submitted her official Large Family Child Care Home Special Exception application to staff, which has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. The following staff analysis has been prepared for your review.

#### **G. Staff Analysis:**

**Proposed Use:** The applicant is requesting to operate a Large Family Child Care Home at 1951 Avenue H East. This facility will typically have up to 12 children and 2 full-time employees.

**Zoning Regulations:** This proposed use would comply with the City's Land Development Regulations if a Special Exception approval was granted by City Council, in the Single Family (RS-6) Zoning District.

**Comprehensive Plan:** The proposed use would be consistent with the City's Comprehensive Plan.

**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site.

**Landscaping:** Staff considers the existing landscaping appropriate and adequate at this time.

**Parking/Traffic:** The applicant is providing three parking spaces.

#### **H. Special Exception Analysis**

**a. *Ingress to and egress from the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.***

- Ingress and egress to this site are directly off of Avenue H East and W 20<sup>th</sup> Street.

**b. *Off-street parking and loading areas, where required, including consideration of relevant factors in subsection (2)a. of this section, and the economic, noise, glare or odor effects of the location of such areas on adjacent and nearby properties and properties generally in the district.***

- Existing driveway would provide three parking spaces and is used as drop off / pickup area.

**c. *Refuse and service areas, including consideration of relevant factors in subsections (2)a. and b. of this section.***

- Regular schedule for roll out garbage container collection.

**d. *Utilities, including such consideration as hook-in locations and availability and compatibility of utilities for the proposed use or structure.***

- Utilities are currently available and active. They would not be altered by the proposed use.



***e. Screening, buffering and landscaping, including consideration of such relevant factors as type, dimensions and character to preserve and improve compatibility and harmony of use and structures between the proposed special exception and the uses and structures of adjacent and nearby properties and properties generally in the district.***

- Adequate landscaping exists on-site which must be maintained according to the City's Land Development Regulations.
- Six-foot (6') wood fence is installed around the back yard providing adequate buffering from other properties as required by Ordinance 3092.

***f. Signs, or outside displays, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of same on properties in the district.***

- Children at Play signs will be installed at this location as recommended by the Engineering Department.

***g. Required yards and open spaces. The board shall make such recommendations as it deems necessary, guided by the factors that may be described in this zoning district, based on the nature of the request and its effect.***

- As ordained by City Council through Ordinance No. 3092, 75 sq. ft. per child is required. Being that this facility is applying for a license for up to 12 children the minimum required outdoor play area is 900 sq. ft. The applicant has provided proof of having 3276 sq. ft. available for outdoor play area.
- This Ordinance also requires a minimum of 420 sq. ft. dedicated only to the day care area. The applicant has provided floor plans showing that the day care area is 468 sq. ft.

**I. Recommendation:** Staff recommends approval.

**For Staff Use Only**

<b>City of Riviera Beach</b>  Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404  Phone: (561) 845-4060 Fax : (561) 845-4038	<b>Date:</b> 9-9-2013	<b>Case Number:</b> SE-13-02
	<b>Project Title:</b> BEAR NECESSITY DAYCARE	
	<b>Fee Paid:</b> Exempt - Ord No 4029	
	<b>1<sup>st</sup> Hearing:</b>	<b>2<sup>nd</sup> Hearing:</b>
	<b>Publication Dates (if required)</b>	

**UNIFORM LAND USE APPLICATION**

*(Please attach separate sheet of paper for required additional information)*

**Complete appropriate sections of Application and sign.**

<b>APPLICANT</b>	<b>Name of Property Owner(s):</b> Wayne Richards		
	<b>Mailing Address:</b> 1951 Ave H East Rivieraa Beach		
	<b>Property Address:</b> 1951 Ave H Eaast, Riviera Beach		
	<b>Name of Applicant (if other than owner):</b> LaConia Butler		
	<b>Home:</b> (561) 5743464	<b>Work:</b> (561) 8442545	<b>Fax:</b> (866) 3845423
	<b>E-mail Address:</b> bearnecessitydaycare@gmail.com		

**PLEASE ATTACH LEGAL DESCRIPTION**

<b>PROPERTY</b>	<b>Future Land Use Map Designation:</b> SFR	<b>Current Zoning Classification:</b> RS6
	<b>Square footage of site:</b> 9323 sq	<b>Property Control Number (PCN):</b> 56-43-42-28-25-009-0010
	<b>Type and gross area of any existing non residential uses on site:</b> N/A	
	<b>Gross area of any proposed structure:</b> N/A	
	<b>Is there a current or recent use of the property that is/was in violation of City Ordinance?</b> [ ] Yes [x] No	
	<b>If yes, please describe:</b>	
	<b>Have there been any land use applications concerning all or part of this property in the last 18 months?</b> [ ] Yes [x] No	
	<b>If yes, indicate date, nature and applicant's name:</b>	
	<b>Briefly describe use of adjoining property:</b> North: Residential	
	South: Residential	
East: Residential		
West: Residential		

<b>REZONE</b>	<b>Requested Zoning Classification:</b>
	<b>Is the requested zoning classification contiguous with existing?</b>
	<b>Is a Special Exception necessary for your intended use?</b> [ ] Yes [ ] No
	<b>Is a Variance necessary for your intended use?</b> [ ] Yes [ ] No



<b>FUTURE LAND USE</b>	Existing Use:	Proposed Use:
	Land Use Designation:	Requested Land Use:
	Adjacent Land Uses: North:	South:
	East:	West:
	Size of Property Requesting Land Use Change:	

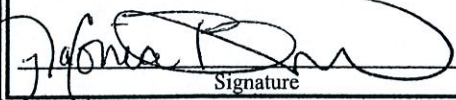
<b>SPECIAL EXCEPTION</b>	Describe the intended use requiring a Special Exception: <b>Large Family Child Care</b>
	Provide specific LDR ordinance section number and page number: <b>Sec. 31-544 Ord. 3092</b>
	How does intended use meet the standards in the Land Development Code? Comply with city, county and state regulations for use.
	Demonstrate that proposed location and site is appropriate for requested use: Adequate indoor and outdoor space to meet requirement for use.
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods: <b>Maintain the look of residential property.</b>
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: Privacy fence in front and back of property to visually screen use from adjacent use.
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: <b>Business and property will be maintained according to city, fire, zoning and building requirements</b>
	Demonstrate how utilities and other service requirements of the use can be met: No affect on utilities and other service requirements.
	Demonstrate how the impact of traffic generated will be handled: On-site: Adequate parking for use. The property has a circular driveway and a car porch for parking. Off-Site: <b>Pick-up and drop-off times very, traffic will not be affected.</b> Other:

<b>VARIANCE</b>	Describe the Variance sought:
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:
	Other:

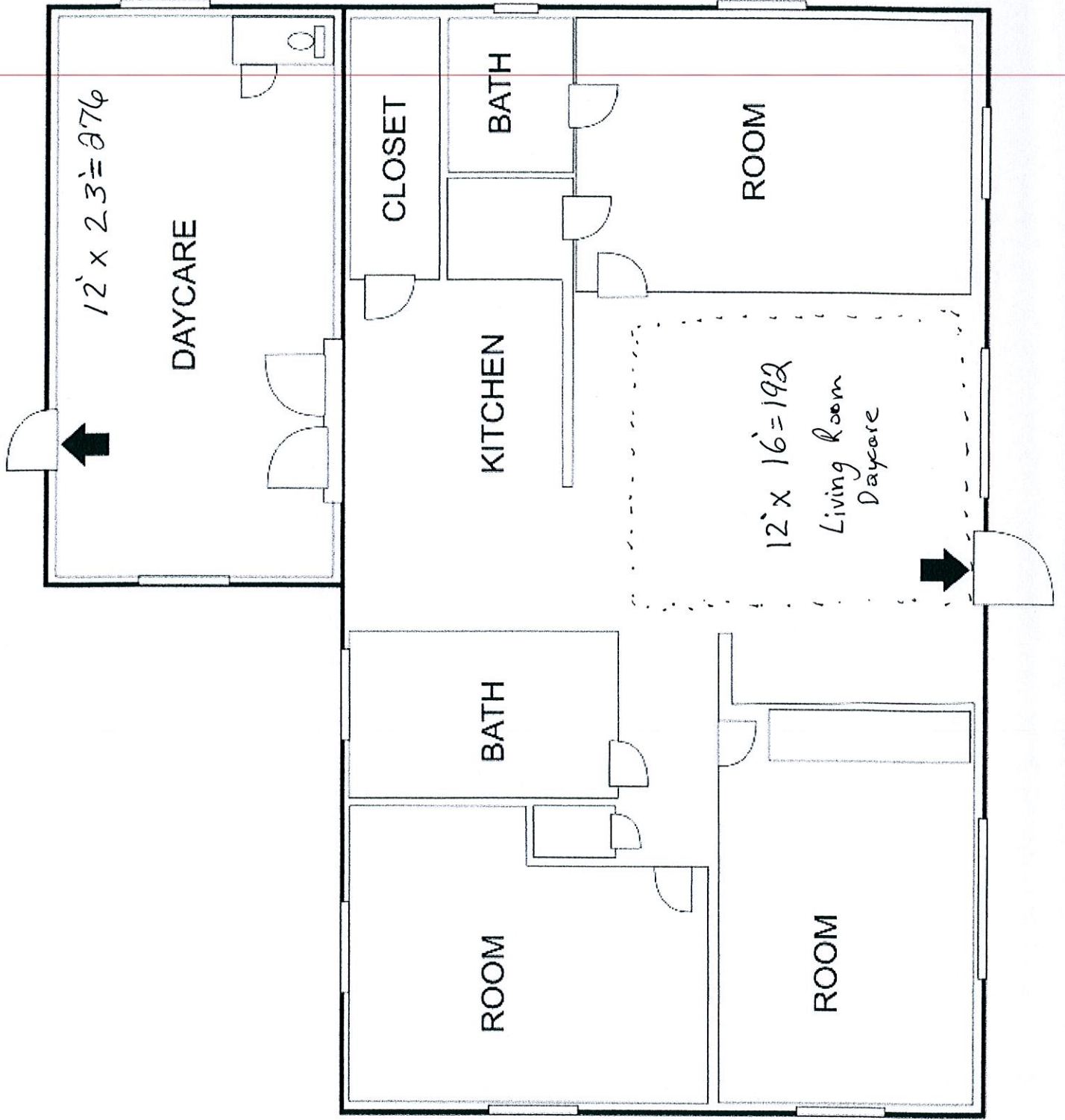


<b>SITE PLAN</b>	Describe proposed development: <b>Large family child care home</b>
	Demonstrate that proposed use is appropriate to site: <b>To operate a large family child care home.</b>
	Demonstrate how drainage and paving requirement will be met: <b>Utilities are currently available and active. They will not be altered.</b>
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: <b>Six-foot wooden fence is installed around backyard and front yard.</b>
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: <b>They are no potential harzards, problems or public nuisances</b>
	Demonstrate how utilities and other service requirements of the use can be met: <b>Utilities are crrently available and active.</b>
	Demonstrate how the impact of traffic generated will be handled: Adequate parking for use. On-site: Traffic will not be affected, drop off and pick up times vary. Off-site:

<b>OTHER</b>	<b><u>COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:</u></b>
	<ul style="list-style-type: none"> <li>• Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit.</li> <li>• Antenna manufacture cut sheets including antenna size and shape.</li> <li>• Zoning map of area with site clearly marked.</li> <li>• Photos of existing building or tower and surrounding uses.</li> <li>• Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional.</li> <li>• Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop.</li> <li>• Letter of structural capacity and building code compliance.</li> <li>• Notes on plan or letter demonstrating floor area coverage not in excess of restrictions</li> <li>• Provide Photo Enhancements of proposal.</li> <li>• Statement that proposal is in compliance with Environmental Regulations prior to permit issue.</li> </ul>

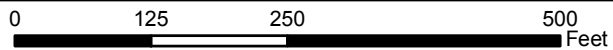
<b>Confirmation of Information Accuracy</b>	
<p>I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars (\$500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.</p>	
 Signature	9/5/13 Date




REAR FIRE EXIT









-  Subject Area
-  Parcels
-  Roads

# Location Map SE-13-02 BEAR NECESSITY DAYCARE

Data and Map Disclaimer: The Data is provided as is without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Riviera Beach and Palm Beach County make no warranties, expressed or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.





**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** RESOLUTION

---

**Subject:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM A GRANDMA'S LOVE FAMILY DAYCARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 1600 AVENUE "F" AND; PROVIDING FOR AN EFFECTIVE DATE.

---

**Recommendation/Motion:** Staff recommends a motion to approve the resolution.

---

**Originating Dept.** COMMUNITY DEVELOPMENT **Costs:** N/A

**User Dept.** THE CITY **Funding Source:** N/A

**Advertised:** Yes **Budget Account Number:** N/A

**Date:** NOV - 6 - 2013

**Paper:** PALM BEACH POST

**Affected Parties:** Notified

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**Background/Summary:**

Currently, the City of Riviera Beach's Land Development Regulations permits the use of daycare facilities when all City regulations are satisfied. On November 3, 2010, the City of Riviera Beach City Council approved Resolution No. 138-10, which directed staff to develop new Land Development Regulations pertaining to daycare uses in order for the City's Code of Ordinances to be consistent with House Bill Number 1045 (H B 1045). On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities" via Ordinance No. 3092. On September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications. On September 10, 2013 Diana Bembery Rhodes submitted a Large Family Child Care Home Special Exception application to staff, which has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. After the staff review process was completed, the Planning and Zoning Board reviewed the Special Exception Application and recommended approval on November 14, 2013.

**II. Fiscal Impact Analysis**



A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<u>N/A</u>
<b>Capital Expenditures</b>	N/A
<b>Operating Costs</b>	N/A
<b>External Revenues</b>	N/A
<b>Program Income (city)</b>	N/A
<b>In-kind Match (city)</b>	N/A
<b>Net Fiscal Impact</b>	N/A
<b>NO. Additional FTE Positions (cumulative)</b>	N/A

**Is Item Included in Current Budget?** No

**Budget Account NO:** N/A

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

N/A

**C. Department Fiscal Review**

MARY MCKINNEY

**III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

NO COMMENTS

**Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email


Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:

 [SE-13-03 - RES.docx](#)

Resolution

 [SE-13-03 Staff Report.pdf](#)

Staff Report

 [SE-13-03 - LOCATION MAP.pdf](#)

Location Map

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM A GRANDMA'S LOVE FAMILY DAYCARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 1600 AVENUE "F" AND; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 31-62 of the City of Riviera Beach Land Development Code establishes the requirements for granting Special Exception applications; and

**WHEREAS**, the City Council amended Daycare Land Development Regulations via Ordinance No. 3092 on May 18, 2011; and

**WHEREAS**, Special Exception review and approval by the City Council is required for a Large Family Child Care Home (up to 12 children); and

**WHEREAS**, on September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications; and

**WHEREAS**, Diana Bembery Rhodes, submitted a Special Exception application for a Large Family Child Care Home on September 10, 2013; and

**WHEREAS**, Staff has reviewed the application and the application meets the City's requirements for granting a Special Exception approval; and

**WHEREAS**, the Planning and Zoning Board met on November 14, 2013 to review the Special Exception application and recommended approval to the City Council; and

**WHEREAS**, the City Council finds that the proposed Special Exception application is consistent with the City's Comprehensive Plan and the Land Development Code Regulations.

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

**SECTION 1.** The City Council finds that the Special Exception application from A Grandma's Love Family Daycare is consistent with the City's Comprehensive Plan and

**RESOLUTION NO. \_\_\_\_\_**  
**PAGE 2 OF 3**

the Land Development Regulations, and hereby approves it to operate at 1600 Avenue F.

**SECTION 2.** Should any one or more of the provisions or elements of this Resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of the Resolution.

**SECTION 3.** This Resolution shall take effect immediately upon approval.

**PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

**\*\*\*\*\* THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK \*\*\*\*\***

RESOLUTION NO. \_\_\_\_\_  
PAGE 3 OF 3

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

-----  
PAMALA HANNA RYAN, B.C.S.,  
CITY ATTORNEY

DATE: \_\_\_\_\_



**CITY OF RIVIERA BEACH STAFF REPORT  
CASE NUMBER SE-13-03  
NOVEMBER 14, 2013**

**AN APPLICATION FROM A GRANDMA'S LOVE FAMILY DAYCARE REQUESTING A SPECIAL EXCEPTION APPROVAL TO OPERATE A LARGE FAMILY CHILD CARE HOME, AT 1600 AVENUE F, WITHIN A SINGLE FAMILY STRUCTURE ON A 8712 SQ. FT. PARCEL.**

---

**A. Applicant:** Diana Bembery Rhodes.

**B. Request:** The applicant is requesting a special exception to operate a Large Family Child Care Home within the Single Family (RS-6) Zoning District.

**C. Location:** The proposed location is on the north side of W 16<sup>th</sup> Street, east of Avenue F.

**D. Property Description and Uses:** The subject property description and uses are as follows:

Parcel Control Number: 56-43-42-28-08-008-0010.

Parcel Size: 8712 sq. ft.

Existing Use: One residential structure, currently occupied by the applicant, as a Family Day Care Home with up to 6 kids and 1 staff member.

Zoning: Single Family (RS-6) Zoning District.

Future Land Use: Single Family Residential.

**E. Adjacent Property Description and Uses:**

North: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

South: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

East: Vacant Lot; Multiple Family (RM-15) Zoning, High Density Multiple Family Residential Future Land Use.

West: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

**F. Background:**

On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities". On September 4, 2013 the City Council extended the One-Year fee waiver period for Large Family Child Care Homes. Days later, Diana B. Rhodes submitted her official Large Family Child Care Home Special Exception application to

staff, which has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. The following staff analysis has been prepared for your review.

#### **G. Staff Analysis:**

**Proposed Use:** The applicant is requesting to operate a Large Family Child Care Home at 1600 Avenue F. This facility will typically have up to 12 children and 2 full-time employees.

**Zoning Regulations:** This proposed use would comply with the City's Land Development Regulations if a Special Exception approval was granted by City Council, in the Single Family (RS-6) Zoning District.

**Comprehensive Plan:** The proposed use would be consistent with the City's Comprehensive Plan.

**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site.

**Landscaping:** Staff considers the existing landscaping appropriate and adequate at this time.

**Parking/Traffic:** The applicant is providing three parking spaces.

#### **H. Special Exception Analysis**

**a. *Ingress to and egress from the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.***

- Ingress and egress to this site are directly off of Avenue F and W 16<sup>th</sup> Street.

**b. *Off-street parking and loading areas, where required, including consideration of relevant factors in subsection (2)a. of this section, and the economic, noise, glare or odor effects of the location of such areas on adjacent and nearby properties and properties generally in the district.***

- Existing driveway would provide three parking spaces and is used as drop off / pickup area.

**c. *Refuse and service areas, including consideration of relevant factors in subsections (2)a. and b. of this section.***

- Regular schedule for roll out garbage container collection.

**d. *Utilities, including such consideration as hook-in locations and availability and compatibility of utilities for the proposed use or structure.***

- Utilities are currently available and active. They would not be altered by the proposed use.

**e. *Screening, buffering and landscaping, including consideration of such relevant factors as type, dimensions and character to preserve and improve compatibility and harmony of use and structures between the proposed special exception and***

***the uses and structures of adjacent and nearby properties and properties generally in the district.***

- Adequate landscaping exists on-site which must be maintained according to the City's Land Development Regulations.
- Six-foot (6') wood fence is installed around the back yard providing adequate buffering from other properties as required by Ordinance 3092.

***f. Signs, or outside displays, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of same on properties in the district.***

- Children at Play signs will be installed at this location as recommended by the Engineering Department.

***g. Required yards and open spaces. The board shall make such recommendations as it deems necessary, guided by the factors that may be described in this zoning district, based on the nature of the request and its effect.***

- As ordained by City Council through Ordinance No. 3092, 75 sq. ft. per child is required. Being that this facility is applying for a license for up to 12 children the minimum required outdoor play area is 900 sq. ft. The applicant has provided proof of having 2688 sq. ft. available for outdoor play area.
- This Ordinance also requires a minimum of 420 sq. ft. dedicated only to the day care area. The applicant has provided floor plans showing that the day care area is 517 sq. ft.

**I. Recommendation:** Staff recommends approval.



**For Staff Use Only**

<b>City of Riviera Beach</b>  Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404  Phone: (561) 845-4060 Fax : (561) 845-4038	Date: <u>9-10-13</u>	Case Number: <u>SF-13-03</u>
	Project Title: <u>A grandmas love family day care</u>	
	Fee Paid: <u>Exempt. Old No. 4029</u> Notices Mailed:	
	1 <sup>st</sup> Hearing:	2 <sup>nd</sup> Hearing:
	Publication Dates (if required)	

**UNIFORM LAND USE APPLICATION**

*(Please attach separate sheet of paper for required additional information)*

**Complete appropriate sections of Application and sign.**

<b>APPLICANT</b>	Name of Property Owner(s): <u>Myla Holdings LLC</u>		
	Mailing Address: <u>1600 Avenue F, Riviera Beach, FL 33404</u>		
	Property Address: <u>1600 Avenue F, Riviera Beach, FL 33404</u>		
	Name of Applicant (if other than owner): <u>Diana Bembery Rhodes</u>		
	Home: ( 56 ) 844-3079	Work: ( 56 ) 768-6071	Fax: ( 56 ) 844-3072
	E-mail Address: <u>agrandmaslove@att.net</u>		

**PLEASE ATTACH LEGAL DESCRIPTION**

<b>PROPERTY</b>	Future Land Use Map Designation: <u>SFR</u>	Current Zoning Classification: <u>RS 6</u>
	Square footage of site: <u>8712</u>	Property Control Number (PCN): <u>56-43-42-28-08-008-0010</u>
	Type and gross area of any existing non residential uses on site: <u>N/A</u>	
	Gross area of any proposed structure: <u>N/A</u>	
	Is there a current or recent use of the property that is/was in violation of City Ordinance? [ ] Yes [X] No	
	If yes, please describe:	
	Have there been any land use applications concerning all or part of this property in the last 18 months? [ ] Yes [X] No	
	If yes, indicate date, nature and applicant's name:	
	Briefly describe use of adjoining property: North: <u>Residential</u>	
	South: <u>Residential</u>	
East: <u>Residential</u>		
West: <u>Residential</u>		

<b>REZONE</b>	Requested Zoning Classification:
	Is the requested zoning classification contiguous with existing?
	Is a Special Exception necessary for your intended use? [ ] Yes [ ] No
	Is a Variance necessary for your intended use? [ ] Yes [ ] No



FUTURE LAND USE	Existing Use:	Proposed Use:	
	Land Use Designation:	Requested Land Use:	
	Adjacent Land Uses: North:	South:	
	East:	West:	
	Size of Property Requesting Land Use Change:		

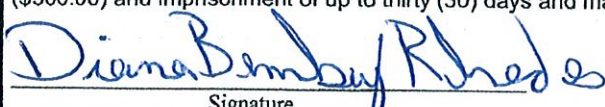

SPECIAL EXCEPTION	Describe the intended use requiring a Special Exception: Large Family Day Care	
	Provide specific LDR ordinance section number and page number: Ordinance No. 3092 Pages 3-4 Section 31-544	
	How does intended use meet the standards in the Land Development Code?	
	Floor area, Outdoor area, and Parking area standards comply with city, county, and state regulations	
	Demonstrate that proposed location and site is appropriate for requested use: There is adequate indoor and outdoor space to meet requirement for The site is currently a licensed home day care, we are increasing the number of children cared for.	
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods: There have been no changes made. We will maintain the look of residential	
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: We have a 6' privacy fence in front and back yard. Back yard has wooden fence as required by the	
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: We will continue to adhere to city, fire, zoning and building requirements.	
	Demonstrate how utilities and other service requirements of the use can be met: The utilities are currently available and active. There are no changes or other services required.	
	Demonstrate how the impact of traffic generated will be handled: On-site: There is adequate parking for use. No change necessary. Off-Site: Traffic will not be affected because pickup and drop off hours are different. Other: N/A	

VARIANCE	Describe the Variance sought:	
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:	
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:	
	Other:	

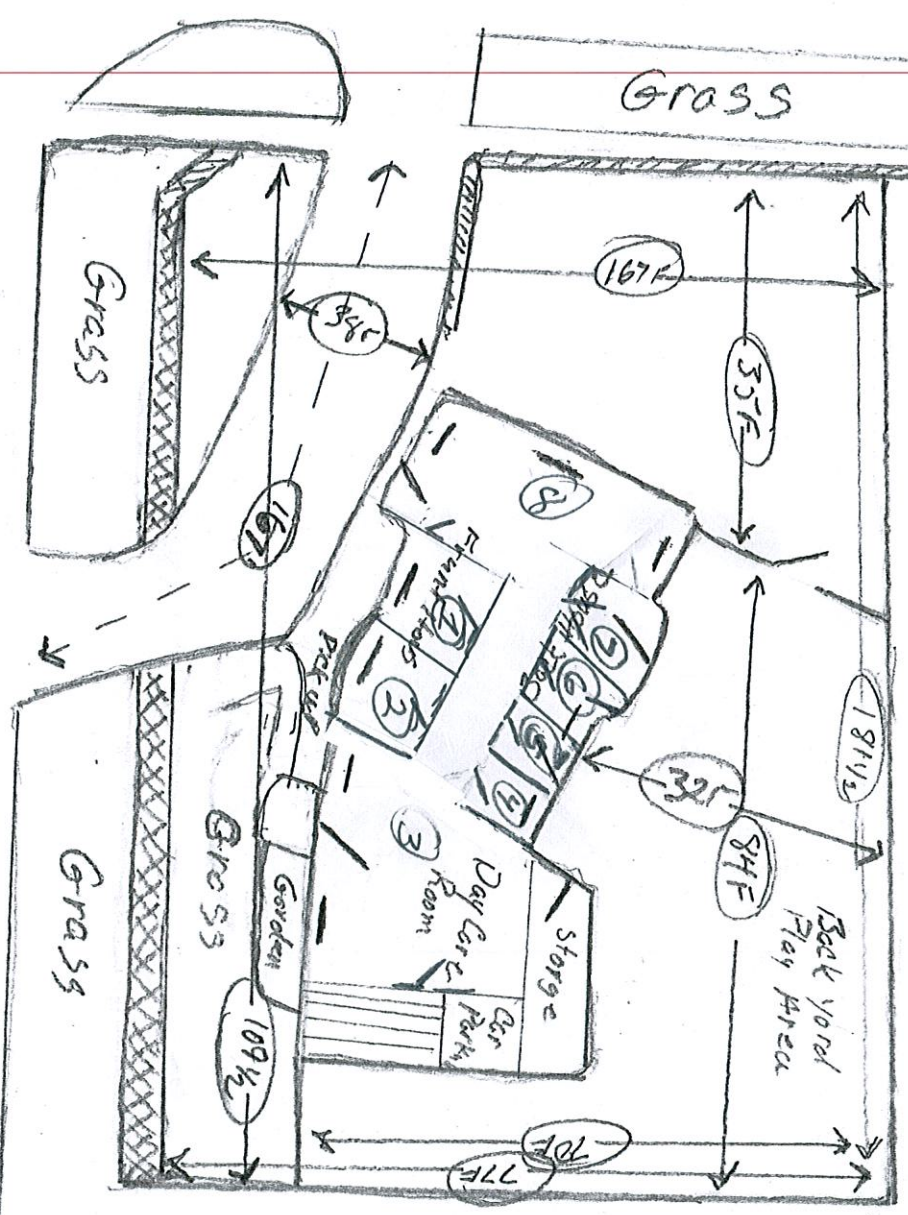
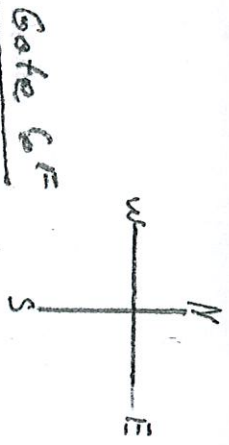


<b>SITE PLAN</b>	Describe proposed development:	There is no additional development needed.
	Demonstrate that proposed use is appropriate to site:	To operate a Large Family Child Care
	Demonstrate how drainage and paving requirement will be met:	The same way it is currently met.
	Demonstrate any landscaping techniques to visually screen use from adjacent uses:	We currently have 6' privacy fences in both front and back yards.
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:	There are no potential hazards, problems, or public nuisances due to expansion forseen.
	Demonstrate how utilities and other service requirements of the use can be met:	The utilities are currently available and active. They will not be altered by proposed use.
	Demonstrate how the impact of traffic generated will be handled:	On-site: There is currently adequate parking Off-site: There will be no no traffic affected.

<b>OTHER</b>	<b>COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:</b>
	<ul style="list-style-type: none"> <li>• Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit.</li> <li>• Antenna manufacture cut sheets including antenna size and shape.</li> <li>• Zoning map of area with site clearly marked.</li> <li>• Photos of existing building or tower and surrounding uses.</li> <li>• Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional.</li> <li>• Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop.</li> <li>• Letter of structural capacity and building code compliance.</li> <li>• Notes on plan or letter demonstrating floor area coverage not in excess of restrictions</li> <li>• Provide Photo Enhancements of proposal.</li> <li>• Statement that proposal is in compliance with Environmental Regulations prior to permit issue.</li> </ul>

<b>Confirmation of Information Accuracy</b>	
<p>I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars (\$500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.</p>	
 Signature	 Date








- Doors -
- Windows -
- Bedroom #1
- Bedroom #2
- Bedroom #3
- Bedroom #4
- Bedroom #5
- Bedroom #6
- Bedroom #7
- Living Room #8

1 Gardener's love Family daycare  
 Diana Bambary Pricas  
 11000 Ave F  
 Riviera Beach FL 33404  
 561-844-3079 or 561-168-6071  
 West 16th Street



0 125 250 500 Feet



-  Subject Area
-  Parcels
-  Roads

Location Map  
SE-13-03  
A GRANDMA'S LOVE  
FAMILY DAYCARE

Data and Map Disclaimer: The Data is provided as is without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Riviera Beach and Palm Beach County make no warranties, expressed or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.



**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** RESOLUTION

---

**Subject:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM EULA GRAY'S FAMILY DAYCARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 301 W. 22ND CT. AND; PROVIDING FOR AN EFFECTIVE DATE.

---

**Recommendation/Motion:** Staff recommends a motion to approve the resolution.

---

**Originating Dept.** COMMUNITY DEVELOPMENT **Costs:** N/A

**User Dept.** THE CITY **Funding Source:** N/A

**Advertised:** Yes **Budget Account Number:** N/A

**Date:** NOV - 6 - 2013

**Paper:** PALM BEACH POST

**Affected Parties:** Notified

---

**Background/Summary:**

Currently, the City of Riviera Beach's Land Development Regulations permits the use of daycare facilities when all City regulations are satisfied. On November 3, 2010, the City of Riviera Beach City Council approved Resolution No. 138-10, which directed staff to develop new Land Development Regulations pertaining to daycare uses in order for the City's Code of Ordinances to be consistent with House Bill Number 1045 (H B 1045). On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities" via Ordinance No. 3092. On September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications. On September 10, 2013 Eula Gray submitted a Large Family Child Care Home Special Exception application to staff, which has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. After the staff review process was completed, the Planning and Zoning Board reviewed the Special Exception Application and recommended approval on November 14, 2013.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<u>N/A</u>
<b>Capital Expenditures</b>	N/A
<b>Operating Costs</b>	N/A
<b>External Revenues</b>	N/A
<b>Program Income (city)</b>	N/A
<b>In-kind Match (city)</b>	N/A
<b>Net Fiscal Impact</b>	N/A
<b>NO. Additional FTE Positions (cumulative)</b>	N/A

**Is Item Included in Current Budget?** No

**Budget Account NO:** N/A

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

N/A

**C. Department Fiscal Review**

MARY MCKINNEY

**III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

NO COMMENTS

**Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email


Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:

 [SE-13-04 - RES.docx](#)

Resolution

 [SE-13-04 Staff Report.pdf](#)

Staff Report

 [SE-13-04 - LOCATION MAP.pdf](#)

Location Map



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM EULA GRAY'S FAMILY DAYCARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 301 W. 22<sup>ND</sup> CT. AND; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 31-62 of the City of Riviera Beach Land Development Code establishes the requirements for granting Special Exception applications; and

**WHEREAS**, the City Council amended Daycare Land Development Regulations via Ordinance No. 3092 on May 18, 2011; and

**WHEREAS**, Special Exception review and approval by the City Council is required for a Large Family Child Care Home (up to 12 children); and

**WHEREAS**, on September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications; and

**WHEREAS**, Eula Gray, submitted a Special Exception application for a Large Family Child Care Home on September 10, 2013; and

**WHEREAS**, Staff has reviewed the application and the application meets the City's requirements for granting a Special Exception approval; and

**WHEREAS**, the Planning and Zoning Board met on November 14, 2013 to review the Special Exception application and recommended approval to the City Council; and

**WHEREAS**, the City Council finds that the proposed Special Exception application is consistent with the City's Comprehensive Plan and the Land Development Code Regulations.

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

**SECTION 1.** The City Council finds that the Special Exception application from Eula Gray's Family Daycare is consistent with the City's Comprehensive Plan and the

**RESOLUTION NO. \_\_\_\_\_**  
**PAGE 2 OF 3**

Land Development Regulations, and hereby approves it to operate at 301 W. 22<sup>nd</sup> Ct.

**SECTION 2.** Should any one or more of the provisions or elements of this Resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of the Resolution.

**SECTION 3.** This Resolution shall take effect immediately upon approval.

**PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

**\*\*\*\*\* THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK \*\*\*\*\***

RESOLUTION NO. \_\_\_\_\_  
PAGE 3 OF 3

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

-----  
PAMALA HANNA RYAN, B.C.S.,  
CITY ATTORNEY

DATE: \_\_\_\_\_



**CITY OF RIVIERA BEACH STAFF REPORT  
CASE NUMBER SE-13-04  
NOVEMBER 14, 2013**

**AN APPLICATION FROM EULA GRAY'S FAMILY DAYCARE REQUESTING A SPECIAL EXCEPTION APPROVAL TO OPERATE A LARGE FAMILY CHILD CARE HOME, AT 301 W 22<sup>ND</sup> CT, WITHIN A SINGLE FAMILY STRUCTURE ON A 6684 SQ. FT. PARCEL.**

---

**A. Applicant:** Eula Gray.

**B. Request:** The applicant is requesting a special exception to operate a Large Family Child Care Home within the Single Family (RS-6) Zoning District.

**C. Location:** The proposed location is on the south side of W 22<sup>nd</sup> Ct, west of Avenue G.

**D. Property Description and Uses:** The subject property description and uses are as follows:

Parcel Control Number: 56-43-42-28-25-014-0100.

Parcel Size: 6684 sq. ft.

Existing Use: One residential structure, currently occupied by the applicant, as a Family Day Care Home with up to 6 kids and 1 staff member.

Zoning: Single Family (RS-6) Zoning District.

Future Land Use: Single Family Residential.

**E. Adjacent Property Description and Uses:**

North: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

South: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

East: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

West: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

**F. Background:**

On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities". On September 4, 2013 the City Council extended the One-Year fee waiver period for Large Family Child Care Homes. Days later, Eula Gray submitted her official Large Family Child Care Home Special Exception application to staff, which

has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. The following staff analysis has been prepared for your review.

#### **G. Staff Analysis:**

**Proposed Use:** The applicant is requesting to operate a Large Family Child Care Home at 301 W. 22<sup>nd</sup> Ct. This facility will typically have up to 12 children and 2 full-time employees.

**Zoning Regulations:** This proposed use would comply with the City's Land Development Regulations if a Special Exception approval was granted by City Council, in the Single Family (RS-6) Zoning District.

**Comprehensive Plan:** The proposed use would be consistent with the City's Comprehensive Plan.

**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site.

**Landscaping:** Staff considers the existing landscaping appropriate and adequate at this time.

**Parking/Traffic:** The applicant is providing three parking spaces.

#### **H. Special Exception Analysis**

**a. *Ingress to and egress from the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.***

- Ingress and egress to this site are directly off of Avenue G and W 22<sup>nd</sup> Ct.

**b. *Off-street parking and loading areas, where required, including consideration of relevant factors in subsection (2)a. of this section, and the economic, noise, glare or odor effects of the location of such areas on adjacent and nearby properties and properties generally in the district.***

- Existing driveway would provide three parking spaces and is used as drop off / pickup area.

**c. *Refuse and service areas, including consideration of relevant factors in subsections (2)a. and b. of this section.***

- Regular schedule for roll out garbage container collection.

**d. *Utilities, including such consideration as hook-in locations and availability and compatibility of utilities for the proposed use or structure.***

- Utilities are currently available and active. They would not be altered by the proposed use.

**e. *Screening, buffering and landscaping, including consideration of such relevant factors as type, dimensions and character to preserve and improve compatibility and harmony of use and structures between the proposed special exception and***

***the uses and structures of adjacent and nearby properties and properties generally in the district.***

- Adequate landscaping exists on-site which must be maintained according to the City's Land Development Regulations.
- Four-foot (4') chain link fence with immediate 75% coverage is installed around the back yard providing adequate buffering from other properties as required by Ordinance 3092.

***f. Signs, or outside displays, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of same on properties in the district.***

- Children at Play signs will be installed at this location as recommended by the Engineering Department.

***g. Required yards and open spaces. The board shall make such recommendations as it deems necessary, guided by the factors that may be described in this zoning district, based on the nature of the request and its effect.***

- As ordained by City Council through Ordinance No. 3092, 75 sq. ft. per child is required. Being that this facility is applying for a license for up to 12 children the minimum required outdoor play area is 900 sq. ft. The applicant has provided proof of having 3622 sq. ft. available for outdoor play area.
- This Ordinance also requires a minimum of 420 sq. ft. dedicated only to the day care area. The applicant has provided floor plans showing that the day care area is 485 sq. ft.

**I. Recommendation:** Staff recommends approval.

**For Staff Use Only**

<b>City of Riviera Beach</b>  Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404  Phone: (561) 845-4060 Fax : (561) 845-4038	Date: <u>9-10-13</u>	Case Number: <u>SE-13-04</u>
	Project Title: <u>Eula Gray's Family Daycare</u>	
	Fee Paid: <u>Exempt. Ord. No. 40</u> Notices Mailed:	
	1 <sup>st</sup> Hearing:	2 <sup>nd</sup> Hearing:
	Publication Dates (if required)	

**UNIFORM LAND USE APPLICATION**

*(Please attach separate sheet of paper for required additional information)*

**Complete appropriate sections of Application and sign.**

<b>APPLICANT</b>	Name of Property Owner(s): <u>Eula Gray</u>
	Mailing Address: <u>301 W. 22<sup>nd</sup> Ct. Riviera Beach, FL 33404</u>
	Property Address: <u>301 W. 22<sup>nd</sup> Ct. Riviera Beach, FL 33404</u>
	Name of Applicant (if other than owner):
	Home: <u>(561) 848-1285</u> Work: <u>(561) 848-1285</u> Fax: <u>(561) 848-1285</u>
	E-mail Address: <u>grayeula@yahoo.com</u>

**PLEASE ATTACH LEGAL DESCRIPTION**

<b>PROPERTY</b>	Future Land Use Map Designation: <u>SFR</u> Current Zoning Classification: <u>RS-6</u>
	Square footage of site: <u>6,684</u> Property Control Number (PCN): <u>56-43-42-28-25-01A-01D</u>
	Type and gross area of any existing non residential uses on site:
	Gross area of any proposed structure:
	Is there a current or recent use of the property that is/was in violation of City Ordinance? [ ] Yes [x] No
	If yes, please describe:
	Have there been any land use applications concerning all or part of this property in the last 18 months? [ ] Yes [ ] No
	If yes, indicate date, nature and applicant's name:
	Briefly describe use of adjoining property: North: <u>Residential</u>
	South: <u>Residential</u>
East: <u>Residential</u>	
West: <u>Residential</u>	

<b>REZONE</b>	Requested Zoning Classification:
	Is the requested zoning classification contiguous with existing?
	Is a Special Exception necessary for your intended use? [ ] Yes [ ] No
	Is a Variance necessary for your intended use? [ ] Yes [ ] No



FUTURE LAND USE	Existing Use:	Proposed Use:
	Land Use Designation:	Requested Land Use:
	Adjacent Land Uses: North:	South:
	East:	West:
	Size of Property Requesting Land Use Change:	

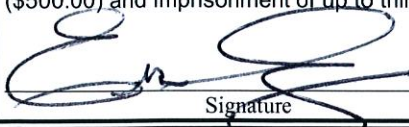
SPECIAL EXCEPTION	Describe the intended use requiring a Special Exception: <u>Large Family Child Care</u>
	Provide specific LDR ordinance section number and page number: <u>SEC. 31-544-Ord. 3092</u>
	How does intended use meet the standards in the Land Development Code? <u>Comply with city, county, and state regulations for use.</u>
	Demonstrate that proposed location and site is appropriate for requested use: <u>Adequate indoor and outdoor space to meet requirements for use.</u>
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods: <u>Maintain the look of residential property.</u>
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: <u>Chain fence in front and back of property to visually screen use from adjacent use.</u>
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: <u>Business and property will be maintained according to city, fire, zoning, and building requirements.</u>
	Demonstrate how utilities and other service requirements of the use can be met: <u>No affect on utilities and other service requirements.</u>
	Demonstrate how the impact of traffic generated will be handled: On-site: <u>Adequate parking for use.</u>
	Off-Site: <u>Pick up and drop off times vary; traffic will not be affected.</u>
Other:	

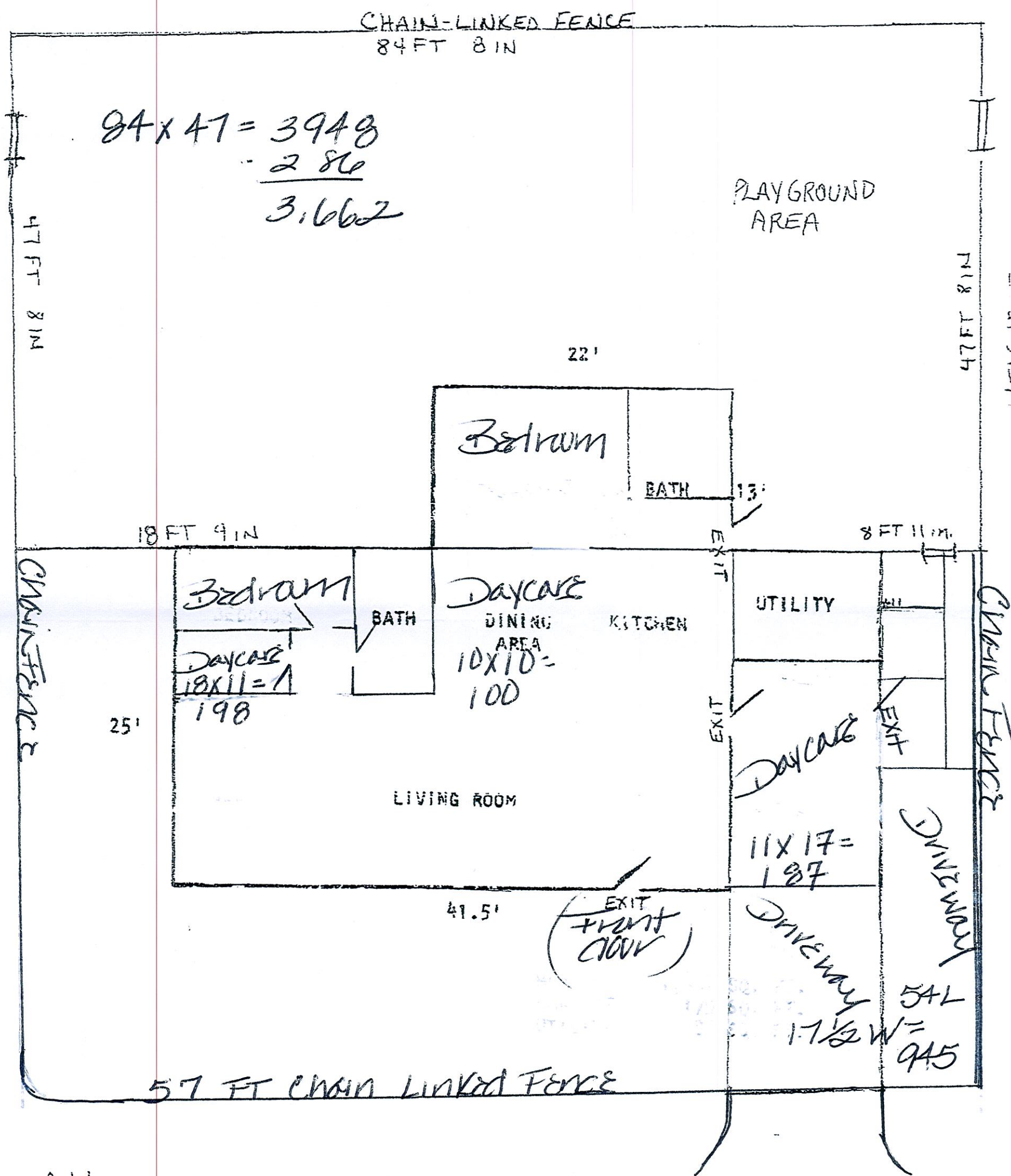
VARIANCE	Describe the Variance sought:
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:
	Other:



<b>SITE PLAN</b>	Describe proposed development:
	Demonstrate that proposed use is appropriate to site:
	Demonstrate how drainage and paving requirement will be met:
	Demonstrate any landscaping techniques to visually screen use from adjacent uses:
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:
	Demonstrate how utilities and other service requirements of the use can be met:
	Demonstrate how the impact of traffic generated will be handled:
	On-site:
	Off-site:

<b>OTHER</b>	<b><u>COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:</u></b>
	<ul style="list-style-type: none"> <li>• Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit.</li> <li>• Antenna manufacture cut sheets including antenna size and shape.</li> <li>• Zoning map of area with site clearly marked.</li> <li>• Photos of existing building or tower and surrounding uses.</li> <li>• Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional.</li> <li>• Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop.</li> <li>• Letter of structural capacity and building code compliance.</li> <li>• Notes on plan or letter demonstrating floor area coverage not in excess of restrictions</li> <li>• Provide Photo Enhancements of proposal.</li> <li>• Statement that proposal is in compliance with Environmental Regulations prior to permit issue.</li> </ul>

<b>Confirmation of Information Accuracy</b>	
<p>I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars (\$500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.</p>	
 Signature	9.8.13 Date






Address : 301 W. 22nd Court  
Riviera Beach, FL 33404



0 125 250 500 Feet



-  Subject Area
-  Parcels
-  Roads

Location Map  
SE-13-04  
EULA GRAY'S  
FAMILY DAYCARE

Data and Map Disclaimer: The Data is provided as is without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Riviera Beach and Palm Beach County make no warranties, expressed or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.





**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** RESOLUTION

---

**Subject:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM ANDREA'S LITTLE ANGELS FAMILY CHILD CARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 574 W. 6TH ST. AND; PROVIDING FOR AN EFFECTIVE DATE.

---

**Recommendation/Motion:** Staff recommends a motion to approve the resolution.

---

**Originating Dept.** COMMUNITY DEVELOPMENT **Costs:** N/A

**User Dept.** THE CITY **Funding Source:** N/A

**Advertised:** Yes **Budget Account Number:** N/A

**Date:** NOV - 6 - 2013

**Paper:** PALM BEACH POST

**Affected Parties:** Notified

---

**Background/Summary:**

Currently, the City of Riviera Beach's Land Development Regulations permits the use of daycare facilities when all City regulations are satisfied. On November 3, 2010, the City of Riviera Beach City Council approved Resolution No. 138-10, which directed staff to develop new Land Development Regulations pertaining to daycare uses in order for the City's Code of Ordinances to be consistent with House Bill Number 1045 (H B 1045). On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities" via Ordinance No. 3092. On September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications. On September 13, 2013 Andrea D. Frith submitted a Large Family Child Care Home Special Exception application to staff, which has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. After the staff review process was completed, the Planning and Zoning Board reviewed the Special Exception Application and recommended approval on November 14, 2013.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<u>N/A</u>
<b>Capital Expenditures</b>	N/A
<b>Operating Costs</b>	N/A
<b>External Revenues</b>	N/A
<b>Program Income (city)</b>	N/A
<b>In-kind Match (city)</b>	N/A
<b>Net Fiscal Impact</b>	N/A
<b>NO. Additional FTE Positions (cumulative)</b>	N/A

**Is Item Included in Current Budget?** No

**Budget Account NO:** N/A

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

N/A

**C. Department Fiscal Review**

MARY MCKINNEY

**III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

NO COMMENTS

**Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email


Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:

 [SE-13-05 - RES.docx](#)

Resolution

 [SE-13-05 Staff Report.pdf](#)

Staff Report

 [SE-13-05 - LOCATION MAP.pdf](#)

Location Map

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM ANDREA'S LITTLE ANGELS FAMILY CHILD CARE, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 574 W. 6<sup>TH</sup> ST. AND; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 31-62 of the City of Riviera Beach Land Development Code establishes the requirements for granting Special Exception applications; and

**WHEREAS**, the City Council amended Daycare Land Development Regulations via Ordinance No. 3092 on May 18, 2011; and

**WHEREAS**, Special Exception review and approval by the City Council is required for a Large Family Child Care Home (up to 12 children); and

**WHEREAS**, on September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications; and

**WHEREAS**, Andrea D. Frith, submitted a Special Exception application for a Large Family Child Care Home on September 13, 2013; and

**WHEREAS**, Staff has reviewed the application and the application meets the City's requirements for granting a Special Exception approval; and

**WHEREAS**, the Planning and Zoning Board met on November 14, 2013 to review the Special Exception application and recommended approval to the City Council; and

**WHEREAS**, the City Council finds that the proposed Special Exception application is consistent with the City's Comprehensive Plan and the Land Development Code Regulations.

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

**SECTION 1.** The City Council finds that the Special Exception application from Andrea's Little Angels Family Child Care is consistent with the City's Comprehensive

**RESOLUTION NO. \_\_\_\_\_**  
**PAGE 2 OF 3**

Plan and the Land Development Regulations, and hereby approves it to operate at 574 W. 6<sup>th</sup> St.

**SECTION 2.** Should any one or more of the provisions or elements of this Resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of the Resolution.

**SECTION 3.** This Resolution shall take effect immediately upon approval.

**PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

**\*\*\*\*\* THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK \*\*\*\*\***



RESOLUTION NO. \_\_\_\_\_  
PAGE 3 OF 3

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

-----  
PAMALA HANNA RYAN, B.C.S.,  
CITY ATTORNEY

DATE: \_\_\_\_\_



**CITY OF RIVIERA BEACH STAFF REPORT  
CASE NUMBER SE-13-05  
NOVEMBER 14, 2013**

**AN APPLICATION FROM ANDREA'S LITTLE ANGELS FAMILY CHILD CARE REQUESTING A SPECIAL EXCEPTION APPROVAL TO OPERATE A LARGE FAMILY CHILD CARE HOME, AT 574 W 6<sup>TH</sup> STREET, WITHIN A MULTIPLE FAMILY STRUCTURE ON A 5000 SQ. FT. PARCEL.**

---

**A. Applicant:** Andrea D. Frith.

**B. Request:** The applicant is requesting a special exception to operate a Large Family Child Care Home within the Multiple Family (RM-15) Zoning District.

**C. Location:** The proposed location is on the north side of W 6<sup>th</sup> Street, between Avenue G and Old Dixie Hwy.

**D. Property Description and Uses:** The subject property description and uses are as follows:

Parcel Control Number: 56-43-42-32-01-039-0190.

Parcel Size: 5000 sq. ft.

Existing Use: One residential structure, currently occupied by the applicant, as a Family Day Care Home with up to 6 kids and 1 staff member.

Zoning: Multiple Family (RM-15) Zoning District.

Future Land Use: Medium Density Multiple Family Residential.

**E. Adjacent Property Description and Uses:**

North: Vacant Lot; General Commercial (CG) Zoning, Medium Density Multiple Family Residential Future Land Use.

South: Residential Building; Multiple Family (RM-15) Zoning, Medium Density Multiple Family Residential Future Land Use.

East: Residential Building; General Commercial (CG) Zoning, Medium Density Multiple Family Residential Future Land Use.

West: Vacant Lot; Multiple Family (RM-15) Zoning, Medium Density Multiple Family Residential Future Land Use.

**F. Background:**

On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities". On September 4, 2013 the City Council extended the One-Year fee waiver period for Large Family Child Care Homes. Days later, Andrea D. Frith

submitted her official Large Family Child Care Home Special Exception application to staff, which has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. The following staff analysis has been prepared for your review.

#### **G. Staff Analysis:**

**Proposed Use:** The applicant is requesting to operate a Large Family Child Care Home at 574 W. 6<sup>th</sup> Street. This facility will typically have up to 12 children and 2 full-time employees.

**Zoning Regulations:** This proposed use would comply with the City's Land Development Regulations if a Special Exception approval was granted by City Council, in the Multiple Family (RM-15) Zoning District.

**Comprehensive Plan:** The proposed use would be consistent with the City's Comprehensive Plan.

**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site.

**Landscaping:** Staff considers the existing landscaping appropriate and adequate at this time.

**Parking/Traffic:** The applicant is providing three parking spaces.

#### **H. Special Exception Analysis**

**a. *Ingress to and egress from the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.***

- Ingress and egress to this site are directly off of Avenue G, Old Dixie Hwy, and W 6<sup>th</sup> Street.

**b. *Off-street parking and loading areas, where required, including consideration of relevant factors in subsection (2)a. of this section, and the economic, noise, glare or odor effects of the location of such areas on adjacent and nearby properties and properties generally in the district.***

- Existing driveway would provide three parking spaces and is used as drop off / pickup area.

**c. *Refuse and service areas, including consideration of relevant factors in subsections (2)a. and b. of this section.***

- Regular schedule for roll out garbage container collection.

**d. *Utilities, including such consideration as hook-in locations and availability and compatibility of utilities for the proposed use or structure.***

- Utilities are currently available and active. They would not be altered by the proposed use.

***e. Screening, buffering and landscaping, including consideration of such relevant factors as type, dimensions and character to preserve and improve compatibility and harmony of use and structures between the proposed special exception and the uses and structures of adjacent and nearby properties and properties generally in the district.***

- Adequate landscaping exists on-site which must be maintained according to the City's Land Development Regulations.
- Six-foot (6') wood fence is installed around the back yard providing adequate buffering from other properties as required by Ordinance 3092.

***f. Signs, or outside displays, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of same on properties in the district.***

- Children at Play signs will be installed at this location as recommended by the Engineering Department.

***g. Required yards and open spaces. The board shall make such recommendations as it deems necessary, guided by the factors that may be described in this zoning district, based on the nature of the request and its effect.***

- As ordained by City Council through Ordinance No. 3092, 75 sq. ft. per child is required. Being that this facility is applying for a license for up to 12 children the minimum required outdoor play area is 900 sq. ft. The applicant has provided proof of having 1080 sq. ft. available for outdoor play area.
- This Ordinance also requires a minimum of 420 sq. ft. dedicated only to the day care area. The applicant has provided floor plans showing that the day care area is 501 sq. ft.

**I. Recommendation:** Staff recommends approval.

**For Staff Use Only**

<b>City of Riviera Beach</b>  Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404  Phone: (561) 845-4060 Fax : (561) 845-4038	Date: <u>9-13-13</u>	Case Number: <u>SE-13-05</u>
	Project Title: <u>Andrea's Little Angels Family Child Care LLC</u>	
	Fee Paid: <u>Exempt. Ord 4029</u>	Notices Mailed:
	1 <sup>st</sup> Hearing:	2 <sup>nd</sup> Hearing:
	Publication Dates (if required)	

**UNIFORM LAND USE APPLICATION**

(Please attach separate sheet of paper for required additional information)  
**Complete appropriate sections of Application and sign.**

<b>APPLICANT</b>	Name of Property Owner(s): <u>Andrea D. Frith</u>		
	Mailing Address: <u>574 West 6th Street, Riviera Beach, FL 33404</u>		
	Property Address: <u>574 West 6th Street, Riviera Beach, FL 33404</u>		
	Name of Applicant (if other than owner):		
	Home: (561) 577-2162	Work: (561) 370-3839	Fax: (561) 370-3839
	E-mail Address: <u>andreafrith2011@comcast.net</u>		

**PLEASE ATTACH LEGAL DESCRIPTION**

<b>PROPERTY</b>	Future Land Use Map Designation: <u>SFR</u>	Current Zoning Classification: <u>RM-15</u>
	Square footage of site: <u>5000</u>	Property Control Number (PCN): <u>56-43-42-32-01-039-0190</u>
	Type and gross area of any existing non residential uses on site: <u>N/A</u>	
	Gross area of any proposed structure: <u>N/A</u>	
	Is there a current or recent use of the property that is/was in violation of City Ordinance? [ ] Yes [x] No	
	If yes, please describe:	
	Have there been any land use applications concerning all or part of this property in the last 18 months? [ ] Yes [x] No	
	If yes, indicate date, nature and applicant's name: <u>RESIDENTIAL</u>	
	Briefly describe use of adjoining property: North: <u>RESIDENTIAL</u>	
	South: <u>RESIDENTIAL</u>	
East: <u>RESIDENTIAL</u>		
West: <u>RESIDENTIAL</u>		

<b>REZONE</b>	Requested Zoning Classification:
	Is the requested zoning classification contiguous with existing?
	Is a Special Exception necessary for your intended use? [ ] Yes [ ] No
	Is a Variance necessary for your intended use? [ ] Yes [ ] No



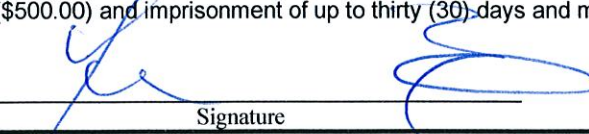
<b>FUTURE LAND USE</b>	Existing Use:	Proposed Use:
	Land Use Designation:	Requested Land Use:
	Adjacent Land Uses: North:	South:
	East:	West:
	Size of Property Requesting Land Use Change:	

<b>SPECIAL EXCEPTION</b>	Describe the intended use requiring a Special Exception: <b>Large Family Child Care</b>
	Provide specific LDR ordinance section number and page number: <b>Sec. 31-544 Ord.3092</b>
	How does intended use meet the standards in the Land Development Code? <b>COMPLY WITH CITY, COUNTY AND STATE REGULATIONS FOR USEADE</b>
	Demonstrate that proposed location and site is appropriate for requested use: <b>Adequate indoor and outdoor space to meet requirement for use.</b>
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods: <b>Maintain the look of residential property.</b>
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: <b>Privacy fence in front and back of property to visually screen use from adjacent use.</b>
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: <b>Business and property will be maintained according to city, fire, zoning and building requirements.</b>
	Demonstrate how utilities and other service requirements of the use can be met: <b>No affect on utilities and other service requirements.</b>
	Demonstrate how the impact of traffic generated will be handled: <b>On-site: Adequate parking for use. The property has a full size driveway with a 4 space parking.</b>
	<b>Off-Site: Pick-up and drop off times vary, traffic will not be affected.</b>
Other:	

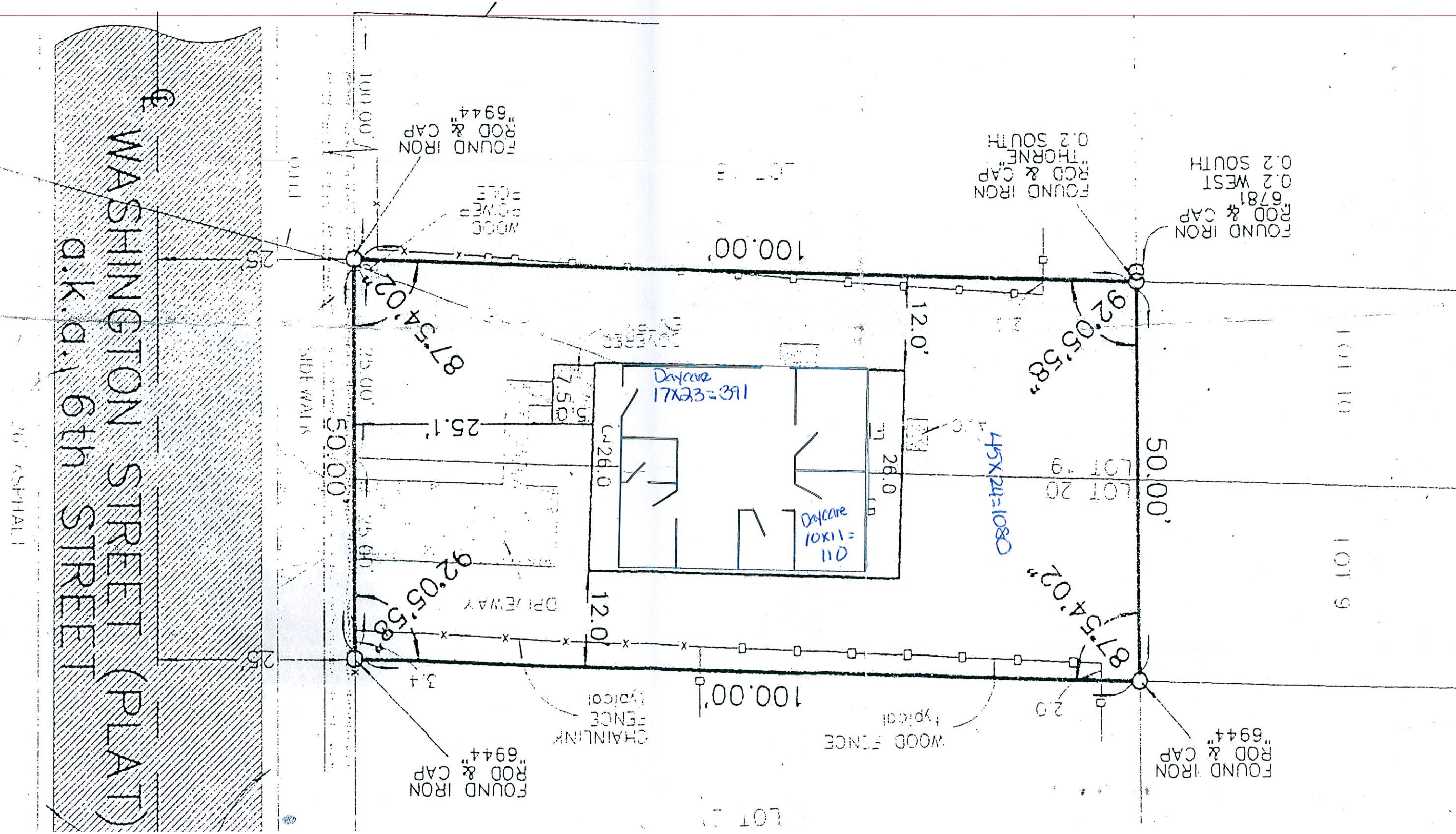
<b>VARIANCE</b>	Describe the Variance sought:
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:
	Other:

<b>SITE PLAN</b>	Describe proposed development: <b>Large Family child care home.</b>
	Demonstrate that proposed use is appropriate to site: <b>To operate a large family child care home.</b>
	Demonstrate how drainage and paving requirement will be met: <b>Utilities are currently available and active. They will not be altered.</b>
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: <b>Six-foot wooden fence is installed around backyard and front yard.</b>
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: <b>There are no potential hazards, problems or public nuisances.</b>
	Demonstrate how utilities and other service requirements of the use can be met: <b>Utilities are currently available and active.</b>
	Demonstrate how the impact of traffic generated will be handled: On-site: <b>Adequate parking for use.</b> Off-site: <b>Traffic will not be affected, drop off and pick-up times vary.</b>

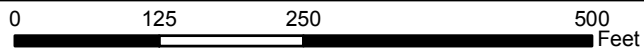
<b>OTHER</b>	<b><u>COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:</u></b>
	<ul style="list-style-type: none"> <li>• Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit.</li> <li>• Antenna manufacture cut sheets including antenna size and shape.</li> <li>• Zoning map of area with site clearly marked.</li> <li>• Photos of existing building or tower and surrounding uses.</li> <li>• Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional.</li> <li>• Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop.</li> <li>• Letter of structural capacity and building code compliance.</li> <li>• Notes on plan or letter demonstrating floor area coverage not in excess of restrictions</li> <li>• Provide Photo Enhancements of proposal.</li> <li>• Statement that proposal is in compliance with Environmental Regulations prior to permit issue.</li> </ul>




<b>Confirmation of Information Accuracy</b>	
<p>I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars (\$500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.</p>	
 _____ Signature	September 13, 2013 _____ Date









-  Subject Area
-  Parcels
-  Roads

Location Map  
 SE-13-05  
**ANDREA'S LITTLE ANGELS**  
**FAMILY CHILD CARE**

Data and Map Disclaimer: The Data is provided as is without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Riviera Beach and Palm Beach County make no warranties, expressed or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.



**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** RESOLUTION

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**Subject:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM BOATWRIGHT FAMILY CHILD CARE HOME, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 390 W. 33RD ST. AND; PROVIDING FOR AN EFFECTIVE DATE.

---

**Recommendation/Motion:** Staff recommends a motion to approve the resolution.

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**Originating Dept.** COMMUNITY DEVELOPMENT **Costs:** N/A

**User Dept.** THE CITY **Funding Source:** N/A

**Advertised:** Yes **Budget Account Number:** N/A

**Date:** NOV - 6 - 2013

**Paper:** PALM BEACH POST

**Affected Parties:** Notified

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**Background/Summary:**

Currently, the City of Riviera Beach's Land Development Regulations permits the use of daycare facilities when all City regulations are satisfied. On November 3, 2010, the City of Riviera Beach City Council approved Resolution No. 138-10, which directed staff to develop new Land Development Regulations pertaining to daycare uses in order for the City's Code of Ordinances to be consistent with House Bill Number 1045 (H B 1045). On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities" via Ordinance No. 3092. On September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications. On September 18, 2013 Nathaniel Boatwright and Sandra Boatwright submitted a Large Family Child Care Home Special Exception application to staff, which has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. After the staff review process was completed, the Planning and Zoning Board reviewed the Special Exception Application and recommended approval on November 14, 2013.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<u>N/A</u>
<b>Capital Expenditures</b>	N/A
<b>Operating Costs</b>	N/A
<b>External Revenues</b>	N/A
<b>Program Income (city)</b>	N/A
<b>In-kind Match (city)</b>	N/A
<b>Net Fiscal Impact</b>	N/A
<b>NO. Additional FTE Positions (cumulative)</b>	N/A

**Is Item Included in Current Budget?** No

**Budget Account NO:** N/A

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

N/A

**C. Department Fiscal Review**

MARY MCKINNEY

**III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

NO COMMENTS

**Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:

 [SE-13-06 - RES.docx](#)

Resolution

 [SE-13-06 Staff Report.pdf](#)

Staff Report

 [SE-13-06 - LOCATION MAP.pdf](#)

Location Map

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM BOATWRIGHT FAMILY CHILD CARE HOME, TO OPERATE A LARGE FAMILY CHILD CARE HOME, LOCATED AT 390 W. 33<sup>RD</sup> ST. AND; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 31-62 of the City of Riviera Beach Land Development Code establishes the requirements for granting Special Exception applications; and

**WHEREAS**, the City Council amended Daycare Land Development Regulations via Ordinance No. 3092 on May 18, 2011; and

**WHEREAS**, Special Exception review and approval by the City Council is required for a Large Family Child Care Home (up to 12 children); and

**WHEREAS**, on September 4, 2013, City Council approved Ordinance 4029, which waived the established Site Plan application fee (\$1,500), the Special Exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications; and

**WHEREAS**, Nathaniel Boatwright and Sandra Boatwright, submitted a Special Exception application for a Large Family Child Care Home on September 18, 2013; and

**WHEREAS**, Staff has reviewed the application and the application meets the City's requirements for granting a Special Exception approval; and

**WHEREAS**, the Planning and Zoning Board met on November 14, 2013 to review the Special Exception application and recommended approval to the City Council; and

**WHEREAS**, the City Council finds that the proposed Special Exception application is consistent with the City's Comprehensive Plan and the Land Development Code Regulations.

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

**SECTION 1.** The City Council finds that the Special Exception application from Boatwright Family Child Care Home is consistent with the City's Comprehensive Plan

**RESOLUTION NO. \_\_\_\_\_**  
**PAGE 2 OF 3**

and the Land Development Regulations, and hereby approves it to operate at 390 W. 33<sup>rd</sup> St.

**SECTION 2.** Should any one or more of the provisions or elements of this Resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of the Resolution.

**SECTION 3.** This Resolution shall take effect immediately upon approval.

**PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

**\*\*\*\*\* THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK \*\*\*\*\***



RESOLUTION NO. \_\_\_\_\_  
PAGE 3 OF 3

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

-----  
PAMALA HANNA RYAN, B.C.S.,  
CITY ATTORNEY

DATE: \_\_\_\_\_



**CITY OF RIVIERA BEACH STAFF REPORT  
CASE NUMBER SE-13-06  
NOVEMBER 14, 2013**

**AN APPLICATION FROM BOATWRIGHT FAMILY CHILD CARE HOME REQUESTING A SPECIAL EXCEPTION APPROVAL TO OPERATE A LARGE FAMILY CHILD CARE HOME, AT 390 W 33<sup>RD</sup> ST, WITHIN A SINGLE FAMILY STRUCTURE ON A 8030 SQ. FT. PARCEL.**

---

**A. Applicant:** Nathaniel & Sandra Boatwright.

**B. Request:** The applicant is requesting a special exception to operate a Large Family Child Care Home within the Single Family (RS-6) Zoning District.

**C. Location:** The proposed location is on the north side of W 33<sup>rd</sup> St, west of Avenue F.

**D. Property Description and Uses:** The subject property description and uses are as follows:

Parcel Control Number: 56-43-42-28-34-036-0160.

Parcel Size: 8030 sq. ft.

Existing Use: One residential structure, currently occupied by the applicant, as a Family Day Care Home with up to 6 kids and 1 staff member.

Zoning: Single Family (RS-6) Zoning District.

Future Land Use: Single Family Residential.

**E. Adjacent Property Description and Uses:**

North: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

South: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

East: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

West: Residential Building; Single Family (RS-6) Zoning, Single Family Residential Future Land Use.

**F. Background:**

On May 18, 2011, City Council passed and approved new regulations for "daycare and other preschool facilities". On September 4, 2013 the City Council extended the One-Year fee waiver period for Large Family Child Care Homes. Days later, Nathaniel & Sandra Boatwright submitted their official Large Family Child Care Home Special Exception

application to staff, which has been reviewed for compatibility and consistency with the City's Comprehensive Plan and Land Development Regulations. The following staff analysis has been prepared for your review.

#### **G. Staff Analysis:**

**Proposed Use:** The applicant is requesting to operate a Large Family Child Care Home at 390 W 33<sup>rd</sup> St. This facility will typically have up to 12 children and 2 full-time employees.

**Zoning Regulations:** This proposed use would comply with the City's Land Development Regulations if a Special Exception approval was granted by City Council, in the Single Family (RS-6) Zoning District.

**Comprehensive Plan:** The proposed use would be consistent with the City's Comprehensive Plan.

**Levels of Service:** City services such as roads, water, sewer, and garbage collection are currently available to the site.

**Landscaping:** Staff considers the existing landscaping appropriate and adequate at this time.

**Parking/Traffic:** The applicant is providing three parking spaces.

#### **H. Special Exception Analysis**

**a. *Ingress to and egress from the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.***

- Ingress and egress to this site are directly off of Avenue H east and W 34<sup>th</sup> St.

**b. *Off-street parking and loading areas, where required, including consideration of relevant factors in subsection (2)a. of this section, and the economic, noise, glare or odor effects of the location of such areas on adjacent and nearby properties and properties generally in the district.***

- Existing driveway would provide three parking spaces and is used as drop off / pickup area.

**c. *Refuse and service areas, including consideration of relevant factors in subsections (2)a. and b. of this section.***

- Regular schedule for roll out garbage container collection.

**d. *Utilities, including such consideration as hook-in locations and availability and compatibility of utilities for the proposed use or structure.***

- Utilities are currently available and active. They would not be altered by the proposed use.

**e. *Screening, buffering and landscaping, including consideration of such relevant factors as type, dimensions and character to preserve and improve compatibility and harmony of use and structures between the proposed special exception and***

***the uses and structures of adjacent and nearby properties and properties generally in the district.***

- Adequate landscaping exists on-site which must be maintained according to the City's Land Development Regulations.
- Six-foot (6') wood fence is installed around the back yard providing adequate buffering from other properties as required by Ordinance 3092.

***f. Signs, or outside displays, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of same on properties in the district.***

- Children at Play signs will be installed at this location as recommended by the Engineering Department.

***g. Required yards and open spaces. The board shall make such recommendations as it deems necessary, guided by the factors that may be described in this zoning district, based on the nature of the request and its effect.***

- As ordained by City Council through Ordinance No. 3092, 75 sq. ft. per child is required. Being that this facility is applying for a license for up to 12 children the minimum required outdoor play area is 900 sq. ft. The applicant has provided proof of having 1010 sq. ft. available for outdoor play area.
- This Ordinance also requires a minimum of 420 sq. ft. dedicated only to the day care area. The applicant has provided floor plans showing that the day care area is 667 sq. ft.

**I. Recommendation:** Staff recommends approval.

**For Staff Use Only**

<b>City of Riviera Beach</b>  Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404  Phone: (561) 845-4060 Fax : (561) 845-4038	Date: <u>9-18-2013</u>	Case Number: <u>SE-13-06</u>
	Project Title: <u>Boatwright family Child care home</u>	
	Fee Paid: <u>Exempt. Ord 4029</u>	Notices Mailed:
	1 <sup>st</sup> Hearing:	2 <sup>nd</sup> Hearing:
	Publication Dates (if required)	

**UNIFORM LAND USE APPLICATION**

(Please attach separate sheet of paper for required additional information)  
**Complete appropriate sections of Application and sign.**

<b>APPLICANT</b>	Name of Property Owner(s): <u>Nathaniel &amp; Sandra Boatwright</u>		
	Mailing Address: <u>390 W. 33rd Street</u>		
	Property Address: <u>390 W. 33rd Street</u>		
	Name of Applicant (if other than owner):		
	Home: ( 561 ) 842-3671	Work: ( 561 ) 842-3671	Fax: ( 561 ) 881-9255
	E-mail Address: <u>sandra2000@bellsouth.net</u>		

**PLEASE ATTACH LEGAL DESCRIPTION**

<b>PROPERTY</b>	Future Land Use Map Designation: <u>SFR</u>	Current Zoning Classification: <u>RS-6</u>
	Square footage of site: <u>8030sf</u>	Property Control Number (PCN): <u>56-43-42-28-34-036-0160</u>
	Type and gross area of any existing non residential uses on site: <u>No</u>	
	Gross area of any proposed structure: <u>No</u>	
	Is there a current or recent use of the property that is/was in violation of City Ordinance? [ ] Yes [ <input checked="" type="checkbox"/> ] No	
	If yes, please describe:	
	Have there been any land use applications concerning all or part of this property in the last 18 months? [ ] Yes [ <input checked="" type="checkbox"/> ] No	
	If yes, indicate date, nature and applicant's name:	
	Briefly describe use of adjoining property: North: <u>Single Family Dwelling</u>	
	South: " " "	
East: " " "		
West: " " "		

<b>REZONE</b>	Requested Zoning Classification:
	Is the requested zoning classification contiguous with existing?
	Is a Special Exception necessary for your intended use? [ ] Yes [ ] No
	Is a Variance necessary for your intended use? [ ] Yes [ ] No




<b>FUTURE LAND USE</b>	Existing Use:	Proposed Use:
	Land Use Designation:	Requested Land Use:
	Adjacent Land Uses: North:	South:
	East:	West:
	Size of Property Requesting Land Use Change:	

<b>SPECIAL EXCEPTION</b>	Describe the intended use requiring a Special Exception: <b>Large Family Child Care Home</b>
	Provide specific LDR ordinance section number and page number: <b>Ordinance 3092 &amp; Section 31-544</b>
	How does intended use meet the standards in the Land Development Code? By using the City and State Code
	Demonstrate that proposed location and site is appropriate for requested use: The usage of our home does not affect the surrounding area or the community, there is no changing from the single family homes in this residential area.
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods: <b>Residential diagram will not change the residential area.</b>
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: My area/residential si surrounded by a wooden fence and shrubs
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: <b>will operate with the Health Department and City guidelines, all within the program.</b>
	Demonstrate how utilities and other service requirements of the use can be met: It will not affected the area.
	Demonstrate how the impact of traffic generated will be handled: On-site: <b>There is parking for four vehicles</b>
	Off-Site: <b>Pick-up and drop-off of the children is at various times.</b>
Other:	

<b>VARIANCE</b>	Describe the Variance sought:
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:
	Other:

<b>SITE PLAN</b>	Describe proposed development:
	Demonstrate that proposed use is appropriate to site:
	Demonstrate how drainage and paving requirement will be met:
	Demonstrate any landscaping techniques to visually screen use from adjacent uses:
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:
	Demonstrate how utilities and other service requirements of the use can be met:
	Demonstrate how the impact of traffic generated will be handled:
	On-site:
	Off-site:

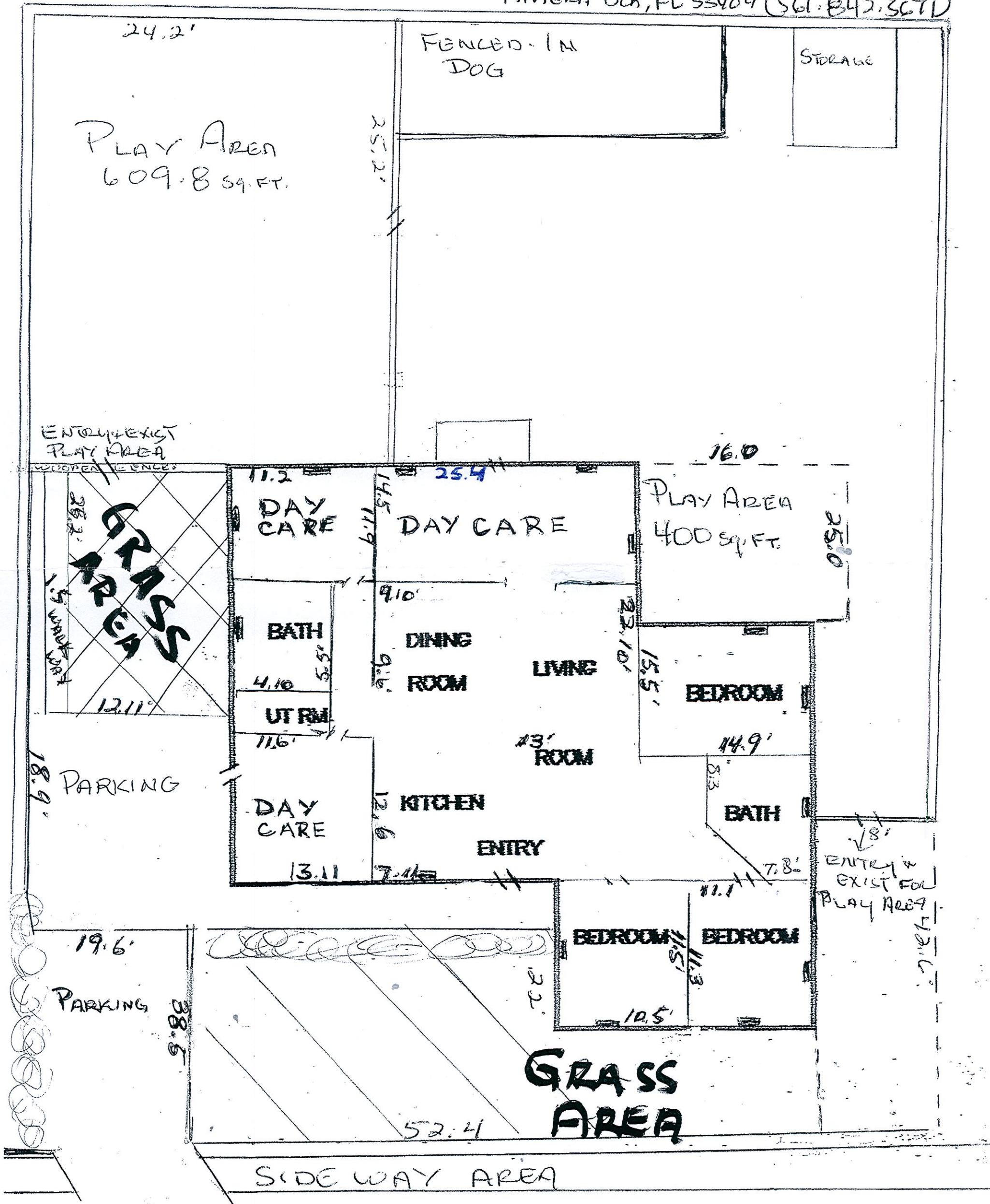
<b>OTHER</b>	<b><u>COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:</u></b>
	<ul style="list-style-type: none"> <li>• Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit.</li> <li>• Antenna manufacture cut sheets including antenna size and shape.</li> <li>• Zoning map of area with site clearly marked.</li> <li>• Photos of existing building or tower and surrounding uses.</li> <li>• Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional.</li> <li>• Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop.</li> <li>• Letter of structural capacity and building code compliance.</li> <li>• Notes on plan or letter demonstrating floor area coverage not in excess of restrictions</li> <li>• Provide Photo Enhancements of proposal.</li> <li>• Statement that proposal is in compliance with Environmental Regulations prior to permit issue.</li> </ul>

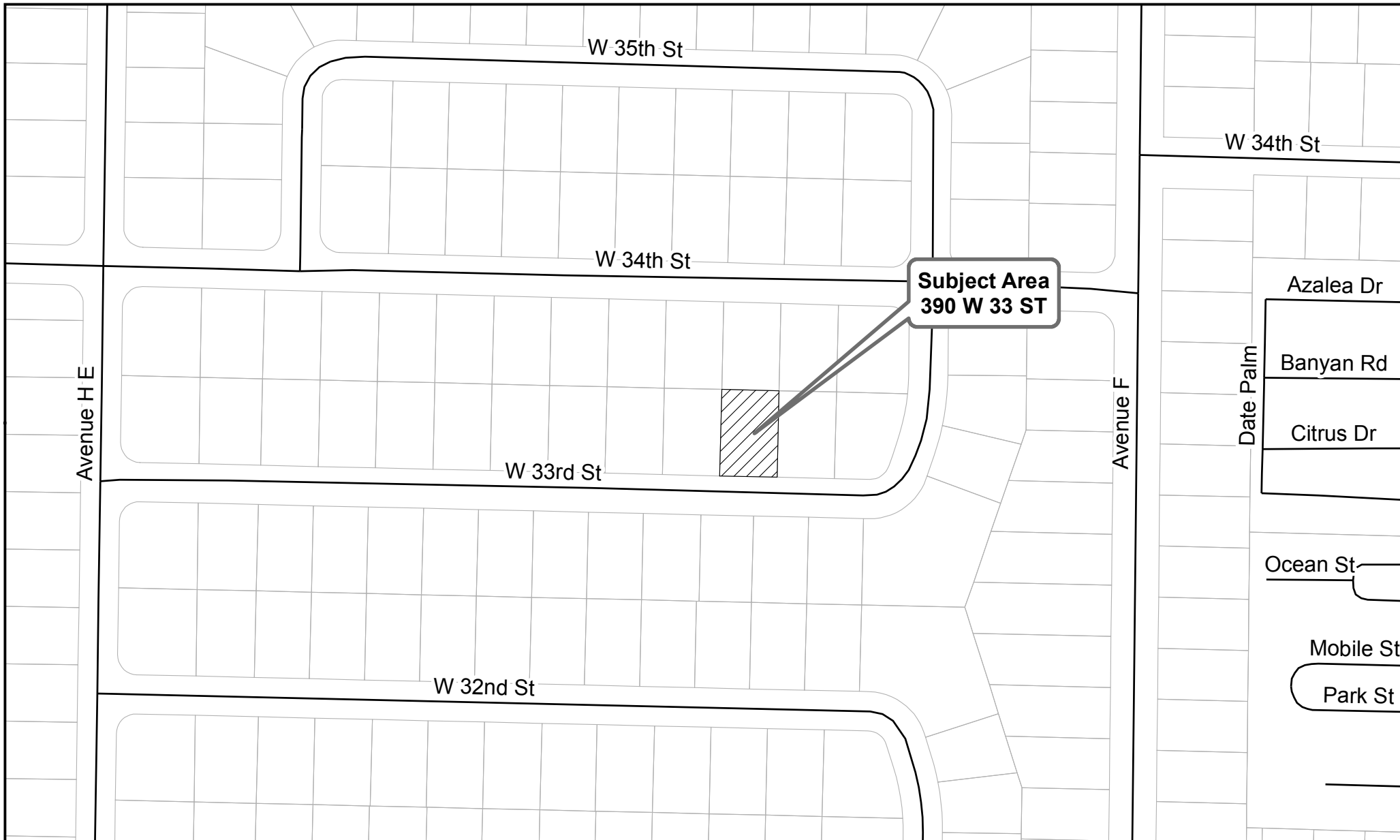
<b>Confirmation of Information Accuracy</b>	
<p>I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars (\$500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.</p>	
 Signature	9/10/13 Date



■ = WINDOWS  
|| = ENTRY & EXIST




SANDRA BOATWRIGHT  
390 W. 33<sup>RD</sup> ST  
Riviera Bch, FL 33404 (561-842-3671)





0 125 250 500 Feet



-  Subject Area
-  Parcels
-  Roads

Location Map  
SE-13-06  
BOATWRIGHT FAMILY  
CHILD CARE HOME

Data and Map Disclaimer: The Data is provided as is without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Riviera Beach and Palm Beach County make no warranties, expressed or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.



**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** ORDINANCE ON FIRST READING

---

**Subject:** An amendment to the City's Code of Ordinances Land Development Regulations and Zoning Map within the Community Redevelopment Area.

---

**Recommendation/Motion:** Staff recommends approving the new CRA Land Development Regulations "Exhibit A" and zoning map changes "Exhibit B" finding that the new regulations and zoning map changes are consistent with the City's Redevelopment Plan and the City's Comprehensive Plan.

---

**Originating Dept.** Community Development      **Costs:**

**User Dept.** City      **Funding Source:**

**Advertised:** Yes      **Budget Account Number:**

**Date:** November 12, 2013

**Paper:** Palm Beach Post

**Affected Parties:** Not Required

---

**Background/Summary:**

As a part of implementing the vision from the Citizens Master Plan, the new CRA Plan and the Comprehensive Plan, the Treasure Coast Regional Planning Council (per an agreement with the City and CRA), and the City & CRA Staff have developed new Land Development Regulations that specifically define how development should be planned, and how it should look, including: building placement, setbacks, height regulations and design controls in the CRA. The new regulations will replace existing zoning regulations in the City's Code of Ordinances and the Official City Zoning Map will be updated to be consistent with the City's Comprehensive Plan Land Use Map. The updated regulations and zoning map change will be effective upon final approval by the City Council.

The new codes were developed by the TCRPC based on the previously approved Citizens Master Plan, and the CRA Plan that was approved by the City Council in July 2011. The new regulations and zoning map changes are consistent with the adopted Comprehensive Plan. The CRA held multiple public meetings with CRA property owners to explain the intent and purpose of the new regulations.

The new regulations are a form based code that regulates development at a neighborhood scale and defines how new developments are designed including: building types, building placement, height,

parking placement and quantity, public open space, and street types, and building façade requirements. The new form based code will seek to guide new development to create a pedestrian friendly environment, and will promote redevelopment of both small infill and larger redevelopment opportunities.

The new regulations and zoning map changes were submitted on May 23, 2013 to the City's Planning and Zoning Board which serves as the Local Planning Agency to determine if the new regulations and zoning map changes were consistent with the adopted Riviera Beach Comprehensive Plan. The Planning and Zoning Board found that the new regulations and zoning map changes are consistent with the Riviera Beach Redevelopment Plan and the Riviera Beach Comprehensive Plan and voted to recommend approval.

On October 23, 2013 the CRA Board found that the new regulations and zoning map changes are consistent with the Riviera Beach Redevelopment Plan and the Riviera Beach Comprehensive Plan and voted to approve the new regulations and zoning map changes.

The proposed changes to the CRA Land Development Regulations and zoning map changes for the Community Redevelopment Area were advertised in the Palm Beach Post, with a large box ad with map, on November 12, 2013 and the ad will run again November 27, 2013 prior to the Second reading of the Ordinance December 4, 2013. The advertisement is consistent with the requirements for advertisement of Ordinances per the Florida Statutes 166.041.

## **II. Fiscal Impact Analysis**

### **A. Five Year Summary of Fiscal Impact:**

#### **Fiscal Years**

#### **Capital Expenditures**

#### **Operating Costs**

#### **External Revenues**

#### **Program Income (city)**

#### **In-kind Match (city)**

#### **Net Fiscal Impact**

#### **NO. Additional FTE Positions (cumulative)**

**Is Item Included in Current Budget?** No

#### **Budget Account NO:**

### **B. Recommended Sources of Funds/Summary of Fiscal Impact :**

### **C. Department Fiscal Review**

## **III. Review Comments**

### **A. Finance Department Comments:**

### **B. Purchasing/Intergovernmental Relations/Grants Comments**

### **C. Department Director Review**



## **Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number




Contractor Email

Type of Contract

Describe

### **ATTACHMENTS:**

Name:

-  [CRA LDR Ordinance City.pdf](#)
-  [Exhibit A CRA LDRs.pdf](#)
-  [Exhibit B CRA Reg Plan Map.pdf](#)
-  [CRA RES NO 2013-43 LDR.pdf](#)
-  [PBP News Ad Nov 12 2013.pdf](#)

Description:

- CRA LDR Ordinance City
- Exhibit A New Land Development Regulations
- Exhibit B Zoning Map Changes
- Resolution of approval from the CRA for LDR and Zoning Map changes
- Copy of PBP News Ad Nov 12, 2013

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING THE CITY OF RIVIERA BEACH'S CODE OF ORDINANCES LAND DEVELOPMENT REGULATIONS FOR THE COMMUNITY REDEVELOPMENT AREA BY AMENDING CHAPTER 31, "ZONING", ARTICLE I, "IN GENERAL", SECTION 31-1, "DEFINITIONS" BY ADDING DEFINITIONS; AMENDING CHAPTER 31, "ZONING", ARTICLE IV, "NONCONFORMING USES" ADDING SECTION 31-80, "NONCONFORMITIES IN THE DOWNTOWN ZONING DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 1, "GENERALLY", REVISING SECTION 31-96, "DESIGNATION OF DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DELETING DIVISION 24, "IHC INLET HARBOR CENTER OVERLAY ZONING DISTRICT" AND ADDING DIVISION 26, "DOWNTOWN ZONING DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE VI, "SUPPLEMENTAL DISTRICT REGULATIONS", REVISING SECTION 31-543, "CHURCHES"; AMENDING CHAPTER 29, "STREETS AND SIDEWALKS", ARTICLE II, "CONSTRUCTION", DIVISION 2, "STREETS", SECTION 29-65, "STREET DESIGN STANDARDS FOR THE COMMUNITY REDEVELOPMENT AREA" AND ADDING SECTION 29-66, "RELOCATION AND USE OF PUBLIC RIGHTS-OF-WAY"; AMENDING THE CITY'S ZONING MAP TO INCLUDE THE NEW DOWNTOWN ZONING DISTRICTS WITHIN THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; SPECIFIC AUTHORITY IS HEREBY GIVEN TO CODIFY THIS ORDINANCE AND THE EXHIBITS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Riviera Beach Code of Ordinances controls and directs the development of land within the municipal limits of the City; and



**WHEREAS**, the City of Riviera Beach (City), the Riviera Beach Community Redevelopment Agency (CRA), and the Treasure Coast Regional Planning Council (TCRPC) entered into an Interlocal Agreement to develop new land development regulations for the Redevelopment area that specifically define how development should be planned, and how it should look, including: building placement, setbacks, height regulations and design controls; and

**WHEREAS**, TCRPC, has prepared the new land development regulations based on the previously approved Citizens Master Plan, the adopted Community Redevelopment Plan and City's Comprehensive Plan; and

**WHEREAS**, the new regulations and the changes to the City's zoning map were submitted to the City's Planning and Zoning Board which serves as the Local Planning Agency to determine if the new regulations and the changes to the City's zoning map were consistent with the adopted Riviera Beach Redevelopment Plan and the City's Comprehensive Plan; and

**WHEREAS**, on May 23, 2013 the Planning and Zoning Board found that the new regulations and zoning map changes are consistent with the Riviera Beach Redevelopment Plan and the City's Comprehensive Plan and voted to recommend approval; and

**WHEREAS**, on October 23, 2013 the CRA Board found that the new regulations and zoning map changes are consistent with Riviera Beach Redevelopment Plan and the City's Comprehensive Plan and voted to approve; and

**WHEREAS**, the City Council has determined that the enactment of this Ordinance is for a proper municipal purpose 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, as follows:**

**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 hereof.

**SECTION 2.** That the City's Code of Ordinances Land Development Regulations, is amended by revising Chapter 31, "Zoning", Article I, "In General", Section 31-1, "Definitions" by adding definitions; amending Chapter 31, "Zoning", Article IV, "Nonconforming Uses" adding Section 31-80, "Nonconformities in the Downtown Zoning Districts"; amending chapter 31, "Zoning", Article V, "District Regulations", Division 1, "Generally", revising Section 31-96, "Designation of Districts"; amending Chapter 31, "Zoning", Article V, "District Regulations", deleting Division 24, "IHC Inlet Harbor Center Overlay Zoning District" and adding Division 26, "Downtown Zoning Districts"; amending Chapter 31, "Zoning", Article VI, "Supplemental District Regulations", revising Section 31-543, "Churches"; amending Chapter 29, "Streets and

Sidewalks", Article II, "Construction", Division 2, "Streets", Section 29-65, "Street Design Standards for the Community Redevelopment Area" and adding Section 29-66, "Relocation and Use of Public Rights-Of-Way". Said revisions are set out in "Exhibit A".

**SECTION 3.** That the City's Zoning Map be amended to change zoning districts in the CRA to be consistent with the CRA's Redevelopment Plan and the City's Comprehensive Plan per "Exhibit B".

**SECTION 4.** 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 5.** 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 6.** 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 7.** Specific authority is hereby granted to codify this Ordinance and specifically "Exhibit A" and "Exhibit B".

**SECTION 8.** This ordinance shall be in full force and effect immediately upon its final passage and approval.

**PASSED AND APPROVED** on the first reading this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

**PASSED AND ADOPTED** on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_ 2013

**\*\*\*\*\*THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK\*\*\*\*\***

ORDINANCE NO. \_\_\_\_\_

PAGE 4

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
CARRIE E. WARD,  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

ORDINANCE NO. \_\_\_\_\_

PAGE 5

**1<sup>ST</sup> READING**

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

T. DAVIS \_\_\_\_\_

**2<sup>ND</sup> & FINAL READING**

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

\_\_\_\_\_  
PAMALA HANNA RYAN, B.C.S. CITY ATTORNEY

DATE: \_\_\_\_\_

## Exhibit A

Amending the City's Code of Ordinances Land Development Regulations by revising Chapter 31, "Zoning", Article I, "In General", Section 31-1, "Definitions" by adding definitions; amending Chapter 31, "Zoning", Article IV, "Nonconforming Uses" adding Section 31-80, "Nonconformities in the Downtown Zoning Districts"; amending chapter 31, "Zoning", Article V, "District Regulations", Division 1, "Generally", revising Section 31-96, "Designation of Districts"; amending Chapter 31, "Zoning", Article V, "District Regulations", deleting Division 24, "IHC Inlet Harbor Center Overlay Zoning District" and adding Division 26, "Downtown Zoning Districts"; amending Chapter 31, "Zoning", Article VI, "Supplemental District Regulations", revising Section 31-543, "Churches"; amending Chapter 29, "Streets and Sidewalks", Article II, "Construction", Division 2, "Streets", Section 29-65, "Street Design Standards for the Community Redevelopment Area" and adding Section 29-66, "Relocation and Use of Public Rights-Of-Way"; by amending with additions, changes, and deletions

Revising Chapter 31, “Zoning”, Article I, “In General”, Section 31-1, “Definitions” by adding definitions:

*The following definitions shall be inserted alphabetically into Article I of Chapter 31 “Zoning”*

#### **Section 31-1. Definitions.**

**Building Façade** means an exterior building wall facing a street, path, or park.

**Building Frontage** means the percentage of the total width of a lot which is required to be building façade(s).

**Church** means an enclosed structure for public or semipublic religious worship, irrespective of denomination. For the purposes of this code, churches include synagogues, mosques, temples, etc.

**Community garden** means a defined area of land utilized collectively by a group of people to grow plant material including flowers or produce for profit or not-for-profit, including supplementary uses and structures associated with gardening and community gathering spaces.

**Expression Line** means a continuous line on a building façade expressed by a variation in material or by a cornice or molding.

**Floor Footprint** means the total indoor and outdoor footprint of a building at any given story. The 100% floor footprint is calculated by multiplying the maximum lot coverage by the overall size of the parcel. Some districts may limit the floor footprint by percentage at certain stories.

**Liner Building** means a building or part of a building constructed to shield parking, manufacturing, or industrial uses from the street that contains active uses with doors and windows opening onto the sidewalk to create an attractive, pedestrian-friendly, safe environment.

**Marina:** means a facility or structure which provides mooring, docking, anchorage, fueling, repairs or other services for watercraft.

**Mezzanine** means an open and unobstructed floor level (except for railings for low walls not more than 42 inches tall) within a story, not exceeding one-third of the floor area of space in which it is located.

**Professional Office** means a place used for conducting a business, profession, service, or government. Such facilities may include, but are not limited to, offices of attorneys, engineers, architects, physicians, dentists, accountants, banks, financial institutions, real estate companies, insurance companies, financial planners, or corporate offices, and exclude manufacturing activities.

**Retail Establishment** means a place of business providing the sale and display of goods and/or sale of services directly to customers, with goods available for immediate purchase and removal from the premises by the customer. Retail goods include, but are not limited to, clothing, food, furniture, pharmaceuticals, books, art objects and the like. Retail services include, but are not limited to, barber shops, beauty salons, travel agencies, dry cleaning, health clubs, photo studios, funeral homes (no embalming on premises), pet care, repair establishments, and employment



offices. For the purposes of this definition, retail establishments exclude adult entertainment, weapons sales, and the sale and servicing of vehicles or watercraft with engines larger than 50 horsepower.

**Recess Line** means a continuous building setback occurring at a prescribed height.

**Streetwall** means a low wall or hedge used to screen surface parking lots from view.

**Storefront Church** means the temporary or permanent use of space in a multi-tenant commercial building for public or semipublic religious worship.

\* \* \* \* \*

Amending Chapter 31, “Zoning”, Article IV, “Nonconforming Uses” adding Section 31-80, “Nonconformities in the Downtown Zoning Districts”:

*Article IV “Nonconforming uses” of Chapter 31 “Zoning” is amended by adding Section 31-80, “Nonconformities in the Downtown Zoning Districts” in its entirety as follows:*

**Sec. 31-80. Nonconformities in the Downtown Zoning Districts.** To implement the 2010 Riviera Beach Community Redevelopment Plan and Citizens’ Master Plan, the City of Riviera Beach established Downtown Zoning Districts and made other modifications to this code. As a result of these changes:

(a) Certain uses of buildings or land may no longer be permitted in their new zoning districts, and certain existing buildings may no longer comply with all physical standards. Such uses and/or buildings that lawfully existed prior to [date of ordinance] but which do not conform with the new provisions adopted on that date shall be deemed to be legally nonconforming and shall not be required to be altered or conform with the new regulations until redevelopment occurs. Nonconforming uses are governed by the relevant requirements of Sections 31-76 through 31-78 above. Nonconforming buildings can be repaired, altered, or enlarged, either laterally or vertically, so long as they remain otherwise lawful and the enlargement is in accordance with this code.

(b) Certain existing lots may no longer meet the minimum requirements in their new zoning districts and thus will be considered legally nonconforming lots. Legally nonconforming lots may be built upon as if they conformed to the minimum requirements. Abutting nonconforming lots may be combined to create larger dimension lots as long as such recombination includes all parts of all lots; under these conditions the new lots do not need to meet this code’s minimal dimensional requirements for new lots.

\* \* \* \* \*

Amending chapter 31, "Zoning", Article V, "District Regulations", Division 1, "Generally", revising Section 31-96, "Designation of Districts":

*Article V "District Regulations" of Chapter 31 "Zoning" is amended as follows. Underlined language indicates proposed new language. Language ~~crossed-out~~ indicates language proposed to be deleted.*

## **Chapter 31 Zoning**

### **ARTICLE V. DISTRICT REGULATIONS**

#### **DIVISION 1. GENERALLY**

**Sec. 31-96. Designation of districts.** In order to classify, regulate and restrict the uses of the land and buildings; to regulate and restrict the height and bulk of buildings; to regulate the area of yards and other open spaces about buildings; and to regulate the intensity of land use, the City is hereby divided into classes of districts to be known as follows:

- RS-5 single-family dwelling district
- RS-6 single-family dwelling district
- RS-8 single-family dwelling district
- RD-15 two-family dwelling district
- RML-12 low density multiple-family dwelling district
- RM-15 multifamily dwelling district
- RMH-15 multifamily/hotel district
- RM-20 high density multifamily dwelling district
- RMH-20 high density multifamily/hotel district
- OP office and professional district
- CN neighborhood commercial district
- CG general commercial district
- ~~CM marine commercial district~~
- TLI transitional limited industrial district
- ~~SLIO special light industrial office district~~
- IL limited industrial district
- IG general industrial district
- RO recreation/open space district
- CF community facility district
- U utilities district
- MH mobile home district
- PUD planned unit development district
- ~~IHC Inlet Harbor Center overlay zoning district~~
- DC downtown core district

DG downtown general district  
DR downtown residential district  
DI downtown industrial district  
DM downtown marine district

\* \* \* \* \*

Amending Chapter 31, "Zoning", Article V, "District Regulations", deleting Division 24, "IHC Inlet Harbor Center Overlay Zoning District":

*Article V "District Regulations" of Chapter 31 "Zoning" is amended deleting Division 24 "IHC INLET HARBOR CENTER OVERLAY ZONING DISTRICT" in its entirety. Language ~~crossed out~~ indicates language proposed to be deleted.*

**DIVISION 24. DELETED IHC INLET HARBOR CENTER OVERLAY ZONING DISTRICT**

~~Sec. 31-521. Purpose.~~

~~Sec. 31-522. Use regulations.~~

~~Sec. 31-523. Application of IHC regulations.~~

~~Sec. 31-524. Redevelopment objectives.~~

~~Sec. 31-525. Review authority and process.~~

**~~Sec. 31-521. Purpose.~~**

~~———— The purpose of the inlet harbor center overlay zoning district is to provide regulation through a process of overlay zoning which adds regulation to the existing zoning categories within the boundaries of the Inlet Harbor Center and to further control any change of land use and existing land uses and to regulate the extent and quality of change of existing land uses.~~

~~(Ord. No. 2314, § 3(l), 9-3-86)~~

**~~Sec. 31-522. Use regulations.~~**

- ~~(a) Underlying zoning district regulations. The zoning regulations for the underlying zoning districts shall apply within the Inlet Harbor Center overlay zoning district. In addition to the review procedures provided for in the underlying zoning districts, the expansion of any existing use and the redevelopment of any existing structure shall be subject to project plan review by the community redevelopment agency.~~
- ~~(b) Temporary uses allowed in underlying CG general commercial zoning districts.~~
  - ~~(1) Permitted temporary uses. The temporary uses listed below may be permitted in an underlying CG general commercial zoning district within the Inlet Harbor Center overlay zoning district, subject to the conditions specified. These uses may be established for a fixed period of time, with the intent to discontinue such uses upon the expiration of the designated time period.~~
    - ~~a. — Amusement arcades, bingo.~~
    - ~~b. — Auto or boat repair.~~
    - ~~c. — Flea markets, outdoor.~~
    - ~~d. — Fruit/farmers markets, outdoor.~~
    - ~~e. — Kennels.~~
    - ~~f. — Light manufacture, with retail component, such as awnings, upholstering, clothing, food products.~~
    - ~~g. — Marine equipment repair.~~
    - ~~h. — Plant nursery sales and greenhouses.~~
    - ~~i. — Used auto dealerships.~~

- j. ~~Used boat sales.~~
  - k. ~~Wholesale, such as food, clothing, consumer electronics.~~
  - l. ~~Any other uses and services similar to the above, if determined jointly by the CDEC director and the community redevelopment agency director to be appropriate as temporary uses.~~
- (2) ~~Standards for approval. A temporary use may be permitted in an underlying CG general commercial zoning district upon a determination by CDEC director and CRA director that the use:~~
- a. ~~Shall not adversely affect redevelopment efforts;~~
  - b. ~~Shall serve a public purpose as it relates to stabilizing the downtown;~~
  - c. ~~Shall encourage economic activity and employment; and~~
  - d. ~~Shall result in improved appearance or use of applicable sites.~~
- (3) ~~Temporary uses in existing buildings. For temporary uses in existing buildings, the property owner shall make diligent efforts to meet current city standards of landscaping, parking and signage, as appropriate. A minimum requirement of painting, cleaning and repair of structures and site works will be determined by CDEC director.~~
- (4) ~~Temporary uses on vacant lots. For temporary uses on vacant lots, temporary structures such as trailers, market booths or canopies may be allowed. Requirements for setbacks, landscaping, parking and signage will be determined by the CDEC director.~~
- (5) ~~Temporary use permit. The property owner shall obtain a temporary use permit from the city which includes a commitment to the following:~~
- a. ~~A temporary use permit shall be valid for two years from approval, with an option for one or more one-year extensions granted jointly by the CDEC director and CRA director.~~
  - b. ~~On termination of a temporary use permit, as provided above, any future permanent uses shall comply with current zoning regulations and the development specifications of the CRA redevelopment plan.~~
  - c. ~~The CDEC director may require additional actions by the property owner to reinstate the appearance of the specific lot or building in a satisfactory manner, as appropriate.~~
- (6) ~~Temporary use review. Subsection (b) entitled temporary uses in underlying CG general commercial districts shall be reviewed after one year by the city council to determine if any adjustments or revisions are necessary.~~

(Ord. No. 2314, § 3(II), 9-3-86; Ord. No. 2623, § 1, 2-16-94)

### **Sec. 31-523. Application of IHC regulations.**

- (a) ~~Existing structures and land uses. Any activity which is permitted under existing ordinances at the time of adoption of these regulations shall be allowed to make improvements within the existing structure or to make cosmetic improvements to the premises subject to project plan review by the community redevelopment agency for compliance with the Inlet Harbor Center redevelopment objectives and policies. Any property zoned single-family or any improvements which are less than \$50,000.00 in value, as determined by the building official, are exempt from the requirement of project plan review, unless in the opinion of staff, such review should go to the community redevelopment agency.~~
- (b) ~~Expansion of existing land uses. No existing use shall be allowed to expand or extend its use to a new structure or on new or additional lands without project plan review and approval by the community redevelopment agency.~~
- (c) ~~Standards for change of use of existing structure or premises. If a building permit is required for the change of use of an existing structure or premises, such building permit shall not be issued prior to project plan approval by the community redevelopment agency in accordance with [section 31-525\(a\)](#).~~



- ~~(d) Standards for new development. All new construction shall be subject to project plan review by the community redevelopment agency and site plan or special exception review as required by the underlying zoning district.~~
- ~~(e) Hotel/motel conversions to adult congregate living facilities.~~
  - ~~(1) Conversion of existing hotel/motel structures may be allowed by special exception, as a temporary use upon determination that such conversion shall not adversely affect redevelopment efforts; shall serve a public purpose as it relates to stabilizing the downtown; and shall result in improved appearance/use of such site.~~
  - ~~(2) The CO (certificate of occupancy) shall be valid for three years with an option for a two-year extension, which may be granted by the city council.~~
  - ~~(3) On termination of occupancy, as provided in subsection (2) of this section, the owner shall comply with the development specifications of the community redevelopment agency redevelopment plan for that property, for any future use.~~
  - ~~(4) The applicant shall provide for on-site management on a 24-hour basis, and be required to meet current city standards of landscaping, parking and signage, as appropriate.~~
  - ~~(5) This section is subject to approval by the state department of health and rehabilitative services.~~

~~(Ord. No. 2314, § 3(III), 9-3-86; Ord. No. 2561, § 2, 7-15-92)~~

#### **Sec. 31-524. Redevelopment objectives.**

~~———— All proposed developments and redevelopments shall be found by the community redevelopment agency to substantially meet the objectives of the adopted redevelopment plan. The following objectives shall further guide the community redevelopment agency in making its decision to approve or disapprove project plans:~~

- ~~(1) To increase pedestrian amenities, including public amenities, in projects including public spaces, plazas, fountain areas and pedestrian-oriented street frontage.~~
- ~~(2) To expand daily hours of activities through the use in projects of restaurants, shops, residences, cultural facilities and other land uses with extended hours of service.~~
- ~~(3) To develop mixed land uses which are carefully integrated and designed.~~
- ~~(4) To encourage larger-scale development utilizing land assembly with multi-storied structures when feasible, and to discourage continuing fragmentation of lot sizes.~~
- ~~(5) To expand the amount of multifamily and hotel/motel uses available.~~
- ~~(6) To provide improved public access, both physical and visual, to the waterfront area through physical and visual means, to improve the appearance of the redevelopment area.~~
- ~~(7) To contribute to uniform architectural theme by reducing the fragmented nature of existing development in the area.~~
- ~~(8) To contribute to a uniform landscape theme in addition to meeting the landscape code.~~
- ~~(9) To participate in shared parking concepts.~~
- ~~(10) To provide for all retail displays to be on the inside of the buildings for which the displays are presented and for all signs to be presented in a uniform design theme in addition to meeting the standards of the sign code.~~
- ~~(11) To provide art in public places.~~

~~(Ord. No. 2314, § 3(IV), 9-3-86)~~

#### **Sec. 31-525. Review authority and process.**

- ~~(a) Project plan review. All developments which require project plan approval as provided in this chapter shall be reviewed by the community redevelopment agency for general compliance with the redevelopment plan and the redevelopment objectives set forth in this chapter. The applicant shall submit preliminary project plans consisting of a site plan, floor plan, elevations where applicable, landscaping plan and parking plan. If the community redevelopment~~

~~agency denies project plan approval, the applicant may, within 60 days of the denial, file an appeal with the city council. The community redevelopment agency shall provide written comments to the city council ten days prior to its hearing on the appeal. The city council can reverse the community redevelopment agency's decision upon a three-fifths vote of its membership. The applicant may resubmit an application to the community redevelopment agency at any time without prejudice.~~

~~(b) Site plan and special exception review required by underlying zoning:~~

~~(1) The applicant shall provide site plan packages as required by this chapter, which shall be submitted to the community redevelopment agency. The community redevelopment agency shall review the plans for general compliance with the redevelopment plan and the redevelopment objectives set forth in this chapter.~~

~~(2) If the community redevelopment agency denies approval, the applicant can:~~

~~a. Resubmit to community redevelopment agency at any time without prejudice.~~

~~b. Appeal to city council within 60 days of the agency's denial.~~

~~(3) The city council can reverse the community redevelopment agency's project plan decisions upon a three-fifths vote of its membership.~~

~~(4) The community redevelopment agency shall provide written comments to the city council and the planning and zoning board ten days prior to their hearing on the applicant's petition or appeal.~~

~~(c) Zoning or comprehensive plan amendments. All proposed amendments to the zoning map, zoning code or comprehensive plan within the Inlet Harbor district shall be referred to the community redevelopment agency for its comments at least 30 days prior to the amendment's referral to the local planning agency. The community redevelopment agency shall provide written comments to the local planning agency ten days prior to its hearing on a matter referred to the community redevelopment agency.~~

~~(d) Variance reviews. The applications for variances within the IHC district shall be referred to the community redevelopment agency for comments at least 30 days prior to an application hearing before the zoning board of adjustment. The community redevelopment agency shall provide written comments to the zoning board of adjustment ten days prior to its hearing.~~

~~(Ord. No. 2314, § 3(V), 9-3-86)~~

~~\* \* \* \* \*~~

Amending Chapter 31, “Zoning”, Article V, “District Regulations”, adding Division 26, “Downtown Zoning Districts”:

*Article V “District Regulations” of Chapter 31 “Zoning” is amended by adding Division 26 “Downtown Zoning Districts” in its entirety as follows:*

## **DIVISION 26. DOWNTOWN ZONING DISTRICTS**

### **Sec. 31-534. Downtown districts generally.**

- (a) *Purpose and intent.* The purpose and intent of the Downtown Districts is to guide the redevelopment of the Community Redevelopment Area of Riviera Beach and the surrounding properties into a vibrant downtown that:
  - (1) Provides a variety of housing types to accommodate a diverse population;
  - (2) Establishes a “park once” environment by providing a mix of uses within a pedestrian-friendly environment;
  - (3) Maintains and enhances a continuous, inter-connected network of pedestrian- and bicycle-friendly streets that effectively links transit stations, bike paths, sidewalks, buildings, open spaces, and the waterfront;
  - (4) Provides public open space in the form of civic parks, plazas, and greens;
  - (5) Maintains and enhances public access to the waterfront; and
  - (6) Encourages investment by accommodating new development at a range of scales including individual infill buildings and large redevelopment projects.
  - (7) Maintains and improves real and perceived safety as a key component of walkability and sustainability.
- (b) *Downtown districts named.* To create the vibrant diverse character envisioned for the downtown area, five downtown zoning districts are hereby created and are being assigned to all land within the boundaries of the Community Redevelopment Area in the Downtown Mixed Use, Working Waterfront, General Industrial, High and Medium Density Multiple Family categories on the Comprehensive Plan’s Future Land Use Map to carry out the 2010 Riviera Beach CRA Plan:
  - (1) DC Downtown Core
  - (2) DG Downtown General
  - (3) DR Downtown Residential
  - (4) DI Downtown Industrial
  - (5) DM Downtown Marine
- (c) *Regulating plan for downtown districts.* The Downtown Riviera Beach Regulating Plan depicts the following information:
  - (1) *District Boundaries.* The locations and boundaries of the downtown zoning districts shall be shown on both a map entitled “City of Riviera Beach Zoning Map” and a map entitled “Downtown Riviera Beach Regulating Plan.” The Downtown Riviera Beach Regulating Plan depicts additional information necessary to apply the standards contained in this Division and is hereby officially adopted as an integral part of these regulations.
  - (2) *Primary and Secondary Streets.* Primary Streets are intended to develop overtime as superior pedestrian environments and, as such, are held to higher standards in the regulations regarding building placement, building frontage, and the location of parking and service uses. Streets not designated as Primary Streets are considered Secondary Streets,

which will accommodate service functions and vehicular-oriented development needs including parking, loading, and drive-through facilities.

- (3) *Marina Way*. Marina Way is intended to provide both visual and pedestrian connections to Lake Worth and may or may not include vehicular access. Development along Marina Way shall be held to the same standards as development on Primary Streets and is also subject to the regulations and approval process set forth in the Civic Building, Uses, and Open Space section (See 31-538).
  - (4) *Future Streets and Alleys*. Potential future streets and alleys are designated on the Regulating Plan. Future streets and alleys are desired new vehicular and/or pedestrian connections to, or extensions of, existing streets that will improve the overall transportation network. Future streets are intended to be Primary Streets; future alleys provide vehicular access to parking and other service functions located behind buildings. Future street and alley designations are not precise alignments or specific locations. The appropriateness of and final street designation, alignment and location of these intended links of the transportation network will be determined during the development review process by the Community Development Director. See § 29-65 for design standards for new streets and alleys.
  - (5) *Pre-Approved Redevelopment Design Areas*. The Regulating Plan indicates areas where this code provides pre-approved redevelopment options for mobile home/trailer park properties to create mixed-use, pedestrian-friendly environments. See § 31-540.
  - (6) *Other Zoning Districts*. For the purpose of informing appropriate transitions of scale and use, lands assigned zoning districts other than the downtown zoning districts are also shown on the Regulating Plan.
- (d) *General standards for all downtown districts*.
- (1) *Specific Standards*. Specific standards for each downtown zoning district are found in § 31-536.
  - (2) *General Standards*. General standards that apply to more than one downtown zoning district are found in § 31-535 and §§ 31-537 through 31-540.
  - (3) *Conflicts*. Where the requirements of these zoning districts conflict with other portions of this code, the requirements of these districts shall prevail; however, no development may be approved that conflicts with the Comprehensive Plan.
  - (4) *Planned Unit Developments*. New planned unit developments are not permitted within the CRA. Planned unit developments approved prior to [date of ordinance] shall be governed by their respective planned development approvals. Their boundaries may not be expanded. Any amendments to the planned development approvals must comply with the Comprehensive Plan and the relevant downtown zoning districts to the extent practicable.
- (e) *Review process for downtown districts*. The purpose of site plan review is to ascertain whether a proposed new development follows the pattern of development described in the Community Redevelopment Area (CRA) Plan and conforms to all provisions of the Riviera Beach Comprehensive Plan and this code. Except for single-family homes on existing lots, all applications for development approval within the CRA that are not otherwise permitted as nonconforming uses or structures shall comply with all requirements of this code.
- (1) *Administrative Process*. In order to facilitate redevelopment in the downtown area, certain applications may be processed administratively.

- a. Applications for changes in use, renovations to buildings, redevelopment of sites with buildings existing as of the date of this ordinance (*date*), and development in pre-approved redevelopment design areas may be processed administratively.
- b. The Community Development Director shall review plans, including the exhibits listed in § 31-534(e)(2), for completeness and compliance with the provisions of this code, including the Regulating Plan in § 31-534(c). The Community Development Director shall issue a final decision. Denials shall be in writing and shall specifically set forth the grounds for the denial. Any final decision of the Director may be appealed to the Zoning Board of Adjustment in accordance with the procedures established in this code for appeals of administrative decisions.

(2) Standard Review Process.

- a. Applications for new development on vacant or undeveloped sites, development which proposes a reduction from the minimum building frontage requirements, or any application deemed by the Community Development Director to have a significant impact to surrounding properties shall be reviewed by the Planning and Zoning Board and approved by the City Council.
- b. Special Exceptions. Requests for Special Exceptions shall follow the review procedures and standards in §§ 31-61 and 31-62 and shall also consider any additional standards defined herein (Division 26).
- c. Variances. Relief from certain requirements may be permitted pursuant to the process and variance standards in §§ 31-39 through 31-41 of this code.

(3) All applications for site plan review shall be accompanied by exhibits prepared by qualified professionals, which shall include the following:

- a. A survey of existing conditions providing the following information:
  - 1. Gross land area (to the nearest one-hundredth (1/100) of an acre).
  - 2. Substantial, visual improvements (in addition to buildings) such as signs, parking structures, swimming pools, etc.
  - 3. Parking areas and number of parking spaces.
  - 4. Indication of access to a public way on land such as curb cuts and driveways, and to and from waters adjoining the surveyed tract, such as boat slips, launches, piers and docks.
- b. In addition to any other application requirements, drawings of the proposed conditions shall be provided depicting the following:
  - 1. Vicinity map showing the property in reference to nearby streets and street intersections.
  - 2. Location of the property lines, location of existing and proposed rights-of-way, location and dimension of existing/proposed easements, water courses and other essential features.
  - 3. Indication of primary or secondary street designations for all rights-of-way and any future street or alley connections provided.
  - 4. Cross section and street design type for new and existing streets and alleys as described in § 29-65.
  - 5. Location of vehicular access to site including driveways and curbs cuts.

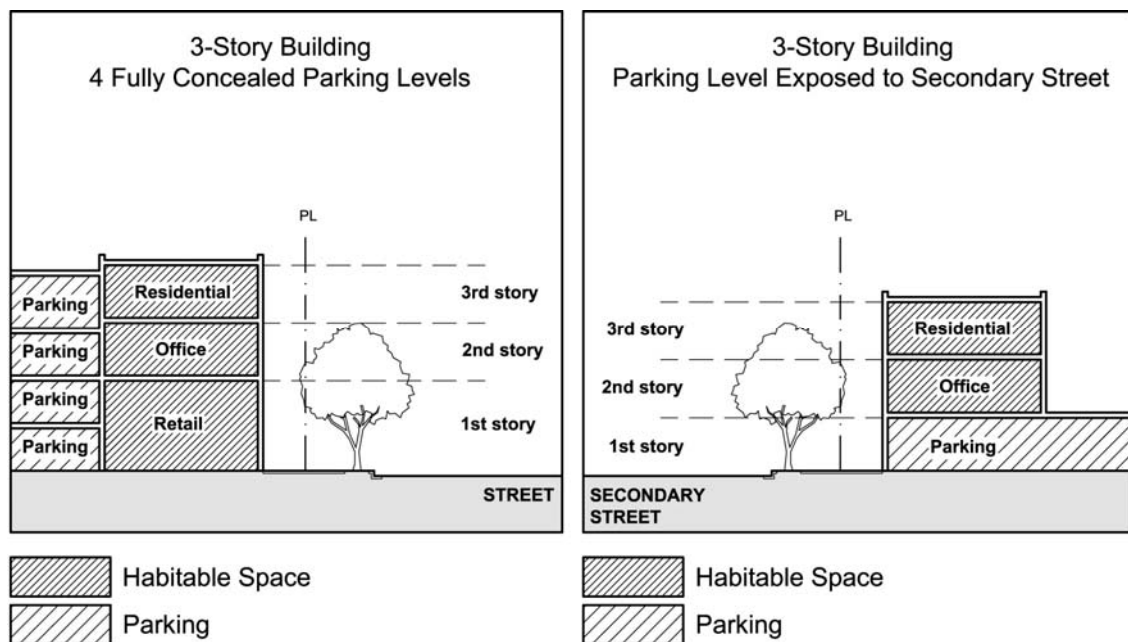
6. The outlines of all existing and proposed buildings showing setbacks, percentage of building frontage, dimensions, and points of pedestrian access.
  7. Identification and dimensions of frontage types for all primary pedestrian entrances.
  8. Building elevations and sections, showing overall building height and number of stories.
  9. Location and dimensions of all proposed signage
  10. Location and dimensions of all perimeter treatments (sidewalks, pedestrian walkways, street trees, fences, streetwalls, and/or landscaping).
  11. Location of all off-street parking, loading facilities, and waste collection areas.
  12. Schematic of drainage system.
  13. Location, type, and size (in square feet) of civic open spaces.
  14. Landscaping plans, including specifications of species, of plant material, location, and size. Lighting and landscaping plans shall be coordinated.
- c. A data table which indicates the following:
1. Future land use category and zoning district
  2. Total acres of the project
  3. Number of dwelling units
  4. Square feet of non-residential uses
  5. Parking computations as described in § 31-539
  6. Floor Area Ratio (FAR)
  7. Percentage of building frontage required and provided on Primary Streets as described in § 31-535(c).
  8. Public benefit height calculation, if applicable, as described in § 31-538(b)(7).
- d. Such other design data as may be needed to evaluate the project's compliance with the requirements of this code.

#### **Sec. 31-535. Building Standards for all Downtown Districts.**

- (a) *Building Height.* Unless otherwise specified herein, the height of buildings shall be measured in and regulated by the number of stories. Increasing the maximum number of stories allowed in a downtown district may not be approved as a variance. Stories are measured from the floor to the bottom of the lowest structural member that supports the story above. See Figure 31-535(2).
- (1) Stories located below grade are not counted for the purpose of measuring building height. In all districts, if this floor is elevated more than five feet above the adjacent sidewalk, the space below counts as the ground (first) story for the purposes of measuring building height.
  - (2) The ground story of commercial or mixed-use buildings shall be 10 feet to 18 feet tall.
  - (3) The ground story of residential buildings shall be from nine feet to 14 feet tall.

- (4) Each story above the ground story in all buildings must be from eight feet to 12 feet tall; any upper story taller than 12 feet will count as two stories for the purpose of measuring building height.
- (5) Mezzanines that exceed 15 percent of the floor area are counted as stories for the purpose of measuring height.
- (6) Each parking garage level exposed to a street or civic open space shall be counted as a story for the purposes of measuring height. Parking levels fully concealed from view by a habitable story and use are not counted as stories for the purpose of measuring height. See Figure 31-535(1).

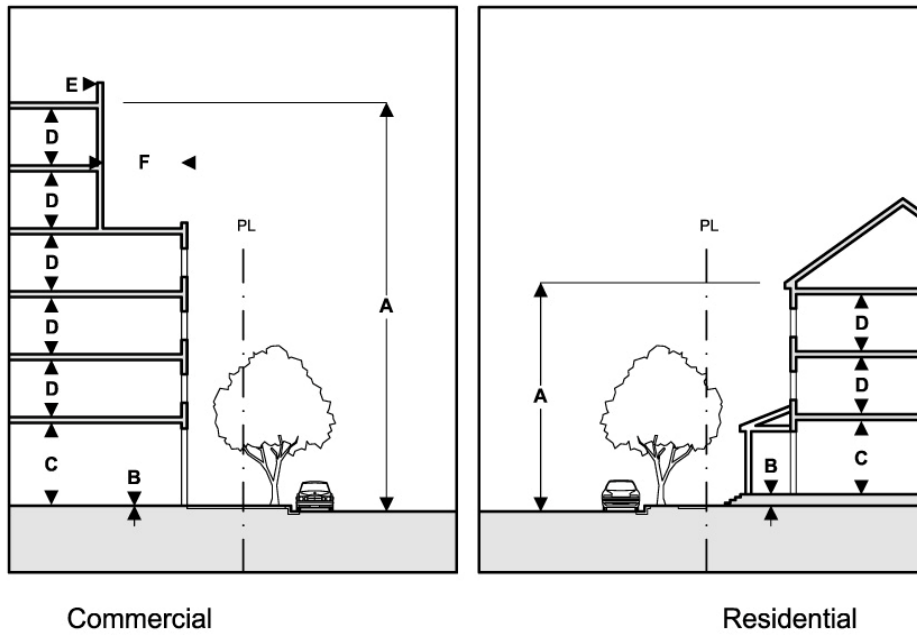
**Figure 31-535(1)**  
**Counting Number of Stories**



- (6) Within the Downtown Core and Downtown General districts, residential units must have the floor of the first story elevated at least 18 inches above the adjacent sidewalk. Within the Downtown Residential district, residential units must have the floor of the first story elevated at least 12 inches above the adjacent sidewalk. Lobbies and common areas in multi-unit buildings may have a zero to six-inch (0" to 6") ground floor finish level.
- (7) Flat roofs shall be enclosed by parapets no less than 42 inches high, or as required to screen equipment.
- (8) Mechanical equipment necessary to the operation or maintenance of the building such as, but not limited to, elevator, stair, and mechanical penthouses, cooling towers, vent stacks and antennae shall be enclosed and screened in such a manner that the enclosure is an integral part of the overall building design and provides a balanced and graceful silhouette, and ameliorates the visual impact from adjacent buildings. Minor features not exceeding one foot in height shall be exempted from this regulation. The incorporation of green energy resources, such as photovoltaic cells, is encouraged; however, significant features, such as windmills, require approval by the Community Development Director.
- (9) Architectural features such as church spires, steeples, belfries, cupolas, or similar, non-habitable structures are not limited by story height.



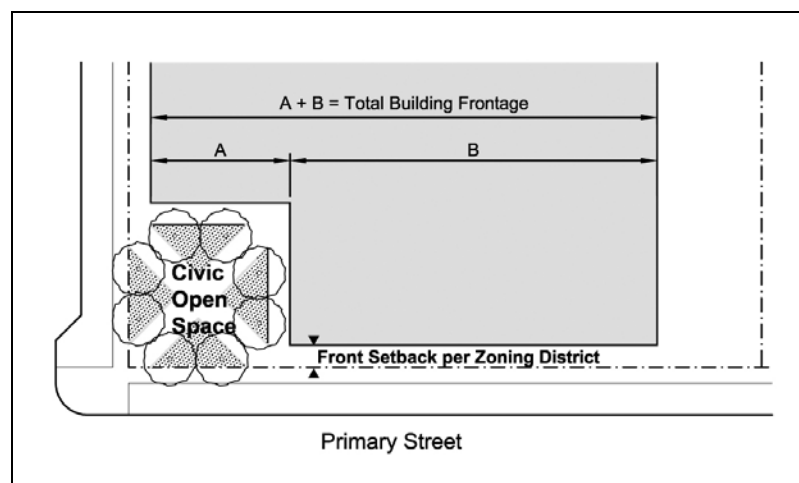
**Figure 31-535(2)**  
**Measuring Building Height**



<b>Table 31-535(a)</b> <b>Building Height</b>		
<b>A</b>	Maximum Number of Stories	Varies By District
<b>B</b>	Ground Floor Finish Level	
	Commercial Uses and Lobbies/Common Areas in multi-unit buildings in all zones	6" max.
	Residential Units	
	Downtown Core	18" min.
	Downtown General	18" min.
	Downtown Residential	12" min.
<b>C</b>	Ground Story Height	
	Commercial and Mixed-Use Buildings	10' min. / 18' max.
	Residential Buildings	9' min. / 14' max.
<b>D</b>	Upper Story Height	8' min. / 12' max.
<b>E</b>	Parapet Height	42" max.
<b>F</b>	Recess Line	Above the 4 <sup>th</sup> Story

- (b) *Building Placement.* Each district contains dimensional requirements that regulate the disposition of new buildings on lots.
- (1) Front setbacks shall be measured from the property lines coinciding with public rights-of-way, including streets, paths, and parks, or from a civic open space that meets the requirements in § 31-538(b). See Figure 31-535(3).
  - (2) In districts that allow development with no side or rear setback, the following limitations also apply:
    - a. Side and rear setbacks are required only when an abutting property has a building existing as of the effective date of this ordinance [date] with windows facing the adjoining lot line. Then, new development shall set back to provide at least 10 feet of separation between the existing and new buildings.
    - b. All light and air shafts, including those necessary per the percentage of openings on building façades, shall be provided within the lot.
    - c. In the DC Downtown Core district, buildings taller than four stories in height have additional setback requirements for the upper stories, as described in § 31-536(a).
- (c) *Building Frontage.* Building frontage is the percentage of the total width of a lot which is required to be occupied by the primary façade of a building. Each zoning districts provides minimum building frontages.
- (1) The primary façade shall be parallel to the right-of-way, located in accordance with the minimum and maximum front setback requirements of the zoning district.
  - (2) The location of the primary façade is not changed by architectural elements such as cornices, bay windows, awnings, porches, balconies, stoops, colonnades, arcades or forecourts.
  - (3) The primary façade may adjust around a Civic Open Space that meets the requirements in § 31-538(b) as shown in Figure 31-535(3).

**Figure 31-535(3)**  
**Building Frontage Requirement**



(d) *Density and Floor Area Ratio.*

(1) The maximum density of residential units shall be determined as follows:

- (a) For parcels with maximum density, expressed as dwelling units per acre, set forth by the Future Land Use designation in the Riviera Beach Comprehensive Plan, the following calculation, with result rounded to the nearest whole number:

(Parcel Size in square feet / 43560) X Allowable Density = Maximum number of units

In mixed use buildings, the maximum number of units is not reduced by floor space dedicated to other uses.

- (b) For parcels with a Future Land Use designation in the Riviera Beach Comprehensive Plan that does not expressly limit density, the maximum number of residential units is limited by the overall floor area ratio allowed in the Riviera Beach Comprehensive plan and the regulations in this code that direct building form, story height, and the required number of parking spaces.

- (c) Each dwelling unit must meet the minimum floor area in § 31-494(2)(d).

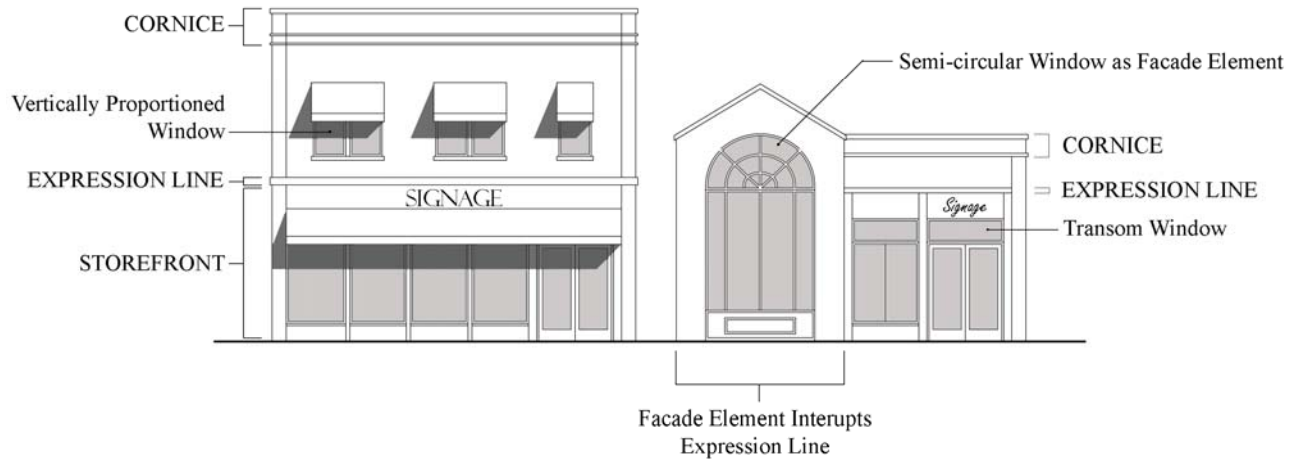
For downtown zoning districts, the total floor area is the sum of the areas of all floors of a structure, as measured by the exterior faces of the walls, including enclosed porches and the like. Garage space which is located below grade is not included in the computation of total floor area. Additional building square footage gained by using the Public Benefit Height Option in § Section 31-538(a)(7) is not included in the calculation of or limitation of maximum floor area ratio.

- (e) *Frontage Standards.* The main entrance to every building shall be accessible directly from and face a public right-of-way or civic open space. The manner in which buildings are disposed along the street is a critical component of this code and is coordinated with the setback requirements for each district and the CRA Street Design Standards contained in § 29-65. Frontage Standards, contained in § 31-537, define architectural and design components for the entrance(s) to buildings and the area between primary façades and property lines.

- (f) *Building Façade Standards.* In all downtown zoning districts, the following façade regulations apply:

- (1) Building façades facing streets or civic open spaces must have transparent windows covering between 20 percent and 75 percent of the wall area of each story as measured between finished floors. Transparent windows transmit at least 50 percent of visible daylight.
- (2) Windows and doors shall be vertically proportioned. Horizontal fenestration openings can meet this requirement by using muntins to subdivide glazed areas into vertical or square areas, or by using a series of vertically proportioned windows within the opening. Transom windows may be horizontal, and circular, square, and semi-circular windows may be used as limited accent elements within the facade.
- (3) All parapets shall have a cornice molding extending a minimum of two inches from the surface plane of the wall.
- (4) When required by the district, expression lines shall be moldings extending a minimum of two inches from the surface plane of the building wall. Expression lines are intended to be continuous façade elements and may not be covered by awnings or signs. Significant architectural elements such as columns, pilasters, and towers may interrupt expression lines.

**Figure 31-535(4)**  
**Building Façade Requirements**



- (5) Building facades on primary streets shall be designed to visually screen uses permitted with limitations. Appropriate façade design incorporates the consistent use of materials and construction assemblies, fenestration patterns, architectural articulation, and features such as, but not limited to, the application of architectural screens, louvers, or glass, and the incorporation of vegetated surfaces and planters. Paint, faux treatments, scoring, construction joints, lighting, and material projections less than two inches are permitted, but do not fulfill the façade design requirements.

**Figure 31-535(5)**  
**Character Examples for Building Façade Screening**  
**Uses Permitted with Limitations on Primary Streets**



*The Clematis Street garage utilizes consistent building materials with fenestration patterns to establish an attractive façade screening the parking levels over the retail space.*



*The Lincoln Theater has the building circulation located along the streets, behind an architectural glass façade, screening the large expanses of blank walls within the movie theater.*

- (g) *Paint Colors*. Paint colors are regulated in the Downtown zoning districts to establish a coordinated color scheme for the downtown, to encourage a range of harmonious color options for visual variety, to encourage light colors for energy savings, and to favor colors appropriate for a tropical environment. These regulations also apply to awning colors.
- (1) The coloration of all buildings shall be with "earth tone" or pastel colors and shall be harmonious with the adjacent properties. Semi-transparent stains are recommended for application on natural wood.
  - (2) The following specific requirements also apply:
    - (a) Landowners may choose up to four colors for a single building (up to two body colors, up to two trim colors, and one accent color; these may be the same or different) and shall use at least two colors (one body color and one trim color).
    - (b) Architectural elements on the building facade, such as awnings and canopies, shall be in the same color(s) as the four chosen building colors.
    - (c) Body colors are intended for building walls, garden walls, and other primary building elements, and shall be used for no less than 70percent of the painted surface area of the building. If two shades of body color are used on a building, the transition should occur along a horizontal expression line with the lighter hue located above the darker one. Color combinations shall be complimentary to each other.
    - (d) Trim colors are intended for door frames, storefront elements, windows and window frames, railing, shutters, ornament, fences, and similar features. Trim colors shall be used for no more than 30 percent of the painted surface area of the building.
    - (e) The accent color is used to highlight special features such as doors, shutters, gates, ornament, or storefront elements. The accent color shall be used for no more than 20 percent of the painted surface of the building.
  - (3) New development shall submit colored elevations for review.

## Section 31-536. Regulations for Each Downtown Zoning District.

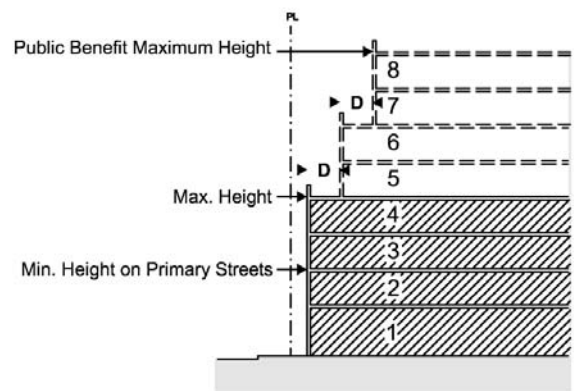
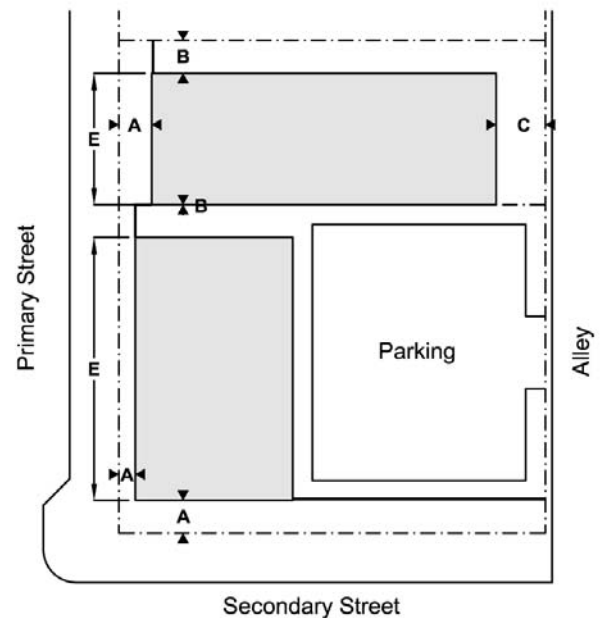
(a) *DC Downtown Core District.* The DC Downtown Core district promotes redevelopment of the commercial center of downtown Riviera Beach. The existing commercial corridor and marina area will become a vibrant, pedestrian-friendly, mixed-use district that accommodates shops, businesses, residences, marine-related, and entertainment uses.

(1) *Lot Size, Building Placement, Size, and Height.*

**Table 31-536(a)** provides the dimensional requirements regarding lot size and building placement, size, and height for the Downtown Core district. **Figure 31-536(1)** illustrates the dimensional requirements from the table.

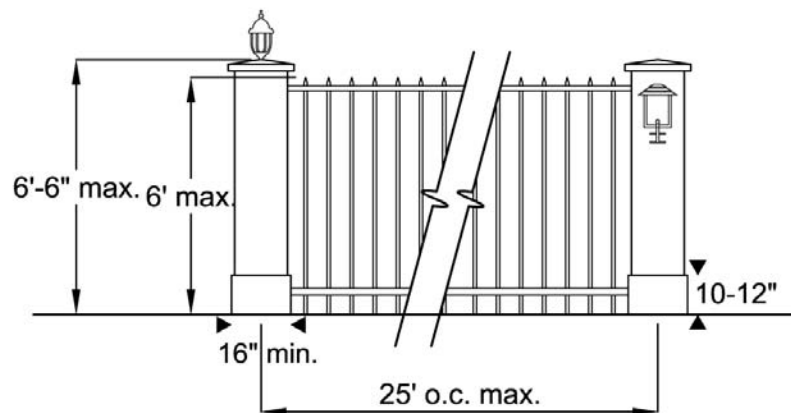
Table 31-536(a) Downtown Core Dimensional Requirements		
Lot Size		
Lot Width	20 feet min. / No max.	
Lot Area	2000 square feet min. / No max.	
Lot Coverage	85% max.	
Building Placement		
A	Front Setback <sup>1</sup>	
	Broadway & Blue Heron Blvd.	12 feet min.; 15 feet max.
	Primary Streets	10 feet min.; 15 feet max.
	Secondary Streets	10 feet min.
B	Side Setback	0 feet <sup>2</sup>
C	Rear Setback	10 feet min.
D	Recess Above 4 <sup>th</sup> & 6 <sup>th</sup> Stories	10 feet min. each
E	Building Frontage	75% min. on Primary Streets
Building Size & Height		
Maximum Floor Area Ratio (FAR)		2.0
Minimum Height		2 Stories on Primary Streets
Maximum Height		4 Stories
Maximum Public Benefit Height <sup>3</sup>		8 Stories
Maximum Singer Island Height <sup>3</sup>		5-8 Stories, with Special exception
<sup>1</sup> Side lot lines facing streets are regulated by front setback requirements. <sup>2</sup> All light and air shafts shall be provided within the lot See § 31-535(b) <sup>3</sup> See § 31-538(a)(2)(c)		

**Figure 31-536(1)**  
*Downtown Core Building Placement & Height*



- a. Building frontage requirement. A minimum of 75 percent of the linear width of the lot along a Primary Street shall be occupied by the primary façade of a building, located in accordance with the minimum and maximum setbacks in Table 31-536(a). Secondary streets do not have a required minimum building frontage and buildings shall be located in accordance with the minimum setback in Table 31-536(a).
- b. Modification of building frontage requirement for marine uses. The minimum building frontage requirement on Primary Streets may be reduced for boat dealerships and mega-yacht facilities subject to these standards:
  1. Boat dealerships may display boats for sale, arranged in a uniformed and orderly fashion. Service and repair activities must be located within or behind a building or shall be located at least 30 feet from a Primary Street.
  2. In the absence of a building façade, a fence comprised of metal pickets with masonry piers spaced no less than 25 feet on center shall be installed along both Primary and Secondary Streets. See Figure 31-536(2). The fence shall be three feet to six feet in height, located in line with the front setback and shall have the following design features:
    - i. Fences shall be metal picket with masonry piers.
    - ii. Piers shall be masonry with smooth stucco finish, at least 16 inches wide by 14 inches deep, and may be up to six feet six inches (6'-6") in height. Piers shall have a precast, architectural grade concrete cap, sloped to shed water.
    - iii. Light fixtures shall be installed on the top of the cap or mounted to the side of the piers. Lighting fixtures shall be decorative, scaled proportionally to the pier.

**Figure 31-536(2)**  
*Fence with Masonry Piers*



3. Install on-street parking, if applicable.

**(2) Building Height and Massing Standards**

- a. On Primary Streets, the minimum building height is two stories, except for fueling stations, which may be one story in height (see § 31-536(3)).
- b. Maximum building height is four stories.



c. Public Benefit Height Option.

1. Maximum building height is six stories for projects that opt to provide additional civic open space using the Public Benefit Height Option in § 31-538(b).
2. Maximum building height is increased to eight stories for projects that opt to provide additional civic open space using the Public Benefit Height Option in § 31-538(b) and are also located in one of the following sites which, due to the prominent setting and/or proximity to large open areas, are appropriate for taller buildings:
  - (i) the east side of the intersection of Broadway and 13<sup>th</sup> Street for the purpose of creating a signature gateway entry to the marina area.
  - (ii) on the west side of Avenue C, between 12<sup>th</sup> Street and 16<sup>th</sup> Street, overlooking Bicentennial Park.
  - (iii) overlooking a new, single civic open space of at least 10,000 square feet in size, limited to the project providing the civic open space.
3. The use of the Public Benefit Height Option on properties on Singer Island requires approval of a Special Exception. In addition to the standards in §§ 31-61 and 31-62, development shall meet the following standards:
  - (i) Ocean Mall is limited to five stories in height;
  - (ii) The project shall be designed to allow views to the horizon and provide an attractive skyline;
  - (iii) The project shall harmoniously transition in mass and height to adjoining development.

e. Buildings over four stories are subject to additional requirements in order to ensure architectural articulation in the overall building massing.

1. At the top of the fourth and sixth stories, a recess line of at least 10 feet is required along at least 50 percent of building façades facing streets. Buildings built with no side or rear setbacks shall also provide recess lines of 10 feet at the top of the fourth and sixth stories along 50 percent of the building elevation facing side or rear lot lines.
2. Massing for buildings over four stories in height is regulated using a percentage of the maximum size of the floor footprint of the building per story of height. The 100 percent floor footprint is calculated by multiplying the maximum lot coverage by the overall size of the parcel. **Table 31-536(b)** depicts the maximum percentage of footprint allowed per story of height within the DC Downtown Core district:

<b>Table 31-536(b)</b> <i>Percentage of Floor Footprint Allowed per Story</i>			
	Story Level		
	1-4	5-6	7-8
Maximum Floor Footprint	100%	65%	35%

The arrangement of building mass is intentionally flexible to allow free design expression. However, the following massing characteristics must be evident in the building design:

- (i) The main volume of the building shall be oriented toward Primary Streets, away from side or rear lot lines to reduce impact on adjacent properties.
- (ii) Tower elements shall be located to appropriately respond to the urban condition of the specific site. Desirable tower locations emphasize street corners, main building entrances, gateways, or the visual axis of another street or civic open space.
- (iii) Massing articulation shall not wholly occur within the center of the block and must be evident on the street façade(s) using architectural variations such as changes in the number of stories, articulations in the eave or roofline, and/or adjusting the location of the front façade to accommodate a civic open space.

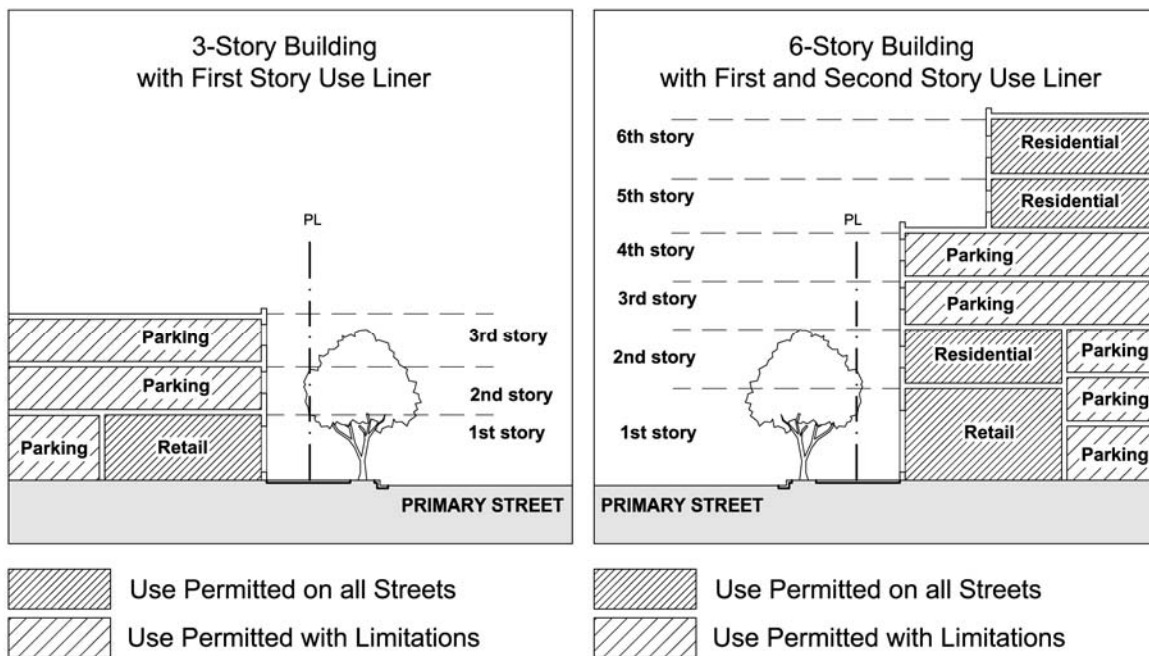
### (3) *Building Use*

- a. *Uses Permitted on all Streets.* The following uses are permitted in the DC downtown core district on both Primary and Secondary Streets:
  - 1. Multifamily dwelling units.
  - 2. Professional office.
    - (i) Drive throughs serving banks shall meet the configuration criteria in § 31-536(a)(3)(c)(4) but are not required to obtain a special exception.
  - 3. Retail establishments.
    - (i) Drive throughs serving restaurants require special exception and shall meet the configuration criteria in § 31-536(a)(3)(c)(4).
  - 4. Hospitals.
  - 5. Marine-related businesses as follows:
    - (i) Retail, office, or commercial uses pertaining to marine industries, which does not involve manufacturing.
    - (ii) Show rooms and office uses for marine sales, repair, or manufacturing.
  - 6. Daycare (See § 31-544).
  - 7. Hotels/Motels.
  - 8. Nursing or convalescent homes and adult living facilities (ALF).
  - 9. Churches and their educational buildings; Storefront churches.
  - 10. Civic open space (See § 31-538).
  - 11. Community Gardens.
- b. *Uses Permitted on Secondary Streets and Permitted with Limitations on Primary Streets.*
  - 1. The following uses are permitted in the DC district on Secondary Streets. On Primary Streets, these uses are also permitted, provided they are separated from the street for at least 20 feet with a use permitted on Primary Streets within the first story of a building up to three stories tall. On Primary Streets, these uses are also permitted provided they are separated from the street for at least 20 feet with a use permitted on Primary Streets within the first two stories of a building four stories tall

or taller. Additional Building façade design requirements apply on Primary Streets (see § 31-535(f)):

- i. Parking garages and lots (whether principle or accessory use).
  - ii. Theaters and motion picture houses.
  - iii. Boat Dealerships.
  - iv. Drive In restaurants.
  - v. Repairing and servicing facilities for marine equipment, boats, or vehicles.
2. Temporary surface parking lots in phased development projects, as approved by the Community Development Director.
  3. Boat dealerships and mega-yacht facilities are permitted on Primary Streets with reduced building frontage requirements, subject to additional standards. See § 31-536(a)(1)(b).

**Figure 31-536 (3)**  
*Primary Street Use Limitations*



c. *Special Exceptions.* The following uses may be permitted by special exception in the DC district:

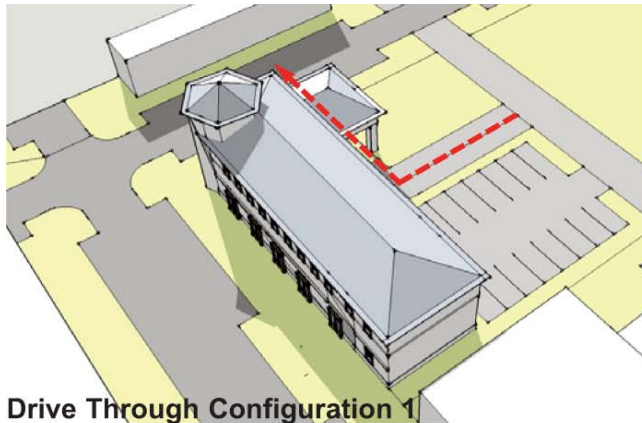
1. Private clubs, bars, saloons, taverns, cocktail lounges, or nightclubs.
2. Car washes.
3. Fueling Stations. Fueling stations require approval of a Special Exception. In addition to the standards in §§ 31-61 and 31-62, development shall meet the following criteria: (i) A ground-story shop must be located along the street, with the gas pumps to the rear of the lot as illustrated in **Figure 31-536(4)**. The shop shall have the primary entrance facing and directly accessible from the street; an additional entrance facing the parking lot is permitted. Fueling Stations may be one story in height.

**Figure 31-536(4)**  
*Downtown Fueling Station*



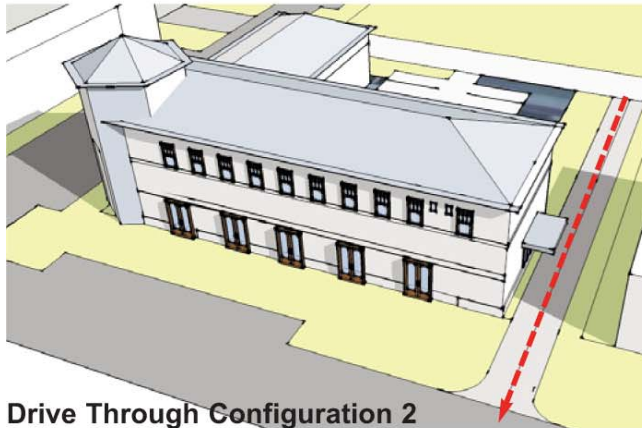
4. Drive throughs. Drive throughs require approval of a Special Exception. In addition to the standards in §§ 31-61 and 31-62, development shall meet the following criteria:
  - (i) The stacking area is accommodated along the side and/or in the rear of the lot.
  - (ii) The drive-through window shall be located either in the rear or to the side of the building, close to the frontage street. **Figure 31-536(5)** illustrates methods of incorporating drive through uses.

**Figure 31-536(5)**  
**Drive Through Configuration Options**



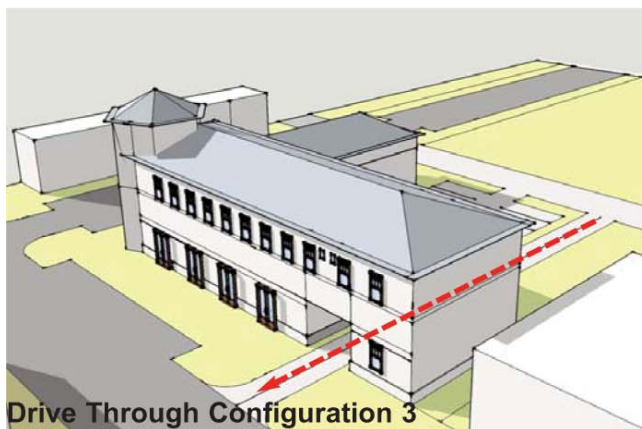
**Drive Through Configuration 1**

*Drive through stacking occurs in the rear of the lot. Circulation is from the alley, exiting to a secondary street.*



**Drive Through Configuration 2**

*Circulation and stacking occurs along the side of the building. Cars enter from the alley and exiting on to the Primary Street.*



**Drive Through Configuration 3**

*Circulation and stacking travel through the building. Cars enter from the rear of the lot and exit to the Primary Street.*

#### *(4) Frontage Standards*

- a. The front setback and side setbacks facing streets shall be hardscaped. The hardscape design shall have the following characteristics:
  1. Street trees shall be installed as set forth in § 31-537(c), consistent with the appropriate street design in § 29-65.
  2. A pedestrian walkway shall be accommodated as set forth in § 31-537(b).
  3. Any setback area not needed to accommodate a pedestrian walkway may be landscaped using potted plants in removable planters or ground planting that does not obstruct views into storefront windows, and may also be used to accommodate merchandise displays or outdoor dining areas.
- b. The main entrance(s) to ground story commercial space(s) shall be directly from and face a public right-of-way or civic open space. Doors allowing public access shall occur at intervals no greater than 75 feet.
- c. Building entrances shall use at least one of the following frontage types detailed in § 31-537(a):
  1. Stoop
  2. Forecourt
  3. Bracketed Balcony
  4. Storefront
  5. Arcade/ Colonnade
- d. Buildings with more than 250 feet of street frontage shall provide a pedestrian accessway at least 10 feet wide connecting the rear parking to the sidewalk area or establishing a cross-block connection.

#### *(5) Architectural Standards*

- a. An expression line shall be provided at the top of the first story.
- b. Buildings taller than four stories shall design and compose building elevations facing side property line(s) as building façades. Prominent side building elevations are most likely to occur on large properties, capable of accommodating taller buildings with structured parking solutions. In order to ensure compatibility with adjacent smaller-scaled structures, the building elevation of the stories of the fifth story and higher shall provide a minimum façade transparency of 15 percent.
- c. In the absence of a building façade, a streetwall is required along both Primary and Secondary Streets. Streetwalls shall be three feet to three feet six inches (3'-6") in height, located in line with the building façade or the front setback. Streetwalls shall be composed of either an opaque wall using the same material and color as the building or of a continuous, maintained hedge. See § 31-536(a)(1)(b) for fence standards for marine uses. In addition, one shade tree per 20 lineal feet, uniformly spaced, shall be installed along the length the streetwall.
- d. An opaque, masonry wall six feet in height shall be built on the property line along all side and rear lot lines that abut single-family houses existing as of the date of this ordinance (*date*) or lots in a residential zoning district. In addition one tree shall be planted every 20 feet along the wall.

*(6) Other applicable Standards.* See § 31-535 and §§ 31-537 through 31-540 for general standards that also apply to the DC district.

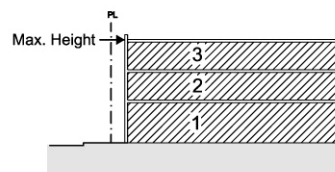
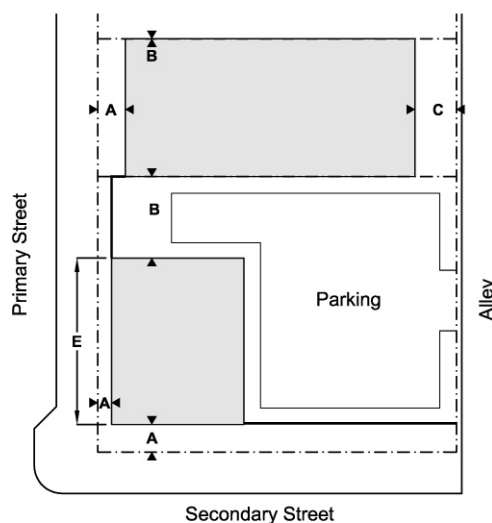
- (b) *DG Downtown General*. The DG downtown general district promotes the redevelopment of the Avenue E corridor and adjacent areas into a mixed-use, pedestrian-friendly environment. Diverse housing options as well as commercial establishments serving the downtown population are permitted of a scale and intensity compatible with the adjacent residential neighborhoods.

(1) *Lot Size, Building Placement, Size, and Height*.

- a. **Table 31-536(c)** provides the dimensional requirements regarding lot size, building placement, size, and height for the DG district. **Figure 31-536(3)** illustrates the dimensional requirements from the table.

Table 31-536(c) Downtown General Dimensional Requirements		
Lot Size		
Lot Width	20 feet min. / No max.	
Lot Area	2000 square feet min. / No max.	
Lot Coverage	80% max.	
Building Placement		
A	Front Setback <sup>1</sup>	
	Primary Street	10 feet min.; 15 feet max.
	Secondary Street	10 feet min.
B	Side Setback	0 feet <sup>2</sup>
C	Rear Setback	10 feet min.
D	Building Frontage	65% min. on Primary Streets
Building Size & Height		
Maximum Floor Area Ratio (FAR)		2.0
Maximum Height		3 Stories
<sup>1</sup> Side lot lines facing streets are regulated by the front setback requirements		
<sup>2</sup> All light and air shafts shall be provided within the lot See § 31-535(b).		

**Figure 31-536(3)**  
*Downtown General*  
*Building Placement & Height*



- b. The building types defined in the Downtown Residential district (DR) (See § 31-536(c)) may be used alternatively to regulate lot size, building placement, size, and height for residential development.



*(2) Use regulations.*

- a. Uses permitted. The following uses are permitted by right in the DG district, except that on Primary Streets, parking (whether principle or accessory use) shall be separated from the street for at least 20 feet:
  1. Residential
  2. Professional office, except drive throughs are not permitted.
  3. Retail establishments, except drive throughs are not permitted.
  4. Daycare (See § 31-544).
  5. Nursing or convalescent homes and adult living facilities (ALF).
  6. Churches and their educational buildings; Storefront churches.
  7. Civic open spaces (See § 31-538).
  8. Community Gardens.

*(3) Frontage Standards.*

- a. The front setback and side setbacks facing streets shall be hardscaped. The hardscape design shall have the following characteristics:
  1. Street trees shall be installed as set forth in § 31-537(c), consistent with the appropriate street design in § 29-65.
  2. A pedestrian walkway shall be accommodated as set forth in § 31-537(b).
  3. Any setback area not used to accommodate a pedestrian walkway, may be landscaped adjacent to the building using potted plants in removable planters or ground planting that does not obstruct views into storefront windows, and may also be used to accommodate merchandise displays or outdoor dining areas.
- b. The main entrance(s) to ground story commercial space(s) shall be directly from and face a public right-of-way or civic open space. Doors allowing public access shall occur at intervals no greater than 75 feet.
- c. Building entrances shall use at least one of the following frontage types detailed in § 31-537(a):
  1. Stoop
  2. Forecourt
  3. Bracketed Balcony
  4. Storefront
  5. Arcade/ Colonnade
- d. Buildings with more than 250 feet of street frontage shall provide a pedestrian accessway at least 10 feet wide connecting the rear parking to the sidewalk area or establishing a cross-block connection.

*(4) Architectural Standards*

- a. An expression line shall be provided at the top of the first story.
- b. In the absence of a building façade, a streetwall is required along both Primary and Secondary Streets. Streetwalls shall be three feet to three feet six inches in height, located in line with the building façade or the front setback. Streetwalls shall be composed of either an opaque wall using the same material and color as the building or

- of a continuous, maintained hedge. In addition, one shade tree per 20 lineal feet, uniformly spaced, shall be installed along the length the streetwall.
- c. An opaque, masonry wall six feet in height shall be built on the property line along all side and rear lot lines that abut single-family houses existing as of the date of this ordinance (date) or lots in residential zoning district. In addition, one shade tree per 20 lineal feet, uniformly spaced, shall be installed along the length the wall.
- (5) *Other applicable Standards.* See §31-535 and §§ 31-537 through 31-540 for general standards that also apply to the DG district.

(c) *DR Downtown Residential District.* The DR downtown residential district promotes infill and redevelopment of existing downtown residential neighborhoods. New residential uses will enhance and respect the existing neighborhood fabric and accommodate diverse housing options including apartments and townhouses in a manner that is compatible with single-family houses.

(1) *Building Types.* This district anticipates a mix of single and multi-family buildings. In order to ensure compatibility, new development shall be in form of one of the following building types:

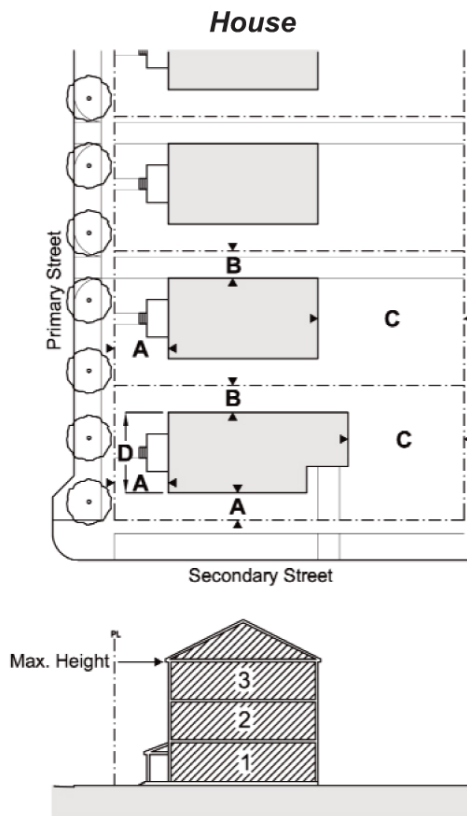
- a. *House.* A single-family detached building with front, side and rear yards.
- b. *Townhouse.* A single-family attached building, attached on at least one side with a private rear yard.
- c. *Apartment House.* A detached building resembling a large house, but containing multiple dwellings above and/or beside each other.
- d. *Courtyard Building.* A building designed to accommodate multiple dwellings above and beside each other, arranged around a central garden or patio that is partially or wholly open to the street.

(2) *Lot Size, Building Placement and Height.*

- a. **Table 31-536(d)** provides the dimensional requirements for lot size, building placement, frontage, and height for each of the allowable building types in the DR district.

<b>Table 31-536(d)</b> <i>Downtown Residential District - Dimensional Requirements for Lot Size &amp; Building Placement</i>								
Building Type	Lot Size			Building Placement (feet)				Building Height in Stories (min/max)
	Lot Width <sup>1</sup> (min / max in feet)	Lot Area <sup>1</sup> (min / max in sf.)	Lot Coverage (max)	A	B	C	D	
				Front Setback <sup>2</sup> (min/max)	Side Setback (min)	Rear Setback (min)	Building Frontage Percentage (min / max)	
House	40 / 70	4,000 / 8,400	60%	12 / 25	5	20	40% - 70%	1 / 3
Townhouse	20 / 36	1800 / 4000	70%	12 / 25	0 <sup>1, 3</sup>	20	80% - 100%	2 / 3
Apartment House	50 / 120	4,800 / 15,000	70%	12 / 25	5	20	70% - 80%	2 / 3
Courtyard Building <sup>4</sup>	120 / 320	12,500 / No max.	70%	12 / 25	5	20	50% - 90%	1 / 3
<sup>1</sup> These sizes reflect a fee-simple arrangement. In a condominium development, the lot sizes should be illustrated on the site plan, though not necessarily platted. <sup>2</sup> Corner lots must meet front setbacks on both streets. Front setbacks on infill lots shall either match the front setback of one of the adjacent buildings or shall be located between the setbacks. <sup>3</sup> See § 31-535(b). <sup>4</sup> See §31-536(c)(2)(c) for dimensional criteria for the courtyard								

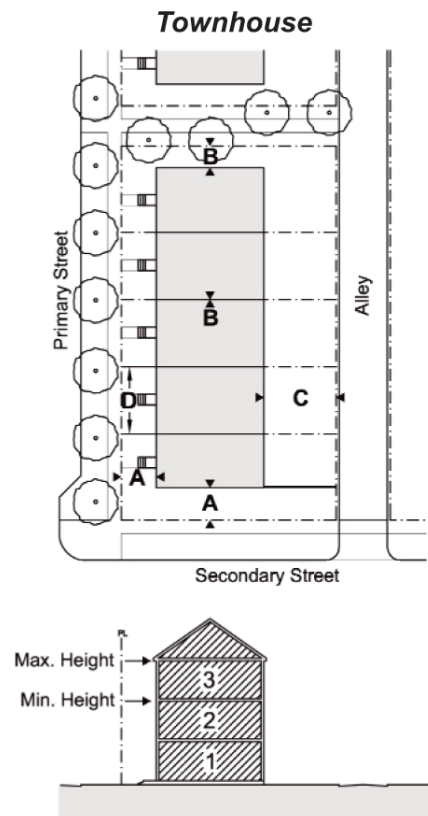
**Figure 31-536(4)**



**House Character Examples**



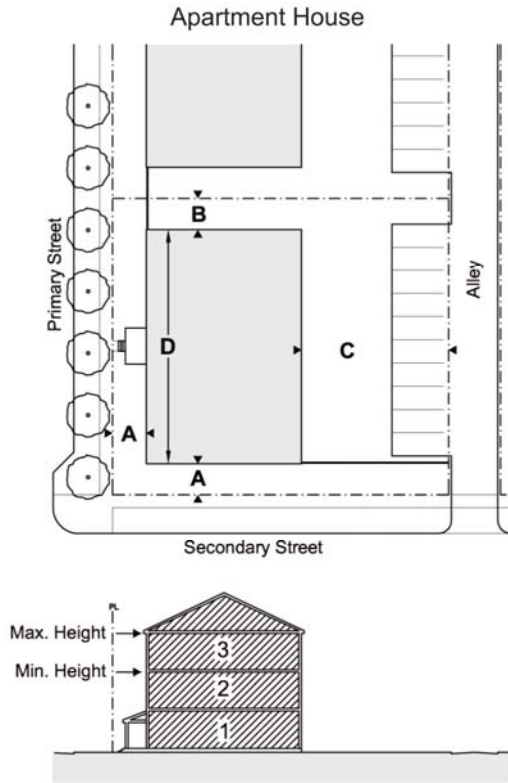
**Figure 31-536(5)**



**Townhouse Character Examples**



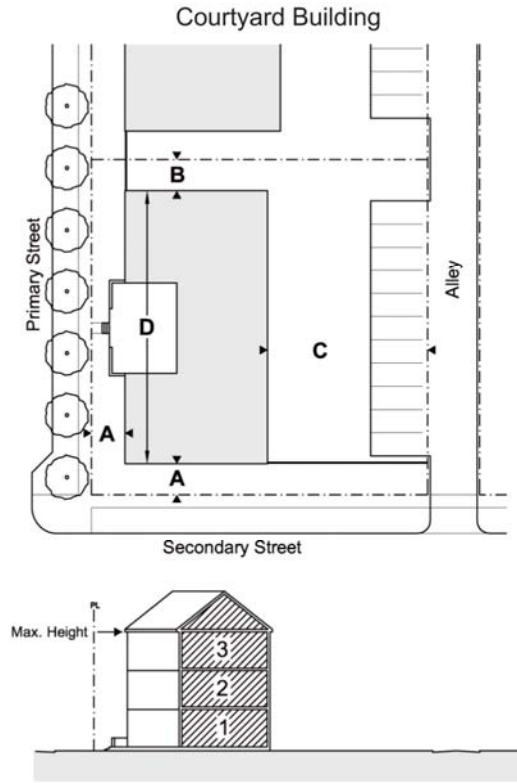
**Figure 31-536(6)**



**Apartment House Character Examples**



**Figure 31-536(7)**



**Courtyard Building Character Examples**



- b. Where the property to be developed abuts an existing building or buildings, the proposed building shall be located to match or provide a transition to the adjacent front setback. The Community Development Director will administratively determine the appropriate front setback.
- c. Courtyard Buildings have the following additional criteria:
  - 1. A courtyard, open to the sky, of at least 12 percent of the lot area shall be provided.
  - 2. The longer dimension of the courtyard shall be at least 30 feet if oriented east-west and at least 40 feet if oriented north-south.
  - 3. The main entrance to ground story dwellings shall be directly from the street or the common courtyard.
  - 4. In courtyards at least 35 feet wide, open-air porches, stoops, and balconies may encroach from two sides. In courtyards less than 35 feet wide, encroachment is permitted from one side.
  - 5. An open-air covered pedestrian passageway, at least 10 feet wide, may connect the courtyard, through the building to the street. The passageway may be gated.
- d. Townhouses have the following additional criteria:
  - 1. Townhouses must have or install a rear alley to accommodate vehicular access and parking.
  - 2. Townhouses shall occur in an array of at least three, side by side.
  - 3. No more than eight contiguous townhouses shall occur without a pedestrian accessway of at least 10 feet.

*(3) Use regulations.*

- a. *Uses permitted.* The following uses are permitted in the DR district:
  - 1. Single-family dwellings.
  - 2. Multiple family dwellings, provided the dwelling is provided in the form of a townhouse, apartment house, or courtyard building, as described in § 34-536(c)(1).
  - 3. Home occupations.
  - 4. Community Gardens.
  - 5. Civic open spaces (See § 31-538).
- b. *Special exception.* The following uses may be permitted by special exception in the DR downtown residential district:
  - 1. Churches and their educational buildings.
  - 2. Daycare (See § 31-544).
  - 3. Nursing or convalescent homes and adult living facilities (ALF), or group home.

*(4) Frontage Standards.*

- a. The front setback and side setbacks facing streets shall be landscaped and shall have the following characteristics:
  - 1. Street trees shall be installed as set forth in § 31-537(c), consistent with the appropriate street design in § 29-65.
  - 2. A pedestrian walkway shall be accommodated as set forth in § 31-537(b).

3. Any remaining setback area not used to accommodate a pedestrian walkway, shall be landscaped.
- b. Building entrances shall use at least one of the following frontage types detailed in § 31-537(a):
  1. Porch.
  2. Stoop.
  3. Bracketed Balcony.

*(5) Parking for Residential Building Types.*

- a. House Type. Parking shall be located to the side or rear of the house. Attached garages shall be recessed at least 10 feet from the front façade of the house.
- b. Townhouse Type.
  1. Townhouses must have or install a rear alley to accommodate vehicular access, garage access, and parking.
  2. Garage doors shall not face the street.
  3. Parking is not permitted in front setbacks or side setbacks facing streets.
- c. See § 31-539 for additional parking standards.

*(6) Other applicable Standards.* See § 31-535 and §§ 31-537 through 31-540 for general standards that also apply to the DR district.

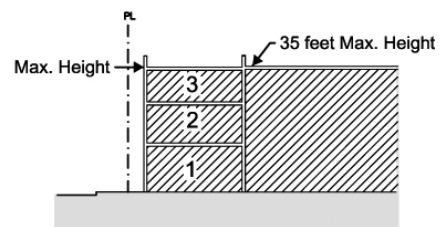
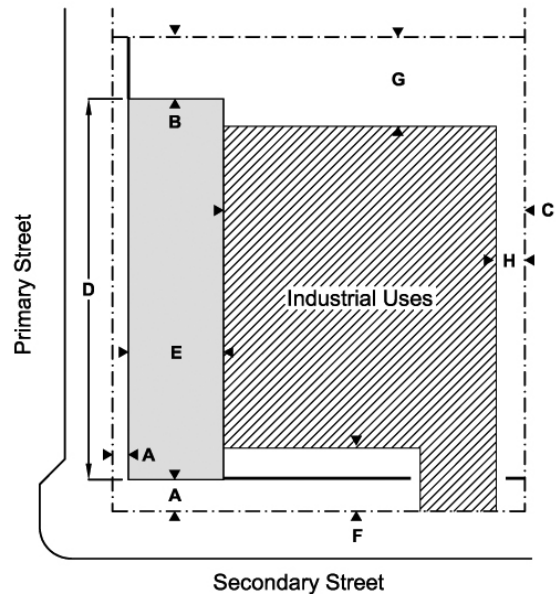


(d) *DI Downtown Industrial District.* The downtown industrial district is intended to accommodate industrial uses, while achieving a high standard of appearance along streets in the downtown.

- (1) *Lot Size, Building Placement and Height.* **Table 31-536(e)** provides the dimensional requirements regarding lot size, building placement, frontage and height for the downtown industrial district. **Figure 31-536(8)** illustrates the dimensional requirements from the table. A Liner Building is required on Primary Streets to shield industrial uses from the street.

Table 31-536(e) Downtown Industrial Dimensional Requirements		
Minimum Lot Width		200 feet
Minimum Lot Size		35,000 square feet
Maximum Lot Coverage		85%
Liner Building Placement		
A	Front Setback <sup>1</sup>	10 feet min. / 15 feet max.
B	Side Setback	0 feet <sup>2</sup>
C	Rear Setback	20 feet min.
D	Building Frontage	65% min. on Primary Streets
E	Building Depth	30 feet min.
Industrial Placement		
F	Front Setback	20 feet min.
G	Side Setback Abutting Residential	6 feet min. 20 feet min.
H	Rear Setback	20 feet min.
Building Size & Height		
Maximum Floor Area Ratio (FAR)		1.15
Liner Building		3 Stories max.
Industrial		35 feet max.
<sup>1</sup> On Liner Buildings, side lot lines facing streets are regulated by the front setback requirements		
<sup>2</sup> See § 31-535(b).		

**Figure 31-536(8)**  
*Downtown Industrial  
Building Placement & Height*



(2) *Use regulations.*

- a. *Uses permitted by right on Primary Streets.* The following uses are permitted by right on Primary Streets in the DI district:

1. Retail establishments.
2. Professional office.
3. Residential uses are permitted only in the upper stories of Liner Buildings.
4. Retail, show rooms, and office functions of industrial and manufacturing uses. The industrial/ manufacturing aspect of the use shall be located in accordance with § 31-536(d)(2)(b).
5. Adult training centers
6. Civic Open Space (See § 31-538)
7. Community Gardens

- b. *Uses Permitted on Secondary Streets and Permitted with Limitations on Primary Streets.* The following uses are permitted in the DI district on Secondary Streets. On Primary Streets, these uses are also permitted provided they are separated from the street for at least 20 feet with a use permitted on Primary Streets on the first story.

1. The uses permitted by right in the IL limited industrial district
2. Auto services, including transmission and oil change establishments
3. Beverage manufacturing and bottling works.
4. Laboratory industrial research
5. Truck rental and leasing.

6. Warehouses and storage uses(3) *Frontage Standards*

- a. The front setback and side setbacks facing streets shall be hardscaped. The hardscape design shall have the following characteristics:

1. Street trees shall be installed as set forth in § 31-537(c), consistent with the appropriate street design in § 29-65.
2. A pedestrian walkway shall be accommodated as set forth in § 31-537(b).
3. Any setback area not used for the pedestrian walkway may be landscaped adjacent to the building using potted plants in removable planters or ground planting that does not obstruct views into or out of front windows.

- b. The main entrance(s) to ground story Liner Buildings shall be directly from and face a public right-of-way or civic open space. Doors allowing public access shall occur at intervals no greater than every 75 feet.

- c. Building entrances shall use at least one of the following frontage types detailed in § 31-537(a):

1. Forecourt
2. Bracketed Balcony
3. Storefront
4. Arcade/ Colonnade

*(4) Architectural Standards*

- a. An expression line shall be provided at the top of the first story.
- b. Overhead doors or other loading facilities shall not face Primary Streets and may not be counted toward fulfilling the minimum façade transparency requirements.
- c. In the absence of a building façade, a streetwall or fence is required along both Primary and Secondary Streets. Streetwalls and fences shall be no higher than six feet and shall be located in line with the building façade or the front setback. Streetwalls shall be composed of an opaque wall using the same material and color as the building. Fences shall have a continuous, maintained hedge installed on the street side. In addition, one shade tree per 20 lineal feet, uniformly spaced, shall be installed along the length of the streetwall or fence on the street side.
- d. An opaque, masonry wall six feet in height shall be built on the property line along all side and rear lot lines that abut single-family houses existing as of the date of this ordinance (date) or lots in residential zoning district. In addition, one tree shall be planted every 20 feet along the wall.

*(5) Other applicable Standards.* See § 31-535 and §§ 31-537 through 31-540 for general standards that also apply to the DI district.

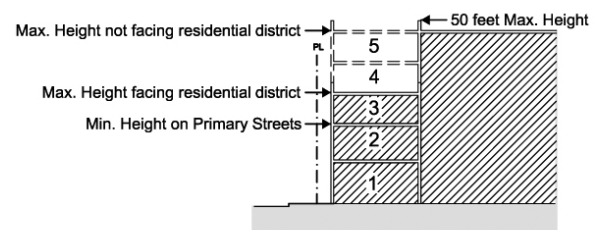
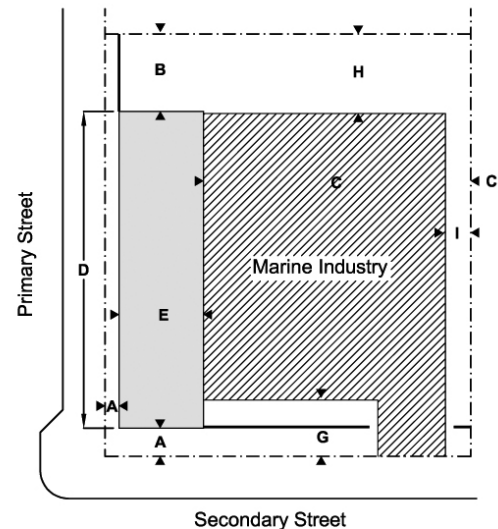
(e) *DM Downtown Marine District*. The DM downtown marine district promotes the use of marine industry, marine-related businesses and services, and boating activities within the downtown area, while recognizing the waterfront area is comprised of and surrounded by a diverse mix of uses. In order to ensure appropriate transitions between marine industry and other uses, including existing single-family houses, this district controls building form and the location of certain uses to establish a successful, vibrant downtown area, and to enhance access to the waterfront area.

(1) *Lot Size, Building Placement and Height*.

- a. **Table 31-536(f)** provides the dimensional requirements regarding lot size, building placement, frontage, and height for the downtown marine district. **Figure 31-536(9)** illustrates the dimensional requirements from the table. A Liner Building is required on Primary Streets to shield certain marine uses from the street.

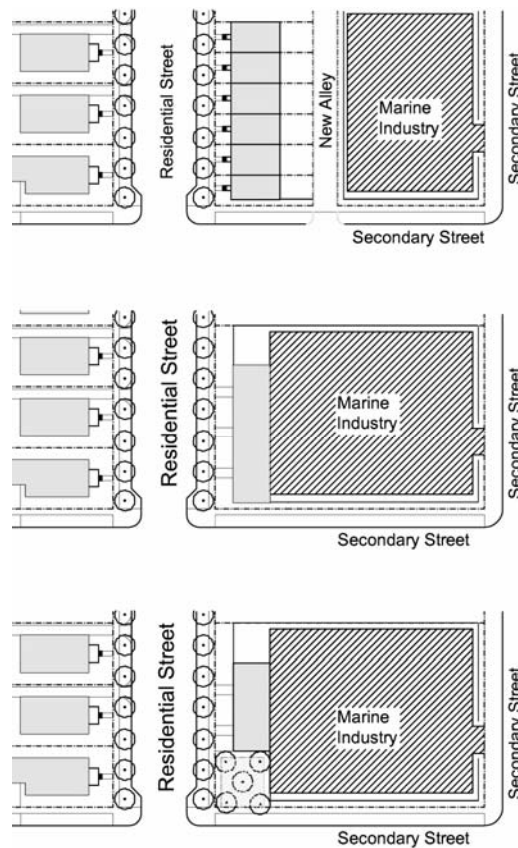
<b>Table 31-536(f)</b> <i>Downtown Marine Dimensional Requirements</i>		
<b>Maximum Lot Coverage</b>		85%
<b>Liner Building Placement</b>		
<b>A</b>	Front Setback <sup>1</sup>	
	Primary Street	10 feet min.; 15 feet max.
<b>B</b>	Side Setback	0 feet <sup>2</sup>
<b>C</b>	Rear Setback	20 feet min.
<b>D</b>	Building Frontage	65% min. on Primary Streets
<b>E</b>	Building Depth	30 feet min.
<b>Marine Industry Placement</b>		
<b>G</b>	Front Setback	20 feet min.
<b>H</b>	Side Setback	6 feet min.
	Side Setback Abutting Residential	20 feet min.
<b>I</b>	Rear Setback	20 feet min.
<b>Building Size &amp; Height</b>		
Maximum Floor Area Ratio (FAR)		1.15
Liner Building Maximum Height		
Facing a Residential District		3 Stories max.
Not facing a Residential District		5 Stories max.
Marine Industry Maximum Height		50 feet max.
<sup>1</sup> On liner buildings, side lot lines facing streets are regulated by the front setback requirements		
<sup>2</sup> See § 31-535(b).		

**Figure 31-536(9)**  
*Downtown Marine*  
*Building Placement & Height*



- b. Appropriate Transitions between Existing Residential Uses and Marine Industry.
1. Along Primary Streets, parking and marine industry uses such as, but not limited to, refueling stations, boat storage buildings, exterior boat storage, and repairing, manufacturing, or servicing facilities shall be shielded from view of the street by a Liner Building. A Liner Building is allowed, but not required on Secondary Streets.
  2. For parcels in the DM district facing the fronts of existing single-family houses or lots located within a residential zoning district, one or more of the following options shall be used to provide an appropriate transition:
    - i. In lieu of a Liner Building, one or more of the building types permitted in the DR Downtown residential district, separated from the marine industry uses by a rear alley, shall line the street;
    - ii. A Liner Building in accordance with regulations in **Table 31-536(f)** shall be installed; however, the front setback shall match or provide a transition to the front setback of the surrounding houses. The Community Development Director will administratively determine the appropriate front setback.
    - iii. In combination with either (i) or (ii) above, up to 60% of the property line facing a street may be a Civic Open Space.

**Figure 31-536(10)**  
*Downtown Marine  
 Residential Transitions*



(2) *Use regulations.*

- a. *Uses permitted by right on Primary Streets.* The following uses are permitted by right on Primary Streets in the DM district:
  1. Retail establishments.
  2. Residential and extended stay lodging uses are permitted only in the upper stories of Liner Buildings.
  3. Professional office.
  4. Retail, office, or commercial uses pertaining to marine industries, which do not involve manufacturing.
  5. The show rooms and office uses for marine industries that involve manufacturing. The manufacturing aspect of the industry shall be located in accordance with § 31-536(e)(2)(b).
  6. Marinas.
  7. Marine-related adult training centers.
  8. Civic open space (See § 31-538(b)).
  9. Community Gardens.
- b. *Uses Permitted on Secondary Streets and Permitted with Limitations on Primary Streets.* The following uses are permitted in the DM district on Secondary Streets. On Primary Streets, these uses are also permitted provided they are separated from the street for at least 20 feet with a use permitted on Primary Streets on the first story.
  1. Parking garages and lots (whether principle or accessory use)
  2. Refueling stations for marine use only;
  3. Repairing, manufacturing, and servicing facilities for marine equipment;
  4. Boat storage buildings and exterior boat storage;
  5. Marine ways and lifts;
  7. Facilities for research, manufacturing, and assembly of equipment used in oceanography, marine biology, and related fields;
  8. Customary accessory uses to all of the above
- c. *Additional Uses permitted by right near the Port of Palm Beach.* Storage and manufacturing of construction materials and related equipment, which rely upon marine transport as a component of the operations, are added to the permitted uses under §31-536(e)(2)(b) above, for properties located in the following area:
  1. East of Broadway; and
  2. Directly adjacent to the Port of Palm Beach or on the north side of 11<sup>th</sup> Street, across from the Port of Palm Beach. Lots with frontage on 12<sup>th</sup> Street are not eligible for the additional uses.

(3) *Frontage Standards.*

- a. The front setback and side setbacks facing streets shall be hardscaped. The hardscape design shall have the following characteristics:
  1. Street trees shall be installed as set forth in § 31-537(c), consistent with the appropriate street design in § 29-65.

2. A pedestrian walkway shall be accommodated as set forth in § 31-537(b).
3. Any remaining setback area not used for the pedestrian walkway, may be landscaped adjacent to the building using potted plants in removable planters or ground planting that does not obstruct views into or out of front windows.
- b. The main entrance(s) to ground story Liner Buildings shall be directly from and face a public right-of-way or civic open space. Doors allowing public access shall occur at intervals no greater than every 75 feet.
- c. Building entrances shall use at least one of the following frontage types detailed in § 31-537(a):
  1. Forecourt
  2. Bracketed Balcony
  3. Storefront
  4. Arcade/ Colonnade

*(4) Architectural Standards*

- a. Overhead doors or other loading facilities shall not face Primary Streets and may not be counted toward fulfilling the minimum façade transparency requirements.
- b. In the absence of a building façade, a streetwall or fence is required along both Primary and Secondary Streets. Streetwalls and fences shall be no higher than six feet and shall be located in line with the building façade or the front setback. Streetwalls shall be composed of an opaque wall using the same material and color as the building. Fences shall have a continuous, maintained hedge installed on the street side. In addition, one shade tree per 20 lineal feet, uniformly spaced, shall be installed along the length of the streetwall or fence on the street side.
- c. An opaque, masonry wall six feet in height shall be built on the property line along all side and rear lot lines that abut single-family houses existing as of the date of this ordinance (date) or lots in residential zoning district. In addition, one tree shall be planted every 20 feet along the wall.

*(5) Other Applicable Standards.* See § 31-535 and §§ 31-537 through 31-540 for general standards that also apply to the DM district.



**Section 31-537. Frontage Standards.** The downtown zoning districts establish a predictable spatial framework to create a pedestrian-friendly environment supportive of infill redevelopment and multi-modal transportation options. Frontage standards ensure a superior pedestrian environment develops overtime that improves the overall visual appearance and use of downtown streets. These standards define architecture and design components for the entrance(s) to buildings and the area between building facades and streets.

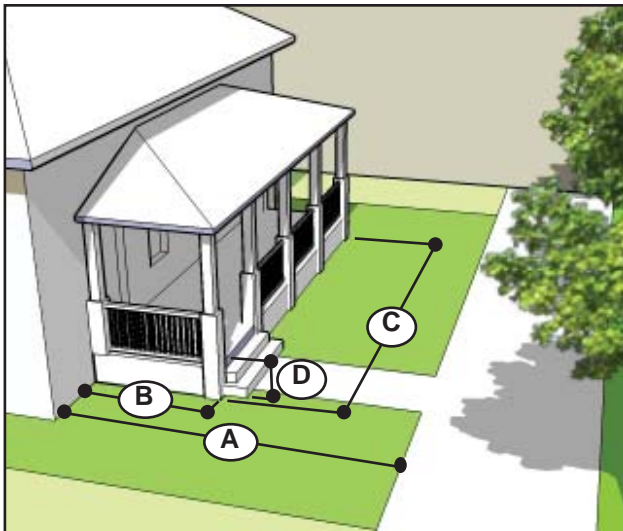
(a) *Frontage Types.* The entrance(s) of every building shall be directly accessible from and face a public right-of-way or civic open space. Frontage Types define architectural characteristics for the detailing of these building entrances. Six distinct frontage types have been identified, which are appropriate for different types of buildings and uses. **Table 31-537(a)** identifies the frontage types appropriate for each zoning district by an “X” . Using one or more of frontage types identified is required.

<b>Table 31-537(a)</b> <i>Frontage Types per Zoning District</i>						
Zoning District	Frontage Types					
	Porch	Stoop	Bracketed Balcony	Forecourt	Storefront	Arcade/ Colonnade
Downtown Core		X	X	X	X	X
Downtown General		X	X	X	X	X
Downtown Residential						
House	X	X				
Apartment House	X	X				
Courtyard Building	X	X		X		
Townhouse	X	X				
Downtown Industrial			X	X	X	X
Downtown Marine			X	X	X	X

(1) *Porch.* A porch is an open-air structure attached to a building forming a covered entrance large enough for comfortable use as an outdoor room. Porches are generally appropriate for single-family attached or detached houses. The main building façade is typically setback from the property line, creating a private front yard. **Table 31-537(b)** provides the dimensional requirements and the maximum allowable encroachment permitted by the zoning district. **Figure 31-537(1)** illustrates the dimensional requirements from **Table 31-537(b)**.

<b>Table 31-537(b)</b> <i>Dimensional Requirements for Porches</i>			
		<b>Minimum</b>	<b>Maximum</b>
<b>A</b>	Building Setback	varies by zoning district	
<b>B</b>	Porch Depth	8 feet	12 feet
<b>C</b>	Porch Width	40% Facade	100% Facade
<b>D</b>	Porch Floor Elevation	1.5 feet	3 feet
<b>Maximum Allowable Encroachment per District</b>			
Downtown Residential			50% of Setback

**Figure 31-537(1)**  
*Porch Frontage Type*



**Figure 31-537(2)**  
*Porch Character Example*



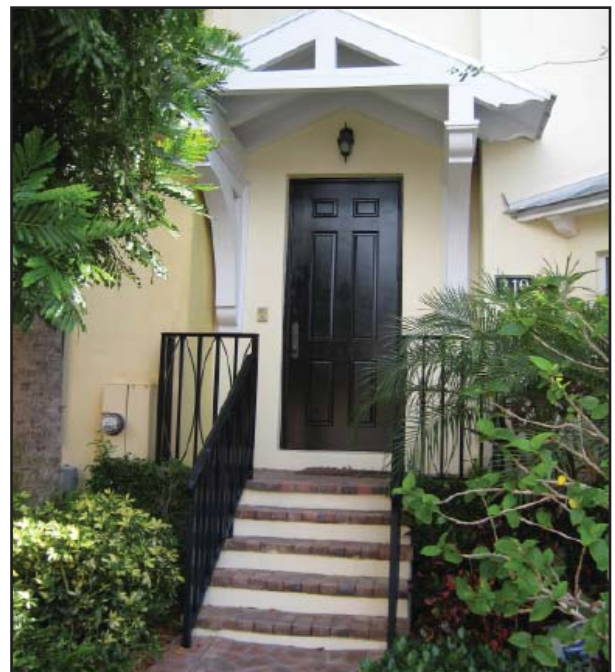
- (2) *Stoop*. A stoop is a small staircase leading to the entrance of a building that may be covered. The elevation of the stoop is necessary to ensure privacy for residential uses in the ground story of buildings. Stoops should provide sufficient space for a person to comfortably pause before entering or after exiting the building. Stoops are frontage types typically associated with townhouses and other residential building types. **Table 31-537(c)** provides the dimensional requirements and the maximum allowable encroachment permitted by the zoning district. **Figure 31-537(3)** illustrates the dimensional requirements from **Table 31-537(c)**.

<b>Table 31-537(c)</b> <i>Dimensional Requirements for Stoops</i>			
		<b>Minimum</b>	<b>Maximum</b>
<b>A</b>	Building Setback	varies by zoning district	
<b>B</b>	Stoop Depth	5 feet	8 feet
<b>C</b>	Stoop Width	4 feet	No Max.
<b>D</b>	Stoop Floor Elevation	1.5 feet	4 feet
<b>Maximum Allowable Encroachment per District</b>			
Downtown Residential			5 feet
Downtown General			5 feet
Downtown Core			5 feet

**Figure 31-537(3)**  
*Stoop Frontage Type*



**Figure 31-537(4)**  
*Stoop Character Example*



(3) *Bracketed Balcony*. A bracketed balcony is second-story platform projecting from the building wall, enclosed by a railing or balustrade, supported by brackets. The bracketed balcony is located over the main building entry, which provides cover for a person entering or exiting the building, emphasizes the entryway, and creates a semi-public space overlooking the street. Bracketed balconies are typically associated with buildings with commercial uses in the ground story; however, bracketed balconies can be used on residential building types when combined with a stoop.

- a. **Table 31-537(d)** provides the dimensional requirements and the maximum allowable encroachment permitted by the zoning district. **Figure 31-537(5)** illustrates the dimensional requirements from **Table 31-537(d)**.

<b>Table 31-537(d)</b> <i>Dimensional Requirements for Bracketed Balcony</i>		
	<b>Minimum</b>	<b>Maximum</b>
<b>A</b> Building Setback	varies by zoning district	
<b>B</b> Depth	-	5 feet
<b>C</b> Width	4 feet	No Max.
<b>D</b> Floor Elevation	0	-
<b>Maximum Allowable Encroachment per District</b>		
Downtown General		3 feet
Downtown Core		3 feet
Downtown Industrial		3 feet
Downtown Marine		3 feet

b. *Bracketed Balcony Elements*

1. Brackets shall be made of wood, pre-cast concrete or steel.
2. Brackets shall be designed to reflect their intended structural role and to define the entryway.

**Figure 31-537(5)**  
*Bracketed Balcony Frontage Type*



**Figure 31-537(6)**  
*Bracketed Balcony Character Example*





(4) *Forecourt.* A forecourt is an open area in front of the main building entrance(s) designed as a small garden or hardscaped plaza. The forecourt may afford access to one or more first floor units and may incorporate storefronts for retail uses. The forecourt is suitable for outdoor seating for residents or restaurants. Forecourts are typically associated with multifamily, mixed-use, and commercial building types.

- a. **Table 31-537(e)** provides the dimensional requirements and the maximum allowable encroachment permitted by the zoning district. **Figure 31-537(7)** illustrates the dimensional requirements from **Table 31-537(e)**.

<b>Table 31-537(e)</b> <i>Dimensional Requirements for Forecourt</i>			
		<b>Minimum</b>	<b>Maximum</b>
<b>A</b>	Building Setback	varies by zoning district	
<b>B</b>	Forecourt Depth	10 feet	20 feet
<b>C</b>	Forecourt Width	20 feet	50% of facade
<b>D</b>	Forecourt Floor Elevation	0	3 feet
<b>Maximum Allowable Encroachment per District</b>			
Not Applicable			

b. *Forecourt Elements*

1. Low walls or balustrades may extend into the front setback and shall be at least two feet six inches tall and shall not exceed three feet six inches in height.
2. Low walls shall be constructed of similar material as the principal building, or be composed of a continuous, maintained hedge.
3. Forecourts may be combined with the storefront frontage type.
4. Awnings, if proposed, shall project at least four feet and no more than two feet from the edge of curb.
5. Awnings shall be consistent with the architecture of the building. Internally illuminated or vinyl awnings are prohibited.

**Figure 31-537(7)**  
*Forecourt Frontage Type*



**Figure 31-537(8)**  
*Forecourt Character Example*



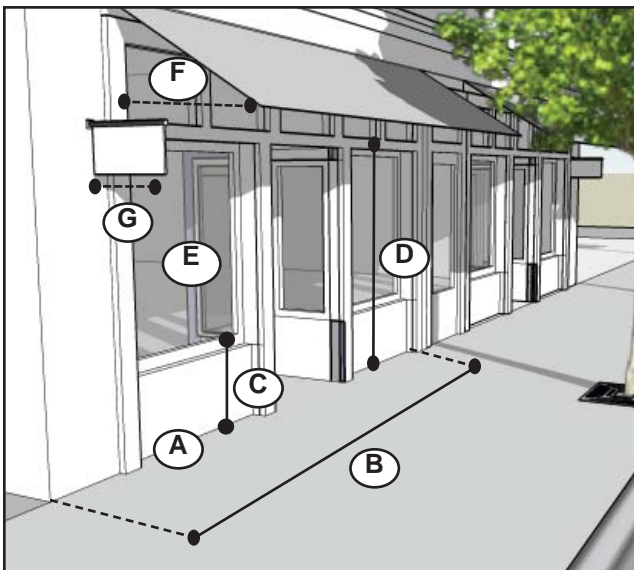
(5) *Storefront*. The storefront is a frontage type placed along the property line, and is typically associated with retail and mixed-use buildings. The storefront must be designed in a way that promotes an attractive, convenient shopping experience. Storefronts are typically at sidewalk grade and are usually shaded by awnings or arcades.

a. *Storefront Dimensions*. **Table 31-537(f)** provides the dimensional requirements and the maximum allowable encroachment permitted by the zoning district. **Figure 31-537(9)** illustrates the dimensional requirements from **Table 31-537(f)**.

1. Storefronts shall extend across at least 70% of the commercial/retail space.
2. Storefronts shall be directly accessible from sidewalks; storefront doors may be recessed up to 10 feet.

<b>Table 31-537(f)</b> <i>Dimensional Requirements for Storefronts</i>			
		<b>Minimum</b>	<b>Maximum</b>
<b>A</b>	Building Setback	varies by zoning district	
<b>B</b>	Storefront Width	70%	100%
<b>C</b>	Storefront Base	1.5 feet	3 feet
<b>D</b>	Glazing Height	8 feet	No Max.
<b>E</b>	Glazing Area	70%	100%
<b>Maximum Allowable Encroachment of Elements in All Districts</b>			
<b>F</b>	Awning Projection	4 feet	2 feet from curb
<b>G</b>	Pedestrian Blade Sign Projection	N/A	4 feet

**Figure 31-537(9)**  
*Storefront Frontage Type*



**Figure 31-537(10)**  
*Storefront Character Example*



3. Storefronts shall have transparent glazing of at least 70% of the facade area, comprised of storefront windows and doors. Storefront windows shall have a base one foot six inches to three feet high with transparent glazed areas extending from the base to at least eight feet in height as measured from sidewalk grade. Transparent glazing transmits at least 50% of visible daylight.
- b. *Storefront Elements*
1. Awnings shall project a minimum of four feet from the building facade and no more than to within two feet from the face of curb.
  2. Awnings shall be sympathetic to the buildings' architecture and designed as an integral component of the overall signage package. All awnings shall be sloped 30 degrees from the horizontal plane and have both ends open. All awnings on street level shall have an eight inch vertical valance with concealed weight to prevent excessive movement in high winds. Internally illuminated or vinyl awnings are prohibited.
  3. Each ground story business may have one wall sign per street front. The wall sign shall be no greater than three feet in height by 60% of the width of the tenant space along the street front. The wall sign shall be located over the first story, below the second story. A name or logo printed on the awnings shall be considered as square footage against the overall dimensions of the sign band.
  4. Each ground story business may have one pedestrian blade sign per street front. Pedestrian blade signs may extend up to four feet from the building façade and shall not exceed three feet in vertical dimension, including all mounting brackets and hardware. Pedestrian Blade Signs shall be set back at least two feet from the end of the building or storefront. Pedestrian blade signs may not be internally illuminated.
  5. Window signs advertising special sales, events or services, store hours, and store name may be affixed to the inside of a window provided that their total area does not exceed 20% of the window area.
  6. Storefronts may be combined with forecourts or arcade/colonnades.

**Figure 31-537(11)**  
*Storefront Composition and Signage Examples*





(6) *Arcade/Colonnade*. An arcade/colonnade is a covered, unglazed, linear hallway attached to the front of a building, supported by columns or pillars. The arcade/colonnade extends into the public right-of-way, over the sidewalk, creating a shaded environment ideal for pedestrians and conducive to retail. In arcades, upper stories of the building extend over the passageway. This frontage type is typically associated with retail and mixed-use buildings.

a. *Arcade/Colonnade Dimensions*. **Table 31-537(g)** provides the dimensional requirements and the maximum allowable encroachment permitted by the zoning district. **Figure 31-537(12)** illustrates the dimensional requirements from **Table 31-537(g)**.

1. Arcades/ colonnades shall extend over the sidewalk. A sidewalk should not run parallel to an arcade or colonnade, which allows pedestrians to bypass retail or commercial windows. Use of the arcade/colonnade requires entering into a right-of-way agreement between the property owner and the City. This agreement shall establish liability and insurance responsibilities in a form acceptable to the City attorney.
2. Arcades/ colonnades shall have a clear depth between the interior face of the columns and the building facade of at least 10 feet and no more than 20 feet. If the distance between the property line and the face of curb is not sufficient to accommodate the

<b>Table 31-537(g)</b> <i>Dimensional Requirements for Arcade/Colonnades</i>			
		<b>Minimum</b>	<b>Maximum</b>
<b>A</b>	Building Setback	varies by zoning district	
<b>B</b>	Arcade/Colonnade Depth	10 feet	20 feet
<b>C</b>	Arcade/Colonnade Height	12 feet	N/A
<b>D</b>	Column/Pillar to Face of Curb	2 feet	4 feet
<b>Maximum Allowable Encroachment of Elements in All Districts</b>			
<b>E</b>	Arcade/Colonnade	varies by street	
<b>F</b>	Pedestrian Blade Sign Projection	N/A	4 feet

**Figure 31-537(12)**  
*Arcade/Colonnade*



**Figure 31-537(13)**  
*Arcade/ Colonnade Character Example*



minimum depth required for an arcade/colonnade, the building shall set back accordingly. If the distance between the property line and the face of curb is wide enough that using the minimum building setback results in an arcade with a clear depth greater than 12 feet, the minimum front setback may be administratively reduced by the Community Development Director, taking into consideration the ultimate location of the face of curb based on the street design standards for the community redevelopment area set forth in § 29-65.

3. Arcades/ colonnades shall have a clear height above the sidewalk of at least 12 feet.
4. Support columns or pillars shall be placed no farther apart than they are tall, and shall be placed two to four feet from the face of the curb.
5. Open-air terraces and habitable stories may extend over the arcade, up to the fourth story.
6. Arcade/ colonnade ceilings shall be designed with coffers or exposed beams extruding at least six inches, aligned with columns or pillars.

*b. Arcade/Colonnade Elements*

1. Arcade/Colonnades shall be combined with storefronts.
2. The height and proportions of the arcade/ colonnade shall be consistent with the style and proportions of the building to which it is attached.
3. Each ground story business may have one wall sign not exceeding three feet in height by 60% of the storefront width on the first story facade of the arcade/colonnade.
4. Each ground story business may have one wall sign under the covered area, not exceeding two feet in height by 60% of the storefront width.
5. Each ground story business may have one pedestrian blade sign under the covered area. Pedestrian blade signs may extend up to four feet from the building façade and shall not exceed three feet in vertical dimension, including all mounting brackets and hardware. Pedestrian Blade Signs shall be set back at least two feet from the end of the building or storefront. Pedestrian blade signs may not be internally illuminated.
6. Potted landscaping or ground planting shall be provided between the face of the columns or pillars and the face of curb.

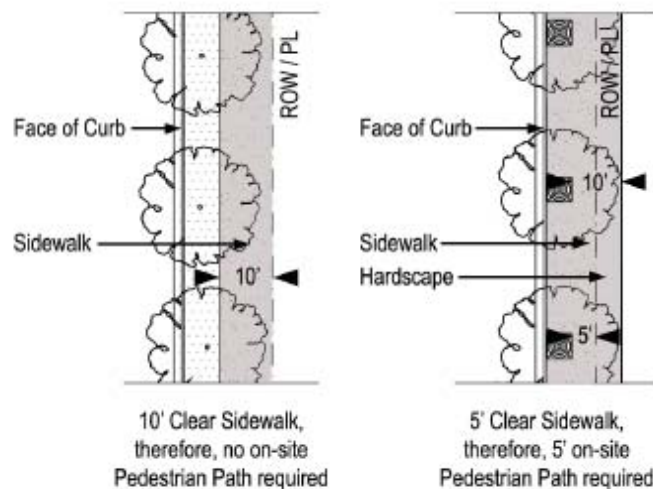
**Figure 31-537(14)**

*Example of Arcade/ Colonnade Signage Examples*



(b) *Pedestrian Walkway*. In order to ensure a superior pedestrian realm develops overtime, a pedestrian walkway may be required on-site to augment public sidewalk widths, especially along narrow rights-of-way. A pedestrian walkway is an area that forms a continuous route for pedestrians, which is unobstructed by trees, landscaping, street lights or utility poles. Pedestrian walkways may be composed of public sidewalks, hardscape on private property, or a combination of the two.

**Figure 31-537(14)**  
*Clear Width of Pedestrian Walkway*



<b>Table 31-537(g)</b> <i>Dimensional Requirements for Pedestrian Walkways per zoning district</i>	
Downtown Core	10 feet
Downtown General	8 feet
Downtown Residential	5 feet
Downtown Marine	6 feet
Downtown Industrial	6 feet

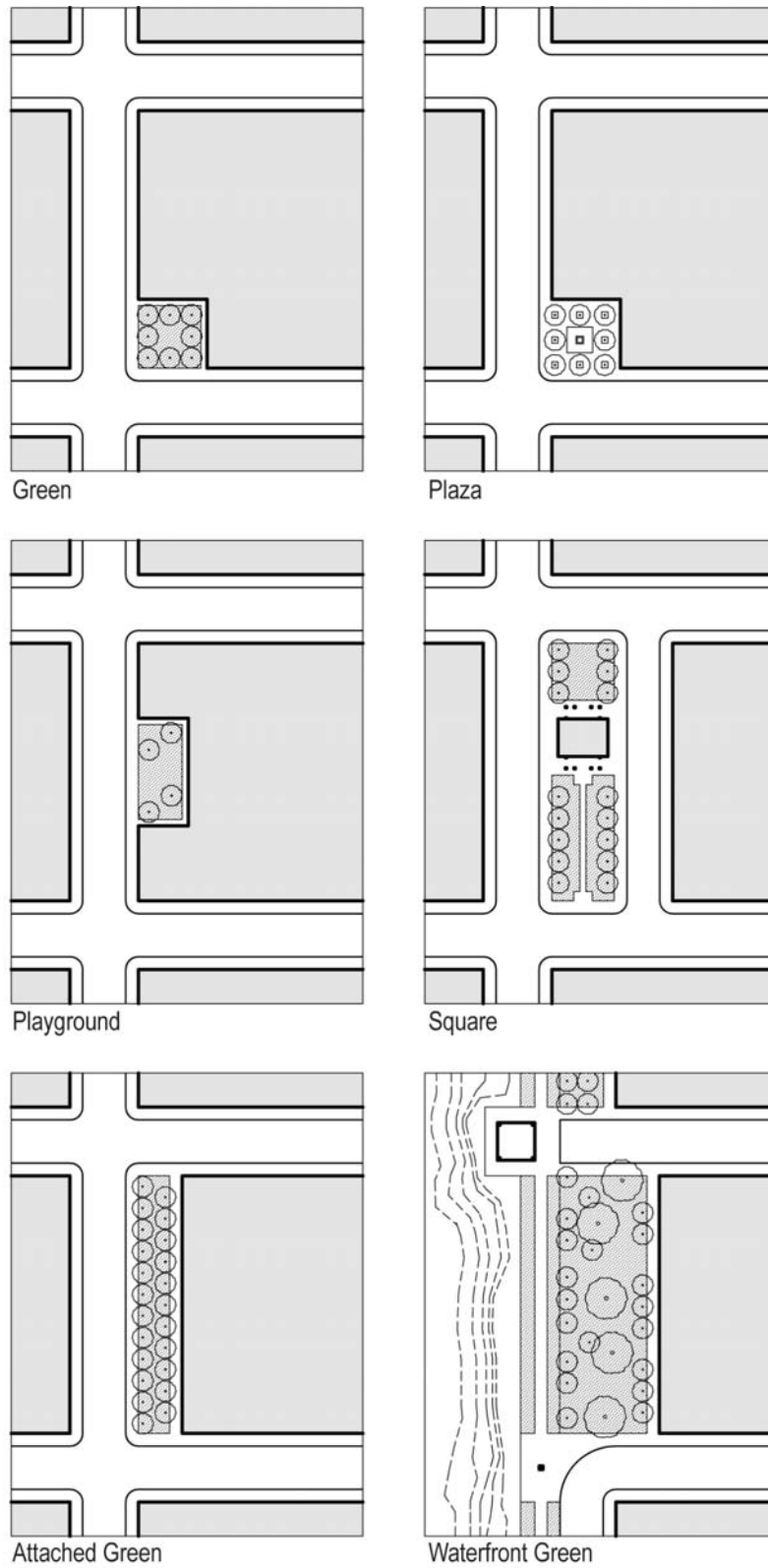
- (1) *Width of Pedestrian Walkway*. The minimum width of pedestrian walkways shall be provided as depicted in **Table 31-537(g)**. The proposed pedestrian walkway shall be demonstrated on site plans. In order to accommodate the required width of the pedestrian walkway, increasing the front setback beyond the minimum amount allowed by the zoning district may be necessary and buildings shall set back further than the maximum allowed per zoning district, if necessary. In the event the maximum front setback does not provide adequate space, the pedestrian walkway may be accommodated within the arcade/colonnade frontage type to meet the intent of the code.
- (2) Where an existing public sidewalk adjoins the property line, the paved area of the public sidewalk and the pedestrian walkway shall connect, thereby expanding the perceived width of the public sidewalk. An existing, adjoining public sidewalk may be counted toward fulfilling the minimum clear width of a pedestrian walkway.

- (3) All paving materials for the pedestrian walkway shall be compliant with ADA accessibility standards, and shall be constructed of concrete consistent with the adjacent sidewalk and acceptable to the Community Development and Engineering Departments.
  - (4) Where a sidewalk or a pedestrian walkway crosses vehicular ingress/egress points, the pedestrian crossing shall be paved with material consistent with the paving material of the sidewalk or walkway, and shall be different from the vehicular surface.
- (c) *Street Trees* Street trees are intended to provide a shaded environment for the pedestrian, provide a physical separation between pedestrians and vehicles, and improve the overall visual appearance of the street.
- (1) All new construction, relocation of a building, or addition equal to or greater than 20% of the gross floor area of an existing building shall install street trees at the time of development. Street trees shall be a canopy species, planted in the public right-of-way directly in front of the property line(s), uniformly spaced no greater than 25 feet on center. Spacing of trees may only exceed 25 feet in order to accommodate curb cuts, fire hydrants, utilities, existing trees, and other infrastructure elements. Palm varieties may be used at corners, crosswalks, or to accent building entrances and may be permitted in lieu of shade trees when physical conditions may prevent the proper growth of shade trees, as determined by the Community Development Director. Consistency in street tree species shall be established on both sides of the street along a block face. The first to develop shall establish the species.
  - (2) Street trees shall be planted in planting strips, landscaped planters or tree grates consistent with the street design standards contained in §29-65. Street trees shall be located along the curb side, in order to separate pedestrians from vehicular lanes.
  - (3) All trees shall satisfy the following standards at the time of planting:
    - (i) Canopy species: Minimum 14 feet in height with a clear trunk space of six feet and a spread of no less than eight feet.
    - (ii) Palm trees: Minimum 18 feet in height, with a clear trunk space of eight feet.
  - (4) In the event that site constraints such as utility easements prevent the installation of required street trees, removable planters of small palms and small shrubs, vines or seasonal flowers shall be installed. In addition, the building shall provide devices such as awnings or roof overhangs to establish a shaded pedestrian environment.

## **Section 31-538 Civic Open Spaces.**

- (a) **Civic Open Spaces.** Civic open spaces are maintained outdoor spaces which are accessible by the general public, improve the pedestrian environment, are aesthetically pleasing, and serve as an amenity for the city as a whole as well as for occupants of the building which the open space serves. Civic open spaces are generally constructed by landowners when they build on adjoining property.
- (1) **Amount.** On sites one acre or more in size, new buildings or additions of gross floor area equal to 20 percent or more to existing buildings, shall provide at least five percent of the size of the site as a civic open space. Dedicated rights-of-way and building setbacks may not count toward fulfilling the required amount.
- (2) **Location.** Civic open space may be provided either on site or off site, provided the civic open space is located within 660 feet of the building site, within the same zoning district, and within the CRA boundary.
- (3) **Types of Civic Open Spaces.** Civic open space shall be designed as one of the following types:
- a. **Green.** A green is at least 2,000 square feet in size and adjoins streets on at least two sides. Greens are designed primarily for passive uses, consisting primarily of lawn with either formally or informally arranged landscaping.
  - b. **Plaza.** A plaza is at least 2,000 square feet in size and adjoins a street on at least 2 sides. Plazas are mostly hardscaped with formal landscaping and a water feature.
  - c. **Playground.** A playground shall be at least 2,500 square feet in size. Playgrounds shall provide children's play equipment and shaded seating. Playgrounds adjoin a street on at least one side and the proposed configuration should ensure easy surveillance of the area from the adjacent buildings and streets
  - d. **Square.** A square is at least 10,000 square feet and adjoins streets on at least 3 sides. Squares may be up to 50 percent hardscaped, with formal landscaping. Squares accommodate both passive uses and community gatherings.
  - e. **Attached Green.** The attached green is generally 3,000 to 6,000 square feet and spans the entire length of a block. Attached greens shall be at least 30 feet wide and are appropriate on the short end of a block. Attached greens are formally landscaped, with trees arranged in an alley or staggered alley configuration.

**Figure 31-538(1)**  
*Civic Open Spaces*



(4) **Configuration.** Civic open spaces shall be configured as follows:

- a. The civic open space shall adjoin a street front property line for no less than 30 linear feet.
- b. Except for attached greens, civic spaces shall have a proportion so that the depth is no more than 2.5 times the frontage width, and the width is no more than 5 times the depth;
- c. Civic open spaces shall be lined by building facades or streets on all sides. In order to provide oversight of the space, buildings facing civic open spaces shall contain habitable uses; parking lots, parking garages, and storage areas are not considered habitable uses.

(5) **Additional Standards.** Civic open spaces shall meet the following minimum standards:

- a. Civic open spaces must be accessible to the public during all daylight hours;
- b. Civic open spaces must be situated to allow easy ingress and egress by pedestrians. Except for playgrounds, which may be fenced, no streetwalls, gates, fences or other impediments to pedestrian accessibility shall be permitted along the frontage line;
- c. Civic open spaces must be located at the sidewalk level;
- d. Civic open spaces must be open to the sky; however, open-air garden structures such as gazebos or band shells are permitted within civic open spaces;
- e. Landscaping shall be arranged in a manner reflective of description of the type of civic open space. One shade tree per 20 feet of perimeter of the space is required. Trees may be arranged in regular spacing or in informal clusters, depending on the type of open space. Trees shall be installed to provide shade along walkways and for benches. Substituting shade trees for multiple palm species is not permitted; however, adding palms to the landscape design is permitted.
- f. Each civic open space shall provide the following street furniture elements, specifications subject to approval by the City of Riviera Beach:
  - 1. 1 bench per 350 square feet of area;
  - 2. 1 drinking fountain;
  - 3. 1 bicycle rack with no less than four spaces;
  - 4. 1 trash receptacle;
  - 5. 1 pet clean up station.
- g. Fences are permitted only to enclose playgrounds. Fences may be composed of wood or metal pickets and shall not exceed four feet in height.
- h. Vehicular traffic shall not be permitted within a civic open space.
- i. Civic open spaces shall be designed to enhance user safety and security using Crime Prevention Through Environmental Design (CEPTED) principles by
  - 1. being well lighted;
  - 2. having one or more focal points within the open space visible from all perimeter streets;
  - 3. having a clear landscape zone between three feet and eight feet in height providing sightlines unobstructed by berms or bushes.



(6) **Availability.** Civic open space shall be developed and open for use prior to issuance of a certificate of occupancy for the building(s) for which the open space is required.

(7) **Public Benefit Height Option.** In order to encourage projects to provide civic open space in the downtown, increased building height is offered in the Downtown Core district.

a. Civic spaces provided in order to receive the Public Benefit Height Option shall meet the following criteria:

1. Comply with §§ 31-538(b)(2) through (6).
2. In order to use the Public Benefit Height Option, civic open spaces must be at least 2,000 square feet in size. Dedicated rights-of-way, minimum building setbacks, and civic open space provided to meet the requirement in § 31-538(b)(1) may not count toward fulfilling this amount.

b. The quantity of the additional building square footage permitted within the extra stories of height is directly related to the size, location, and accessibility by the general public of the proposed civic open space. Waterfront locations are considered the most desirable sites and therefore receive the highest factor.

<b>Table Figure 31-538(a)</b> <i>Public Benefit Factor</i>	
<b>Civic Open Space Configuration</b>	<b>Public Benefit Factor</b>
Adjoining one public right-of-way	<b>Not permitted</b>
Adjoining two or more public rights-of-way	<b>2.0</b>
Waterfront location*	<b>3.0</b>
* Waterfront locations shall have at least one side adjoining the Intercoastal waterway and at least three sides bounded by public rights-of-way, one of which shall be along the water's edge.	

c. Computing the Benefit. The following formula computes the amount of building square footage allowed above the fourth story:

- 1) Multiply the square footage of the proposed civic open space by the maximum number of stories allowed in the district without using the public benefit height.
- 2) Multiply the result by the public benefit factor from **Table Figure 31-538(a)** that best describes the configuration of the proposed civic open space.
- 3) The result is the total additional building square footage that can be placed within in the extra stories allowed by the district as the maximum Public Benefit Height (subject to floorplate limitations in the massing regulations).

For example, within the Downtown Core district, a project that proposes a civic open space of 2,000 square feet in size adjoining two streets and not located on the waterfront would compute the benefit as follows:

$$(2000 \text{ sf.} \times 4 \text{ stories} \times 2) = 16,000 \text{ square feet.}$$

Therefore, 16,000 square feet could be arranged within the fifth through eighth stories (subject to floorplate limitations).

- 4) The additional building square footage garnered by using the Public Benefit Height Option is not included in the calculation of or limitation of maximum floor area ratio.

## Section 31-539. Downtown Parking and Access

- (a) **Purpose and Intent.** This subsection provides modified parking regulations for off-street parking within the Downtown Zoning Districts. These regulations recognize that the downtown is a compact, interconnected area with multimodal transportation options, and that improper placement of parking and mandatory duplication of the downtown parking supply on each building site separates the various land uses from each other. This separation reduces the viability of the mixed-use districts and harms the walkability of the streets in the downtown area. These regulations reflect the needs of the urban, mixed use downtown.
- (b) **Minimum Number of Off-street Parking Spaces.** The minimum number of parking spaces required in § 31-577 Off-street Parking Ratios are modified by this section for use in the Downtown Zoning Districts; the following regulations shall apply to determine the minimum number of off-street parking spaces required:

<b>Table 31-539(a)</b> <i>Downtown Zoning District Parking Ratios</i>	
<b>Land Use</b>	<b>Number of Spaces</b>
Single Family House	2 spaces/unit
Single Family Townhouse	2 spaces/unit
Residential Multi Family	2 spaces/unit
Hotels, Motels	1 space/first 40 guest rooms 1 additional space/every 2 guest rooms or suites, thereafter
Hospitals	1/500 sf
Medical and Dental Clinics	1/500 sf
Places of Assembly	1/350 sf
Auditoriums, Stadiums, Arenas, Recreational Facilities, etc.	For stadiums, arenas, auditoriums etc: 1 space/ 7 bleacher seats, when provided, or 20 spaces/athletic field, whichever is greater. For outdoor attractions and other recreation areas: 1 space/300 sf of total floor area of covered space plus 3 spaces for each acre of outdoor attraction area. For motorcycles:14 spaces/acre.
Restaurants	1/500 sf
Retail Establishments	1/500 sf
Office Buildings	1/500 sf
Wholesale/warehousing	1 space/1000 sf or 1 space/2 separate mini-warehousing units
Industrial uses	1 space/500 sf
Marina facilities	Wet slips: 1 space / 2 wet slips for private vessels Dry storage: 1 space /4 dry storage spaces Sight seeing; charter; commercial: a) 3 spaces/ passenger-carrying vessel carrying up to six passengers for hire; b) 1 space/ two passenger-carrying vessels carrying more than six passengers for hire, as ascertained by U.S. Coast Guard Certificate of Inspection.
Daycare	1/ employee (min. 3) plus adequate provision for drop-off children

- (1) Within the Downtown Core and Downtown General districts, lots 100 feet in width or less are not required to provide off-street parking.
- (2) On-street parking located directly in front of the property line(s) may be counted toward fulfilling the total parking requirement in all Downtown Zoning Districts.
- (c) **Location and Access.** Parking and service areas shall be accessed and located at the rear or side of the building(s).

- (1) Parking is not permitted in front setbacks or in side setbacks facing streets, parks or civic open spaces. Parking lots may be located on the side of buildings provided the minimum building frontage requirement by the zoning district is met and the parking lots are screened from view of the street by a streetwall (See § 31-539(e)).

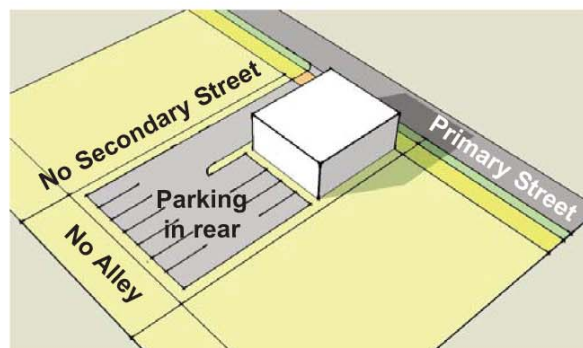
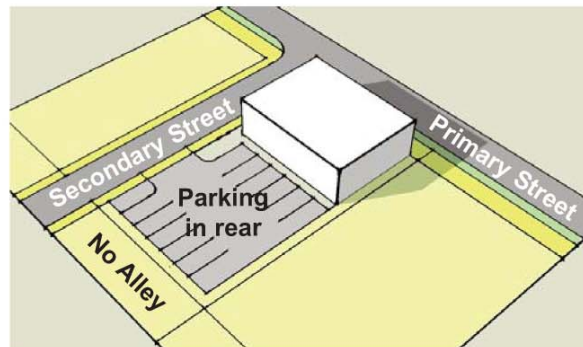
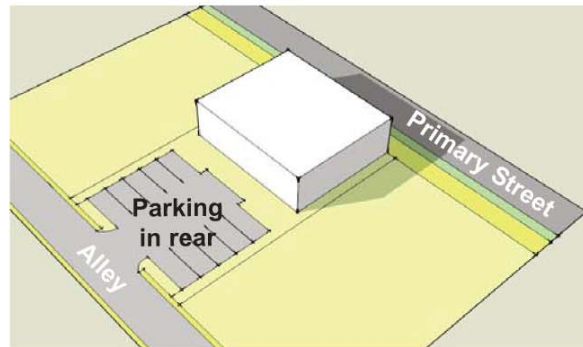
- (2) On Primary Streets, parking garages shall be lined by a use permitted by right for Primary Streets by the zoning district for at least 20 feet of depth on all stories. On secondary streets, parking garages not lined by such a use shall be screened by a façade design consistent with the main building design and/or shall employ landscaping planters with irrigation as an integral part of the façade design.

- (3) Alleys, when present, shall be the primary source of vehicular access to off-street parking. Alleys shall be a minimum width of 20 feet, and may be incorporated into parking lots and garages as standard drive aisles. Access to all properties adjacent to the alley shall be maintained.

- (4) When alleys are not present, primary vehicular access to off-street parking shall be from secondary streets. Access drives shall not exceed 24 feet in width.

- (5) When neither alleys nor secondary streets are present, primary vehicular access may be from a Primary Street. Access drives from Primary Streets shall not exceed 24 feet in width. In the instance that site constraints necessitate access from a Primary

**Figure 31-539(1)**  
*Vehicular Access*



Street, and the provision of an access drive precludes meeting the minimum building frontage percentage required by the zoning district, the Community Development Director may administratively allow a reduction from the minimum building frontage in order to allow vehicular access to the site.

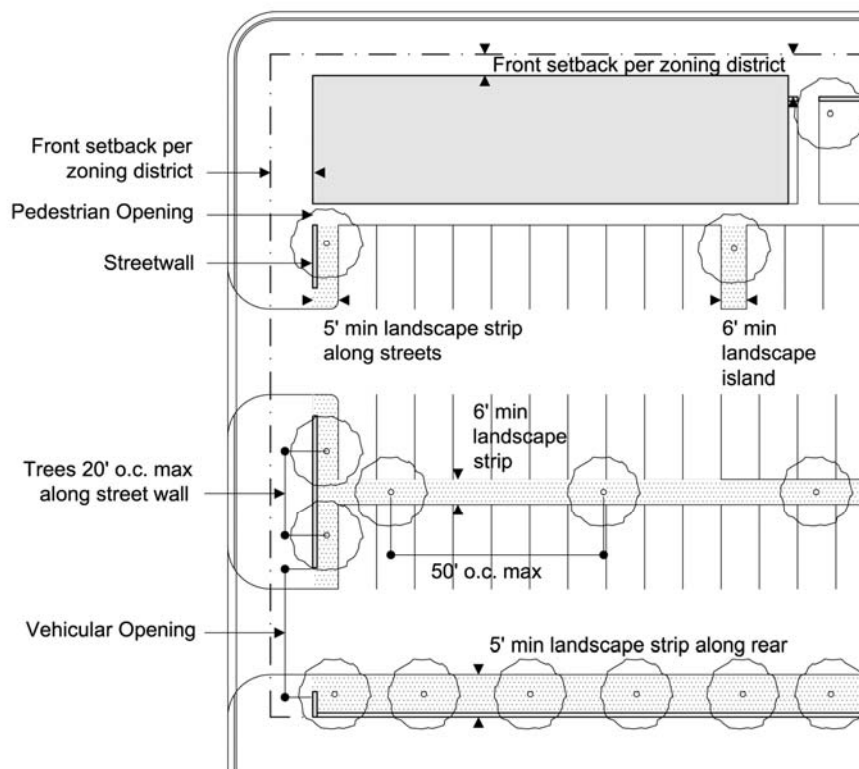
- (6) Within the Downtown Core and Downtown General districts, when an alley is not present, vehicular access between adjacent parcels across property lines is required, and shall be accommodated within the site layout. The first property owner to develop shall be required to make an irrevocable offer of cross-access to the adjacent parcels prior to issuance of a development order. When adjacent property develops, a reciprocal cross-access agreement is required, and the physical connection shall be completed.
  - (7) Parking lots and structures shall provide pedestrian access directly from a street. In addition, pedestrian access may also be provided directly from a building.
  - (8) Buildings with more than 250 feet of street frontage on a block face shall provide a pedestrian accessway at least 10 feet wide connecting the rear parking to the sidewalk area.
  - (9) Public sidewalks may not be interrupted or deviated to accommodate drop-off or valet parking.
  - (10) Within the CRA, offsite parking arrangements may be provided in lieu of on-site parking, as long as sufficient documentation of the location and the number of spaces is provided to the review authority.
- (d) **Parking Dimensions.** The following minimum dimensions for parking bays and access aisle widths apply in lieu of the specific requirements in the Design Standards in § 31-576:

<b>Table 31-539(b)</b> <i>Downtown Zoning District Parking Dimensions</i>				
<b>Angle of Parking</b> (degrees)	<b>Aisle Width</b> (feet)		<b>Parking Bay</b> (feet)	
	<b>Two Way</b>	<b>One Way</b>	<b>Width</b>	<b>Length</b>
90°	24	22	9	18
75°	22	18	9	18
60°	20	16	9	18
45°	20	14	9	18
30°	20	14	9	18
0° (parallel)	18	14	9	20

**(e) Parking Lot Landscaping Requirements**

- (1) Streetwalls are required on both Primary and Secondary streets. Streetwalls shall be located in line with the building façade or in accordance with the front setback requirements. Streetwalls shall be three feet to three feet six inches in height, composed of either an opaque wall of the same material and color as the building or of a continuous, maintained hedge. One shade tree per 20 lineal feet, uniformly spaced, shall be installed along the length the streetwall within a planting area at least five feet wide. Streetwalls may have openings to accommodate automobile and pedestrian access.
- (2) Along side and rear lot lines, a landscape strip five feet in width shall be installed with trees planted at least 50 feet on center. When an alley is not present, openings shall be made to accommodate current or future vehicular connections between adjacent properties. Lots which interconnect their parking to adjacent lots may be administratively relieved of side/rear landscape strips in order to maximize the parking supply between the properties.
- (3) Parking lots shall provide either landscape islands or landscape trips as set forth below:
  - a. One landscape island at least six feet in width, extending the entire depth of the parking bay and containing at least one shade tree shall be provided for every 10 parking stalls; or,
  - b. A landscape strip at least six feet in width containing at least one shade tree for every 50 linear feet shall be provided between parking rows.

**Figure 31-539(2)**  
*Parking Lot Landscaping*



(f) **Bicycle Parking Requirements.**

- (1) The minimum number of bicycle parking spaces required is set forth in **Table 31-539(b)**.

<b>Table 31-539(b)</b> <i>Downtown Zoning District Bicycle Parking Ratios</i>	
<b>Land Use</b>	<b>Number of Spaces</b>
Residential Multi Family	1 space/3 units
Office	1 space/ 7,500 sf., and 1 visitor space/ every 20,000 sf
Retail	For the first 50,000 sf: 1 employee space/ 7,500 sf 1 visitor spaces/ 10,000 sf  Thereafter: 1 additional employee space/ 25,000sf. 1 additional visitor space/12,500 sf

- (2) Employee and resident bicycle parking facilities shall be highly visible to the intended users and protected from rain within a structure shown on the site plan. The facilities shall not encroach on any area in the public right-of-way intended for use by pedestrians. The facilities for employee, resident, and visitor bicycle parking must be highly visible from a building entrance, a full-time parking attendant, a full-time security guard or a visitor/customer entrance to ensure good natural surveillance. The Planning Director shall review the location, design, and details of the bicycle spaces as part of the site plan review. Residential condominium covenants shall not prohibit the storage of bicycles inside individual condominium units.
- (3) Offices greater than 50,000 square feet shall provide one shower per gender, up to a maximum of three showers per gender. Also, a minimum of one clothes storage locker per gender shall be installed for every required employee bicycle parking space. The lockers shall be installed adjacent to showers in a safe and secured area.

**Section 31-540. Redevelopment Design Areas.** Conceptual redevelopment plans have been designed for certain areas which are likely to redevelop due to ownership consolidation, parcel size, or use. The boundary of each area with a redevelopment design is indicated on the Regulating Plan as “Pre-Approved Redevelopment Design Area.” The purpose of redevelopment design areas is to guide the transformation of these parcels into a traditional neighborhood pattern, consistent with the conceptual plans contained in the Comprehensive Plan and with the vision of the Community Redevelopment Area Plan.

(a) **General Concepts.**

- (1) **Zoning Districts.** The Regulating Plan designates appropriate downtown zoning districts within each redevelopment design area (RDA). In order to properly transition between scale and uses, more than one zoning district may be applied within a RDA. In this event, the site plan shall be consistent with the requirements of the designated district in that area of the parcel.
- (2) **Future Streets and Alleys.** The Regulating Plan designates the location of future streets and alleys within each RDA.

- a. Within a RDA, the locations of future streets and alleys reflect a site specific solution and provide the framework to establish a site plan with the following characteristics:
    1. Consistent with the scale and uses permitted by the zoning district;
    2. Responds to the geometry of the specific parcels within the RDA;
    3. Establishes important links to expand the existing street network;
    4. Ensures parking is located in the rear of buildings.
  - b. Minor adjustments in the alignment and location of future streets and alleys may be administratively approved. Major changes such as eliminating a street or alley, or shifting a street so that connections to existing streets are not completed require City Commission approval.
  - c. The site plan design shall utilize one or more of the street and alley cross-sections in the street design standards for the community redevelopment area contained in § 29-65.
- (3) **Implementation.** Redevelopment plans may be wholly or partially implemented. Individual properties can proceed with site plan review and development without the participation of other parcels and owners within the RDA. If the adjacent parcel has an approved site plan, the applicant shall complete links to any street or alley connections identified in the approved plan, and shall ensure buildings are compatibly oriented.
- (b) **Specific Redevelopment Design Areas.** The City of Riviera Beach Comprehensive Plan contains conceptual redevelopment plans for two areas designated on the Regulating Plan:
- (1) **Western RDA.** The City's preferred redevelopment plan for the RDA located on the west side of Broadway, north of Chateau Circle, has the following characteristics:
    - a. Avenue E is reconnected through the properties;
    - b. A system of new streets, alleys, and pedestrian paths connect the adjacent parcels to each other and to Broadway Avenue;
    - c. Mixed-use buildings are located along Broadway Avenue;
    - d. Townhouses and low-rise multi-family buildings provide a transition between the single-family houses located to the west and the mixed-use buildings facing Broadway Avenue;
    - e. The fronts of buildings face the fronts of buildings, the backs of buildings face the backs of buildings;
    - f. Civic open spaces are provided in the form of public parks, plazas, or greens, lined by streets and the fronts of buildings; and
    - g. Off-street parking is accommodated in the rear of buildings.
  - (2) **Eastern RDA** The City's preferred redevelopment plan for the the RDA located on the east side of Broadway, north of 30<sup>th</sup> Street has the following characteristics:
    - a. A system of new streets and alleys connect the parcels to each other, and between Broadway Avenue and Avenue A;
    - b. Mixed-use buildings are located along Broadway Avenue;



- c. Multi-family buildings such as low-rise apartments and townhouses provide a transition between residential uses along Avenue A and the more intense uses along Broadway Avenue.
- d. The fronts of buildings face the fronts of buildings, the backs of buildings face the backs of buildings; and
- e. Off-street parking is accommodated in the rear of buildings.

(3) Approval Process

- (a) Follow the process in § 31-534(e).

\* \* \* \* \*

Amending Chapter 31, "Zoning", Article VI, "Supplemental District Regulations" revising Section 31-543, "Churches":

*[Article VI "Supplemental District Regulations" of Chapter 31 "Zoning" is amended as follows. Underlined language indicates proposed new language. Language ~~crossed out~~ indicates language proposed to be deleted.]*

**Sec. 31-543. - Churches.**

A church building is defined as an enclosed structure for public or semipublic religious worship and, when permitted, must meet the following requirements:

- (1) The minimum size plot of land shall be not less than 20,000 square feet in area and 100 feet in width.
- (2) Side yards shall be not less than 20 feet in residential districts and front and rear yards shall be not less than specified for the zoning district. No parking areas or driveways shall be permitted within five feet of a property line abutting residential zoned property.
- (3) Accessory buildings and uses may include offices of the church, church school or kindergarten, library, meeting rooms, residential structures for resident employees of the church, and others which are incidental to the operation of the church. Accessory buildings and uses shall be located on the same plot of land consisting of parcels contiguous to or across an alley, unless otherwise permitted in the zoning district.
- (4) Parking lots to serve the church may be permitted on noncontiguous plots of land located within 400 feet of the church plot.
- (5) a. There shall be a minimum of 500 feet between a proposed church and existing churches.  
b. There shall be a minimum of 500 feet between a proposed church and existing bars or package stores.

These distances shall be measured along the route of ordinary pedestrian travel from the main front entrance of the proposed church to the main front entrance of an existing church, bar or package store.

- (6) Each application for a new church shall include written justification of the need for the proposed church at the requested location. This justification shall include at least the following information:
  - a. The number of members in the church.
  - b. A geographic breakdown of the church membership by zip code.
  - c. The types of services to be offered by the church.
  - d. Any other reasonable requirements made by the planning and zoning board or city council.
- (7) A proposed church that abuts residentially-zoned property shall construct a six-foot-high, finished masonry wall along the property line that abuts the residential property. This wall shall not be required in front-yard setback areas.
- (8) The city council reserves the right to limit the hours of operation for any new church that is located in a residential zoning district.

(9) Storefront churches as defined in section 31-1 are not required to comply with the regulations in § 31-543(1) or (2). Church offices and meeting rooms are permitted in storefront churches, but the other accessory uses listed in § 31-543(3) are not permitted.

\* \* \* \* \*

Amending Chapter 29, "Streets and Sidewalks", Article II, "Construction" revising Section 29-65, "Street design standards for the community redevelopment area":

*Section 29-65 "Street design standards for the community redevelopment area", Article II "Construction" of Chapter 29 "Streets and Sidewalks" is amended as follows. Underlined language indicates proposed new language. Language ~~crossed out~~ indicates language proposed to be deleted.*

**Section 29-65. Street design standards for the community redevelopment area.**

(a) **General Street Design Standards.** All new streets and reconstructed streets within the community redevelopment area shall be designed to promote all forms of travel including non-vehicular modes. In order to encourage walking, cycling, and the use of mass transit options, downtown streets shall be designed to maintain a steady, calm flow of vehicular traffic, while establishing a pleasant walking and cycling environment. ~~Required sidewalks shall be designed with a minimum width dimension of five feet, unless it is deemed unfeasible by the city engineer due to existing development. New and reconstructed streets shall also be designed to integrate bicycling including the provision of a four foot minimum width on-street bicycle lane separate from the travel lane for automobiles for streets within the CRA that are identified in the City of Riviera Beach Community Transportation Plan.~~ All New streets and reconstructed streets shall incorporate the following characteristics:

- 1) Sidewalks shall be installed on both sides of the street; ~~pedestrian-oriented trees, lighting, and benches.~~
- 2) On-street parking shall be installed whenever possible within the Downtown Core and Neighborhood Mixed Use districts to support businesses, calm vehicular traffic, and to protect pedestrians;
- 3) Street trees and pedestrian-scaled lighting shall be installed to provide a safe, pleasant, and aesthetically pleasing environment;
- 4) A dedicated bicycle route shall be installed on Avenue E, from 12th Avenue to 24th Avenue, and on Avenue F between 24th Avenue to the City limits.

~~Exhibit A Street Design Standards [Exhibit A "Street Design Standards" graphics deleted]  
Residential Street (40'), Residential Street (50') Residential Street (60'), Avenue (60'), Avenue (70')]~~

(b) **Street Types Map.** As redevelopment occurs within the CRA, new streets and alleys will be installed and existing infrastructure will be improved. To guide the appropriate design of cross-section of new streets and alleys, detailed street designs have been developed for specific streets and for general rights-of-way. Since the downtown is a diverse area, a large palette of street designs has been developed, and more than one design may appropriate for certain locations. The Street Types Map assigns a Street Type to each thoroughfare in the downtown area. Each Street Type is comprised of one or more specific street design, based on the size of the right-of-way, anticipated building uses, and location in the downtown. Table 29-65(a) identifies the specific street designs appropriate for each Street Type.

**Table 29-65(a)**  
*Street Types Table*

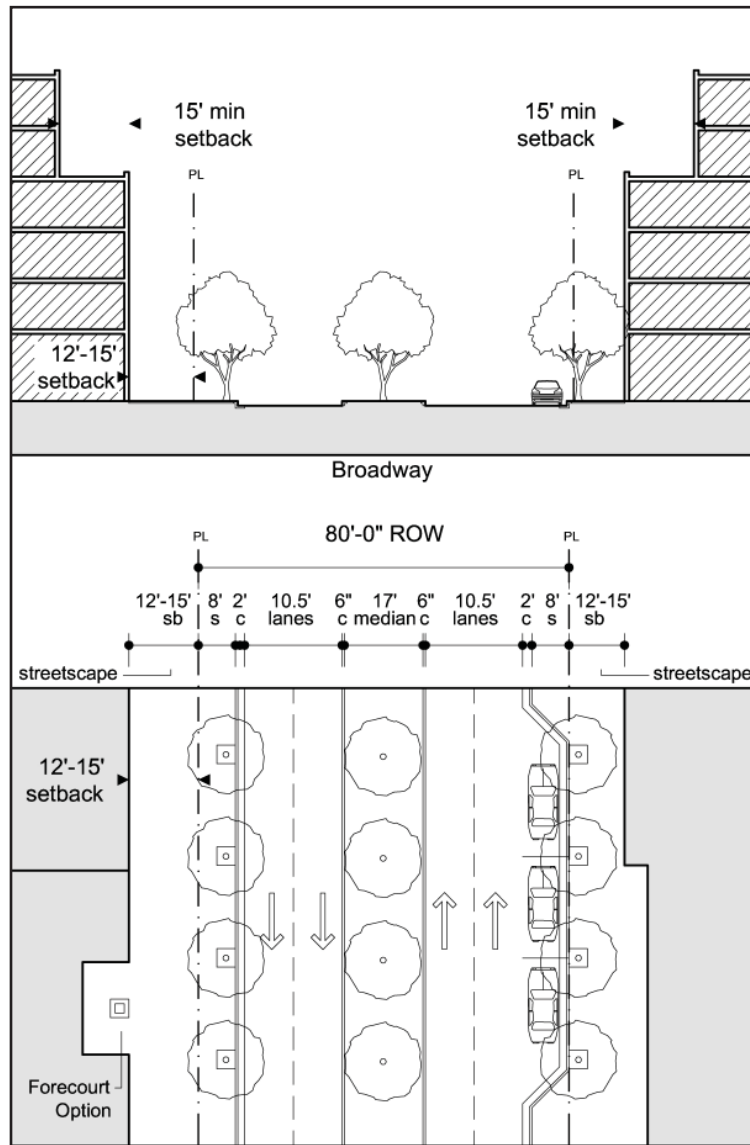
<b>Street Type</b>	<b>Appropriate Street Design</b>
<b>Broadway</b>	Broadway-1
<b>Avenue E</b>	Avenue E-1, Avenue E-2, Avenue E-3, Avenue E-4, Avenue E-5
<b>13th Street</b>	13th Street (East of Broadway)
<b>11th Street</b>	11th Street
<b>Downtown Mixed Use</b>	Downtown Street 50-1, Downtown Street 50-2
<b>Downtown Residential</b>	Downtown Residential Street 50-1, Downtown Residential Street 50-2, Downtown Residential Street 40, Downtown Residential Street 58
<b>Alley</b>	Alley-22, Alley-24
<b>State Roadway</b>	Not Applicable

(c) The street designs are coordinated with the development standards for private development in this code, including building setbacks, frontage types, and building height to establish a cohesive, superior public realm. The street design for new and reconstructed streets in the community redevelopment area shall be consistent with the following typical sections. ~~multi-way boulevards, avenues, streets, and residential streets.~~ (See the following illustrations). In the event that site features including the location of existing buildings or utilities, limited right-of-way width or transitions to existing streets, restrict the full implementation of the downtown street designs, the Community Development Director, in consultation with the City Engineer and adjoining property owners, may administratively adjust the street designs. The following acronyms are used on each illustration:

<u>bl: bicycle lane</u>	<u>pl: property line</u>
<u>c: curb and gutter</u>	<u>pvmnt: pavement</u>
<u>g: grass planting strip</u>	<u>row: right-of-way</u>
<u>med: median</u>	<u>s: sidewalk</u>
<u>min: minimum</u>	<u>sb: setback</u>
<u>p: parking</u>	

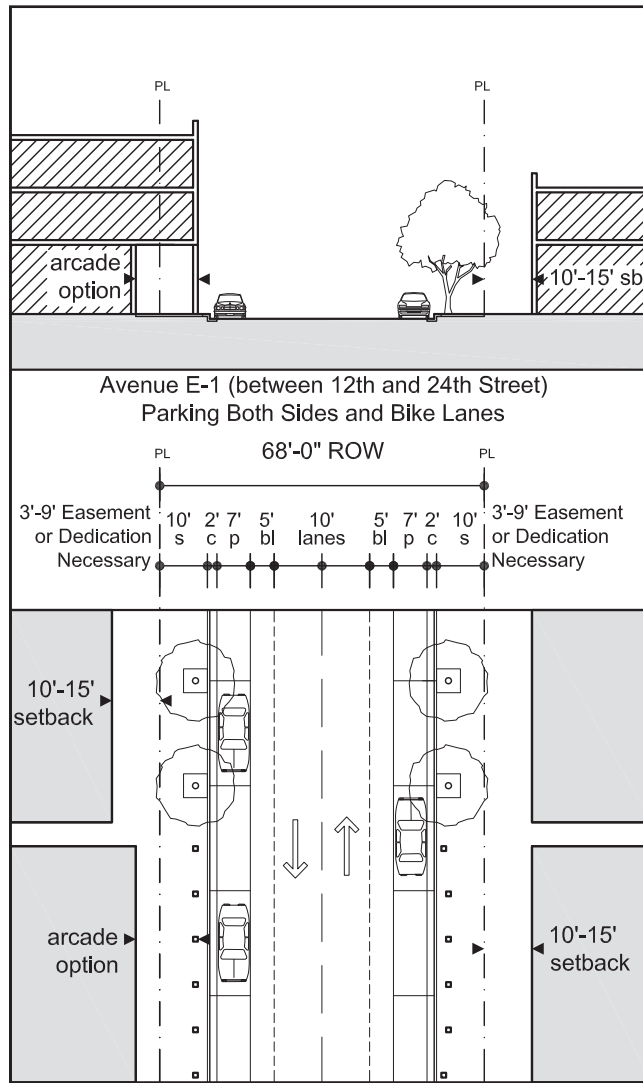
*[The following street type descriptions and illustrations are added in their entirety to Section 29-65(c) "Street design standards for the community redevelopment area", Article II "Construction" of Chapter 29 "Streets and Sidewalks"]*

## Broadway -1



Broadway-1 is a street design for Broadway. This avenue is the downtown main street and the street design of this thoroughfare is critical to the overall revitalization of the downtown area. The first phase of improvement of this corridor entails installing a central median with regularly spaced trees as well as new street trees in grates on either side. As redevelopment occurs, the building setbacks will allow the face of curb to be moved back to provide an on-street parking lane, as shown on the right side of the diagram. On-street parking calms traffic, provides easy access to local businesses, and shields the pedestrian area from moving traffic. Shade trees are installed in grates and the adjacent building setbacks augment the sidewalk area to establish a superior pedestrian environment. At the time parking is installed, the trees will also be moved or planted within the setback area. To implement this design, the right-of-way, which is generally 80 feet wide, will expand to at least 100 feet, requiring a dedication or easement of at least 10 feet on each side.

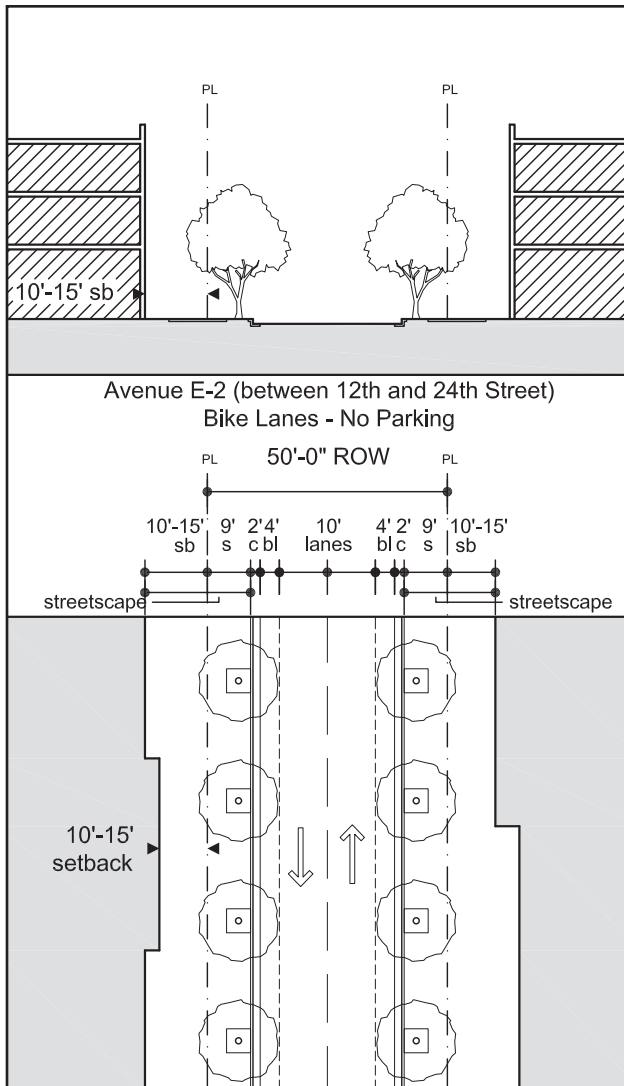
## Avenue E-1



Avenue E-1 is the preferred street design for Avenue E between 12th Street and 24th Street. Currently, a mix of uses occur along the street including local businesses and residences. The ultimate vision for the street is a neighborhood main street. In this area, Avenue E is also a link in the downtown bicycle route. In order to best meet the needs of these various conditions, the street design has dedicated bicycle lanes, on-street parking, and wide sidewalks shaded by street trees planted in grates. To implement this design, the right-of-way, which is generally 50 feet or 60 feet wide, will expand to 66 feet, requiring a dedication or easement of three to nine feet on each side, which may be accommodated using the building setback area.

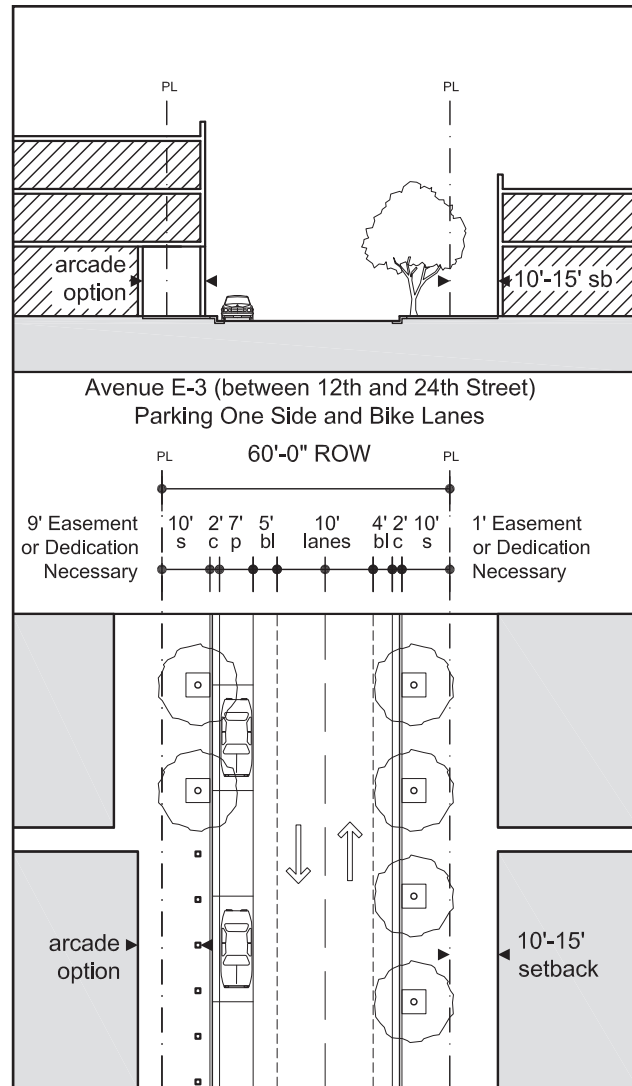


## Avenue E-2



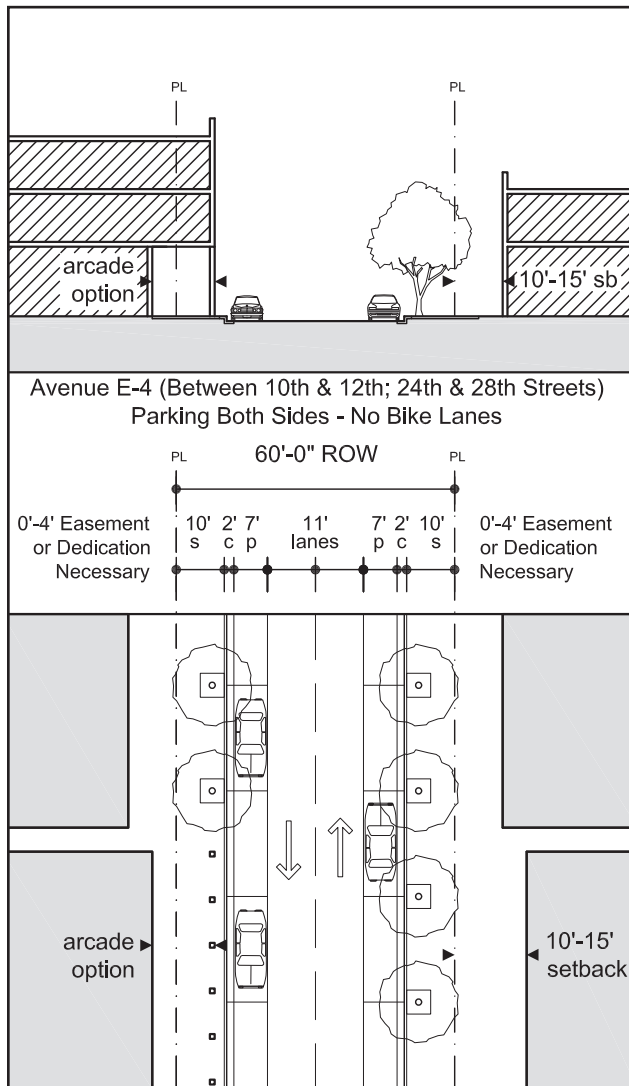
Avenue E-2 depicts a street design for Avenue E between 12th Street and 24th Street for use when the acquisition of additional right-of-way is impractical due to constraints such as the location of existing buildings, parking, or utilities. Though not ideal for commercial uses by not incorporating the on-street parking lanes in Avenue E-1, Avenue E-2 accommodates the bicycle route and wide, shaded sidewalks within the existing right-of-way. This section is also appropriate along lots with existing single-family homes.

## Avenue E-3



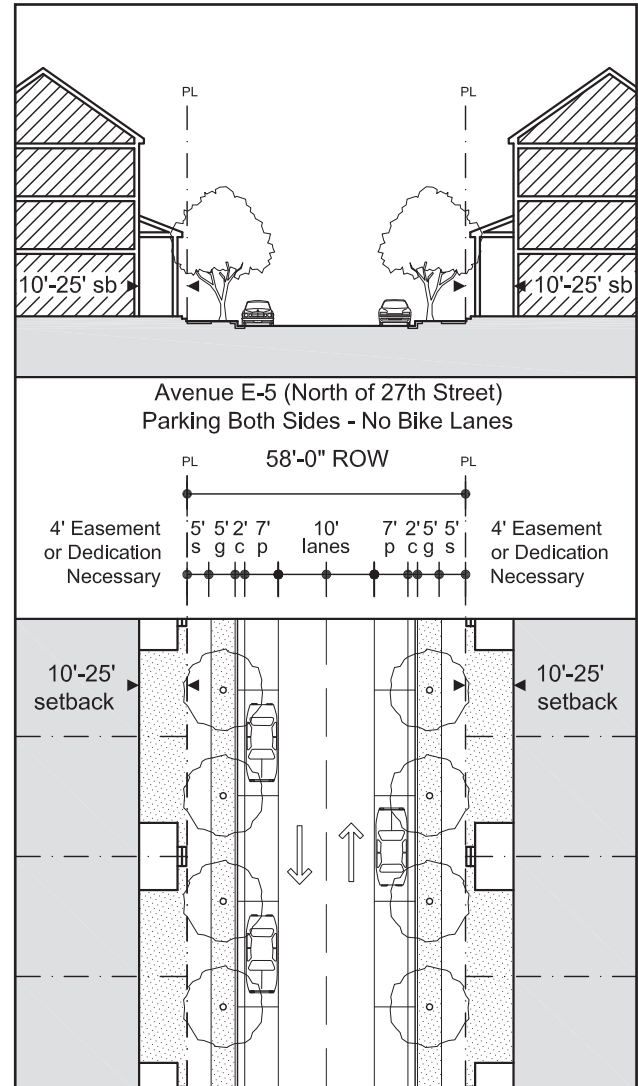
Avenue E-3 depicts a condition that may result if the preferred design (Avenue E-1) and the Avenue E-2 design are combined. This may occur when one side of the street redevelops and can easily accommodate the expanded right-of-way needs, while the other side has constraints. In this case, on-street parking can be implemented on one side, with bicycle lanes, street trees and wide sidewalks on both sides. In order to achieve this, nine feet may need to be dedicated on one side while as little as one foot may be needed on the other side.

## Avenue E-4



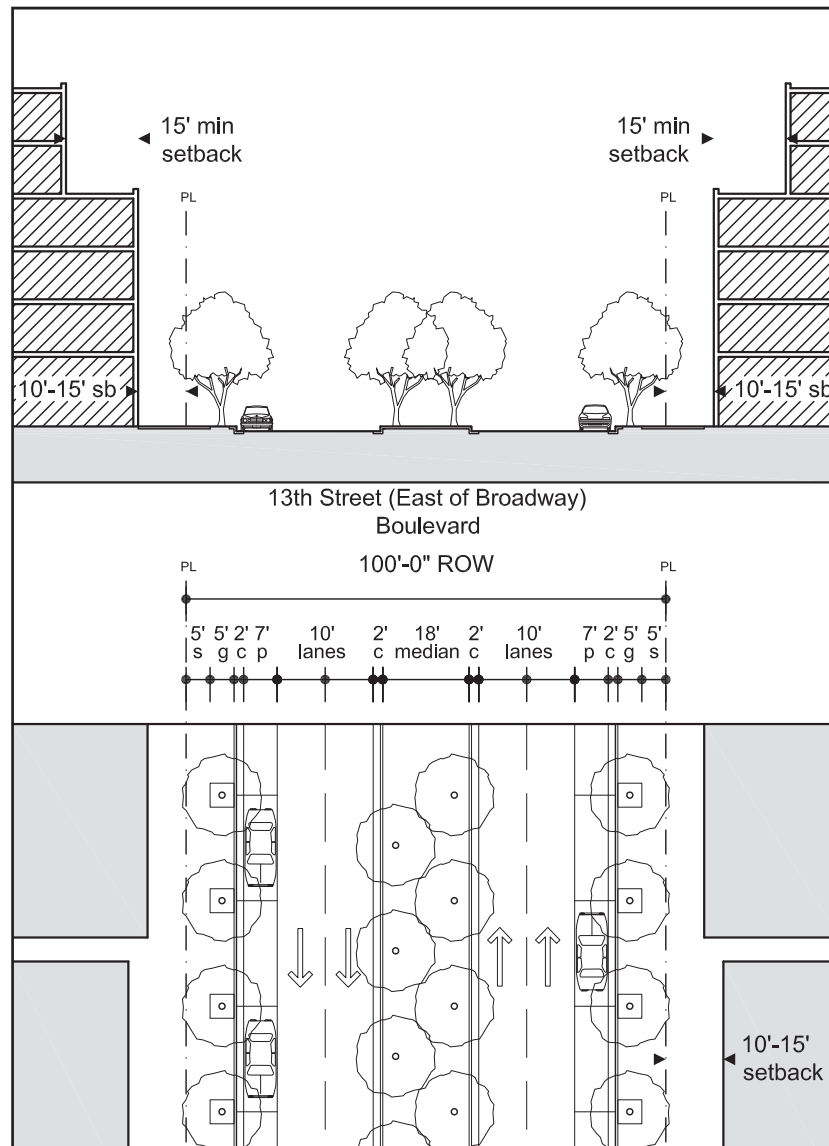
Avenue E-4 depicts a street design for Avenue E between 10th Street and 12th Street and between 24th Street and 28th Street. The design reflects a neighborhood main street design. The bike lanes are not included as the route has transferred over to Avenue F. This street design accommodates dedicated on-street parking on both sides of the street. In order to implement this design, an ultimate right-of-way width of 58 feet is necessary, requiring in some locations approximately four feet of dedication or easement on each side. In areas with 60 feet of existing right-of-way, no easements are needed and the sidewalk area could be slightly wider.

## Avenue E-5



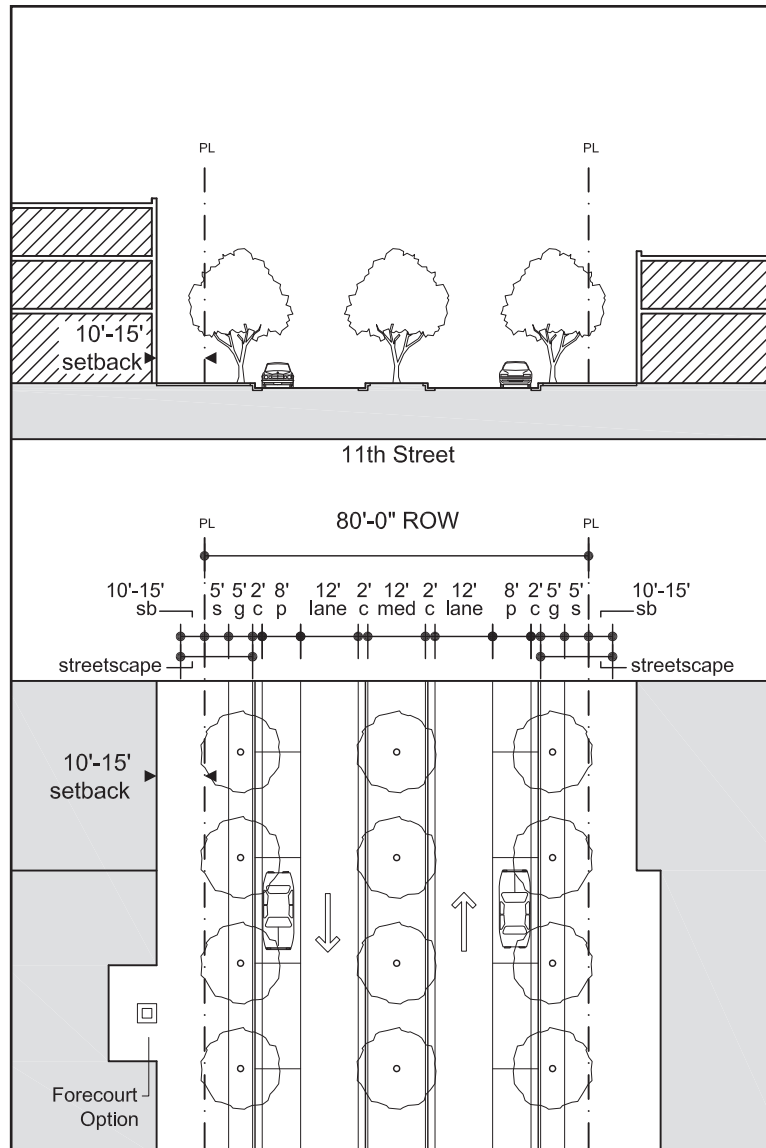
Avenue E-5 depicts a street design for Avenue E north of 28th Street. In this location, the surrounding area transitions from a mixed-use to a multi-family residential area. On-street parking lanes are accommodated on both sides of the street and regularly spaced street trees are installed in planting strips. In order to implement this design, an ultimate right-of-way width of 58 feet is necessary, requiring approximately four feet of dedication or easement on each side. In the event that there are existing single family homes, the on-street parking could be removed and the swale expanded.

### 13th Street (East of Broadway)



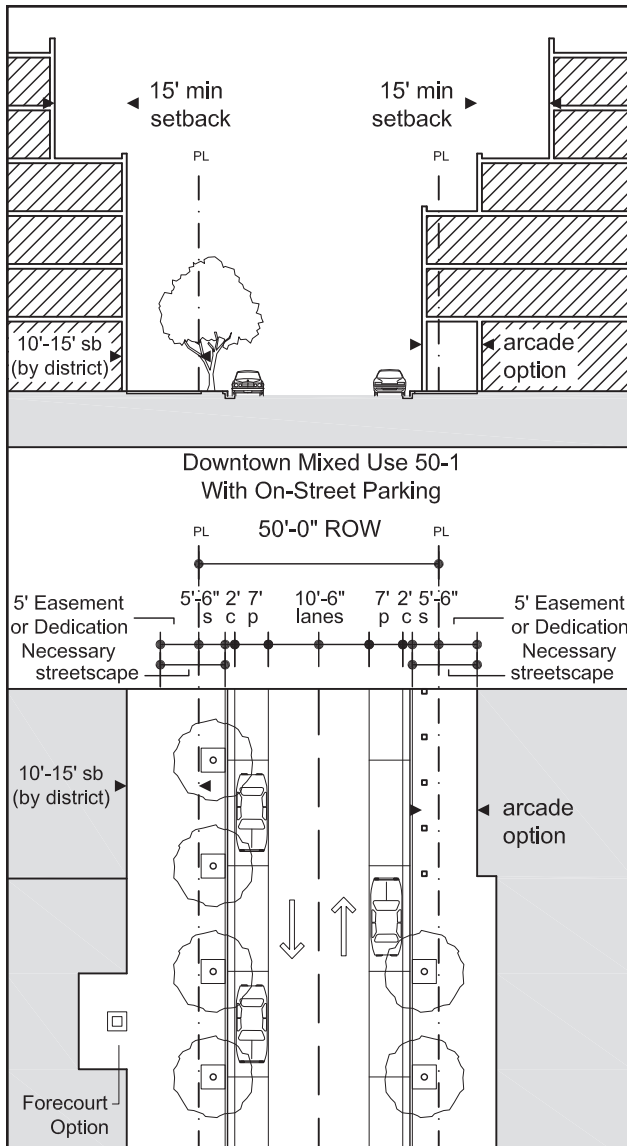
The street section above depicts a street design for 13th Street east of Broadway. Traffic will be calmed by providing a wide median with regularly spaced street trees. On-street parking provides an easy option to stop and visit businesses and shields the highly active pedestrian area from through traffic. Street trees are installed every 25 feet and the adjacent building setbacks augment the sidewalk area to establish a superior pedestrian environment.

## 11th Street



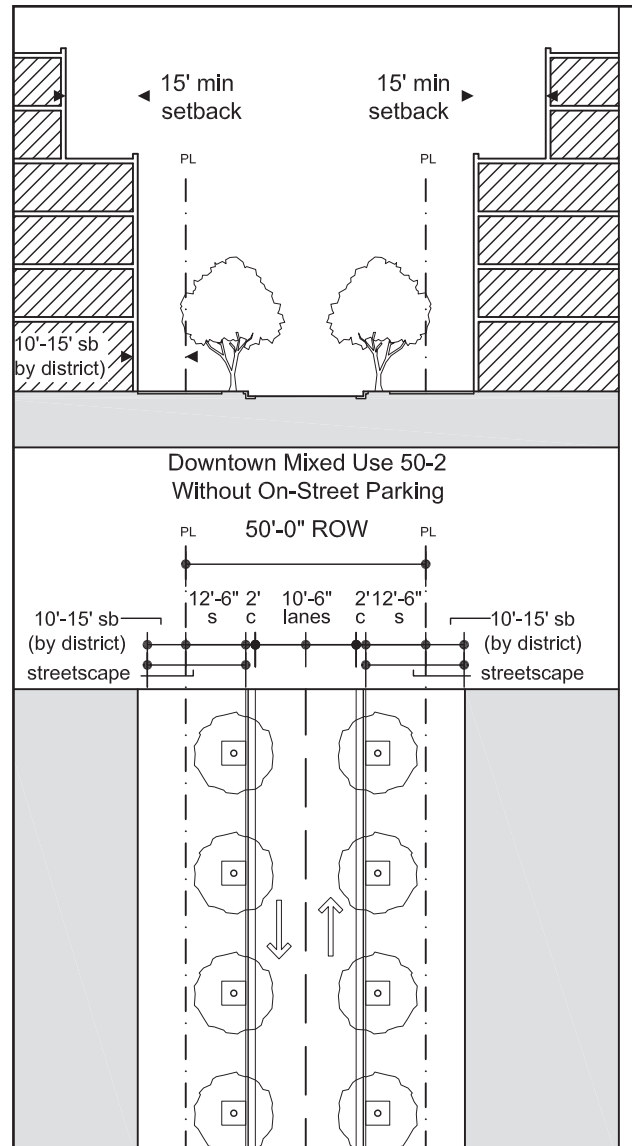
This street design is appropriate for 11th Street in the downtown area. This street is flanked on one side by industrial uses and on the other side by a mix of neighborhood commercial and residential uses. The travel lanes are wide here to easily accommodate larger vehicles. The addition of on-street parking is vital to support the surrounding businesses. In order to provide a transition between the two sides and to visually enclose the street, a median is proposed with regularly spaced trees. Street trees are installed in a planting strip adjacent to a continuous sidewalk. The sidewalk is augmented by the adjacent building setbacks to establish a wider pedestrian pathway and environment.

### Downtown Street-50-1



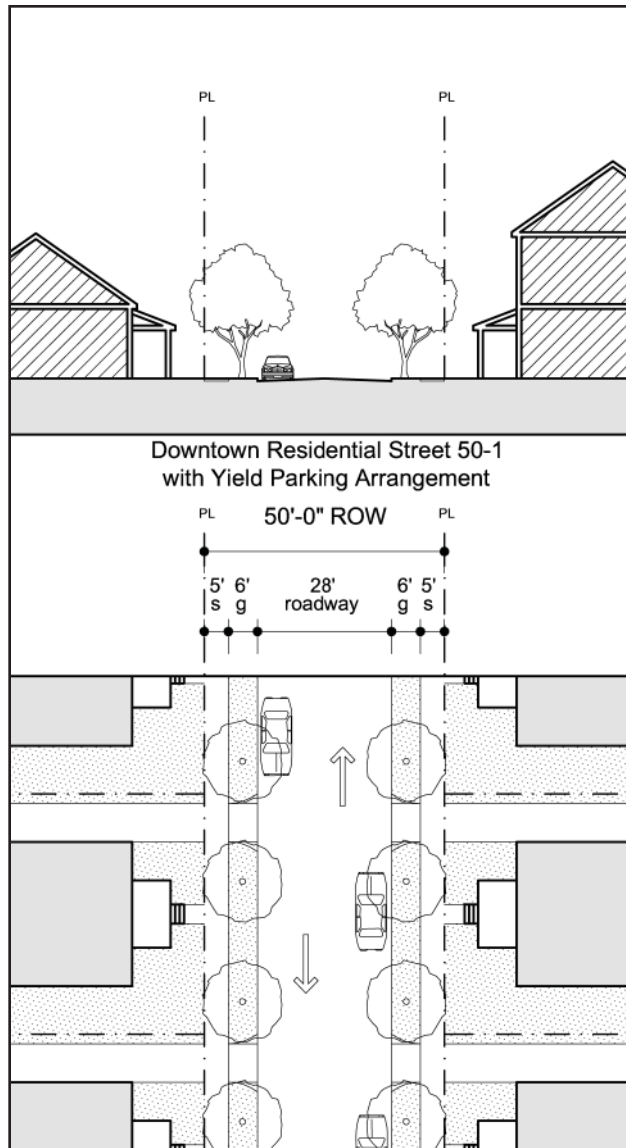
Downtown Street 50-1 depicts a street design for streets within mixed-use districts in the downtown. On-street parking is provided on both sides of the street. The setback requirements for the Downtown Core and Downtown General Neighborhood districts ensure the area between the building facades and the curb can easily accommodate pedestrian pathways and street trees. Existing 50 feet wide rights-of-way require the dedication or easement of five feet on each side of the street. Street trees are uniformly spaced and installed within tree grates.

### Downtown Street-50-2



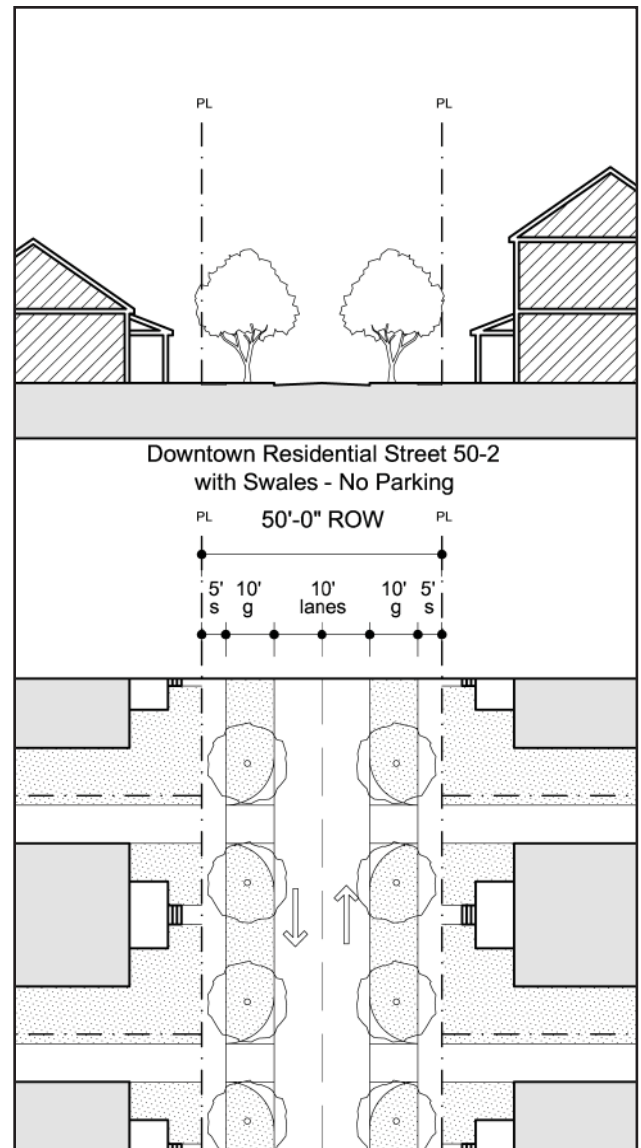
Downtown Street 50-2 depicts a street design without on-street parking. This design is appropriate when constraints such as the location of existing buildings, parking lots, utilities, or diverse ownership patterns require the accommodation of the full pedestrian pathway and street trees within the right-of-way without the benefit of using the setback area of adjacent buildings. This design may be used in conjunction with Downtown-50-1 to complete a street improvement when a redevelopment project does not comprise an entire block length or both sides of a street.

### Downtown Residential Street-50-1



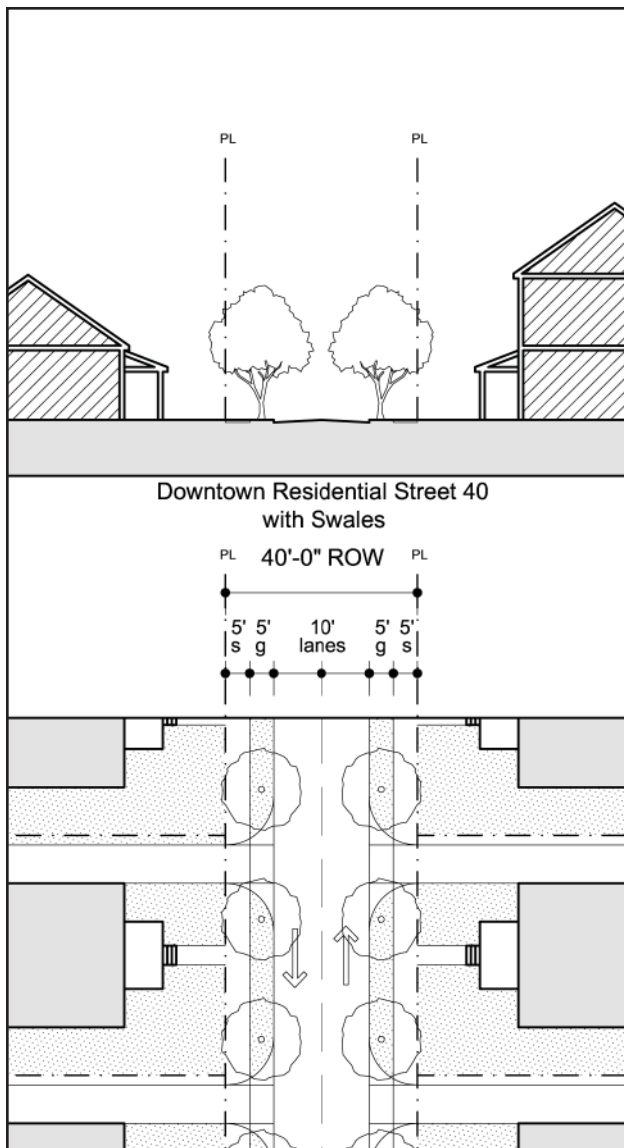
Downtown Residential Street-50-1 is a street design appropriate for the residential neighborhoods in the downtown area. Vehicular travel is the slowest in these areas, with parking occurring sporadically in front of single-family houses, without a formal parking lane. On-coming cars may have to yield, which naturally calms traffic. This design is not recommended for areas accommodating townhouses or multi-family housing. Shade trees are regularly spaced in planting strips next to standard sidewalks.

### Downtown Residential Street-50-2



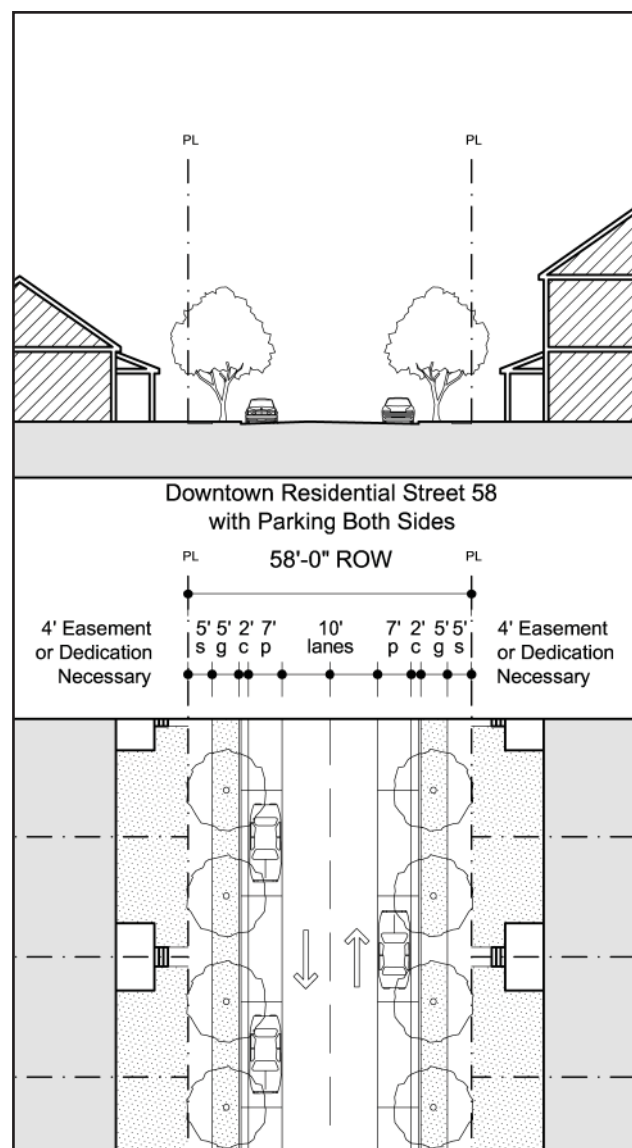
Downtown Residential 50-2 is a street design appropriate for the residential districts in the downtown area, where on-street parking is not a high priority. Shade trees are regularly spaced in planting strips next to standard sidewalks.

### Downtown Residential Street-40



Downtown Residential Street-40 is a street design appropriate for thoroughfares that are 40 feet wide within residential districts in the downtown area. Shade trees are regularly spaced in planting strips between sidewalks and travel lanes.

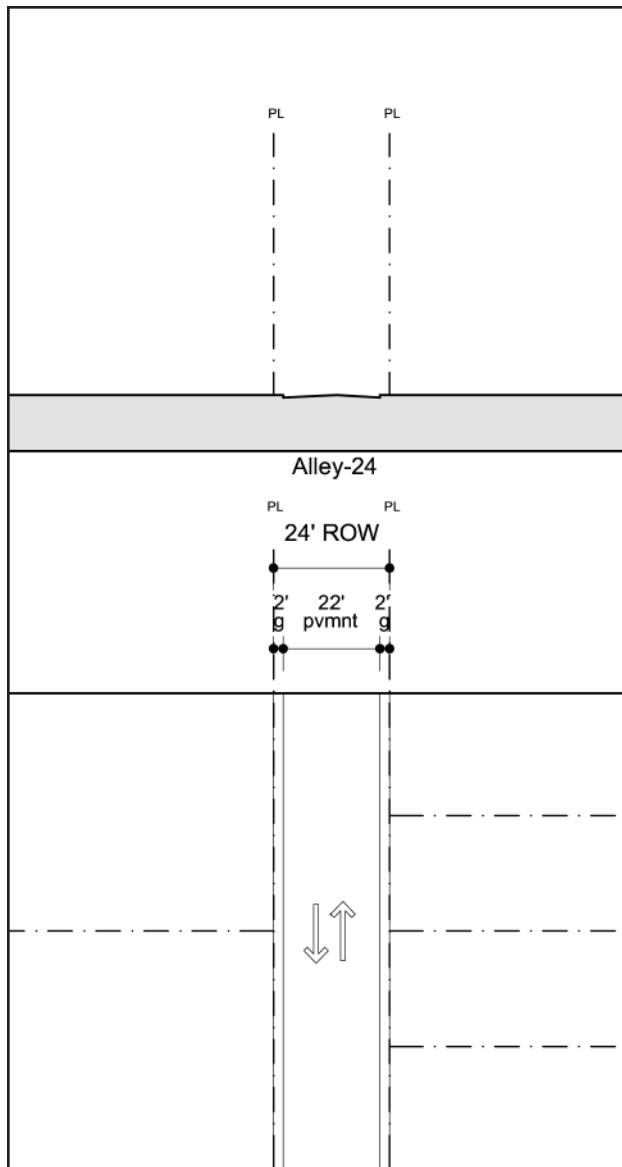
### Downtown Residential Street-58



Downtown-58 is a street design appropriate for the residential districts in the downtown area and in redevelopment design areas, where new streets are anticipated. This street design is preferred for projects proposing new townhouses or multi-family buildings. This street design requires 58 feet of right-of-way; existing rights-of-way that are 50 feet wide will require expansion through the dedication or easement of four feet on each side of the street. Shade trees are regularly spaced in planting strips between sidewalks and parking lanes.

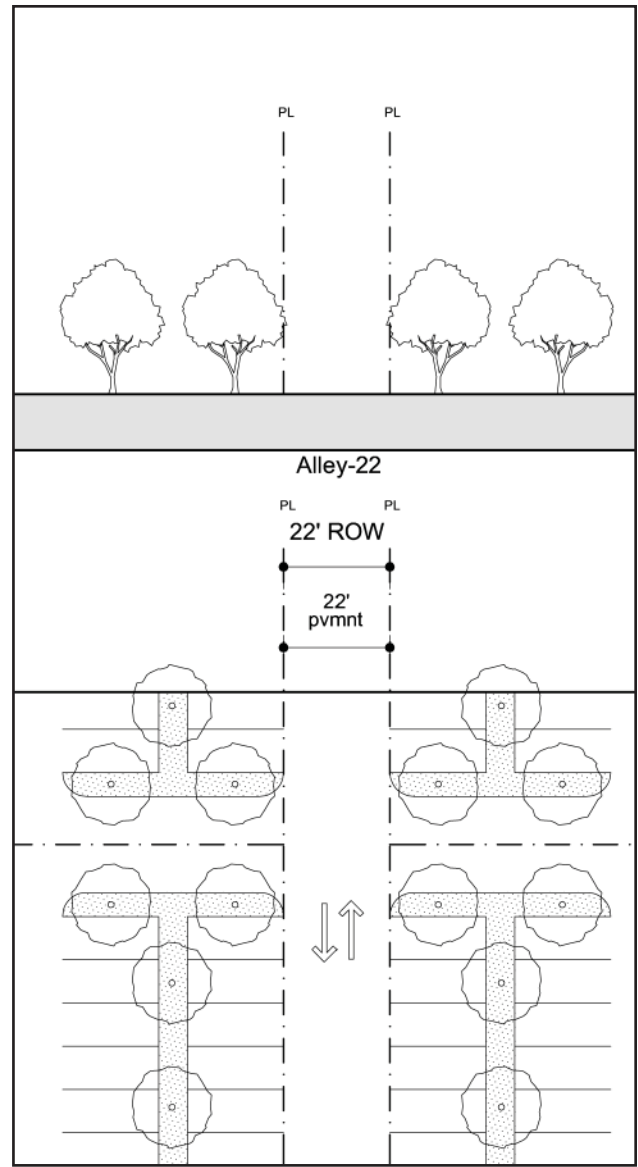


### Alley-24



Alley 24 is a street design for existing alleys or for Future Alley connections designated on the Regulating Plan. The alley runs through a block, providing vehicular access to multiple lots. Alleys provide vehicular access to the rear of lots, which optimizes the pedestrian quality of the street in the front of the building.

### Alley-22



Alley 22 is a street design for existing alleys or for Future Alley connections designated on the Regulating Plan. This design incorporates the alley into parking lots as a standard drive aisle, which allows for efficient parking lot design, rear access to multiple lots, and allows for vehicular connectivity between the parking lots of adjacent parcels.

Amending Chapter 29, “Streets and Sidewalks”, Article II, “Construction”, Division 2, “Streets”, adding Section 29-66.

*Chapter 29 “Streets and Sidewalks” is amended to add Section 29-66 “Relocation and Use of Public Rights-of-Way” in its entirety as follows:*

**Sec. 29-66. Relocation and Use of Public Rights-of-Way.** In order to preserve and enhance the existing, interconnected street and block structure in downtown Riviera Beach, public rights-of-way shall not be abandoned. The Commission may consider requests for the relocation or use of public rights-of-way using the following criteria:

- (1) The proposed relocation resolves existing incompatibilities such as conditions where the fronts of some parcels face the backs of other parcels due to shifts in the block structure and street grid;
- (2) The subject right-of-way is an alley or designated as a Secondary Street. Primary Streets are not eligible for relocation or re-orientation unless a new Primary Street is provided;
- (3) The applicant provides a new route within the project that is parallel to the subject right-of-way, establishes a Potential (Future) Street Connection on the Zoning Map, or creates greater connectivity within the City’s street network;
- (4) The proposed relocation maintains or increases public access to the waterfront;
- (5) The relocation will not create a block with a perimeter measuring more than 2000 feet.
- (6) The proposed relocation supports a marine industry, whereby vessel size necessitates increased dimensions of the parcel. Approval of the use of public rights-of-way for marine industry is conditional upon maintaining the industry as the primary use; permits shall stipulate that rights-of-way revert to the City upon the redevelopment of parcels for primarily residential or commercial uses.
- (7) Permits shall stipulate that commencement of construction shall occur within 2 years of approval; otherwise use of the subject right-of-way shall revert to the City.
- (8) Requests to use public rights-of-way for sidewalk encroachments for frontage conditions such as arcades, galleries, or balconies will be considered on a case by case basis.



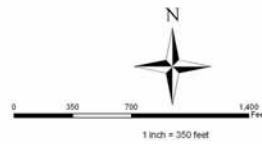
City of Riviera Beach  
Community Redevelopment Agency  
(CRA)

## Downtown Riviera Beach Street Types Map



### Street Types

- Broadway Avenue
- Avenue E
- 13th Street
- 11th Street
- Downtown Mixed Use Street
- Downtown Residential Street
- Alley
- State Roadways



Map originally created: September 2, 2009  
This map is intended for reference  
and planning purposes only.

City of Riviera Beach  
Community Redevelopment Agency  
600 West Blue Heron Boulevard  
Riviera Beach, FL 33404

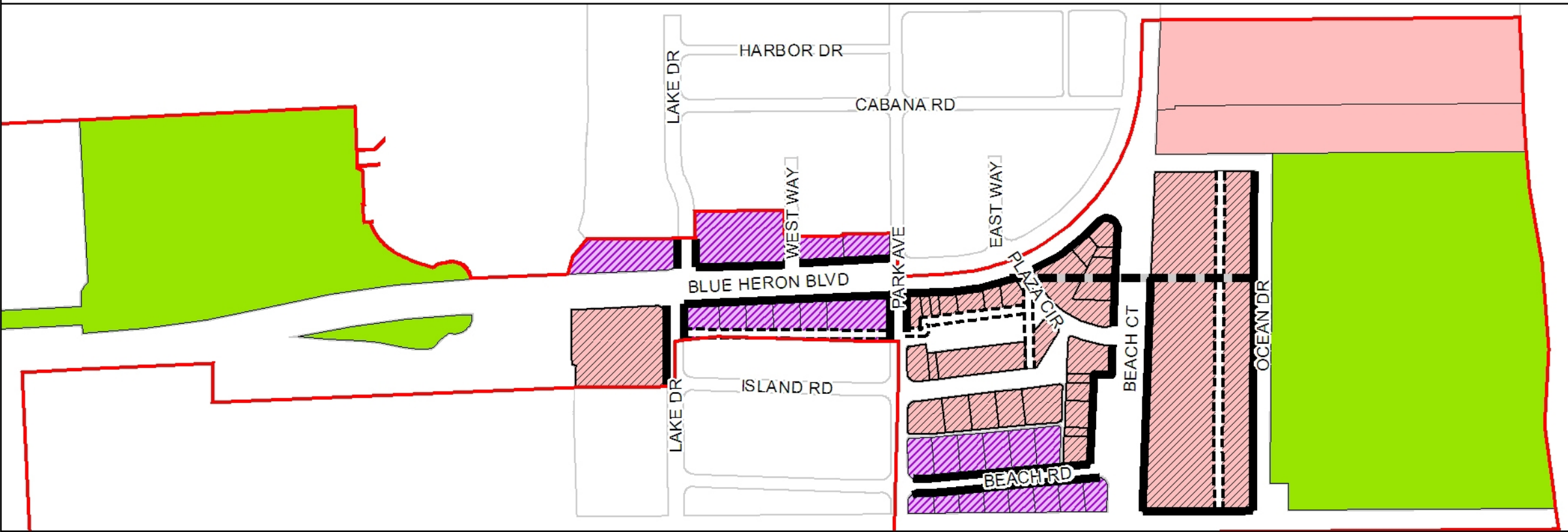






City of Riviera Beach  
Community Redevelopment Agency  
(CRA)

# Downtown Riviera Beach Regulating Plan



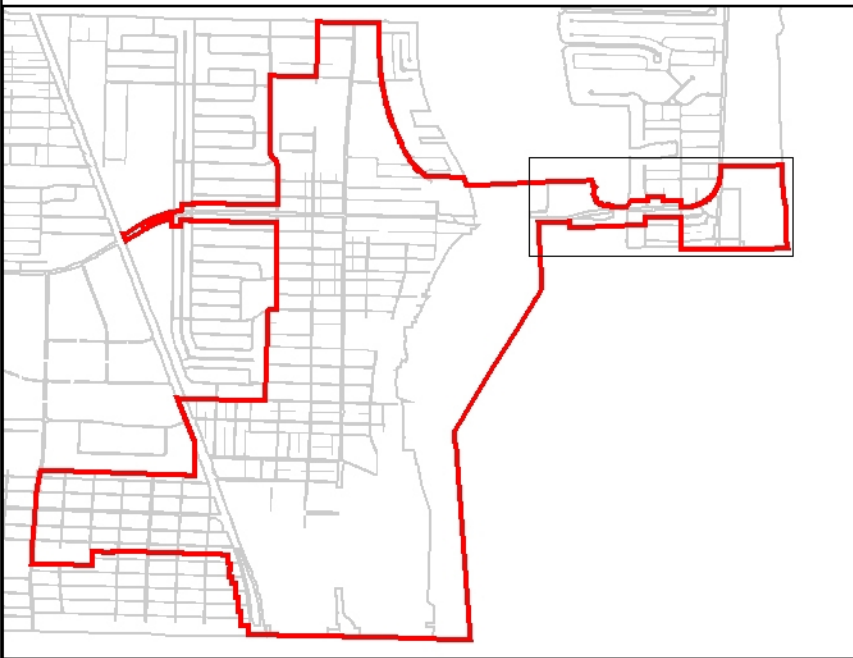
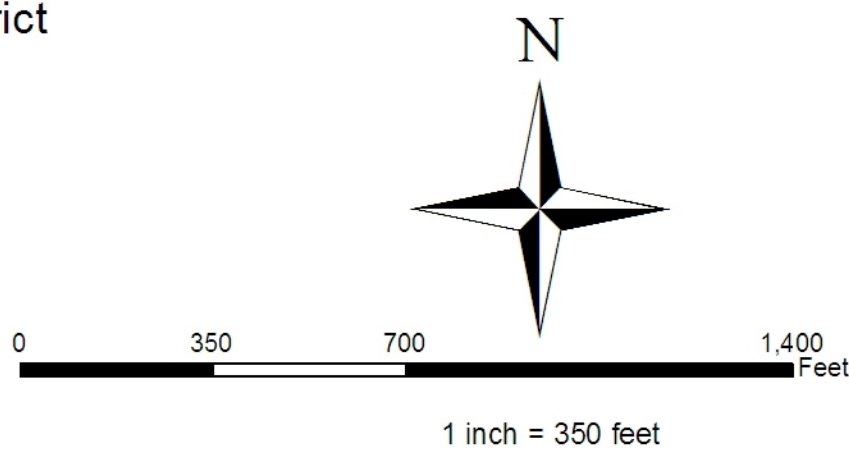
- Primary Street
- Future Primary Street
- Future Alley
- Marina Way
- Pre-Approved Redevelopment Design Area

Downtown Zoning Districts

- DC: Downtown Core
- DI: Downtown Industrial
- DG: Downtown General
- DM: Downtown Marine
- DR: Downtown Residential

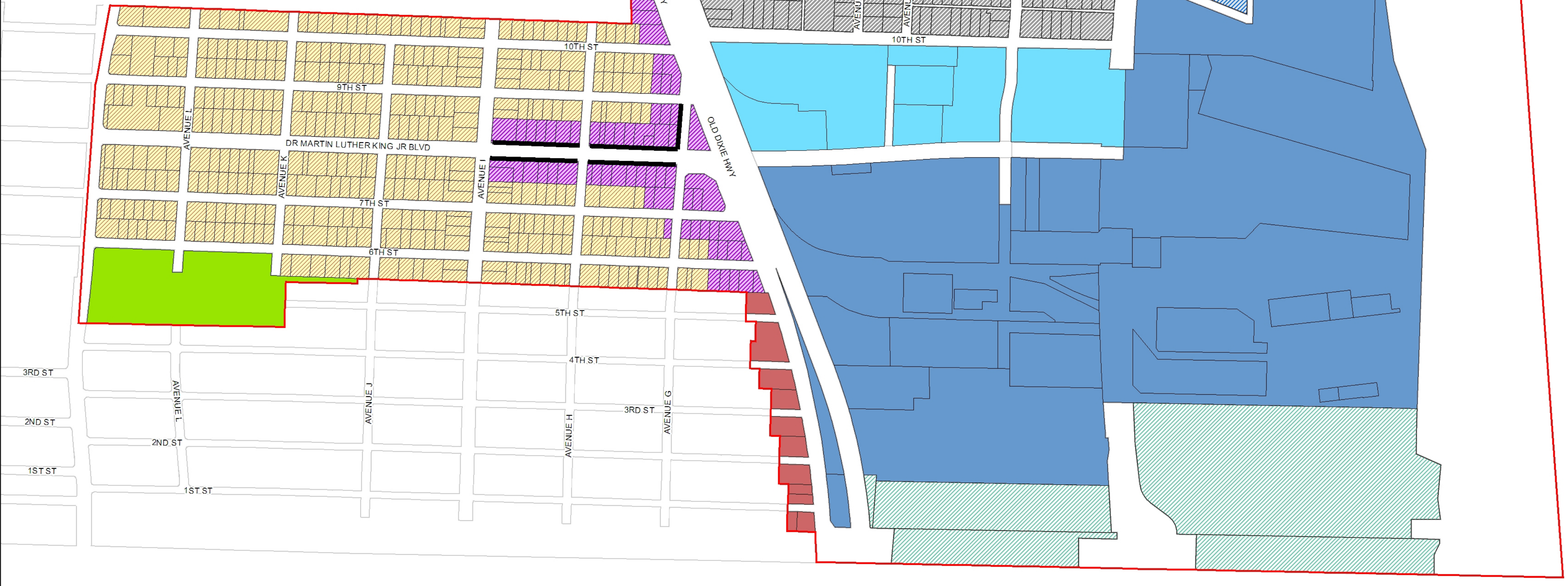
Other Zoning Districts

- RS-6: Single Family Dwelling District
- RS-8: Single Family Dwelling District
- RH: Resort Hotel
- CG: General Commercial
- IG: General Industrial District
- CF: Community Facility District
- IL: Limited Industrial District
- IHC-PUD: Inlet Harbor Center
- U: Utilities District



Map originally created: May 21, 2013  
This map is intended for reference  
and planning purposes only.

City of Riviera Beach  
Community Redevelopment Agency  
600 West Blue Heron Boulevard  
Riviera Beach, FL 33404





RESOLUTION NO. 2013 -43

A RESOLUTION OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY RECOMMENDING APPROVAL TO THE CITY OF RIVIERA BEACH OF THE PROPOSED LAND DEVELOPMENT REGULATIONS AND REGULATING PLAN (ZONING MAP) FOR THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Riviera Beach Community Redevelopment Agency (CRA), the City of Riviera Beach ("City"), and the Treasure Coast Regional Planning Council (TCRPC) entered into an Interlocal Agreement to develop new land development regulations that specifically define how development should be planned, and how it should look, including: building placement, setbacks, height regulations and design controls; and

**WHEREAS**, TCRPC, has prepared the proposed regulations based on the previously approved Citizens Master Plan and the Adopted Community Redevelopment Plan approved by the Riviera Beach City Council in July, 2011; and

**WHEREAS**, public meetings have been held with stakeholders to explain the intent and purpose of the new regulations; and

**WHEREAS**, the CRA submitted the Plan to the City's Planning and Zoning Board which serves as the Local Planning Agency to determine if the Plan was consistent with the adopted Riviera Beach Comprehensive Plan; and

**WHEREAS**, the Planning and Zoning Board found that the new regulations and zoning map are consistent with the Riviera Beach Comprehensive Plan and voted to recommend approval; and

**WHEREAS**, staff recommends that the Community Redevelopment Agency approve the proposed Land Development Regulations and Regulating Map (zoning map) for submittal to the City Council of the City of Riviera Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY THAT:

**SECTION 1.** The Community Redevelopment Agency, having received the comments from the public and approval by the Planning and Zoning Board acting as the Local Planning Agency, recommends approval of the attached Land Development Regulations and Regulating Plan (zoning map) and submission to the Riviera Beach City Council.

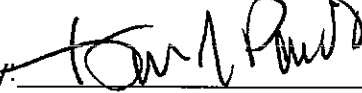
**SECTION 2.** Should any one or more of the provisions of this resolution be held invalid, such provision shall be null and void and shall be deemed separate from the remaining provisions of the resolution and shall in no way affect the validity of any

of the remaining provisions of the resolution .

SECTION 3: This resolution shall be effective immediately upon its adoption.

**PASSED AND ADOPTED** this 23rd day of October 2013

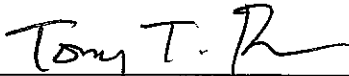
RIVIERA BEACH COMMUNITY  
REDEVELOPMENT AGENCY

By: 

Name: Cedrick A. Thomas

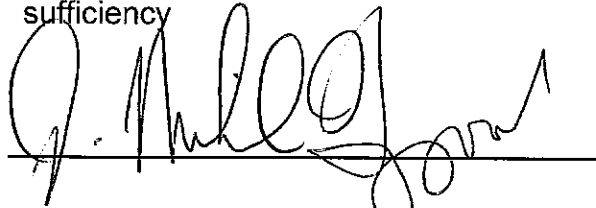
Title: Chairperson

ATTEST:



Executive Director

Approved as to form and legal  
sufficiency



J. Michael Haygood

Date 10/21/2013

Haygood & Harris LLC

General Counsel to CRA

MOTION BY:

J. Davis

SECONDED BY:

T. Davis

D. PARDO

AYE

J. DAVIS

AYE

T. DAVIS

AYE

C. THOMAS

Absent

B. GUYTON

AYE

Cars and trucks lay upended among flattened homes, and bridges and ports were washed away.

"In some cases the devastation has been total," Secretary to the Cabinet Rene Almendras said.

In Tacloban, residents stripped malls, shops and homes of food, water and consumer goods. Officials said some of the looting smacked of desperation but in other cases people hauled away TVs, refrigerators, Christmas trees and even a treadmill.

Kennedy said Philippine forces were handling security well and U.S. troops were "looking at how to open up roads and land planes and helicopters" to bring in shelter, water and other supplies. Still, those caught in the storm were worried that aid would not arrive soon enough.

"We're afraid that it's going to get dangerous in town because relief goods are trickling in very slow," said Bobbie Womack, an American missionary from Athens, Tenn. "I know it's a massive, massive undertaking to try to feed a town of over 150,000 people. They need to bring in shiploads of food."

Womack's husband, Larry, said he chose to stay at their beachside home in Tacloban, only to find the storm surge engulfing it. He survived by climbing onto a beam

## PUBLIC HEARING NOTICE AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS AND ZONING WITHIN THE COMMUNITY REDEVELOPMENT AREA CITY OF RIVIERA BEACH, FLORIDA

The City Council will conduct a Public Hearing on November 20th and December 4, 2013, at 5:30 PM or soon thereafter, and from time to time thereafter as necessary, in the Council Chambers at the Municipal Complex, 600 W. Blue Heron Blvd., Riviera Beach to consider adoption of an amendment to the Riviera Beach Community Redevelopment Area Land Development Regulations and Zoning Map. Interested persons may appear and be heard with respect to the proposed Ordinance. Background material is available for review in its entirety in the Community Development Department between the hours of 8:30 AM and 5:00 PM, except holidays.

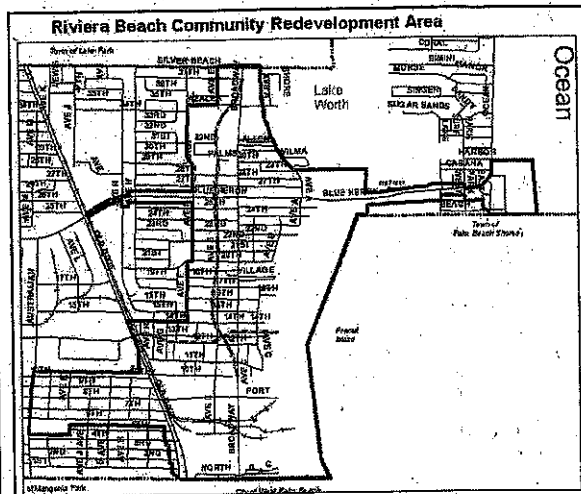
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING THE CITY OF RIVIERA BEACH'S CODE OF ORDINANCES LAND DEVELOPMENT REGULATIONS FOR THE COMMUNITY REDEVELOPMENT AREA BY AMENDING CHAPTER 31, "ZONING", ARTICLE I, "IN GENERAL", SECTION 31-1, "DEFINITIONS" BY ADDING DEFINITIONS; AMENDING CHAPTER 31, "ZONING", ARTICLE IV, "NONCONFORMING USES" ADDING SECTION 31-80; "NONCONFORMITIES IN THE DOWNTOWN ZONING DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 1, "GENERALLY", REVISING SECTION 31-96, "DESIGNATION OF DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DELETING DIVISION 24, "IHC INLET HARBOR CENTER OVERLAY ZONING DISTRICT" AND ADDING DIVISION 26, "DOWNTOWN ZONING DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE VI, "SUPPLEMENTAL DISTRICT REGULATIONS", REVISING SECTION 31-543, "CHURCHES"; AMENDING CHAPTER 29, "STREETS AND SIDEWALKS", ARTICLE II, "CONSTRUCTION", DIVISION 2, "STREETS", SECTION 29-65, "STREET DESIGN STANDARDS FOR THE COMMUNITY REDEVELOPMENT AREA" AND ADDING SECTION 29-66, "RELOCATION AND USE OF PUBLIC RIGHTS-OF-WAY"; AMENDING THE CITY'S ZONING MAP TO INCLUDE THE NEW DOWNTOWN ZONING DISTRICTS WITHIN THE COMMUNITY REDEVELOPMENT AREA AND ADDING THE REGULATING PLAN TO THE MAP; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; SPECIFIC AUTHORITY IS HEREBY GIVEN TO CODIFY THIS ORDINANCE AND THE EXHIBITS; AND PROVIDING AN EFFECTIVE DATE.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this hearing, such interested person, at own expense, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Legislative Aide at 561-845-4095 no later than 96 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Carrie E. Ward, Master Municipal Clerk  
City Clerk

Publish: November 12 and November 27



## CITY OF BOCA RATON NOTICE OF VOLUNTARY ANNEXATION

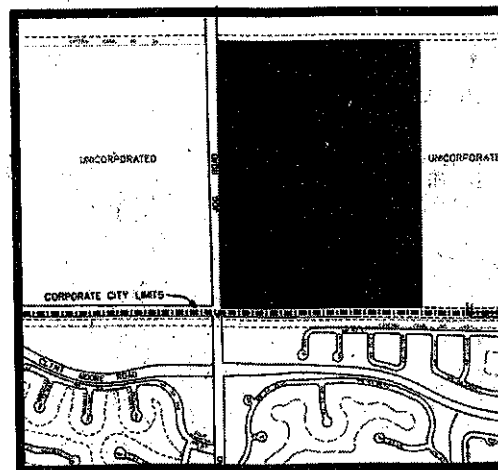
NOTICE IS HEREBY GIVEN that the City Council of the City of Boca, Florida shall meet on Tuesday, November 26, 2013 at 6:00 or as soon thereafter as possible, to hear arguments for and against the adoption of Ordinance No. 5243. The ordinance provides voluntary annexation of 122.88 acres, more or less, generally east of Jag Road and north of Old Clint Moore Road, as initiated by the owner of the property proposed for annexation and as governed by Chapter 171, Florida Statutes.

The public hearing will be conducted contemporaneously with five petitions, Ordinance No. 5244 (Comprehensive Plan Amendment), Ordinance No. 5245 (rezoning), Resolution No. 70-2013 (master approval), Resolution No. 71-2013 (conditional use approval), Resolution No. 72-2013 (tentative plat approval). The public hearing will be conducted pursuant to quasi-judicial procedure as required by Ordinance No. 5245 and Resolutions No. 70-2013, 71-2013, 72-2013. A separate vote will be taken on each ordinance and resolution. A presentation by staff may be made at the City Council Meeting on Monday, November 25, 2013, which shall convene for the conclusion of the Community Redevelopment Agency meeting scheduled to begin at 1:30 p.m. At the workshop meeting, Council members may make inquiries; no Council discussion will take place, nor will comment be taken.

Both meetings will be held in the Council Chamber at Boca Raton Hall, 201 West Palmetto Park Road, Boca Raton. The ordinance and resolutions in their entirety may be inspected at the Office of the City Clerk during regular business hours. All interested parties are invited to attend these meetings and be heard at the public hearing on Tuesday, November 26, 2013, with respect to the ordinances and resolutions.

The complete legal description by metes and bounds of the 122.88-acre parcel and the ordinance in its entirety may be obtained at the Office of the City Clerk during regular working hours.

The area seeking annexation is the shaded area shown on the following map.



PETITION AREA NO SCALE NORTH

NOTICE: If any decision of the City Council affects you, and you wish to appeal any decision made at this meeting with respect to any matter considered, you will need a record of the proceedings. For such purposes, you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This NOTICE is required by law. If you desire a verbatim transcript, you shall have the responsibility to arrange for the transcript at your own cost.

In accordance with the Americans with Disabilities Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in this proceeding should contact the Office of the City Clerk at 393-7741 at least three business days prior to the proceeding (if possible) to request such accommodation.

CITY OF BOCA RATON, FLORIDA  
Susan S. Saxton, City Clerk

PUBLISH: November 12, 2013 and November 19, 2013

Clothes  
taking too long  
to dry?

Your vent may  
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& Dryer Vent Cleaning

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772-288-0011



**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** ORDINANCE ON FIRST READING

---

**Subject:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ABANDONING ALL OF THE RIGHT-OF-WAY KNOWN AS GRAND VIEW PLACE NORTH, TOGETHER WITH ALL OF EAST 13TH STREET LYING EAST OF A LINE THAT IS 5 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF AVENUE 'C', TOGETHER WITH ALL OF EAST 14TH STREET LYING EAST OF A LINE THAT IS 5 FEET EAST OF THE SAID EAST RIGHT-OF-WAY LINE OF AVENUE 'C', ALL AS SHOWN ON RIVIERA, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 90 AND 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TO FACILITATE DEVELOPMENT IN ACCORDANCE WITH THE RIVIERA BEACH MARINA DISTRICT MASTER PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY AND RECORDING; AND PROVIDING AN EFFECTIVE DATE.

---

**Recommendation/Motion:** Staff recommends approval of this ordinance.

---

<b>Originating Dept.</b>	Community Development	<b>Costs:</b>	n/a
<b>User Dept.</b>	City	<b>Funding Source:</b>	n/a
<b>Advertised:</b>	Yes	<b>Budget Account Number:</b>	n/a
<b>Date:</b>	November 23, 2013		
<b>Paper:</b>	Palm Beach Post		
<b>Affected Parties:</b>	Notified		

---

**Background/Summary:**

The City desires to implement a unified long-range plan for development and redevelopment of the Marina District, which successfully integrates the ideologies of both residents and business owners. The Citizens' Master Plan was approved on January 30, 2008, combining urban design principles with community input, establishing a Citizens' Plan for redevelopment of the Marina District. Additionally, the City's Comprehensive Plan was adopted on May 19, 2010, and amended on October 6, 2010, providing guidance for future development and redevelopment throughout the City and within the Marina District. Furthermore, the Community Redevelopment Plan was found to be in compliance with the City's 2010 Comprehensive Plan and was approved on July 20, 2011, directing future development and redevelopment of the Marina District. The City Council approved the Marina District Master Plan on February, 27, 2013. The City of Riviera Beach is in support of the abandonment of all

of Grand View Place North and the portion of East 13th Street and portion of East 14th Street, located east of Avenue 'C', which is required to facilitate the development of a new event center, the public promenade and new public streets in accordance with the Marina District Master Plan. The Planning and Zoning Board recommended approval of the abandonment of this right-of-way to the City Council on October 24, 2013.

## **II. Fiscal Impact Analysis**

### **A. Five Year Summary of Fiscal Impact:**

<b>Fiscal Years</b>	<u>n/a</u>
<b>Capital Expenditures</b>	n/a
<b>Operating Costs</b>	n/a
<b>External Revenues</b>	n/a
<b>Program Income (city)</b>	n/a
<b>In-kind Match (city)</b>	n/a
<b>Net Fiscal Impact</b>	n/a
<b>NO. Additional FTE Positions (cumulative)</b>	n/a

**Is Item Included in Current Budget?** No

**Budget Account NO:** n/a

### **B. Recommended Sources of Funds/Summary of Fiscal Impact :**

n/a

### **C. Department Fiscal Review**

n/a

## **III. Review Comments**

### **A. Finance Department Comments:**

### **B. Purchasing/Intergovernmental Relations/Grants Comments**

### **C. Department Director Review**

n/a

## **Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

**ATTACHMENTS:**

Name:

 [Ordinance -  
Abandonment of Grand View Place, E.13th St. and E.14th St.docx](#)

 [Exhibit A - Sketch and Legal Description of ROW.pdf](#)

Description:

Ordinance - Abandonment of ROW - Grand View Place,  
E.13th St. and E.14th St.

Exhibit A - Sketch and Legal Description of ROW

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ABANDONING ALL OF THE RIGHT-OF-WAY KNOWN AS GRAND VIEW PLACE NORTH, TOGETHER WITH ALL OF EAST 13TH STREET LYING EAST OF A LINE THAT IS 5 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF AVENUE 'C', TOGETHER WITH ALL OF EAST 14TH STREET LYING EAST OF A LINE THAT IS 5 FEET EAST OF THE SAID EAST RIGHT-OF-WAY LINE OF AVENUE 'C', ALL AS SHOWN ON RIVIERA, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 90 AND 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TO FACILITATE DEVELOPMENT IN ACCORDANCE WITH THE RIVIERA BEACH MARINA DISTRICT MASTER PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY AND RECORDING; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City desires to implement a unified long-range plan for development and redevelopment of the Marina District, which successfully integrates the ideologies of both residents and business owners; and

**WHEREAS**, the Citizens' Master Plan was approved on January 30, 2008, combining urban design principles with community input, establishing a Citizens' Plan for redevelopment of the Marina District; and

**WHEREAS**, the City's Comprehensive Plan was adopted on May 19, 2010, and amended on October 6, 2010, providing guidance for future development and redevelopment throughout the City and within the Marina District; and

**WHEREAS**, the Community Redevelopment Plan was found to be in compliance with the City's 2010 Comprehensive Plan and was approved on July 20, 2011, directing future development and redevelopment of the Marina District; and

**WHEREAS**, the City Council approved the Marina District Master Plan on February, 27, 2013; and

**WHEREAS**, the Planning and Zoning Board recommended approval of the aforementioned abandonment to the City Council on October 24, 2013; and

**WHEREAS**, the City of Riviera Beach is in support of the abandonment of all of Grand View Place North and the portion of East 13<sup>th</sup> Street and portion of East 14<sup>th</sup>

Street, located east of Avenue 'C', which is required to facilitate the development of a new event center, the public promenade and new public streets in accordance with the Marina District Master Plan.

**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 "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** The abandonment of right-of-way, including all of Grand View Place North and the portion of East 13<sup>th</sup> Street and portion of East 14<sup>th</sup> Street, located east of Avenue 'C' is required in order to enable redevelopment in accordance with the Marina District Master Plan.

**SECTION 3.** The aforementioned right-of-way, specifically described and shown within "Exhibit A", and described below, is hereby abandoned:

**ALL OF GRAND VIEW PLACE NORTH, A 30-FOOT WIDE RIGHT-OF-WAY, TOGETHER WITH ALL OF THAT PORTION OF FLAGLER AVENUE (NOW KNOWN AS EAST 13th STREET), A 60-FOOT WIDE RIGHT-OF-WAY, LYING EAST OF A LINE THAT IS 5 FEET EAST OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF OAK STREET NORTH (NOW KNOWN AS AVENUE C), AND TOGETHER WITH ALL OF THAT PORTION OF NORTH AVENUE (NOW KNOWN AS EAST 14th STREET), A 30-FOOT WIDE RIGHT-OF-WAY, LYING EAST OF A LINE THAT IS 5 FEET EAST OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE SAID EAST RIGHT-OF-WAY LINE OF OAK STREET NORTH, ALL AS SHOWN ON RIVIERA, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 90 AND 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LANDS LYING AND BEING IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA.**

**SECTION 4.** 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 5.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**ORDINANCE NO.** \_\_\_\_\_  
**PAGE** 3 of 5

**SECTION 6.** The City Clerk of the City of Riviera Beach is hereby authorized and directed to file and record this Ordinance in the Public Records of Palm Beach County, Florida.

**SECTION 7.** That this Ordinance shall be in full force and effective immediately upon its final passage and adoption.

**PASSED AND APPROVED** on the first reading this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

**PASSED AND ADOPTED** on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

**ORDINANCE NO.** \_\_\_\_\_  
**PAGE 4 of 5**

**APPROVED:**

\_\_\_\_\_  
**THOMAS A. MASTERS**  
**MAYOR**

\_\_\_\_\_  
**CEDRICK A. THOMAS**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CARRIE E. WARD**  
**MASTER MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**DAWN S. PARDO**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**BRUCE A. GUYTON**  
**COUNCILPERSON**

\_\_\_\_\_  
**JUDY L. DAVIS**  
**COUNCILPERSON**

\_\_\_\_\_  
**TERENCE D. DAVIS**  
**COUNCILPERSON**



ORDINANCE NO. \_\_\_\_\_  
PAGE 5 of 5

**1<sup>ST</sup> READING**

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. DAVIS \_\_\_\_\_

**2<sup>ND</sup> & FINAL READING**

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

\_\_\_\_\_  
PAMALA HANNA RYAN, B.C.S.,  
CITY ATTORNEY

DATE: \_\_\_\_\_

# EXHIBIT "A"

NOT VALID WITHOUT  
ACCOMPANYING  
SHEETS 1, AND 2 OF 2  
\*THIS IS NOT A SURVEY\*

## SKETCH AND LEGAL DESCRIPTION (NOT A SURVEY)

SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST,  
CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA

### LEGAL DESCRIPTION:

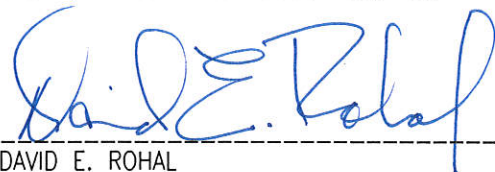
ALL OF GRAND VIEW PLACE NORTH, A 30-FOOT WIDE RIGHT-OF-WAY, TOGETHER WITH ALL OF THAT PORTION OF FLAGLER AVENUE (NOW KNOWN AS EAST 13th STREET), A 60-FOOT WIDE RIGHT-OF-WAY, LYING EAST OF A LINE THAT IS 5 FEET EAST OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF OAK STREET NORTH (NOW KNOWN AS AVENUE C), AND TOGETHER WITH ALL OF THAT PORTION OF NORTH AVENUE (NOW KNOWN AS EAST 14th STREET), A 30-FOOT WIDE RIGHT-OF-WAY, LYING EAST OF A LINE THAT IS 5 FEET EAST OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE SAID EAST RIGHT-OF-WAY LINE OF OAK STREET NORTH, ALL AS SHOWN ON RIVIERA, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 90 AND 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA.

### NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER AND ACCOMPANIED BY SHEET 2 OF 2. THIS INSTRUMENT MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT THE CONSENT OF CALVIN, GIORDANO AND ASSOCIATES, INC.
2. LANDS DESCRIBED HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR OWNERSHIP, EASEMENTS, RIGHTS-OF-WAY OR OTHER INSTRUMENTS THAT MAY APPEAR IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.
3. THE DESCRIPTION CONTAINED HEREIN AND THE ATTACHED SKETCH DOES NOT REPRESENT A FIELD BOUNDARY SURVEY.
4. THIS DOCUMENT IS INTENDED FOR VACATING AND ABANDONING CERTAIN PLATTED STREET RIGHTS-OF-WAY.

CALVIN, GIORDANO & ASSOCIATES, INC.



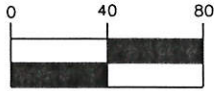
DAVID E. ROHAL  
PROFESSIONAL SURVEYOR AND MAPPER NO. 4315  
STATE OF FLORIDA



Calvin, Giordano & Associates, Inc.  
EXCEPTIONAL SOLUTIONS<sup>™</sup>  
560 Village Boulevard • Suite 340 • West Palm Beach, FL 33409  
Phone: 561.681.6161 • Fax: 561.684.6360  
Certificate of Authorization 8791

**RIGHT-OF-WAY  
ABANDONMENT**  
CITY OF RIVIERA BEACH, FLORIDA

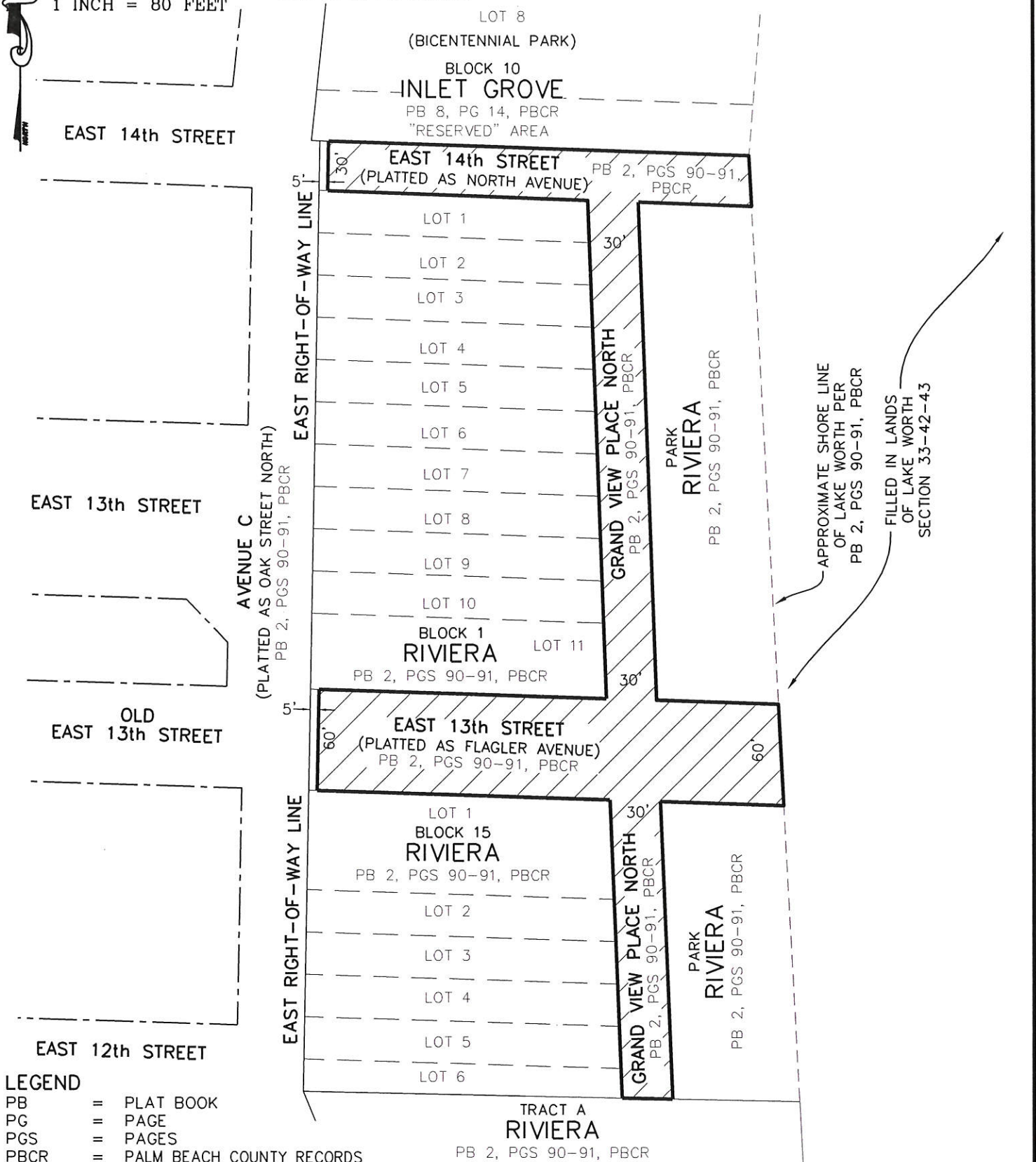
SCALE NONE	PROJECT No 13-5578	SHEET <b>1</b> OF 2
DATE 11/18/13	CAD FILE SEE LEFT MARGIN	



(IN FEET)  
1 INCH = 80 FEET

### SKETCH OF DESCRIPTION

NOT VALID WITHOUT  
ACCOMPANYING  
SHEETS 1, AND 2 OF 2  
\*THIS IS NOT A SURVEY\*



#### LEGEND

PB = PLAT BOOK  
PG = PAGE  
PGS = PAGES  
PBCR = PALM BEACH COUNTY RECORDS



Calvin, Giordano & Associates, Inc.  
EXCEPTIONAL SOLUTIONS™  
560 Village Boulevard • Suite 340 • West Palm Beach, FL 33409  
Phone: 561.681.6161 • Fax: 561.684.6360  
Certificate of Authorization 8791

**RIGHT-OF-WAY  
ABANDONMENT**  
**CITY OF RIVIERA BEACH, FLORIDA**

SCALE  
1"=80'  
DATE  
11/18/13

PROJECT No  
13-5578  
CAD FILE  
SEE LEFT MARGIN

SHEET  
**2**  
OF  
2

**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** RESOLUTION

---

**Subject:** A resolution requesting the State of Florida Department of Transportation to prohibit fishing from Blue Heron Bridge No. 930269 and to install "no fishing" signs.

---

**Recommendation/Motion:** Staff recommends that the City Council approve the resolution.

---

<b>Originating Dept.</b>	Public Works	<b>Costs:</b>	\$0.00
<b>User Dept.</b>	City	<b>Funding Source:</b>	
<b>Advertised:</b>	No	<b>Budget Account Number:</b>	000-0000-000-0-0000
<b>Date:</b>			
<b>Paper:</b>			
<b>Affected Parties:</b>	Not Required		

---

**Background/Summary:**

There has been fishing activity noticed at the top of Blue Heron Bridge No. 930269 which has caused concerns for boaters and divers that utilize the waterway beneath the bridge. In addition to boaters and divers the City has determined that it is unsafe for fishermen fishing from the top of the bridge.

It is with these safety concerns in mind that the City is requesting that the Florida Department of Transportation (FDOT) prohibit fishing on the bridge and install "no fishing" signs in accordance with section 316.1305, Florida Statutes (2013).

Staff recommends approval of the request by the City Council .

**II. Fiscal Impact Analysis**

**A. Five Year Summary of Fiscal Impact:**

<b>Fiscal Years</b>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
<b>Capital Expenditures</b>	\$0.00				

<b>Operating Costs</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>External Revenues</b>	\$0.00				
<b>Program Income (city)</b>	NA				
<b>In-kind Match (city)</b>	NA				
<b>Net Fiscal Impact</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>NO. Additional FTE Positions (cumulative)</b>	N/A				

**Is Item Included in Current Budget?** No

**Budget Account NO:** 000-0000-000-0-0000

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

**C. Department Fiscal Review**

### III. Review Comments

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

### Contract Details

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

### ATTACHMENTS:

Name:

Description:



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO PROHIBIT FISHING FROM BLUE HERON BRIDGE NO. 930269 AND TO INSTALL “NO FISHING” SIGNS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Department of Transportation (FDOT) owns and maintains Blue Heron Bridge No. 930269, which is located in the City of Riviera Beach; and

**WHEREAS**, FDOT regulates fishing from state road bridges in accordance with section 316.1305, Florida Statutes (2013); and

**WHEREAS**, the City of Riviera Beach (City) has received complaints from boaters and divers concerning their personal safety when pedestrians fish from the Blue Heron Bridge; and

**WHEREAS**, the City has also determined that it is unsafe for pedestrians to fish from the top of the bridge because of the high rate of speed of oncoming vehicular traffic; and

**WHEREAS**, the City therefore requests that FDOT prohibit fishing from the bridge and install “no fishing” type signs on the bridge; and

**WHEREAS**, the City will enforce the regulation in accordance with the law.

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

**SECTION 1.** That the above recitations are hereby true and incorporated herein.

**SECTION 2.** That City of Riviera Beach requests FDOT to prohibit fishing from the Blue Heron Bridge No. 930269 and install “no fishing” signs on the bridge.

**SECTION 3.** That this resolution shall become effective upon its passage.

**PASSED and APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**SIGNATURES ON FOLLOWING PAGE**



RESOLUTION NO.: \_\_\_\_\_

PAGE -2-

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

\_\_\_\_\_  
BRUCE GUYTON  
COUNCILPERSON

\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

\_\_\_\_\_  
TERRENCE "TD" DAVIS  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

C. THOMAS \_\_\_\_\_

D. PARDO \_\_\_\_\_

B. GUYTON \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

-----  
PAMALA H. RYAN, B.C.S.  
CITY ATTORNEY

DATE: \_\_\_\_\_

**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** DISCUSSION AND DELIBERATION

---

**Subject:** DISCUSSION ON THE GENERAL EMPLOYEES PENSION BOARD ORDINANCE  
AS IT RELATES TO BOARD APPOINTMENTS.

---

**Recommendation/Motion:**

---

<b>Originating Dept.</b>	CITY MANAGER	<b>Costs:</b>
<b>User Dept.</b>	LEGISLATIVE	<b>Funding Source:</b>
<b>Advertised:</b>	No	<b>Budget Account Number:</b>
<b>Date:</b>		
<b>Paper:</b>		
<b>Affected Parties:</b>	Not Required	

---

**Background/Summary:**

THIS ITEM WAS REQUESTED BY COUNCIL TO BE BROUGHT TO THE NEXT COUNCIL MEETING.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

**Fiscal Years**

**Capital Expenditures**

**Operating Costs**

**External Revenues**

**Program Income (city)**

**In-kind Match (city)**

**Net Fiscal Impact**

**NO. Additional FTE Positions (cumulative)**

**Is Item Included in Current Budget?** No

**Budget Account NO:**

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

**C. Department Fiscal Review**

### **III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

### **Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

### **ATTACHMENTS:**

Name:

 [Sec 12-27 Administration.docx](#)

Description:

SECTION 12-27 ADMINISTRATION

## Sec. 14-27. Administration.

The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of this article are hereby vested in an administration board consisting of seven persons, as follows: four members other than general employees to be appointed as provided in this section, and three general employee members to be elected as provided in this section.

(1)

The term of office of each board member shall be for three years, except that the initial term following the effective date of this section of the members of each category shall be as set forth herein.

a.

Each board member shall attain certification as a pension trustee within two years of appointment or election.

b.

In the event an appointed member does not attain certification within said two-year period, the city council may remove said member.

c.

In the event an elected member does not attain certification within said two years, the board shall vote to remove said elected member and if approved, shall request a new election and the member removed may not seek nomination at such subsequent election.

(2)

The appointed members shall be appointed by the mayor with the approval of a majority of the city council. They shall be residents of the city and may not be employees of the city. Notwithstanding the above, appointed members who are City of Riviera Beach retirees shall not be required to be residents of the city. Following the effective date of this section, each appointed position shall be appointed for a three-year term of office upon the respective expirations of the terms of office then in effect.

(3)

The elective members shall be participants in the plan and elected in the following manner: One member shall be elected from the participants and by the participants in the plan from the city manager, finance, city clerk, human resources, recreation, marina, community development and environmental control, and library departments, as well as from and by nonsworn participants of the police and fire departments; one member shall be elected from the participants and by the

participants in the public works department and one member shall be elected from the participants and by the participants in the water and sewer department. The initial term following the effective date of this section for the board member representing the participants of the water and sewer department shall be a two-year term beginning on November 1, 1997. The initial term following the effective date of this section for the board member representing the participants of the public works department shall be a three-year term beginning November 1, 1997. The initial term following the effective date of this section for the board member representing participants from the city manager, finance, city clerk, human resources, recreation, marina, community development and environmental control, and library departments, as well as the nonsworn participants from the police and fire departments, shall be a two-year term beginning November 1, 1997. The election shall be held in such time and place as designated by the city manager, at which meeting all participants of the plan shall be entitled to vote for nominees of their respective department. All participants shall be notified of the meeting at least ten days in advance of the meeting, either in writing or by the posting of notices on departmental bulletin boards. The candidates receiving the highest number of votes shall be declared elected and shall take office as soon thereafter as qualified. The election shall be held each year not more than 30 days prior to November 1.

(4)

If a vacancy occurs as respects a member, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

(5)

Members shall serve without compensation, but they may be reimbursed from the expense fund for all necessary expenses which they may actually expend through services on the board.

(6)

Each board member shall, within ten days after his appointment or election, take an oath of office before the city clerk of the city, that so far as it devolves upon him he will diligently and honestly administer the affairs of the board, and that he will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the members making it and certified by the clerk and filed in that office.

(7)

Each member shall be entitled to one vote on the board. A majority vote of those present, where a quorum is in attendance, shall be necessary for a decision at any meeting of the board. A quorum shall consist of four members.

(8)

Subject to the limitations of this article, the board shall from time to time establish uniform rules and regulations for the administration of funds created by this article and for transactions of its business, including provisions for compulsory attendance of its members, which shall have the force of law.

(9)

The board shall by majority vote of its members appoint a secretary, who may, but need not be, one of its members. It shall engage such actuarial and other services as shall be required to transact the business of the retirement system. The compensation of all persons engaged by the board and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board shall agree. All funds shall be disbursed by the city finance department only on authorization of the board.

(10)

Any member who neglects the duties of his office as determined by the board may be removed by a two-thirds vote of the board. Any member of the board who fails to attend two out of three successive meetings without cause and without prior approval of the chairperson, or in the chairperson's absence the acting chairperson, shall automatically forfeit his appointment to serve on the board and the city council shall promptly fill such vacancy.

(11)

The duties and responsibilities of the board shall include, but not necessarily be limited to the following:

a.

Construing the provisions of the system and determine all questions arising thereunder.

b.

Determining all questions relating to eligibility and participation.

c.

Determining and certifying amount of all retirement allowances or other benefits hereunder.

d.

Having annual actuarial valuations of the system performed.

e.

Establishing uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the plan.

f.

Distributing at regular intervals to employees information concerning the plan.

g.

Receiving, processing and approving all applications for participation and benefits; notifying the city finance department of approved benefit payments.

h.

Performing such duties as are specified in [section 14-28](#)

(Code 1957, § 2-120.7; Ord. No. 2725, § 1, 12-4-96; Ord. No. 4011, § 1, 3-7-12)



**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:**

---

**Subject:** Community Benefit Request for \$500 to J.A.Y. Ministries

---

**Recommendation/Motion:** Approve

---

**Originating Dept.** Legislative      **Costs:** \$500

**User Dept.**      **Funding Source:**

**Advertised:** No      **Budget Account Number:** 130-0101-511-4-8301

**Date:**

**Paper:**

**Affected Parties:** Not Required

---

**Background/Summary:**

Community Benefit Request for \$500 to J.A.Y. Ministries for their Christmas Tree Fundraiser. The proceeds will be used to support their food pantry, recovery program, youth programs, senior citizen programs and their re-entry programs.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

**Fiscal Years**

**Capital Expenditures**

**Operating Costs**

**External Revenues** \$500

**Program Income (city)**

**In-kind Match (city)**

**Net Fiscal Impact**

**NO. Additional FTE Positions (cumulative)**

**Is Item Included in Current Budget?** No

**Budget Account NO:** 130-0101-511-4-8301

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

**C. Department Fiscal Review**

### **III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

### **Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

### **ATTACHMENTS:**

Name:

📎 [cbformjayministries.pdf](#)

📎 [jayministries.pdf](#)

Description:

Community Benefit Form

Backup



## Waste Management Community Benefits Request for Donations

The City of Riviera Beach, in conjunction with Waste Management Inc. of Florida, has established a Community Benefits Policy, as amended in November 2011. Under the Policy each elected official shall be entitled to designate up to \$15,000 per year (\$7,500 on October 1<sup>st</sup> and \$7,500 on April 1<sup>st</sup>) for public purposes. Public purposes include, but are not limited to, charitable events, not-for-profit organizational events or programs and City functions or projects (which may include contributions to the City's Scholarship Fund or the City's Housing Trust Fund). All requests for donations must be presented to the City Council and approved by a majority of the City Council. The City will attempt to process all requests within fourteen (14) days of City Council approval.

**Ineligible uses** include the purchase of tables at events, campaign contributions, or payment for salaries or operational expenses. Funds cannot be used to cover an elected official's travel, meals, or for his or her personal benefit or gain or for the personal gain of relatives as defined by City Code, the Palm Beach County Code of Ethics, or state statutes, as applicable. Funds cannot be given to an entity/agency/organization for which the elected official is a director or officer.

Name of Elected Official Sponsoring Donation: Councilwoman Dawn Pardo

Legal Name of Organization: J.A.Y. Ministries

Program/ Activity Name: Christmas Tree Fundraiser Requested Amount: \$ 500.00

Briefly describe the Program/Activity below **and** attach (1) a letter of request or a more detailed description of the Program/Activity; (2) non-profit status paperwork and (3) w-9 IRS form:

*see attached letter*

Mailing Address: 2831 Avenue S

City: Riviera Beach State: FL Zip: 33404

Contact Person(s): Marlene Lester

Phone: 561-842-4276 Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Name of Authorized Official: Marlene Lester

Signature of Authorized Official: *Marlene Lester* Date: 11/20/2013

\*\*\*Return the form to the Elected Official or the Legislative Office for processing.

**Waste Management Community Benefits Request for  
Donations Approval by Elected Official**

I, Dawn Pardo, hereby certify that the donation to  
J.A.Y. Ministries complies with the City's Community Benefits  
Policy. I further certify that: (1) I am not an officer, director, partner, proprietor,  
employee, subcontractor or agent of the organization, its parent organization or  
subsidiary and I do not have any contractual relationship with or other obligation with to  
the organization its parent organization or subsidiary; (2) I have no relatives or business  
associates (as those terms are defined in section 112.312, Florida Statutes) who are  
officers, directors, partners, proprietors, employees, subcontractors or agents of the  
organization, its parent organization or subsidiary; (3) The disbursement of the  
foregoing amount will not inure to my special gain or loss or to the special gain or loss of  
my relatives or my business associates; and (4) I am not aware of any conflict of  
interest the disbursement of the foregoing amount to the organization will create for the  
City of Riviera Beach or myself.

Signature of Elected Official: *[Signature]* for D. Pardo

Date: 11/21/13

Amount Approved by Elected Official: \$ 500<sup>00</sup>

**City Council Action**



Approved



Disapproved

Chairperson's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



2831 Avenue "S", Riviera Beach, FL 33404  
P.O. Box 10521, Riviera Beach, FL 33419  
Phone: (561)842-4276 Fax: (561)881-9538  
[www.jayministry.org](http://www.jayministry.org)

November 18, 2013.

Dawn S. Pardo  
Council Chair Pro-Tempore, District 4  
City of Riviera Beach  
600 W. Blue Heron Boulevard,  
Riviera Beach, Fl. 33404.

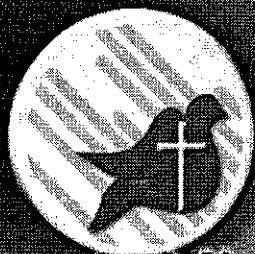
Dear Councilwoman Pardo:

I am writing to confirm that proceeds from our Christmas Tree Fundraiser will be used to support our Emergency Food Pantry Program, Men's Residential Recovery Program, Learning Center and Youth Program, Development Program, Senior Citizen Outreach Program, and the Re-Entry Program.

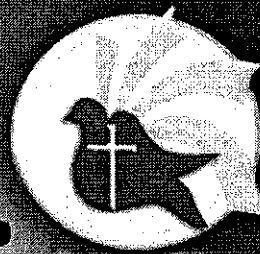
Thank you very much for your support.

Sincerely,

  
Pastor Ronnie Felder



# J.A.Y.



Outreach Ministry & Community Church

## Christmas Tree Fundraiser

where does the money go?

Your purchase supports the J.A.Y. Outreach  
Ministry & Community Church programs

- ~ Emergency Food Program
- ~ Men's Residential Recovery Program
- ~ Learning Center & Youth  
Development programs
- ~ Senior Citizen Outreach
- ~ Re-Entry Program

**TO ORDER IN ADVANCE CALL:**

**Joan, Amanda, or Kim**

**(561) 848-2116 / (561) 842-4276**

**2815 Broadway Riviera Beach 33404**

**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** REGULAR

---

**Subject:** Community Benefits donation from Councilman Bruce Guyton in the amount of \$500.00 to Councilwoman Pardo's Annual Toy Drive event held on December 5, 2013.

---

**Recommendation/Motion:** Approve the Waste Management Community Benefits Request for donation.

---

<b>Originating Dept.</b>	LEGISLATIVE	<b>Costs:</b>	\$500.00
<b>User Dept.</b>		<b>Funding Source:</b>	Waste Management Community Benefits Fund
<b>Advertised:</b>	No	<b>Budget Account Number:</b>	130-0101-511-1-8301
<b>Date:</b>			
<b>Paper:</b>			
<b>Affected Parties:</b>	Notified		

---

**Background/Summary:**

For the past 8 years, Councilwoman Pardo's annual toy drive has been bringing joy to children on Christmas morning. Councilwoman Pardo and her staff along with volunteers from the Riviera Beach Fire & Police Departments, run a tight ship in making certain the toys go to the most neediest children in Riviera Beach. This year's toy drive will take place at 6 pm on December 5, 2013 at Johnny Longboats.

**II. Fiscal Impact Analysis**

**A. Five Year Summary of Fiscal Impact:**

<b>Fiscal Years</b>	<u>2013-2014</u>
<b>Capital Expenditures</b>	
<b>Operating Costs</b>	500.00



**External Revenues****Program Income (city)****In-kind Match (city)****Net Fiscal Impact** 500.00**NO. Additional FTE Positions (cumulative)****Is Item Included in Current Budget?** Yes**Budget Account NO:** 130-0101-511-1-8301**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

Waste Management Community Benefits Fund

**C. Department Fiscal Review****III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

**Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:



The City of Riviera Beach, in conjunction with Waste Management Inc. of Florida, has established a Community Benefits Policy, as amended in November 2011. Under the Policy each elected official shall be entitled to designate up to \$15,000 per year (\$7,500 on October 1<sup>st</sup> and \$7,500 on April 1<sup>st</sup>) for public purposes. Public purposes include, but are not limited to, charitable events, not-for-profit organizational events or programs and City functions or projects (which may include contributions to the City's Scholarship Fund or the City's Housing Trust Fund). All requests for donations must be presented to the City Council and approved by a majority of the City Council. The City will attempt to process all requests within fourteen (14) days of City Council approval.

Name of Elected Official Sponsoring Donation: Councilman Bruce Guyton

Program/ Activity Name: Toy drive fundraiser at Johnny Longboats

Briefly describe the Program/Activity below and attach (1) letter of request or a more detailed description of the Program/Activity; (2) non-profit paperwork and (3) w-9 IRS form:

Mailing Address: **2401 North Ocean Drive**

City: **Riviera Beach** State: **FL** Zip: **33404**

Contact Person(s): **Randy Semilar**

Phone: (561) (561) 249-2795 Fax: (561) 249-2799

Email Address: \_\_\_\_\_

Name of Authorized Official: **Randy Semilar**

Signature of Authorized Official: \_\_\_\_\_ Date: **Nov. 25, 2013**

**\*\*\*Return the form to the Elected Official or the Legislative Office for processing.**

## Waste Management Community Benefits Request for Donations Approval by Elected Official

I, Councilman Bruce Guyton, hereby certify that the donation to Councilwoman Pardo Annual Toy Drive -- Johnny Longboats complies with the City's Community Benefits Policy. I further certify that: (1) I am not an officer, director, partner, proprietor, employee, subcontractor or agent of the organization, its parent organization or subsidiary and I do not have any contractual relationship with or other obligation with to the organization its parent organization or subsidiary; (2) I have no relatives or business associates (as those terms are defined in section 112.312, Florida Statutes) who are officers, directors, partners, proprietors, employees, subcontractors or agents of the organization, its parent organization or subsidiary; (3) The disbursement of the foregoing amount will not inure to my special gain or loss or to the special gain or loss of my relatives or my business associates; and (4) I am not aware of any conflict of interest the disbursement of the foregoing amount to the organization will create for the City of Riviera Beach or myself.

Signature of Elected Official: Bruce A. Guyton Date: Nov. 25, 2013

Amount Approved: \$ 500.00

### City Council Action

☐ Approved

☐ Disapproved

Chairperson's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** REGULAR

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**Subject:** Community Benefit Donation in the amount of \$500.00 to Riviera Beach Parks & Recreation in support of The Barracuda Bay Swim Team' s annual banquet and end of the year activities.

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**Recommendation/Motion:** Approve the Waste Management Community Benefits Request for donation.

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<b>Originating Dept.</b>	LEGISLATIVE	<b>Costs:</b>	\$500
<b>User Dept.</b>		<b>Funding Source:</b>	Waste Management Community Benefits Fund
<b>Advertised:</b>	No	<b>Budget Account Number:</b>	130-0101-511-1-8301
<b>Date:</b>			
<b>Paper:</b>			
<b>Affected Parties:</b>	Notified		

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**Background/Summary:**

The Barracuda Bay Swim Team practices are held weekly at the Barracuda Bay Family Aquatic Facility in the City of Riviera Beach. The individuals that participate in their program train and prepare for competition throughout Palm Beach County. The funds will be used to assist the Riviera Beach Barracuda Swim team with their annual banquet and end of the year activities.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<u>2013-2014</u>
<b>Capital Expenditures</b>	
<b>Operating Costs</b>	500.00

**External Revenues**

**Program Income (city)**

**In-kind Match (city)**

**Net Fiscal Impact** 500.00

**NO. Additional FTE Positions (cumulative)**

**Is Item Included in Current Budget?** No

**Budget Account NO:** 130-0101-511-1-8301

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

Waste Management Community Benefits Fund

**C. Department Fiscal Review**

**III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

C. Department Director Review

**Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:







## Waste Management Community Benefits Request for Donations

The City of Riviera Beach, in conjunction with Waste Management Inc. of Florida, has established a Community Benefits Policy, as amended in November 2011. Under the Policy each elected official shall be entitled to designate up to \$15,000 per year (\$7,500 on October 1<sup>st</sup> and \$7,500 on April 1<sup>st</sup>) for public purposes. Public purposes include, but are not limited to, charitable events, not-for-profit organizational events or programs and City functions or projects (which may include contributions to the City's Scholarship Fund or the City's Housing Trust Fund). All requests for donations must be presented to the City Council and approved by a majority of the City Council. The City will attempt to process all requests within fourteen (14) days of City Council approval.

**Ineligible uses** include the purchase of tables at events, campaign contributions, or payment for salaries or operational expenses. Funds cannot be used to cover an elected official's travel, meals, or for his or her personal benefit or gain or for the personal gain of relatives as defined by City Code, the Palm Beach County Code of Ethics, or state statutes, as applicable. Funds cannot be given to an entity/agency/organization for which the elected official is a director or officer.

Name of Elected Official Sponsoring Donation: Councilman Bruce Guyton

Legal Name of Organization: City of Riviera Beach Parks and Recreation

Program/ Activity Name:

Requested Amount: \$500.00

Briefly describe the Program/Activity below **and** attach (1) letter of request or a more detailed description of the Program/Activity; (2) non-profit paperwork and (3) w-9 IRS form:

The Barracuda Bay Swim team practices are held weekly at the Barracuda Bay Family Aquatic Facility in the City of Riviera Beach. The individuals that participate in this program train and prepare for competition throughout Palm Beach County. The funds will be used to assist the Riviera Beach Barracuda Swim Team with their annual banquet and end of the year trip.

Mailing Address:

City: 1621 W. Blue Heron Blvd. State: FL  
Zip: 33404

Contact Person(s) Aladia Franks

Phone: (561) 845-4070

Email Address: afranks@rivierabch.com

Name of Authorized Official: John Williams

Signature of Authorized Official: \_\_\_\_\_ Date: Nov. 25, 2013

## Waste Management Community Benefits Request for Donations Approval by Elected Official

I, Councilman Bruce Guyton, hereby certify that the donation to Riviera Beach Parks and Recreation complies with the City's Community Benefits Policy. I further certify that:

(1) I am not an officer, director, partner, proprietor, employee, subcontractor or agent of the organization, its parent organization or subsidiary and I do not have any contractual relationship with or other obligation with to the organization its parent organization or subsidiary; (2) I have no relatives or business associates (as those terms are defined in section 112.312, Florida Statutes) who are officers, directors, partners, proprietors, employees, subcontractors or agents of the organization, its parent organization or subsidiary; (3) The disbursement of the foregoing amount will not inure to my special gain or loss or to the special gain or loss of my relatives or my business associates; and (4) I am not aware of any conflict of interest the disbursement of the foregoing amount to the organization will create for the City of Riviera Beach or myself.

Signature of Elected Official: Bruce A. Guyton Date: November 25, 2013

Amount Approved: \$ 500.00

### City Council Action

☐ Approved

☐ Disapproved

Chairperson's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CITY OF RIVIERA BEACH CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 12/4/2013

**Agenda Category:** BOARD APPOINTMENT

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**Subject:** Advisory Board Appointment - That City Council approve the recommendation of appointment by Mayor Thomas Masters to serve on the General Employees Pension Board for a period of three (3) years.

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**Recommendation/Motion:** That City Council approve the appointment of Retiree Gilbert Vetter to serve on the General Employees Pension Board for a term of three (3) years.

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**Originating Dept.** Human Resources Department      **Costs:** N/A

**User Dept.** Human Resources Department      **Funding Source:** N/A

**Advertised:** No      **Budget Account Number:** N/A

**Date:**

**Paper:**

**Affected Parties:** Not Required

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**Background/Summary:**

At the last regular City Council Meeting of Wednesday, November 20, 2013, City Council did not approve the Mayor's General Employees Pension Board of Trustees appointment. Therefore, the Mayor has now recommended Gil Vetter, a City of Riviera Beach Retiree who recently served as a board member until his retirement March 2012. Based on the attached email, Mayor Masters' Legislative Aide stated that the Mayor wants to nominate Gil Vetter for the General Employees Pension Board. Also, attached is another email that the Mayor wanted the appointment on the City Council December 4th Agenda. Below are the following attachments: (1) Request from Mr. Vetter for appointment to the General Employees Pension Board. (2) Mr. Vetter's application for City of Riviera Beach Advisory Board. (3) Recommendation from General Employees Pension Board Chairperson for appointment of Mr. Vetter.

**II. Fiscal Impact Analysis**

A. Five Year Summary of Fiscal Impact:

**Fiscal Years** N/A

**Capital Expenditures**

**Operating Costs**

**External Revenues**

**Program Income (city)**

**In-kind Match (city)**

**Net Fiscal Impact**

**NO. Additional FTE Positions (cumulative)**

**Is Item Included in Current Budget?** No

**Budget Account NO:** N/A

**B. Recommended Sources of Funds/Summary of Fiscal Impact :**

N/A

**C. Department Fiscal Review**

N/A

### **III. Review Comments**

A. Finance Department Comments:

B. Purchasing/Intergovernmental Relations/Grants Comments

N/A

C. Department Director Review

N/A

### **Contract Details**

Contract Start Date

Contract End Date

Renewal Start Date

Renewal End Date

Number of 12 month terms this renewal

Dollar Amount

Contractor Company Name

Contractor Contact

Contractor Address

Contractor Phone Number

Contractor Email

Type of Contract

Describe

**ATTACHMENTS:**

Name:

Description:

 [vetter\\_info.pdf](#)

Gil Vetter request for appointment

**Perry, Doretha**

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**From:** Dozier, Marian  
**Sent:** Thursday, November 21, 2013 4:00 PM  
**To:** Perry, Doretha  
**Subject:** MAYOR MASTERS

Mrs. Perry,

The Mayor wants to nominate Gil Vetter for the General Employees Pension Board.

*Marian Dozier*

Chief of Staff for  
Mayor Thomas A. Masters  
561 845-4032 phone  
561 845-3041 fax

## **Perry, Doretha**

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**From:** Dozier, Marian  
**Sent:** Thursday, November 21, 2013 4:01 PM  
**To:** Perry, Doretha  
**Subject:** ALSO...

Mayor wants the Vetter nomination to go on the next agenda, Dec. 4.

### ***Marian Dozier***

Chief of Staff for  
Mayor Thomas A. Masters  
561 845-4032 phone  
561 845-3041 fax



November 25, 2013

Gilbert W. Vetter  
9652 S.W. Glenbrook Dr.  
P.S.L., FL 34987  
561-667-5446 cell

To the City of Riviera Beach,

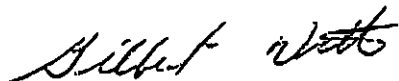
I worked for the City as a Building Inspector, Plans Examiner, Assistant Building Official, and Building Official.

I am writing to express my interest in being appointed as a Trustee to the City of Riviera Beach General Employees' Pension Board. I understand a position may become available this fall.

It would be my pleasure to continue to serve the City of Riviera Beach as I have since 1989. I served as Trustee in the elected position of Employee Representative until I retired in March of last year. As a pensioner in the plan, I would work hard to reduce expenses and increase returns on investments.

I respectfully ask for your consideration in this important decision.

Respectfully,

A handwritten signature in cursive script, appearing to read "Gilbert W. Vetter".

Gilbert W. Vetter  
City Building Official (retired)



### APPLICATION FOR CITY OF RIVIERA BEACH ADVISORY BOARD

Please Note: Pursuant to 119.07 F.S. the information provided in this application is considered to be public record, except as provided by law

Board Applying For: GENERAL EMPLOYEES  
PENSION BOARD

Name: GILBERT VETTER Home Address: 9652 SW. GLENBROOK DR  
City: PORT ST LUCIE State: FL Zip Code: 34901 Home Phone No: 561-630-7845  
Work Phone No: 561-667-5446 Email Address: GILBERTVETTER@HOTMAIL.COM

Are you currently serving on a City Board or Committee?

(YES)

(NO)

If so please indicate name: \_\_\_\_\_

Date of Service(s) \_\_\_\_\_

Are you available for day time meetings (X)

evening meetings (X)

What would you hope to accomplish by participating if you are appointed?

I HOPE TO USE MY EXPERIENCE TO REDUCE COSTS  
AND INCREASE THE RETURN ON INVESTMENTS FOR  
THE PENSION FUND

Present Employer: RETIRED Position: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Profession: \_\_\_\_\_ Length: \_\_\_\_\_

How long have you practiced the above profession? \_\_\_\_\_

Preferred mailing address: \_\_\_\_\_

Could your occupation or employment present a conflict of interest on municipal subject matters discussed or decided upon by the Advisory Board? (YES) (NO) (NOT SURE)

Please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please explain your knowledge, experience, and interest in municipal functions; municipal charter, financing, Florida Constitution, and Florida Statutes pertaining to municipal law; if none, provide your experiences or skills in dealing with business or communication:

I SERVED ON THIS BOARD AS AN EMPLOYEE,  
I'VE BEEN BUYING + SELLING STOCKS + BONDS SINCE  
1975. I HAD MY OWN CONSTRUCTION BUSINESS FOR 15 YRS

#### EDUCATIONAL BACKGROUND

Degree or Certificate	Institution	Course of Study
HIGH SCHOOL	MT. LEBANON H.S. 1967	GENERAL
CONTRACTOR LICENCE	STATE OF FL. 1974	
BUILDING OFFICIAL CODE ADMIN	STATE OF FL. 1994	

Are you registered and actively vote in ST LUCIE Palm-Beach County?

(YES)

(NO)

Are you currently participating in civic or community activities?

(YES)

(NO)

If yes, explain: \_\_\_\_\_

I understand the duties, rules and time commitment to the Advisory Board to which I have applied:

Scott Vides

11-25-13

Signature

Date

How did you learn about the Advisory Board?

City's website (✓) Community group ( ) Newspaper ( ) Other ( )

~~THIS FORM IS NOT TO BE USED FOR ANY OTHER PURPOSES. IT IS THE PROPERTY OF THE CITY OF RIVIERA BEACH AND IS TO BE RETURNED TO THE CITY CLERK'S OFFICE.~~

Please return application and resume to:

Office of the City Clerk

600 West Blue Heron Blvd.

Riviera Beach, FL 33404

#### FOR USE BY CITY OF RIVIERA BEACH

Appointment by: \_\_\_\_\_ Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Orientation Date: \_\_\_\_\_ Notified by City Staff: \_\_\_\_\_

Honorable Thomas A. Masters  
Mayor of City Of Riviera Beach

September 4, 2013

Mayor Masters,

Bessie Brown's term on the Riviera Beach General Employees Pension Board expires on November 1, 2013.

I would like to recommend a retiree from the City of Riviera Beach to replace her on the pension board. His name is Gilbert Vetter, he was a member of this pension board while he was working for the City of Riviera Beach.

When he retired he was replaced because he would not be able to remain on the board as an employee, since he had retired. He is very knowledgeable about the pension issues and he would be an asset to the pension board and he is also willing to attend the classes for certification.

Would you please consider appointing him to the board by November 1, 2013?

The September or October Council meeting appointment would allow enough time before November.

I would really appreciate it, because we would be able to move forward with important pension issues in a peaceful manner.

He will be sending a letter to you requesting a board appointment.

Sincerely,



Betty Kendrick  
Chairperson of Riviera Beach General  
Employees Pension Board