



MEETING AGENDA PLANNING AND ZONING BOARD CITY OF RIVIERA BEACH, FL

LOCAL PLANNING AGENCY

Department of Community Development: (561)845-4060 / comdev@rivierabch.com

Commencement – 6:30 PM
Thursday, August 24, 2017

Marina Event Center
190 East 13th Street, Riviera Beach, FL 33404

If you wish to speak on any item(s) on this agenda, please complete a public comment card and provide it to Planning and Zoning Staff. Cards must be submitted prior to Board discussion of an item. Thank you.

I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

II. ROLL CALL

Rena James, Chairperson

Corey Blackwell, Sr., Board Member

Edward Kunuty, Board Member

Julius Whigham, Sr., Board Member

Jon Gustafson, 1st Alternate Member

Tradrick McCoy, Vice-Chair

James Gallon, Board Member

Margaret Shepherd, Board Member

Anthony Brown, 2nd Alternate Member

III. ACKNOWLEDGEMENT OF BOARD MEMBER ABSENCE NOTIFICATION

IV. ADDITIONS AND DELETIONS TO THE AGENDA

V. DISCLOSURE BY BOARD MEMBERS AND ADOPTION OF THE AGENDA

VI. APPROVAL OF MINUTES – July 27, 2017.

VII. UNFINISHED BUSINESS – None.

VIII. NEW BUSINESS

- A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES ENTITLED, "ZONING", ARTICLE I, "IN GENERAL", SECTION 31-1 "DEFINITIONS" TO AMEND THE DEFINITION OF A "RETAIL ESTABLISHMENT" TO PROVIDE NEW DEFINITIONS FOR SPECIFIC RETAIL USE TYPES; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 12, "CN NEIGHBORHOOD COMMERCIAL DISTRICT", SECTION 31-302, "USE REGULATIONS", AND DIVISION 13, "CG GENERAL COMMERCIAL DISTRICT", SECTION 31-322, "USE REGULATIONS" TO PROVIDE FOR CONSISTENCY WITH THE AMENDED RETAIL ESTABLISHMENT DEFINITION AND SPECIFIC RETAIL USE TYPES; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

1. Presentation(s)
2. Public Comments
3. Board Comments

IX. WORKSHOP ITEMS

- A. PRESENTATION AND DISCUSSION OF FUTURE DESIGN OPTIONS ASSOCIATED WITH THE MONROE HEIGHTS NEIGHBORHOOD ROADWAY RECONSTRUCTION PROJECT.

1. Presentation(s)
2. Public Comments
3. Board Comments

B. PRESENTATION AND DISCUSSION OF THE PORT OF PALM BEACH ANNEX PROPERTY (105 BROADWAY) AND ASSOCIATED APPLICATION FOR LAND USE AMENDMENT, ZONING AMENDMENT, SITE PLAN APPROVAL AND PLAT APPROVAL.

1. Presentation(s)
2. Public Comments
3. Board Comments

X. GENERAL DISCUSSION

- A. PUBLIC COMMENTS
- B. CORRESPONDENCE
- C. PLANNING AND ZONING BOARD COMMENTS
 1. Project Updates / Upcoming Projects
 2. Upcoming P&Z Board Meetings – September 14, 2017 / September 28, 2017.

XI. ADJOURNMENT

NOTICE: In accordance with the Americans with Disabilities Act, persons in need of a special accommodation to participate in this proceeding shall, within a reasonable time prior to any proceeding, contact the City of Riviera Beach, 600 West Blue Heron Boulevard, Riviera Beach, Florida 33404, Telephone 561-845-4000 or TDD 561-840-3350, www.rivierabch.com.

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">CITY OF RIVIERA BEACH PLANNING AND ZONING BOARD</p> <p style="text-align: center;">---</p> <p style="text-align: center;">Thursday, July 27, 2017</p> <p style="text-align: center;">Council Chambers 600 West Blue Heron Boulevard Riviera Beach, Florida</p> <p style="text-align: center;">6:38 p.m. - 7:43 p.m.</p> <p style="text-align: center;">---</p> <p>IN ATTENDANCE:</p> <p>Tradrick McCoy, Vice Chair Corey Blackwell, Sr., Board Member James Gallon, Board Member Margaret Shepherd, Board Member Anthony Brown, Second Alternate Member Jeff Gagnon, Acting Director of Community Development Simone Davidson, Staff Assistant Lina F. Busby, Assistant City Attorney</p>	<p style="text-align: right;">Page 3</p> <p>1 MS. DAVIDSON: Edward Kunuty. 2 (No response.) 3 MS. DAVIDSON: Corey Blackwell. 4 MR. BLACKWELL: Present. 5 MS. DAVIDSON: Tradrick McCoy. 6 CHAIR McCOY: Here. 7 MS. DAVIDSON: Rena James. 8 (No response.) 9 MS. DAVIDSON: A quorum is present. 10 CHAIR McCOY: Thank you. 11 Item number III, acknowledgment of Board 12 member absence notification. 13 MR. GAGNON: Yes, thank you, sir. Jeff 14 Gagnon, Acting Director of Community Development. 15 Just for the record as well, I'd like to make 16 note of the fact that Mr. Brown will have voting rights 17 tonight, being that a permanent member is absent. 18 I did hear from Mr. Gustafson that he would 19 not be able to make it. Also, I heard through P&Z 20 staff or a Board member that Ms. Rena James also is 21 running either late or may be tied up with another 22 item, so she may not make it here either tonight. 23 CHAIR McCOY: Thank you, Mr. Gagnon. 24 Item number IV, additions and deletions. 25 MR. GAGNON: Yes. First I'd like to make an</p>
<p style="text-align: right;">Page 2</p> <p>1 BE IT REMEMBERED that the following Planning 2 and Zoning Board meeting was had at Riviera Beach City 3 Hall Council Chambers, 600 West Blue Heron Boulevard, 4 Riviera Beach, Florida, on Thursday, July 27, 2017, 5 beginning at 6:38 p.m., with attendees as hereinabove 6 noted, to wit: 7 --- 8 CHAIR McCOY: Good afternoon. We'll call 9 the July 27, 2017 Planning and Zoning Board meeting to 10 order. We'll start with a moment of silence, followed 11 by the Pledge of Allegiance. 12 (Moment of silence observed. Pledge of 13 Allegiance recited.) 14 CHAIR McCOY: Item number II. Staff, would 15 you call the roll, please. 16 MS. DAVIDSON: Anthony Brown. 17 MR. BROWN: Present. 18 MS. DAVIDSON: Jon Gustafson. 19 (No response.) 20 MS. DAVIDSON: James Gallon. 21 MR. GALLON: Here. 22 MS. DAVIDSON: Julius Whigham. 23 (No response.) 24 MS. DAVIDSON: Margaret Shepherd. 25 MS. SHEPHERD: Here.</p>	<p style="text-align: right;">Page 4</p> <p>1 announcement that Mr. Mario Velasquez, actually his 2 last day was yesterday with the City. He found another 3 employment opportunity, so we want to wish him the best 4 of luck in the future. He was employed with the City 5 for over six years, probably close to seven, so he will 6 definitely be missed. 7 In his stead, however, we do have Ms. Simone 8 Davidson who is helping with the planning roles and 9 responsibilities. She also is a long time City 10 employee with experience in a few different 11 departments, so we're very happy to have her aboard and 12 part of the Planning team right now. 13 For the record, I want to make note that we 14 have hard copies of the Planning and Zoning packet 15 available in the back of the chambers. Additionally, 16 there was, I think, a bit of a hiccup with a digital 17 document that was sent out, which didn't have the 18 actual plat. So hard copies of the plat which is 19 associated with the new business item have been 20 provided to the Board. They're also included in that 21 backup packet in the rear of the Council chambers. 22 And I believe the only other thing I'd like 23 to propose is to move the new business item to be heard 24 in front of the unfinished business item, being that 25 the applicant is here for the new business item</p>

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<p>1 currently. That's it.</p> <p>2 CHAIR McCOY: Thank you, Mr. Gagnon.</p> <p>3 Item number V, disclosure by Board members.</p> <p>4 MR. GALLON: Mr. McCoy.</p> <p>5 CHAIR McCOY: Mr. Gallon, you're recognized.</p> <p>6 MR. GALLON: I met with one of the vendors to</p> <p>7 take a look at the trailers for the mobile vendors.</p> <p>8 CHAIR McCOY: Thank you, Mr. Gallon.</p> <p>9 MS. SHEPHERD: I met with Mr. Louis Williams</p> <p>10 on his vending --</p> <p>11 MS. BUSBY: Operation.</p> <p>12 MS. SHEPHERD: Yes, operation. Thank you.</p> <p>13 MR. BLACKWELL: And I also met with Mr. Louis</p> <p>14 Williams in regards to the mobile vending.</p> <p>15 CHAIR McCOY: Any other members with</p> <p>16 disclosures? Hearing none, is there a motion to adopt</p> <p>17 the agenda with item number VIII coming before item</p> <p>18 number VII?</p> <p>19 MR. BLACKWELL: So moved.</p> <p>20 CHAIR McCOY: There's been a motion by</p> <p>21 Mr. Blackwell. Is there a second?</p> <p>22 MS. SHEPHERD: I second.</p> <p>23 CHAIR McCOY: There's a motion and a second.</p> <p>24 Roll call.</p> <p>25 MS. DAVIDSON: Anthony Brown.</p>	<p>1 MS. DAVIDSON: Margaret Shepherd.</p> <p>2 MS. SHEPHERD: Yes.</p> <p>3 MS. DAVIDSON: Corey Blackwell.</p> <p>4 MR. BLACKWELL: Yes.</p> <p>5 MS. DAVIDSON: Tradrick McCoy.</p> <p>6 CHAIR McCOY: Yes.</p> <p>7 MS. DAVIDSON: Unanimous vote.</p> <p>8 CHAIR McCOY: Item number VIII, new business.</p> <p>9 MR. GAGNON: Thank you, Chair.</p> <p>10 Under new business we have one item. It's a</p> <p>11 resolution of the City Council of the City of Riviera</p> <p>12 Beach, Palm Beach County, Florida, approving the</p> <p>13 Magnolia Place plat, consisting of approximately 1.52</p> <p>14 acres, identified by parcel control number</p> <p>15 56-42-42-25-00-000-1210, located east of North Military</p> <p>16 Trail and south of Leo Lane, and providing for an</p> <p>17 effective date.</p> <p>18 This parcel is also addressed as 4444 Leo</p> <p>19 Lane. On the screen in front of you, the property in</p> <p>20 question and being discussed is highlighted in red. So</p> <p>21 to the east is the Mystic Woods development. To the</p> <p>22 west is Rorabeck's. Southwest is a commercial</p> <p>23 development; I believe it's a commercial use associated</p> <p>24 with golf. It's a retail operation. And to the north</p> <p>25 is also slightly agricultural uses associated with</p>
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<p>1 MR. BROWN: Yes.</p> <p>2 MS. DAVIDSON: James Gallon.</p> <p>3 MR. GALLON: Yes.</p> <p>4 MS. DAVIDSON: Margaret Shepherd.</p> <p>5 MS. SHEPHERD: Yes.</p> <p>6 MS. DAVIDSON: Corey Blackwell.</p> <p>7 MR. BLACKWELL: Yes.</p> <p>8 MS. DAVIDSON: Tradrick McCoy.</p> <p>9 CHAIR McCOY: Yes.</p> <p>10 MS. DAVIDSON: Unanimous vote.</p> <p>11 CHAIR McCOY: Thank you.</p> <p>12 Item number VI, approval of the minutes for</p> <p>13 the June 8th meeting. Is there a motion? Is there a</p> <p>14 motion to approve the minutes from June 8th?</p> <p>15 MS. SHEPHERD: I move we accept the minutes</p> <p>16 as read.</p> <p>17 CHAIR McCOY: There's been a motion by</p> <p>18 Ms. Shepherd. Is there a second?</p> <p>19 MR. BLACKWELL: Second.</p> <p>20 CHAIR McCOY: There's been a motion and a</p> <p>21 second. Roll call.</p> <p>22 MS. DAVIDSON: Anthony Brown.</p> <p>23 MR. BROWN: Yes.</p> <p>24 MS. DAVIDSON: James Gallon.</p> <p>25 MR. GALLON: Yes.</p>	<p>1 Rorabeck's as well. All the way across the street is</p> <p>2 Woodbine.</p> <p>3 So the history of the site is somewhat</p> <p>4 unique, being that the original approval for the site</p> <p>5 plan was granted by City Council back in 2006. That</p> <p>6 was through Resolution Number 52-06. Unfortunately,</p> <p>7 that approval was followed by the recession period, and</p> <p>8 the development team at that point had started</p> <p>9 construction. Even on this aerial view you can see</p> <p>10 that there is -- the infrastructure improvements were</p> <p>11 done underground, as well as some of the asphalt</p> <p>12 improvements on the surface which are visible here in</p> <p>13 this aerial.</p> <p>14 So the project commenced, which gave them</p> <p>15 vested rights to develop the property in the future.</p> <p>16 So after the recession period had basically been</p> <p>17 completed and the economy picked back up, I believe a</p> <p>18 new investor picked up the property and began to</p> <p>19 redevelop the parcel.</p> <p>20 So there were a few minor amendments that</p> <p>21 were completed back in 2015 -- or excuse me -- 2016.</p> <p>22 That's when the official administrative approval letter</p> <p>23 was issued. They were rather minor amendments, and</p> <p>24 they actually improved the functionality of the site,</p> <p>25 including more parking and things of that nature.</p>

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<p>1 So what the development team is looking to do</p> <p>2 now is grant an approval for a plat which would allow</p> <p>3 for the subdivision of 18 parcels on this lot.</p> <p>4 So this was the site plan that was</p> <p>5 administratively approved. The north arrow on this</p> <p>6 site is actually pointing this way, so this is Leo</p> <p>7 Lane. So this is the north portion of the site. You</p> <p>8 can see there are three independent buildings. I</p> <p>9 believe the units consisted of seven, eight and five</p> <p>10 units.</p> <p>11 And what the plat will do -- this is the</p> <p>12 official first page of the plat, which provides a</p> <p>13 location map and signatures and legalese associated</p> <p>14 with the plat. And this is the actual plat. So what</p> <p>15 the plat will do is subdivide the lot into individual</p> <p>16 lots so they can be sold to individual units -- sold as</p> <p>17 individual units to individual owners.</p> <p>18 So staff is recommending that the P & Z Board</p> <p>19 review and consider this information and provide a</p> <p>20 recommendation to City Council. And I can answer any</p> <p>21 questions at this time. I also would like to make note</p> <p>22 that the applicant, or the agent for the applicant is</p> <p>23 present with us tonight as well, Mr. Lidberg.</p> <p>24 CHAIR McCOY: Members, any question of the</p> <p>25 presentation? Hearing none, any members wishing to</p>	<p>1 MR. BLACKWELL: Yes, I motion that the City</p> <p>2 move forward with the approval and granting this</p> <p>3 company the rights to individual plats.</p> <p>4 CHAIR McCOY: There's been a motion. Is</p> <p>5 there a second?</p> <p>6 MR. BROWN: Second it.</p> <p>7 CHAIR McCOY: Motion by Mr. Blackwell; there</p> <p>8 was a second by Mr. Brown. Staff, if you will, call</p> <p>9 the roll.</p> <p>10 MS. DAVIDSON: Anthony Brown.</p> <p>11 MR. BROWN: Yes.</p> <p>12 MS. DAVIDSON: James Gallon.</p> <p>13 MR. GALLON: Yes.</p> <p>14 MS. DAVIDSON: Margaret Shepherd.</p> <p>15 MS. SHEPHERD: Yes.</p> <p>16 MS. DAVIDSON: Corey Blackwell.</p> <p>17 MR. BLACKWELL: Yes.</p> <p>18 MS. DAVIDSON: Tradrick McCoy.</p> <p>19 CHAIR McCOY: Yes.</p> <p>20 MS. DAVIDSON: Unanimous vote.</p> <p>21 CHAIR McCOY: Thank you.</p> <p>22 Item number VII.</p> <p>23 MR. GAGNON: So this item is under unfinished</p> <p>24 business. There was discussion at our last meeting on</p> <p>25 June 8th, and the text that's now proposed associated</p>
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<p>1 hear from the applicant?</p> <p>2 MS. SHEPHERD: I would like to hear from the</p> <p>3 applicant.</p> <p>4 MR. LIDBERG: Good evening. My name is David</p> <p>5 Lidberg. I'm the surveyor for the project. I mean do</p> <p>6 you have a question, a specific question?</p> <p>7 MS. SHEPHERD: No, I was -- I thought you</p> <p>8 were the owner of this project.</p> <p>9 MR. LIDBERG: No, no, I'm not. I'm just the</p> <p>10 surveyor.</p> <p>11 MS. SHEPHERD: Oh, you're just the surveyor,</p> <p>12 okay. All right.</p> <p>13 CHAIR McCOY: So Mr. Lidberg is the agent for</p> <p>14 the applicant who is providing the plat documentation</p> <p>15 and has done the surveying associated with this</p> <p>16 document. So he can answer any technical questions</p> <p>17 that the Board may have.</p> <p>18 MS. SHEPHERD: No, no real questions. I</p> <p>19 thought maybe you might want to add something to --</p> <p>20 MR. LIDBERG: I don't have anything to add.</p> <p>21 MS. SHEPHERD: Okay, thank you.</p> <p>22 MR. LIDBERG: Okay, thank you.</p> <p>23 CHAIR McCOY: Any other members? Hearing</p> <p>24 none, any members wishing to comment? Hearing no</p> <p>25 comments, is there a motion on approval of the plat?</p>	<p>1 with the mobile vending ordinance is different from the</p> <p>2 text that was provided then. I want to briefly touch</p> <p>3 upon some elements of the staff report prior to getting</p> <p>4 to the actual document itself. For the record, I'll</p> <p>5 read the title.</p> <p>6 So it's an ordinance of the City Council of</p> <p>7 the City of Riviera Beach, Palm Beach County, Florida,</p> <p>8 amending Chapter 10 of the City's Code of Ordinances</p> <p>9 entitled Licenses and Business Regulations, Article</p> <p>10 VIII, entitled Mobile Vendors, to amend existing</p> <p>11 regulations and to create new regulations for mobile</p> <p>12 vendor uses within the City, providing for conflicts,</p> <p>13 severability and codification, and providing for an</p> <p>14 effective date.</p> <p>15 So I'll go through the staff report on the</p> <p>16 screen now. And the CRA Board -- I can't remember the</p> <p>17 exact date. I believe it was earlier this month or</p> <p>18 late the month before. I think it was earlier this</p> <p>19 month there was a CRA Board discussion on a similar</p> <p>20 item where there was conversation about how to activate</p> <p>21 the Marina District Uplands and if mobile vending can</p> <p>22 serve a purpose within that activation and really</p> <p>23 drawing more people and more interest to the Marina</p> <p>24 District Uplands. So there was some discussion at that</p> <p>25 meeting, and that helped really guide staff as far as</p>

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<p>1 what regulations may be most appropriate for the area.</p> <p>2 So historically, the ordinance that we looked</p> <p>3 at had a very large range where it would impact large</p> <p>4 sections of U.S. 1 and also along Blue Heron Boulevard.</p> <p>5 What this ordinance will do is it will utilize a</p> <p>6 specific area that's been identified previously within</p> <p>7 our sign code, which is identified as the Marina</p> <p>8 District Upland Area, and it will utilize that same</p> <p>9 overlay area for additional mobile vending</p> <p>10 opportunities.</p> <p>11 So let me provide a little bit more detail,</p> <p>12 and please feel free to stop me or ask any questions</p> <p>13 you may have as I proceed.</p> <p>14 So for the historic background, our current</p> <p>15 mobile vending code was approved in 2009, and since</p> <p>16 that time there have been many changes, I guess,</p> <p>17 culturally as far as what now is a popular trend with</p> <p>18 food trucks. So, you know, now there's TV shows on</p> <p>19 Food Network, there's a lot of events that are provided</p> <p>20 that really are based solely on food trucks. And</p> <p>21 that's not only regionally, that's nationally. It's</p> <p>22 definitely a much more popular activity than back in</p> <p>23 2009.</p> <p>24 So we're really looking to try to utilize</p> <p>25 that as a catalyst for the Marina District Uplands and</p>	<p>1 So we think that removing the parking spaces</p> <p>2 section from this code, and instead replacing it with</p> <p>3 the drive aisle underlined section here helps to</p> <p>4 promote safety, while it also allows for flexibility</p> <p>5 for mobile vending uses really throughout the City,</p> <p>6 because this ordinance, please remember this ordinance</p> <p>7 does have a global impact on the City, even though</p> <p>8 there are certain sections that emphasize the important</p> <p>9 need of having mobile vending uses within the Marina</p> <p>10 District Uplands. So again, this entire code impacts</p> <p>11 the City, but there are certain carve-outs for the</p> <p>12 Marina District Uplands that will be highlighted in a</p> <p>13 moment.</p> <p>14 This is just a little bit of wordsmithing</p> <p>15 identifying that during the application process, a</p> <p>16 sketch of the location should be submitted. Before it</p> <p>17 was just kind of an open sentence that didn't provide</p> <p>18 enough guidance, we felt.</p> <p>19 And letter (n) is the new section that really</p> <p>20 starts carving out the Marina District Upland Area for</p> <p>21 mobile vending uses. So what it talks about is having</p> <p>22 the City and CRA having the ability to designate</p> <p>23 certain locations for mobile vending. So that could be</p> <p>24 within the parking area in the Marina District Uplands</p> <p>25 to identify a space of, let's say, 20 parking spaces,</p>
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<p>1 to attract more business uses, attract more visitors</p> <p>2 just in general, provide another activity for local</p> <p>3 residents where it's something that you can, you know,</p> <p>4 experience Bicentennial Park and the waterfront itself,</p> <p>5 really just another reason to be there and to take</p> <p>6 advantage of the new reconstruction that was completed</p> <p>7 a few years back.</p> <p>8 So at this point I'll go through the actual</p> <p>9 ordinance, unless I have questions from the Board.</p> <p>10 So this information was also provided in your</p> <p>11 packet. And what I did is I took the existing mobile</p> <p>12 vendor section, and any additions are underlined in the</p> <p>13 document; any proposed deletions are stricken through.</p> <p>14 So within the definition section, as you can</p> <p>15 see as I scroll down, there's really no changes in the</p> <p>16 definition section.</p> <p>17 As we get into Section 10-263, the permitted</p> <p>18 locations, that's where there's a few minor tweaks, as</p> <p>19 far as within letter (c), historically there was a</p> <p>20 prohibition for mobile vendors to operate in parking</p> <p>21 spaces. However, we believe and the City believes that</p> <p>22 in certain circumstances, that utilizing parking spaces</p> <p>23 for mobile vending activities is actually a better</p> <p>24 option than utilizing a grass area or things of that</p> <p>25 nature.</p>	<p>1 30 parking spaces, and that could be reserved for only</p> <p>2 mobile vending activities.</p> <p>3 So the exact operation of that isn't</p> <p>4 identified in this code structure, but what it does is</p> <p>5 it provides flexibility from the actual code, which was</p> <p>6 somewhat rigid before for mobile vending activities,</p> <p>7 and it provides an opportunity for events to be created</p> <p>8 that are centered around food trucks and mobile</p> <p>9 vendors. It provides opportunities for mobile vendors</p> <p>10 to really establish themselves in new areas that the</p> <p>11 current code structure wouldn't allow to occur.</p> <p>12 CHAIR McCOY: Mr. Gagnon, I've got a question</p> <p>13 on that section.</p> <p>14 MR. GAGNON: Yes, sir.</p> <p>15 CHAIR McCOY: On item -- I guess if you can</p> <p>16 scroll back up to letter (m).</p> <p>17 MR. GAGNON: Um-hmm.</p> <p>18 CHAIR McCOY: You said you were wordsmithing,</p> <p>19 and I'm specifically concerned with item (m), because</p> <p>20 it says mobile vending activities located within the</p> <p>21 Marina District Uplands are exempt from the</p> <p>22 above-mentioned regulations as long as the following</p> <p>23 conditions are met.</p> <p>24 MR. GAGNON: Yes, sir.</p> <p>25 CHAIR McCOY: I've never seen language formed</p>

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<p>1 in a way that you would condition it upon what's</p> <p>2 previously written. You know, I think if we're going</p> <p>3 to create language, we have to be specific as to what's</p> <p>4 allowed and what's not allowed, because I did look at</p> <p>5 those exemptions, those -- I guess it's two exemptions.</p> <p>6 For instance, I looked at (1)(a).</p> <p>7 But my question is with this new language,</p> <p>8 what you're essentially saying is a mobile vendor is</p> <p>9 permitted to be in the public right-of-way so long as</p> <p>10 they get approval from City Council?</p> <p>11 MR. GAGNON: So what this does is</p> <p>12 historically, all the elements in this section, so (a)</p> <p>13 through (l), it talks about permitted locations. So</p> <p>14 all of these location criteria need to be met for</p> <p>15 mobile vending to occur.</p> <p>16 So what this does is if there was a situation</p> <p>17 that, let's say, there was a road closure within the</p> <p>18 Marina District Uplands and it was something that it</p> <p>19 was supported if it needed to be, you know, brought</p> <p>20 before Council and that was the case. But what it does</p> <p>21 is it provides the City with more flexibility to do</p> <p>22 that type of activity where it's not contradictory to</p> <p>23 any code structure.</p> <p>24 So what letter (m) does is it basically says</p> <p>25 that mobile vending within the Marina District Uplands</p>	<p>1 counterintuitive, because if you go back to -- I think</p> <p>2 I sent you something, or maybe you sent me something</p> <p>3 earlier in the month regarding when you change the use</p> <p>4 of a public road, you know, it kind of becomes very</p> <p>5 bureaucratic when you make so many regulations. And I</p> <p>6 think the regulations you sent me share that when you</p> <p>7 change the use, and I don't know if it defined whether</p> <p>8 it's temporary or permanent, that's a function of the</p> <p>9 Planning and Zoning Board.</p> <p>10 And I don't want to make it more bureaucratic</p> <p>11 than it has to be, but it seems like you will find</p> <p>12 yourself in a place where someone is going to</p> <p>13 eventually come to the City, and the language is just</p> <p>14 going to be so convoluted that here we are allowing a</p> <p>15 special district, and we're going to allow those</p> <p>16 previous rules not to apply so long as these three</p> <p>17 rules are met. So basically, now we can close off a</p> <p>18 road and allow a vendor, let's say for a festival.</p> <p>19 You know, I wouldn't expect that we get a</p> <p>20 shot at it. But I will say why I think it's important</p> <p>21 why we pay attention to it. I think in the month of</p> <p>22 May I'm driving through the neighborhood, and our whole</p> <p>23 block, actually the whole "O" Avenue was closed off for</p> <p>24 a couple days because somebody was filming a movie</p> <p>25 inside of the neighborhood. And I thought how</p>
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<p>1 does not have to follow (a) through (l), however,</p> <p>2 everything in letter (m) will apply. So (1), (1)(a)</p> <p>3 and (2) will apply.</p> <p>4 CHAIR McCOY: Right. And then I guess then</p> <p>5 we can pretty much say that then they're allowed to go</p> <p>6 onto vacant lots so long as they get approval.</p> <p>7 MR. GAGNON: It could go into a vacant lot.</p> <p>8 So if there is -- and I wish I had a full aerial. I'm</p> <p>9 sure I can pull one up. But within that Marina</p> <p>10 District Uplands Area -- and let me actually pull up</p> <p>11 the map just for the record.</p> <p>12 CHAIR McCOY: And I appreciate the map. That</p> <p>13 actually will make it a lot clearer.</p> <p>14 MR. GAGNON: Yes.</p> <p>15 CHAIR McCOY: And what I also noticed was</p> <p>16 that we did scale it down significantly.</p> <p>17 MR. GAGNON: Yes.</p> <p>18 CHAIR McCOY: And while you're pulling that</p> <p>19 up, my concern is just this. I actually had a</p> <p>20 conversation with the CRA Director, and he said that</p> <p>21 this doesn't apply to the Marina property itself</p> <p>22 because a mobile vendor wouldn't be permitted to pull</p> <p>23 up at the Marina under no authorization whatsoever. So</p> <p>24 I got clarification on that.</p> <p>25 And furthermore, it just seems</p>	<p>1 disingenuous to the community that you will restrict</p> <p>2 access to day care centers and churches and a number of</p> <p>3 different businesses. I said at least I would have</p> <p>4 appreciated a little bit of a heads-up.</p> <p>5 But you know, certainly I'm not thinking that</p> <p>6 that's the case here, but it doesn't seem to flow very</p> <p>7 well. And I'll tell you again if we're going to allow</p> <p>8 them to be there, let's make those rules specific, as</p> <p>9 opposed to everything except or everything other than</p> <p>10 the aforementioned regulations. That just doesn't flow</p> <p>11 very well, and I can see that there will be, you know,</p> <p>12 a possibility for confusion, you know, just being</p> <p>13 convoluted. So I mean that's, you know, my</p> <p>14 recommendation.</p> <p>15 MR. GAGNON: Yes, and again, this is really</p> <p>16 the first time that the Board is reviewing this draft,</p> <p>17 so we definitely want to get any input we have from</p> <p>18 Board members. If there is a better structure that we</p> <p>19 can come up with, maybe it's a different section</p> <p>20 altogether versus referencing items the way that</p> <p>21 they're currently provided, then we can look at that as</p> <p>22 well.</p> <p>23 The overall intent though is, I guess it's a</p> <p>24 much smaller impact for this ordinance amendment than</p> <p>25 what was provided previously for the mobile vendor</p>

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<p>1 ordinance. So we can definitely loosen -- or excuse 2 me -- tie down any loose ends. 3 But we also, you know, we want to have -- I 4 think we want to have flexibility as well as far as how 5 mobile vending operations can really function. And 6 I've seen things firsthand with dealing with a lot of 7 special events where it's really difficult to know 8 prior to an event being proposed or prior to, let's 9 say, a food truck wanting to be at a certain location, 10 really all the criteria or all the elements that could 11 be involved with the plan. So I definitely want to 12 have a very clear and focused, I guess, guidance within 13 the code as far as what needs to happen. 14 CHAIR McCOY: Well, can I offer this? 15 MR. GAGNON: Sure. 16 CHAIR McCOY: Why can't this be done in a 17 chapter by itself, because, you know, maybe I don't 18 understand it, but when you turn over to Section 10-265 19 related to signage, we have a strike-through 20 eliminating the language that all signs must be 21 approved by the City prior to being posted. Now, that 22 would apply citywide. 23 MR. GAGNON: Yes. 24 CHAIR McCOY: And I don't understand that. 25 Why would we do that? Why would we --</p>	<p>1 City uses. So I thought it was most appropriate to 2 have this specific overlay for the Marina District 3 Upland to be incorporated in this section, so that way, 4 if you have any sort of mobile vending activity, this 5 is the one place where you would look for code 6 structure that would regulate it. So that way, it's 7 not trying to pull from different code sections. 8 CHAIR McCOY: Okay. I disagree. I would 9 just hate to see a mobile vending unit parked over at 10 Wells Recreation with a sign that's bigger than the 11 Wells Recreation sign, you know. So you know, it's 12 just kind of a thing that I think of that, you know, 13 should be solely specific to the district that, you 14 know, we see on this map. But you know, that's my 15 opinion. I would say that as opposed to disagree. 16 MR. GAGNON: And for the record, the map is 17 up on screen. As a reference point, this area is 18 Bicentennial Park, this is the Marina Upland area, 19 which continues out to Broadway, which runs north and 20 south, and this is 13th Street that runs east and west 21 into the Marina. 22 So this area itself, it really is only going 23 to impact about a six, seven block radius. The major 24 intent is currently within this area, especially along 25 13th Street leading into the Marina. And really, there</p>
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<p>1 MR. GAGNON: I structured that section 2 because I think it was put in the code based off of 3 copy and paste from somebody else's code, and within 4 that section there are other criteria that need to be 5 met. But it's not something that, you know, the City 6 is going out and I guess actively investigating or 7 enforcing signage associated with a mobile vendor. So 8 there's other criteria that do have to be met, however. 9 CHAIR McCOY: Right. And that -- wait, wait. 10 We shouldn't have to go out and do it for a mobile 11 vendor. But what I'm saying is once you strike through 12 that language, if a gentleman like Mr. Blackwell or an 13 entrepreneur like himself wanted to come into the 14 community and open up a business at a retail 15 establishment, he wouldn't have to come through any 16 kind of approval or there's no permitting that's 17 required for signage? 18 MR. GAGNON: Well, the existing criteria in 19 that section also governs how signage can function 20 associated with mobile vending. 21 CHAIR McCOY: In the section, meaning in that 22 zone, in the zoning? 23 MR. GAGNON: In that section of the code. So 24 the entire code section we're looking at right now, 25 that's just the mobile vending section of the code the</p>	<p>1 are a few other parcels in this district that are 2 currently vacant, so what this overlay would do is 3 utilize new mobile vending regulations for the area 4 that's shown in gray and allow for mobile vending 5 activities to occur in a different manner, with 6 different regulations than how they'd be governed 7 throughout the City as a whole. 8 CHAIR McCOY: Mr. Blackwell, did you have 9 something? 10 MR. BLACKWELL: I just wanted to inquire as 11 far as a comment that Vice Chair made. There's not -- 12 mobile vending is prohibited within the Marina itself? 13 Say, for instance, if there was a concert going on at 14 the theater over there, at the amphitheater -- 15 MS. SHEPHERD: Bicentennial. 16 MR. BLACKWELL: -- Bicentennial amphitheater, 17 there would not be allowed mobile vending in the 18 parking lot of the Marina itself? 19 CHAIR McCOY: Let me clarify. I said this 20 doesn't apply. So -- 21 MR. BLACKWELL: So this is outside of the -- 22 CHAIR McCOY: No, no. This regulation does 23 not apply to what occurs inside of the gates. 24 MR. BLACKWELL: Okay. 25 CHAIR McCOY: So if the CRA has something</p>

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<p>1 that they --</p> <p>2 MR. BLACKWELL: That's separate.</p> <p>3 CHAIR McCOY: Yes, that's separate. If they</p> <p>4 have a different festival, these rules would not apply.</p> <p>5 And that's the way I understood it. But here's the</p> <p>6 thing. When I had that conversation, that was before</p> <p>7 this new language came out. But you know, it would</p> <p>8 make sense then if the CRA is the organization that's</p> <p>9 responsible for the Marina, I'm sure that they would</p> <p>10 have regulations over, you know, what events, and you</p> <p>11 know, those kind of things that come into the Marina.</p> <p>12 MR. GAGNON: Yes, so if there was an event,</p> <p>13 if there was a special event, let's say, and they</p> <p>14 wanted to include mobile vendors, they would include</p> <p>15 that as part of their special event application, so</p> <p>16 that information would be provided to staff.</p> <p>17 What this ordinance would do is this could</p> <p>18 potentially allow for other mobile vendors to</p> <p>19 supplement that event. So for example, if there were,</p> <p>20 again, the 20 parking spaces within the Marina Uplands</p> <p>21 that were identified for food truck use only, if there</p> <p>22 was a special event that was occurring and you had a</p> <p>23 food truck, you could drive in, you'd have an area</p> <p>24 that's already designated, and market demand would kind</p> <p>25 of provide the number of food trucks that may</p>	<p>1 moving, they'll use that specific type of shipping</p> <p>2 container. So that's like, I guess -- trying to</p> <p>3 think -- like a Kleenex versus a tissue. So that's</p> <p>4 just the name brand of that specific product.</p> <p>5 So the previous ordinance discussed utilizing</p> <p>6 shipping container style buildings and being able to</p> <p>7 convert them into kind of mobile vending units, so to</p> <p>8 speak. That definition isn't included within this</p> <p>9 section. However, it doesn't preclude that from</p> <p>10 happening.</p> <p>11 So if there was a trailer, if there was a</p> <p>12 food truck, it kind of leaves open the style of vending</p> <p>13 unit that could be on site. So it's really, you know,</p> <p>14 does the individual have the licensure, are they</p> <p>15 located in a designated area, things of that nature</p> <p>16 versus us really trying to regulate how they're going</p> <p>17 to operate.</p> <p>18 MS. SHEPHERD: So let me clear my head a</p> <p>19 little bit. There's a big festival over at</p> <p>20 Bicentennial Park, and we have all these vendors</p> <p>21 coming. How would you know where to position these</p> <p>22 food trucks? Are they on the grass? Are they -- where</p> <p>23 are they positioned at if there's a big explosion over</p> <p>24 there?</p> <p>25 MR. GAGNON: So within Bicentennial Park,</p>
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<p>1 participate.</p> <p>2 Of course, they'd have to have all licenses</p> <p>3 that are required to operate a food truck, all the</p> <p>4 health licenses, things of that nature. However, it's</p> <p>5 just an opportunity for individuals to participate and</p> <p>6 kind of organically create more uses that aren't as</p> <p>7 regimented and so strictly planned.</p> <p>8 MR. BLACKWELL: Restrictive.</p> <p>9 MR. GAGNON: Yes.</p> <p>10 MR. BLACKWELL: All right, I understand.</p> <p>11 Thank you.</p> <p>12 MS. SHEPHERD: Jeff.</p> <p>13 MR. GAGNON: Yes, ma'am.</p> <p>14 MS. SHEPHERD: Going back to Bicentennial</p> <p>15 Park, if there's like a food festival, I think I heard</p> <p>16 someone say something about there are pods over there</p> <p>17 where the food trucks will be. Can you kind of explain</p> <p>18 to me what are pods and how will the trucks be</p> <p>19 positioned on the pods?</p> <p>20 MR. GAGNON: So the previous language that</p> <p>21 was provided had a separate definition which talked</p> <p>22 about really utilizing mobile containers, which it's</p> <p>23 like a shipping container which is sometimes referred</p> <p>24 to as a pod. So Pods is the name brand of one type of</p> <p>25 shipping container. So oftentimes when people are</p>	<p>1 that is -- it's City property, however, the CRA</p> <p>2 currently has the lease agreement and has control over</p> <p>3 the park.</p> <p>4 If there was an event of the scale and</p> <p>5 magnitude that you're describing, we would ask for an</p> <p>6 event layout associated with a special event permit.</p> <p>7 So if someone wanted to park food trucks within the</p> <p>8 park itself, let's say along the walkway structure or</p> <p>9 on the grass, then we would have an event layout prior</p> <p>10 to that event occurring, and we'd be able to know</p> <p>11 exactly where trucks are going to be positioned.</p> <p>12 So that, it's slightly different than what's</p> <p>13 being proposed with this ordinance, because what this</p> <p>14 ordinance would do is not the opposite, but in a</p> <p>15 different way, identify locations that are currently</p> <p>16 vacant that could accommodate a food truck.</p> <p>17 So again, if there was a portion of the</p> <p>18 parking lot area that is infrequently utilized, that is</p> <p>19 just sitting there, then we can say, hey, we're going</p> <p>20 to identify these 20 parking spaces for food truck</p> <p>21 uses, and if you have a food truck and you want to try</p> <p>22 to sell here, this is the location, versus the more</p> <p>23 regimented approach associated with a special event</p> <p>24 where we'd want to know the exact location of each food</p> <p>25 truck.</p>

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<p>1 MS. SHEPHERD: So let me go back. Will the 2 food trucks be able to park on the grass at 3 Bicentennial, because it's beautiful over there, and if 4 you're having a food truck explosion, will they be able 5 to park on the grass? I know they'll be able to walk 6 on the grass and then they will kill the grass. And 7 you know, you have, you know, the grease, the oils. 8 And how does that work? 9 MR. GAGNON: Yes, we're definitely -- I say 10 we, as the City and CRA as a whole, I think we're very 11 protective over Bicentennial Park and the Marina 12 Uplands as a very new community asset. So if there was 13 someone that did propose an event where there would be 14 food trucks on the grass area, what we often do is 15 require a deposit. 16 So let's say whatever the cost we would 17 estimate to replace the grass, worst case scenario, we 18 would require that deposit from the applicant that is 19 proposing the special event so just in case something 20 did happen, if the applicant didn't repair things the 21 way that they were prior to them showing up, we would 22 have the capability of fixing it ourselves. 23 MS. SHEPHERD: Okay, so if we have this big 24 event, and they have the trucks out there, and you have 25 the people with their blankets and they're all over the</p>	<p>1 letter (m) for the permitted locations as far as 2 restrictions for distance from other food trucks and 3 other location restrictions that the City currently has 4 on mobile vendors. 5 So what letter (m) will do and what's being 6 proposed now will allow a few food trucks to be 7 together, and they won't be stuck having to adhere to 8 these other regulations which really restrict groupings 9 of food trucks. 10 MS. SHEPHERD: Okay, I think that's all for 11 right now. 12 CHAIR McCOY: Mr. Blackwell, you're 13 recognized. 14 MR. BLACKWELL: Thank you, Vice Chair. 15 Staff, correct me if I'm wrong. I'm 16 listening to everyone's comments here, my fellow 17 colleagues. What we're dealing with here is an 18 ordinance technically that's already in existence, but 19 we're trying to incorporate somewhat of another 20 ordinance within this ordinance to strictly identify 21 the Marina Uplands Area. Am I correct? 22 MR. GAGNON: Yes. So from the 23 planning-speak, it's called an overlay. So we're 24 trying to create a specific overlay zone within the 25 City which would be called out by the specific</p>
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<p>1 grass and everything, I was reading here in number (k), 2 it said the mobile vendors are not allowed to operate 3 within 100 feet. And down in West Palm Beach I noticed 4 that they had the food truck explosion, and the trucks 5 was like -- I mean they was just scurried together. So 6 how does this tie in with number -- I mean alphabet 7 (k)? Kind of explain that to me. 8 MR. GAGNON: So it's very important to 9 recognize that anything that is not shown in underline 10 or strike-through, those are the current regulations. 11 So right now this rule basically says if there's one 12 mobile vendor, you can't have another mobile vendor 13 within 100 feet. So it almost contradicts what is 14 normally seen with food trucks. 15 MS. SHEPHERD: Absolutely. 16 MR. GAGNON: So typically, if there's one 17 food truck, you want two food trucks or maybe a group 18 of five that are all in the same area, so you kind of 19 have this organic event that happens where people will 20 be drawn to these vendors and be able to go from truck 21 to truck. 22 So what the new district regulations would 23 do, which are shown underneath letter (m), what this 24 basically says is within this specific district the 25 only regulations that are going to apply are within</p>	<p>1 geographical area so this overlay would allow separate 2 use functions to occur and have separate regulations 3 and restrictions associated with only this one area of 4 the City. 5 MR. BLACKWELL: With that being said, I know 6 it's time-consuming and it probably will be difficult, 7 but why wouldn't we just look to have an ordinance 8 specifically addressing the Marina Uplands and the use 9 of food trucks only in that area for that particular 10 ordinance instead of -- because there's a lot of 11 questions and concerns about damage. 12 And I mean I get it, and I really see it. 13 But I think there's a lot of other concerns that may 14 come up that, like Vice Chair said, that we may need to 15 just specifically keep our eye on this ball and this 16 ball alone and not mix it with the other ordinance 17 which is already in existence. That's just my comment. 18 CHAIR McCOY: Any other members? 19 Well, I guess this is going further than I 20 thought in my understanding, and I may have to -- you 21 know, I certainly don't want to disagree. But it was 22 my understanding that the CRA is the organization 23 responsible for the Marina and Bicentennial Park, as 24 well as the Event Center. 25 MR. GAGNON: Yes.</p>

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<p>1 CHAIR McCOY: And this language does not 2 apply to an event, a special event that would occur at 3 the Marina or at Bicentennial Park or in the parking 4 lot of the Event Center, and I heard otherwise when you 5 mentioned the 20 parking spaces. 6 So you know, number one, I don't know how you 7 can have a buffer of 100 feet if you're actually having 8 a food truck event inside of Bicentennial Park. That 9 would almost make it impossible to do a food truck 10 explosion. So does this apply to the actual Marina, 11 Bicentennial as well as the Event Center or not, 12 because it seems to -- 13 MR. GAGNON: The actual application of this, 14 it's not 100 percent determined. And what I mean to 15 say by that is what this overlay does is it basically 16 says the Planning and Zoning Board, and potentially the 17 City Council has identified this location in the City 18 as a special location. 19 So what we want to do is allow for multiple 20 food trucks at specific locations that will still have 21 to be reviewed by the CRA and City for appropriateness, 22 but once those locations are identified, they can be 23 utilized by food trucks as they please. 24 So any existing separation requirements 25 from -- you know, if I read down the existing</p>	<p>1 we could implement it in other spots in the City as 2 well. 3 So the final really nuts and bolts about 4 identifying which exact parking space is going to be 5 available, that hasn't been identified yet. This is 6 just step one of really making the opinion known that 7 we want to encourage this type of activity in the City, 8 and this is the first step in trying to do that. 9 MS. SHEPHERD: And may I say something, Jeff? 10 When I was talking about (m) -- was it (m) I was 11 talking about -- (k). Food trucks are set out to be a 12 happy time. And it will come a time when you're 13 talking about 100 feet, I think it's going to be 14 impossible. Because downtown, if you go to one of the 15 food truck explosions, they're right there together, 16 and you have friends and family talking to one another. 17 And I think we're getting too technical. And 18 I understand it has to be language, but this is 19 something new, I think, will be coming to the City. I 20 just think it's something that will open up the door to 21 entrepreneurship. And we're always talking about 22 people having jobs. I think this is a step in the 23 right direction. 24 I don't think we, as a whole, and the City 25 have ever had this type of leadership skills, and I</p>
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<p>1 requirements, it talks about having setbacks from 2 intersections, from roads, from other licensed mobile 3 vendors, not being able to utilize temporary tents or 4 structures. And from what I saw when this ordinance 5 was approved in 2009, the intent at the time was 6 actually to restrict mobile vending from certain 7 locations. 8 I believe that the ordinance was written in 9 response to having mobile vending units that were just 10 set up along roadsides that weren't really identified 11 as being placed in very safe spots for people to 12 utilize them. So in 2009 this ordinance was created. 13 And you can see there are a lot of restrictions that 14 really prohibited any sort of conglomeration of mobile 15 vendors together. 16 What we're seeing now is, again, there's a 17 trend for food trucks, and as Ms. Shepherd pointed out, 18 if you see one, you hope to see two or three. So being 19 that the ordinance is getting not quite ten years old, 20 but it's getting on in time, now might be the time to 21 carve out specific areas of the City that we're trying 22 to do something different. 23 And again, this is a very small portion of 24 the City. It's almost really, in some ways, a test run 25 of these new regulations, and if it's successful here,</p>	<p>1 just think it's going to be very fun to go with your 2 friends and family. I think I went to one, it was a 3 food -- not a food -- a beer and wine bash; another was 4 a beer bash. And I mean they were just very close 5 together, and I didn't see any technicality in there 6 because everybody was getting along. 7 That's why I ask about this 100 feet, do we 8 really want to stick ourselves into the 100 feet. I 9 just think it's something to really think about, 10 because the trucks are getting bigger and better. 11 Looking at Mr. Louis Williams' truck, it's just a 12 wonderful truck. So we don't want to get stuck in a 13 time zone of these little, bitty trucks or 100 feet. 14 We want to make sure that the public here in 15 the City be happy with what the CRA and the City is 16 doing. So that's why I'm very specific that I think 17 that the food trucks are an excellent means of getting 18 family together. And we are family here in Riviera 19 Beach. So that's where I kind of have my thought with 20 the 100 feet. I think we should really think a little 21 bit more about that. That's my take on it. 22 CHAIR McCOY: Mr. Gagnon. 23 MR. GAGNON: Yes, sir. 24 CHAIR McCOY: The language we had last month 25 spoke to City Council approval. Why is that not the</p>

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<p>1 case this time?</p> <p>2 MR. GAGNON: Depending on what is being</p> <p>3 proposed. So the way that I envision this process is</p> <p>4 this again allows for mobile vending activities to</p> <p>5 occur, only in this one area, in a different manner</p> <p>6 than the current code provides for. So if there's an</p> <p>7 area that's identified by City staff, I would</p> <p>8 anticipate that being brought in front of the CRA Board</p> <p>9 and City Council for approval.</p> <p>10 As far as identifying specific locations, it</p> <p>11 very well could come before the Planning and Zoning</p> <p>12 Board as well, just to be very sure that whatever areas</p> <p>13 are identified are really in concert with what the</p> <p>14 community is looking for and specific areas are going</p> <p>15 to be acceptable for mobile vending activities.</p> <p>16 So incorporating that language into the</p> <p>17 ordinance, I think it's almost unnecessary, because I</p> <p>18 think that any sort of decision like that would</p> <p>19 automatically come before the Planning and Zoning</p> <p>20 Board, the CRA Board and City Council for a final</p> <p>21 decision.</p> <p>22 CHAIR McCOY: And why would we remove the</p> <p>23 language regarding the connections and the electrical</p> <p>24 requirements?</p> <p>25 MR. GAGNON: Because we've run into scenarios</p>	<p>1 this regulation. And that mobile vending activity, if</p> <p>2 you can, so that would be separate from mobile vending</p> <p>3 activity associated with a true special event.</p> <p>4 So if you had a planned special event where</p> <p>5 it was publicized well in advance, if it was open to</p> <p>6 the public or you sold tickets, something that was very</p> <p>7 planned and it was expected to have a large number of</p> <p>8 attendees, then that would fall under a special event,</p> <p>9 and there would be separate permitting and requirements</p> <p>10 associated with that. So right now mobile vending is</p> <p>11 allowed throughout the entire City.</p> <p>12 What this would do is allow for more flexible</p> <p>13 mobile vending opportunities in the Marina District</p> <p>14 Upland Area. However, if someone wanted to have a</p> <p>15 special event in Bicentennial Park, at the City</p> <p>16 complex, on the municipal beach park, any of those</p> <p>17 locations if you wanted to have a special event, that</p> <p>18 would be a separate permitting process.</p> <p>19 MS. SHEPHERD: May I ask one more question?</p> <p>20 I'm trying to get some clarity here.</p> <p>21 MR. GAGNON: Sure.</p> <p>22 MS. SHEPHERD: What is this (bg) on the next</p> <p>23 page? Is that a "g"? They're talking about units not</p> <p>24 being removed from the site or be made a permanent</p> <p>25 structure. And going back to Mr. Louis Williams'</p>
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<p>1 historically. One example that I can recall is there</p> <p>2 was a mobile unit that offered showers to individuals,</p> <p>3 and they needed to have the ability to hook up to a</p> <p>4 permanent water connection in order to provide this</p> <p>5 functionality.</p> <p>6 So again, the rules and regulations that were</p> <p>7 put in place I think were more of a copy and paste from</p> <p>8 a different locality. I don't know where they came</p> <p>9 from, but it was a copy and paste in order to fulfill a</p> <p>10 need back in 2009 versus really thinking about mobile</p> <p>11 vending functions and what needs are really required.</p> <p>12 CHAIR McCOY: Okay. Any other members?</p> <p>13 MS. SHEPHERD: One more question.</p> <p>14 Mr. Gagnon, while it's on my mind, are we</p> <p>15 just going to limit the food trucks over to the CRA,</p> <p>16 Bicentennial Park? And the reason why I'm asking, how</p> <p>17 about the Island? Will we ever have like a food truck</p> <p>18 explosion over there? There's so much going on over</p> <p>19 there, the basketball tournament, the soccer ball</p> <p>20 tournament. Are we just thinking into this little box?</p> <p>21 How is that working?</p> <p>22 MR. GAGNON: So right now mobile vending</p> <p>23 activities are allowed throughout the entire City.</p> <p>24 MS. SHEPHERD: Okay.</p> <p>25 MR. GAGNON: And that's in accordance with</p>	<p>1 operation, it's a pretty big operation. He will have</p> <p>2 to move that particular truck every night, or how is it</p> <p>3 set up if someone come in like a truck like his? How</p> <p>4 do we differentiate the smaller ones and the large</p> <p>5 ones? Will they have to move it every night? Just a</p> <p>6 question. I'm curious.</p> <p>7 MR. GAGNON: Yes, the way that the current</p> <p>8 language is written, and again, this section is in the</p> <p>9 current code, it requires that mobile vending is mobile</p> <p>10 in the sense that it can't remain on site for 24 hours.</p> <p>11 So during hours of non-operation, the vending equipment</p> <p>12 or machine or truck would have to be removed from the</p> <p>13 site.</p> <p>14 MS. SHEPHERD: Has to be removed.</p> <p>15 MR. GAGNON: Yes. And that's part of the</p> <p>16 current code structure.</p> <p>17 MS. SHEPHERD: Okay, I'm clear. Thank you.</p> <p>18 MR. GAGNON: You're welcome.</p> <p>19 CHAIR McCOY: Do you have more to your</p> <p>20 presentation, Mr. Gagnon?</p> <p>21 MR. GAGNON: There are a few other items</p> <p>22 within the ordinance itself. It seems like there's</p> <p>23 been a lot of comments. I don't know if the Board</p> <p>24 wants to continue on through the rest of the ordinance.</p> <p>25 What would please the Board?</p>

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<p>1 CHAIR McCOY: Members? You know, I only 2 stopped at the permitted locations because I had a 3 question about the above-mentioned regulations 4 exemption. 5 MR. GAGNON: Okay, I'll continue through 6 then. 7 CHAIR McCOY: Looking at it, I don't see that 8 it's necessary. I mean it's really minimal, in my 9 opinion, unless another member has questions on it. 10 MR. GAGNON: Okay. 11 CHAIR McCOY: Because I mean the 12 strike-throughs and the underlines are there, unless 13 someone wants to go further and has additional 14 questions. Any other comments, hearing comments before 15 we deliberate? 16 Well, I will offer, I think it's better than 17 what we had before, because it was quite massive to see 18 an overlay district that stretched across half the 19 City. It really didn't, in my opinion, seem to be a 20 district. Well, it seemed to be a district in itself, 21 a complete district and not an overlay. And I think 22 this is better, but I think, you know, it could use 23 more work. But as it stands, you know, I don't have a 24 problem with supporting it. But I think certainly it 25 does have some work to go.</p>	<p>1 actually refers to a code section, which is Section 2 10-121. And in my opinion, it improperly refers to 3 that code section, because when you read the language, 4 it seems as if it guides you to a section that's going 5 to provide an explanation, but that section doesn't 6 provide an explanation at all. So I don't know if it 7 was an incorrect citation historically, but this is 8 something that is required by the City currently. So 9 it seemed to be somewhat duplicative, and it didn't 10 seem to really add value, so that's why it was stricken 11 through. 12 CHAIR McCOY: You know, in looking at it, I 13 kind of figured that our approach would be to set the 14 statute, set the law as it relates and allow staff to 15 implement, you know, whatever pertaining policies, 16 because I don't want to put something in there and then 17 their hands are tied. But I just wanted to make clear 18 that there are additional rules and regulations when it 19 comes to placing it on the City or CRA's property. 20 So, you know, unless there are any -- 21 MR. BLACKWELL: No. 22 CHAIR McCOY: -- additional questions, 23 whenever a member chooses, we'll take a motion. 24 MS. SHEPHERD: Well, I just don't think we 25 should continue to prolong this, because --</p>
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<p>1 So if there's no other Board member comments, 2 I'll ask for a motion. Is there a motion on approval 3 of the language? Is there not a motion -- 4 MR. BLACKWELL: I'm just trying to make sure 5 I'm reading all the strike-throughs. Just one second. 6 CHAIR McCOY: Okay. And you know, as I'm 7 looking at it, and we had that map up there, I was 8 thinking that that's not what I heard from the CRA 9 Director. And I guess, essentially, this language does 10 apply, but you can almost say additional rules apply, 11 additional regulations and applications and staff 12 review applies when it deals with land that's being 13 managed by the CRA. 14 MR. GAGNON: I'll agree with that; that's 15 true. 16 CHAIR McCOY: And if -- do you have -- 17 MR. BLACKWELL: Just one question about a 18 strike-through here. Under exemptions and 19 restrictions, the last numeral, I guess, is (i) or (l). 20 Okay, (l). Ms. Shepherd mentioned about the damage, 21 and I think, Jeff, you said something about a damage 22 deposit. But striking this language, does that negate 23 the damage, or is that something totally separate that 24 the City requires? 25 MR. GAGNON: It's separate. This language</p>	<p>1 CHAIR McCOY: The floor is open for a motion. 2 MS. SHEPHERD: Excuse me. I'd like to make a 3 comment. 4 I don't think we should continue to prolong 5 this, because it is going to City Council. But if I 6 have to move to make a recommendation that we accept 7 this resolution with the necessary changes, that we 8 accept it as read with the necessary corrections. 9 CHAIR McCOY: Clarify. You just said that if 10 necessary changes and we'll accept it as -- 11 MS. SHEPHERD: Well, I -- excuse me. I keep 12 hearing you go back and forth attacking certain issues 13 when already we have a vendor ready to go. It needs to 14 get to City Council, because we keep stretching this 15 out. I think this is the third meeting with this 16 particular item on the agenda, and it just really need 17 to be moved to the Council right now. 18 So I move that we allow this resolution to be 19 as read, with the necessary corrections from this 20 Board. I think I heard a couple corrections. 21 CHAIR McCOY: I would ask for clarification 22 of the motion. 23 Ms. Busby. 24 MS. BUSBY: Yes, sir; yes, Chair. 25 CHAIR McCOY: I would hope we can get some</p>

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<p>1 direction, because I'm hearing with the necessary 2 changes and also I'm being told as read. So we have to 3 decide on how we're going to do it. If there are 4 changes that's to be made, you know, I would like to 5 see, for the purposes of clarity and for the record, 6 that they be proposed now. But if it's as read, then 7 just motion to approve would be fine. 8 MS. BUSBY: Ms. Shepherd, do you want to 9 amend your motion? 10 MS. SHEPHERD: I'd like to move that we 11 accept this resolution. 12 CHAIR McCOY: Perfect. 13 MR. BLACKWELL: I second. 14 CHAIR McCOY: It's been properly moved and 15 second. Any other discussion before we do the roll 16 call? 17 Staff, roll call. 18 MS. DAVIDSON: Anthony Brown. 19 MR. BROWN: Yes. 20 MS. DAVIDSON: James Gallon. 21 MR. GALLON: Yes. 22 MS. DAVIDSON: Margaret Shepherd. 23 MS. SHEPHERD: Yes. 24 MS. DAVIDSON: Corey Blackwell. 25 MR. BLACKWELL: Yes.</p>	<p>1 possible, because, you know, these have lasting impacts 2 and could potentially produce unintended consequences. 3 So you know, I always try to be as thorough 4 as possible, and you know, if any member wants to offer 5 up anything, you know, I take everything in 6 consideration and I don't want to be selfish at all. 7 So those are my comments. 8 Staff, we had some updates? 9 MR. GAGNON: I don't have a full update list. 10 I do want to make mention of the fact that there was a 11 community meeting in regards to roadway construction 12 improvements in Monroe Heights. There is a new drawing 13 which illustrates what the road diagram and the final 14 road product will look like, and that was based off of 15 comments and feedback at that community meeting. 16 So what we'll do is we'll provide that 17 information once it's in a final format and provide 18 that to the Planning and Zoning Board. We can also see 19 if we can just put that online as well so it's 20 accessible to the general public. 21 CHAIR McCOY: Now, as for that meeting, was 22 there any polling or survey done like the first time 23 around? I think it was back in 2015. Was there any 24 polling? 25 MR. GAGNON: I don't recall exactly how the</p>
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<p>1 MS. DAVIDSON: Tradrick McCoy. 2 CHAIR McCOY: Yes. 3 MS. DAVIDSON: Unanimous voting. 4 MR. GAGNON: And just for the record as well, 5 what I'll do is I'll go back through the recording of 6 the meeting minutes, so if there are any typos that 7 were identified, any other, you know, minor corrections 8 that were pointed out by the Board, I'll make sure that 9 they're incorporated into the final ordinance as it 10 moves forward. 11 CHAIR McCOY: Okay. We have no public 12 comments on item number nine, or do we? 13 MR. GAGNON: No public comment cards. 14 CHAIR McCOY: And no correspondence? 15 MR. GAGNON: No, sir. 16 CHAIR McCOY: Members, Planning and Zoning 17 Board comments. Any members? 18 MR. BROWN: No comments. 19 CHAIR McCOY: Hearing none, I'll share this. 20 I appreciate everyone's participation in the Board, and 21 I would just suggest and also share with members that 22 this is a process. This is called policy making. And 23 if you see what we're doing on the Federal government 24 level, you know, it requires many versions, and 25 certainly you want to be succinct and be as specific as</p>	<p>1 historic meetings were operated or what survey 2 mechanisms were involved. I do know that at the most 3 recent meeting there was a voting ballot that was 4 provided, and there seemed to be a pretty overwhelming 5 consensus of having a two-way roadway with a sidewalk 6 on one side of the street. And what that enables is to 7 have the complete project move forward without any need 8 to take private property from residents. 9 So that seemed to be the solution that was 10 popular during that meeting, and I think it will have 11 to be, of course, presented to City Council for a final 12 recommendation. But I'll definitely provide the 13 information to the Planning and Zoning Board as well. 14 CHAIR McCOY: How is it presented to Council, 15 as a resolution? Because initially there was no 16 resolution. 17 MR. GAGNON: I think that it should -- and 18 this is what I think. I can definitely follow up on 19 it, but I believe that what Council will have to do is 20 make a final determination on the actual roadway 21 project itself as far as the traffic patterns. 22 So historically there was some conversation 23 of is it advantageous to have one-way streets, because 24 that might have sidewalks on both sides of the road, 25 things of that nature. So I believe that it's at the</p>

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1 point now where it does require a Council action in the
2 form of a resolution to move forward with the project.

3 CHAIR McCOY: And we'll be making a
4 recommendation on that?

5 MR. GAGNON: Yes. I'll provide the
6 information for the Board's information -- I'll provide
7 the information for the Board's recommendation. Being
8 an advisory Board to the Council, we definitely want to
9 have as much input as we can, especially being that we
10 have current Board members that reside in the area. So
11 it's definitely important to get that feedback.

12 CHAIR McCOY: Thank you. I appreciate it.
13 Is that it for updates?

14 MR. GAGNON: Yes, sir.

15 CHAIR McCOY: And upcoming meetings?

16 MR. GAGNON: Next meeting is tentatively
17 scheduled for August 10th.

18 CHAIR McCOY: Fine. For the good of the
19 order, is there a motion to adjourn?

20 MS. SHEPHERD: Motion to adjourn.

21 MR. GALLON: Second.

22 (Whereupon, at 7:43 p.m., the proceedings
23 were concluded.)
24
25

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1 CERTIFICATE

2
3
4 THE STATE OF FLORIDA)
5)
6 COUNTY OF PALM BEACH)
7

8 I, Susan S. Kruger, do hereby certify that
9 I was authorized to and did report the foregoing
10 proceedings at the time and place herein stated, and
11 that the foregoing pages comprise a true and correct
12 transcription of my stenotype notes taken during the
13 proceedings.

14 IN WITNESS WHEREOF, I have hereunto set my
15 hand this 2nd day of August, 2017.
16
17
18
19
20
21

Susan S. Kruger

22
23
24
25

13 (Pages 49 to 50)



**STAFF REPORT – CITY OF RIVIERA BEACH
RETAIL ESTABLISHMENT ORDINANCE
PLANNING AND ZONING BOARD – AUGUST 24, 2017**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES ENTITLED, "ZONING", ARTICLE I, "IN GENERAL", SECTION 31-1 "DEFINITIONS" TO AMEND THE DEFINITION OF A "RETAIL ESTABLISHMENT" TO PROVIDE NEW DEFINITIONS FOR SPECIFIC RETAIL USE TYPES; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 12, "CN NEIGHBORHOOD COMMERCIAL DISTRICT", SECTION 31-302, "USE REGULATIONS", AND DIVISION 13, "CG GENERAL COMMERCIAL DISTRICT", SECTION 31-322, "USE REGULATIONS" TO PROVIDE FOR CONSISTENCY WITH THE AMENDED RETAIL ESTABLISHMENT DEFINITION AND SPECIFIC RETAIL USE TYPES; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- A. Applicant:** City initiated process.
- B. Request:** To amend the City's existing definition for "retail establishment" and to amend the Neighborhood Commercial (CN) zoning district use regulations as well as the General Commercial (CG) zoning district use regulations by incorporating newly defined retail use types.
- C. Location:** This Ordinance would have a citywide impact, more specifically within the aforementioned commercial districts, but also within the Downtown sections of the City (Downtown Core zoning district and Downtown General zoning district) along the Broadway and Blue Heron Boulevard corridor.
- D. Background and Staff Analysis:** The City previously adopted Ordinance No. 4089 and 4091, each enacting a moratorium (see attached); the first for site plan applications for single price overstock/discount stores and the second for site plan applications along the Broadway and Blue Heron Boulevard corridor. City staff evaluated existing land development regulations and definitions associated with retail establishments. The existing regulations and definitions have not been amended for years and are relatively broad in scope. Amendments to definitions and development regulations may be required in order to provide additional guidance for future development and redevelopment patterns within the City's primary corridors. The primary goal would be to narrow the scope of specific retail definitions in order to encourage development that both fits the desires of the community and are also compatible to the City's Comprehensive Plan and Community Redevelopment Agency Plan.
- E. Recommendation:** City staff advises that the Planning and Zoning Board review and consider all information presented and provide a recommendation to City Council.

Sec. 31-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

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.

* * *

Sec. 31-302. - Use regulations.

(a) *Uses permitted.* The following uses are permitted in the CN neighborhood commercial district:

- (1) Uses permitted in accordance with RM-15 district regulations.
- (2) Retail uses, including any or several of the following:
 - a. Bakery.
 - b. Bookstore.
 - c. Boutique.
 - d. Dairy products.
 - e. Druggist or pharmacy.
 - f. Florist.
 - g. Gift shop.
 - h. Home accessories, excluding furniture and major appliances.
 - i. Food store or delicatessen.
 - j. Hobby shop.
 - k. Music store.
 - l. Newsstand.
 - m. Pet supply shop.
 - n. Restaurant without drive-through facility or eating establishment without drive-through facility.
 - o. Stationery store.
 - p. Tobacco shop.
- (3) Service uses, including any or several of the following:
 - a. Barber or beauty shop.
 - b. Coin laundry or dry cleaning substation.

- c. Locksmith.
 - d. Photographer.
 - e. Shoe repair.
 - f. Travel agency.
- (b) *Uses permitted by special exception.*
- (1) Convenience grocery store without gasoline pumps (no building larger than 3,500 square feet).
 - (2) Churches and their educational buildings.

Sec. 31-322. - Use regulations.

- (a) *Uses permitted.* The following uses are permitted in the CG general commercial district:
- (1) Any use permitted in the CN neighborhood commercial district, except that residential use shall not be permitted.
 - (2) *Reserved.*
 - (3) Personal service establishments, such as barbershops, beauty parlors, medical and dental clinics, restaurants, stores, banks, professional and other offices, funeral homes, parking garages and lots, laundry pickup stations, shoe repair, tailoring, watch and clock repair, and locksmith.
 - (4) Hospitals.
 - (5) Bus passenger terminal.
 - (6) Theaters and motion picture houses, except drive-in theaters.
 - (7) Advertising panels or signs.
 - (8) Private clubs.
 - (9) Coin-operated personal service establishments, conforming to subsection (a)(2) in this section.
 - (10) New car dealerships.
 - (11) Churches and their educational buildings.
- (b) *Special exception.* The following uses may be permitted by special exception in the CG general commercial district:
- (1) Hotel/motel, in accordance with RMH-15 regulations.
 - (2) Commercial planned unit development, C-PUD.
 - (3) Inlet harbor center planned unit development, IHC-PUD, only within the boundaries of the inlet harbor center redevelopment agency.
 - (4) Drive-in restaurants.
 - (5) Filling stations.
 - (6) Auto malls.
 - (7) Car washes.
 - (8) Bars, saloons, taverns, cocktail lounges, or nightclubs.
 - (9) Gun shop.
 - (10) Substance abuse clinics.

- (11) Shopping centers in excess of 20,000 square feet of building area.
- (12) Adult congregate living facility (ACLF): Temporary conversion from existing hotel/motel structures within the Inlet Harbor Center Overlay zoning district only (see subsection 31-523(e)).
- (c) *Uses prohibited.* The following uses are prohibited in the CG general commercial district:
 - (1) Residential uses, except as part of a PUD development.
 - (2) Wholesale, industrial, warehousing and storage uses.
 - (3) Pawn shop.

ORDINANCE NO. 4089

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, ENACTING A MORATORIUM FOR A PERIOD UP TO SIX MONTHS AS THE FILING AND/OR RECEIVING OF ANY APPLICATION FOR SITE PLANS FOR SINGLE PRICE OVERSTOCK/DISCOUNT STORES WITHIN THE CITY; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach's Comprehensive Plan and Code of Ordinances controls and directs development and uses throughout the City; and

WHEREAS, the Land Development Regulations, which is part of the City's Code of Ordinances, needs updating to incorporate, regulate and control the location of single price overstock/discount stores within the City; and

WHEREAS, the City has received numerous inquiries for the development of single price overstock/discount stores in the City; and

WHEREAS, for the purposes of this Ordinance, "single price overstock/discount stores" are establishments that sell a broad range of outlet, close-out, discontinued, liquidation, or overstock and general merchandise primarily at a single discount price and/or in the low and very low price ranges including, but not limited to, food items, alcoholic beverages, apparel and accessories, costume jewelry, notions and small wares, house wares, fountain refreshments, and toys; and

WHEREAS, the City's Land Development Regulations does not identify single price overstock/discount stores as permitted by right or as a conditional use, and only has the following definition for retail establishment: 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.; and

WHEREAS, this Ordinance is being adopted in order to allow the City time to thoroughly review, study and revise the City's laws, rules, procedures and fees related to single price overstock/discount stores, and to enable the City to adequately and appropriately balance the rights of existing operators and future applicants who wish to establish or expand single price overstock/discount stores in the City on the one

hand, with the preservation of the health, safety and welfare of the communities in the City of Riviera Beach on the other hand; and

WHEREAS, existing permitted and conditionally permitted uses under the City's Land Development Regulations may not sufficiently support the City's goals for the future of the commercial districts as they relate to single price overstock/discount stores; and

WHEREAS, single price overstock/discount stores primarily offer extremely low priced items in large, minimally developed spaces and discourage the upgrading of the existing area and its future economic vibrancy and are inconsistent with the goal of upgrading the commercial districts not only because such uses may offer minimal or no improvements to existing structures, but because they attract other bargain retail uses and discourage higher quality retail and commercial uses from locating nearby; and

WHEREAS, should any large single price overstock/discount stores be permitted to locate within the commercial districts, such a development would constitute a current and immediate threat to the public health, safety and welfare in that such a development will start an irrevocable downward shift in the economic and aesthetic value of the area and thus act as a bar to the goals of the City's Comprehensive Plan; and

WHEREAS, staff is requesting an up to six months moratorium in order to study, evaluate and create the regulations and additional standards for the placement and development of single price overstock/discount stores within the City, and incorporate those regulations into the City's Land Development Regulations; and

WHEREAS, it is the intention of the City Council to direct staff to study, evaluate and create the regulations and additional standards for the placement and development of single price overstock/discount stores within the City; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption thereof.

SECTION 2. It is the purpose and intent of this Ordinance to promote the health, safety and general welfare of the residents and businesses of the City through the study and analysis of regulations to create additional standards for the placement and development of single price overstock/discount stores within the City and incorporate those regulations into the City's Land Development Regulations within the City.

SECTION 3. This Ordinance for a moratorium shall apply to all lands within the municipal boundaries of the City of Riviera Beach.

SECTION 4. The City Council hereby enacts a moratorium for up to six months prohibiting the filing and/or receiving of any application for site plan for the development of new single price overstock/discount stores within the City. Staff is hereby directed to study, analyze and to create the regulations and additional standards for the placement and development of single price overstock/discount stores within the City and incorporate those regulations into the City's Land Development Regulations within the City, which would further and promote the public health, safety, morals and general welfare.

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

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

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

PASSED AND APPROVED on the first reading this 7th day of
December, 2016.

PASSED AND ADOPTED on second and final reading this 21st day of
December 2016.

APPROVED:



THOMAS A. MASTERS
MAYOR



TERENCE D. DAVIS
CHAIRPERSON

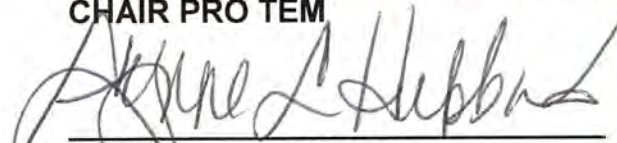
ATTEST:



CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



KASHAMBA L. MILLER-ANDERSON
CHAIR PRO TEM



LYNNE L. HUBBARD
COUNCILPERSON



TONYA DAVIS JOHNSON
COUNCILPERSON



DAWN S. PARDO
COUNCILPERSON

1ST READING

MOTIONED BY: D. PARDO

SECONDED BY: L. HUBBARD

L. HUBBARD AYE

K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

2ND & FINAL READING

MOTIONED BY: T. DAVIS JOHNSON

SECONDED BY: D. PARDO

L. HUBBARD AYE

K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



ANDREW DEGRAFFENREIDT,
CITY ATTORNEY

DATE: _____

ORDINANCE NO. 4091

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, ENACTING A MORATORIUM FOR A PERIOD UP TO SIX MONTHS AS THE FILING AND/OR RECEIVING OF ANY APPLICATION FOR SITE PLANS ALONG THE BROADWAY CORRIDOR FROM SILVER BEACH ROAD TO THE MUNICIPAL LIMITS AND ALONG THE BLUE HERON BOULEVARD CORRIDOR FROM SINGER ISLAND TO THE MUNICIPAL LIMITS; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach's Comprehensive Plan and Code of Ordinances controls and directs development and uses throughout the City; and

WHEREAS, pursuant to Section 163.3191(1), Florida Statutes, at least once every 7 years, each local government in the State of Florida shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect changes in state requirements in this part since the last update of the comprehensive plan, and notify the state land planning agency as to its determination; and

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption thereof.

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

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

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

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

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

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

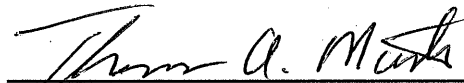
SECTION 7. This Ordinance shall take effect upon its final passage and approval by the City Council.

ORDINANCE NO. 4091
PAGE 4 of 5

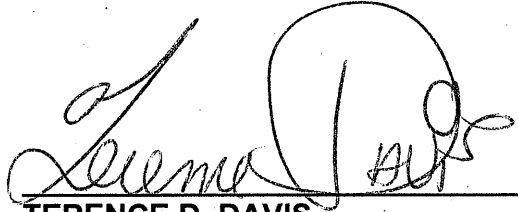
PASSED AND APPROVED on the first reading this 21ST day of
DECEMBER 2016.

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

APPROVED:



THOMAS A. MASTERS
MAYOR



TERENCE D. DAVIS
CHAIRPERSON

ATTEST:



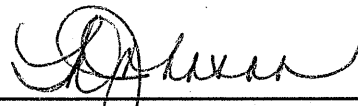
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



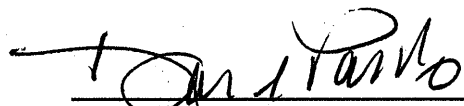
KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM



LYNNE L. HUBBARD
COUNCILPERSON



TONYA DAVIS JOHNSON
COUNCILPERSON



DAWN S. PARDO
COUNCILPERSON

ORDINANCE NO. 4091
PAGE 5 of 5

1ST READING

MOTIONED BY: DAVIS JOHNSON

SECONDED BY: HUBBARD

L. HUBBARD AYE

K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

2ND & FINAL READING

MOTIONED BY: L. HUBBARD

SECONDED BY: T. DAVIS-JOHNSON

L. HUBBARD AYE

K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

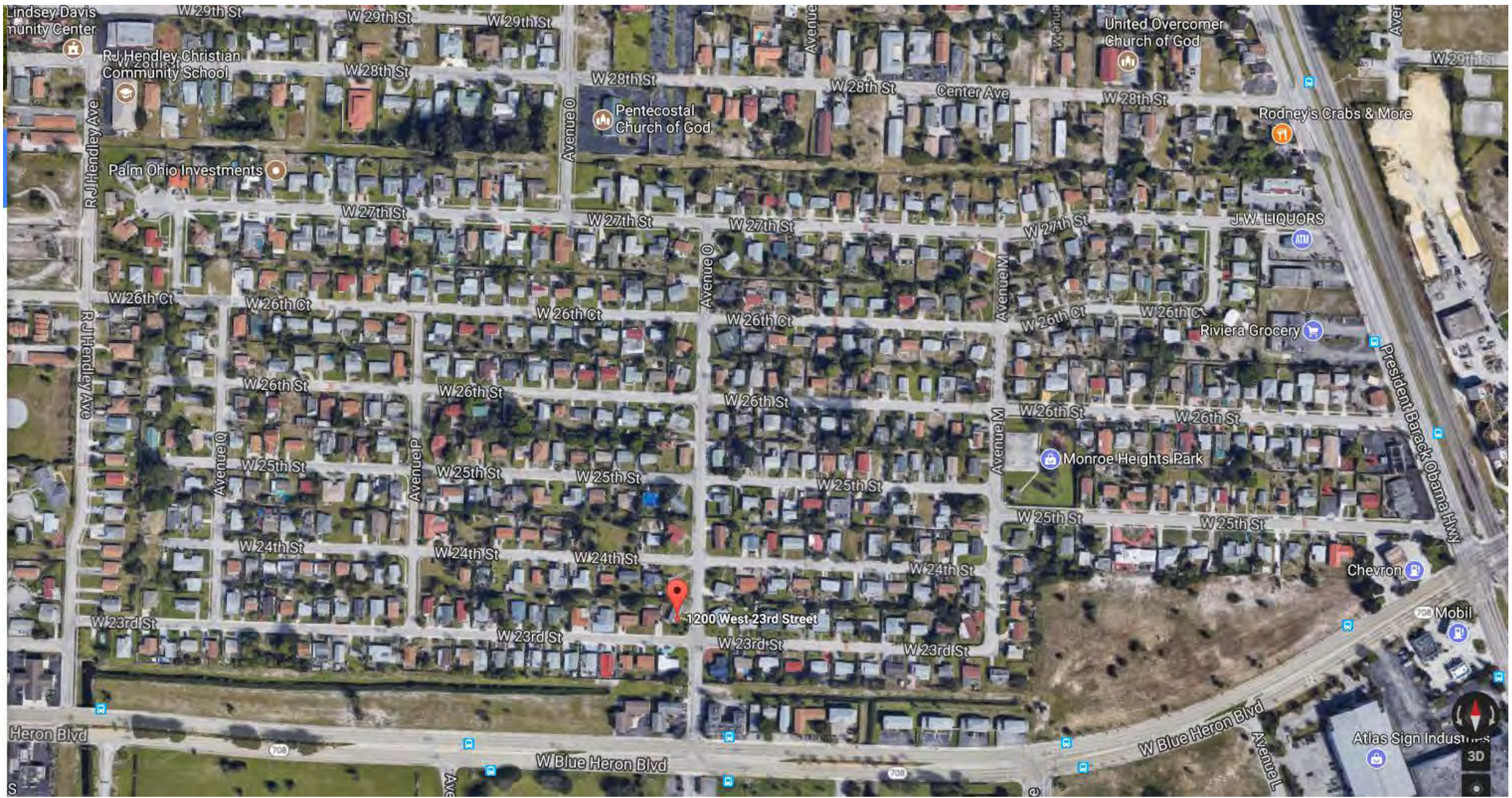
REVIEWED AS TO LEGAL SUFFICIENCY

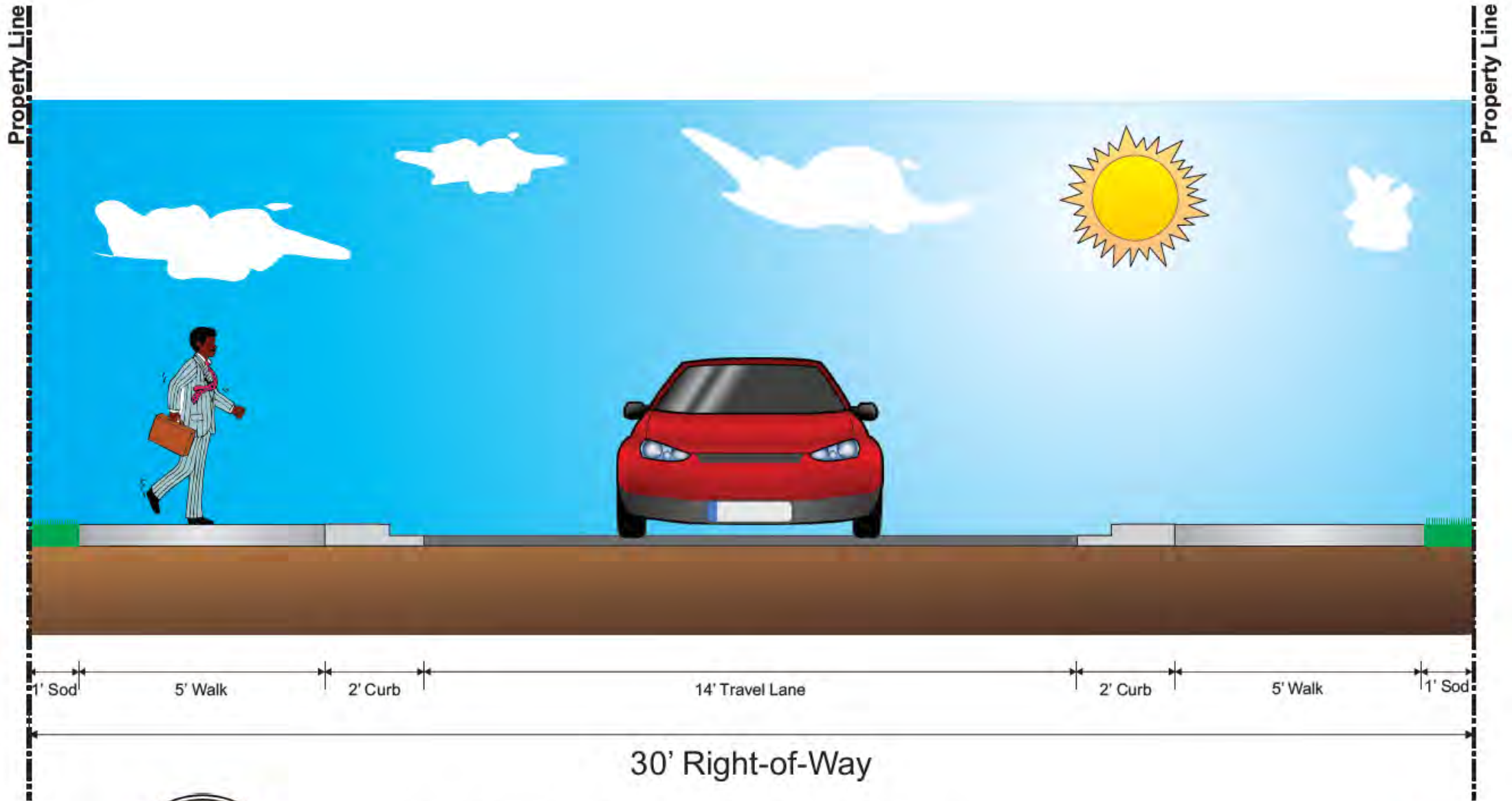

ANDREW DEGRAFFENREIDT, ESQ.
CITY ATTORNEY

DATE: 1/4/17



City of Riviera Beach
Monroe Heights
Community Meeting
July 18, 2017
Updated August 16, 2017





Option A - Recommended Option

N.T.S.

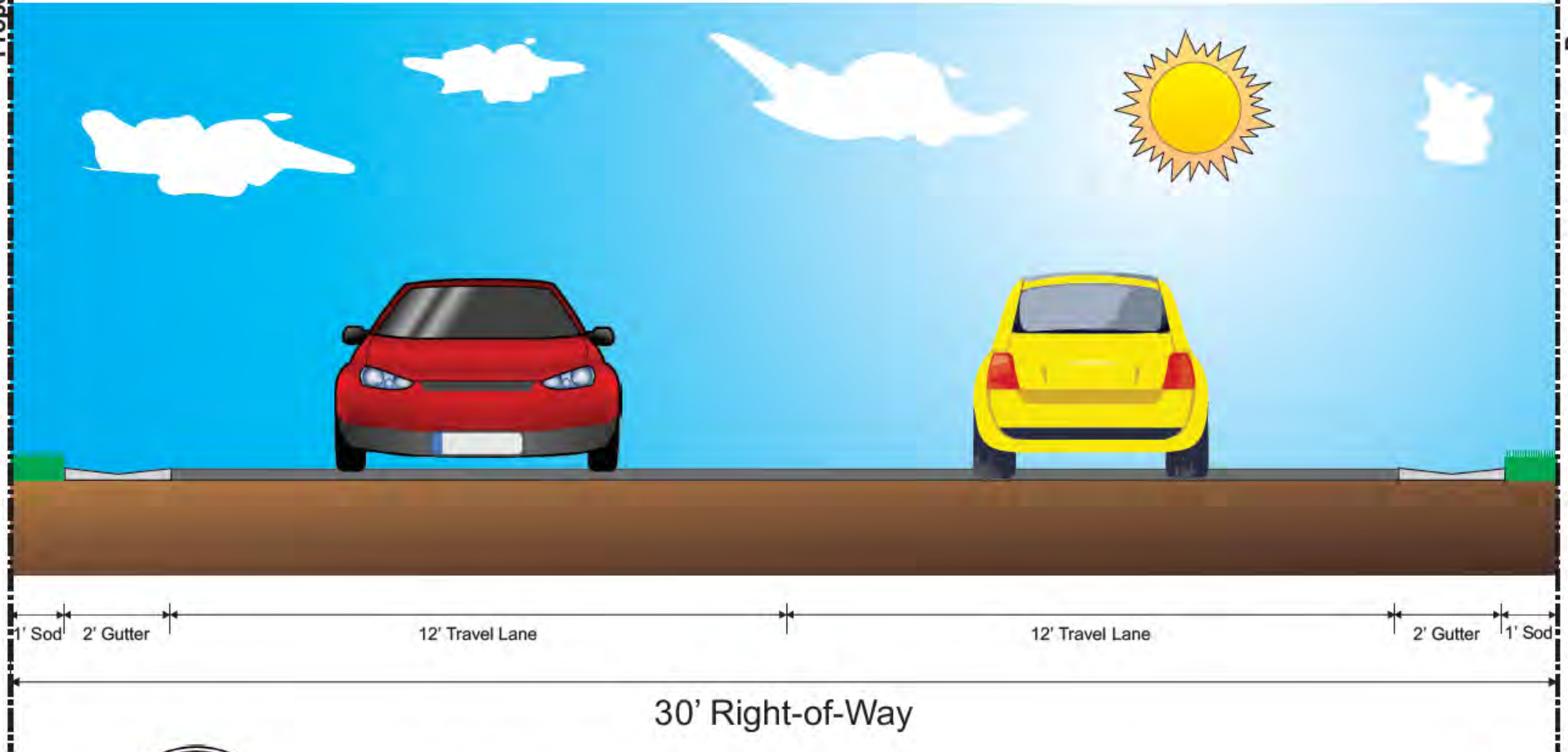
Typical Roadway Section - ONE WAY

(W. 23rd Street, W. 24th Street, W. 25th Street, W. 26th Street, W. 26th Court)

MATHEWS
CONSULTING
CIVIL ENGINEERS

Property Line

Property Line



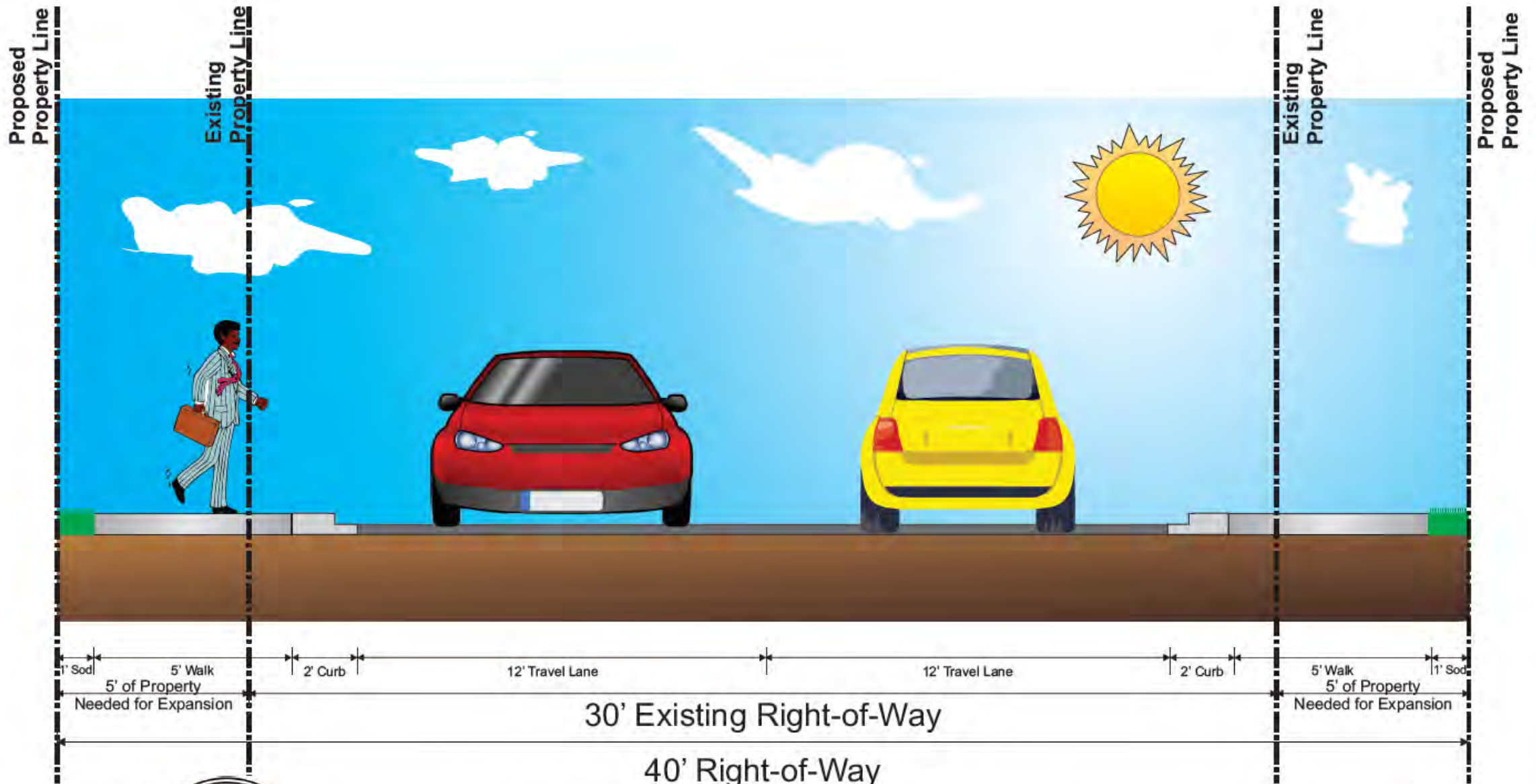
Option B - No sidewalks

N.T.S.

Typical Roadway Section - TWO WAY

(W. 23rd Street, W. 24th Street, W. 25th Street, W. 26th Street, W. 26th Court)





Option C - 5' property would be required of residents N.T.S.

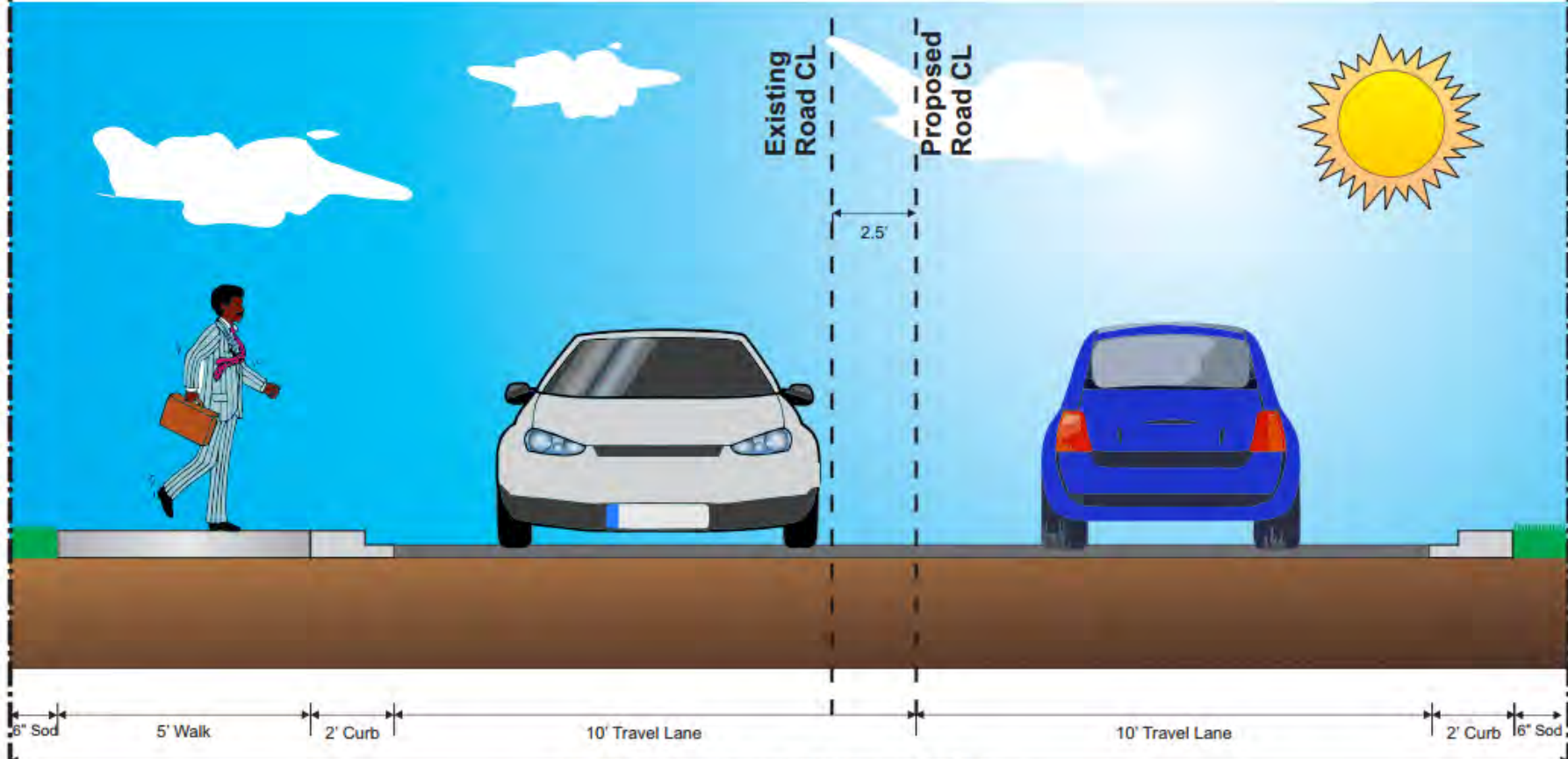
Typical Roadway Section - TWO WAY

(W. 23rd Street, W. 24th Street, W. 25th Street, W. 26th Street, W. 26th Court)



Existing
R/W Line

Existing
R/W Line



30' Existing Right-of-Way



Option C3

N.T.S.

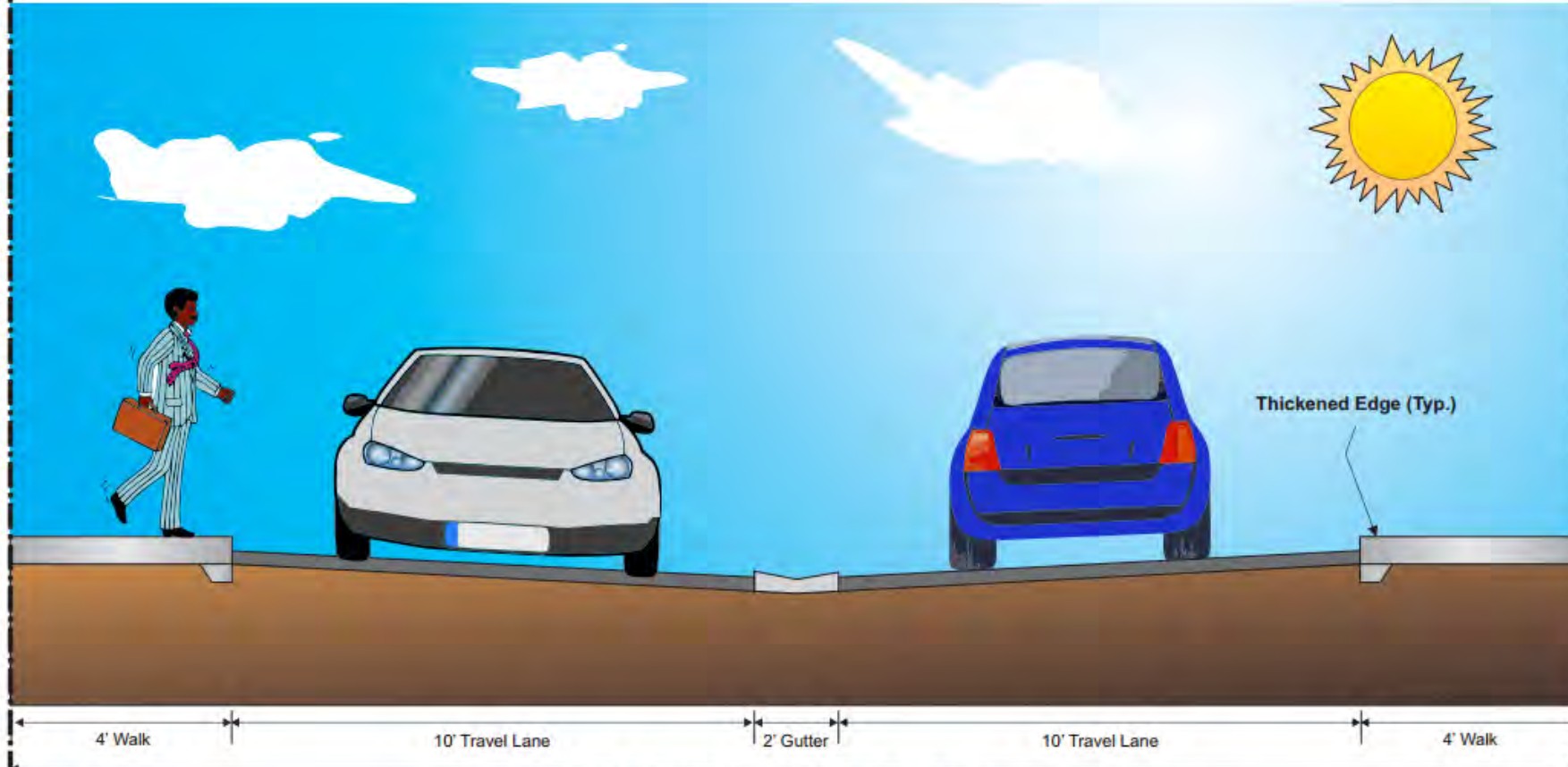
Typical Roadway Section - TWO WAY

(W. 23rd Street, W. 24th Street, W. 25th Street, W. 26th Street, W. 26th Court)

Note: Centerline shifted 2.5' toward the non-sidewalk side of the right-of-way.

Existing
R/W Line

Existing
R/W Line



30' Existing Right-of-Way



Option D - Sidewalk Both Sides N.T.S.

Typical Roadway Section - TWO WAY

(W. 23rd Street, W. 24th Street, W. 25th Street, W. 26th Street, W. 26th Court)



**STAFF REPORT – CITY OF RIVIERA BEACH
CASE NUMBER LU-16-02
PLANNING AND ZONING BOARD, DECEMBER 8, 2016**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S FUTURE LAND USE MAP DESIGNATION FOR THE REAL PROPERTY LOCATED AT 105 BROADWAY, CONSISTING OF APPROXIMATELY 5.22 ACRES OF LAND, FROM A UTILITIES LAND USE DESIGNATION TO AN INDUSTRIAL LAND USE DESIGNATION, IN ORDER TO FACILITATE USE OF THE SITE FOR STORAGE OF ROLLING AND BULK CARGO; AND PROVIDING FOR AN EFFECTIVE DATE. DATE.

A. Applicant: Port of Palm Beach District.

B. Request: The applicant is requesting a land use map amendment.

C. Location: 105 Broadway.

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

Parcel Control Number: 56-43-42-33-00-000-5140.

Parcel Size: +/- 5.21 Acres.

Existing Use: Formerly used for construction parking for FPL.

Zoning: Utilities (amendment proposed).

Future Land Use: Utilities (amendment proposed).

E. Adjacent Property Description and Uses:

North: Utilities, FPL Powerlines.

South: West Palm Beach; Residential uses.

East: Broadway, FPL Energy Center.

West: FEC Railway, FPL Powerlines, President Barak Obama Highway.

F. Background:

This property was acquired by the Port of Palm Beach District from the Florida Department of Transportation on November 30, 2011. The Quitclaim Deed is recorded in Palm Beach County Official Record Book 24882, Page 0566. Specific restrictions on the use of the land exist within said deed and a reverter clause was also provided. A Land Use Map Amendment is required from "Utilities" to "Industrial" in order to accommodate Port of Palm Beach District cargo storage uses on this property. This application have been submitted in conjunction with a zoning amendment, site plan and plat application.

G. Staff Analysis:

Proposed Development/Use: Port of Palm Beach uses as provided by the site plan conditions (primarily rolling cargo).

Zoning Regulations: The Port of Palm beach has applied to amend the zoning map designation from Utilities to Limited Industrial.

Comprehensive Plan: The Port of Palm beach has applied to amend the future land use map designation Utilities to Industrial.

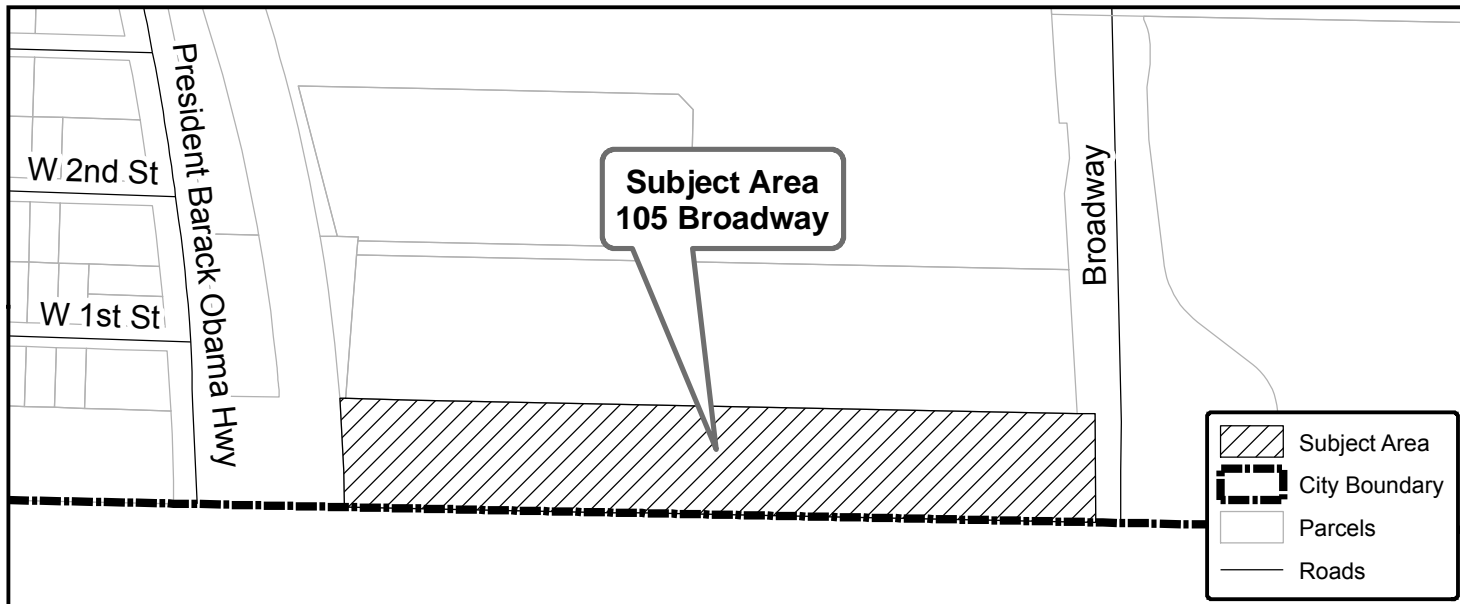
Compatibility: Specific deed restrictions and conditions of use on the site plan exist to ensure compatibility to the greatest extent possible with surrounding properties and uses.

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

Landscaping: Landscape improvements are proposed in association with the site plan application.

Parking/Traffic: Adequate ingress and egress to the property currently exists. Parking and storage uses will occur onsite.

H. Recommendation: Staff recommends approval of the Future Land Use Map amendment from Utilities to Industrial.

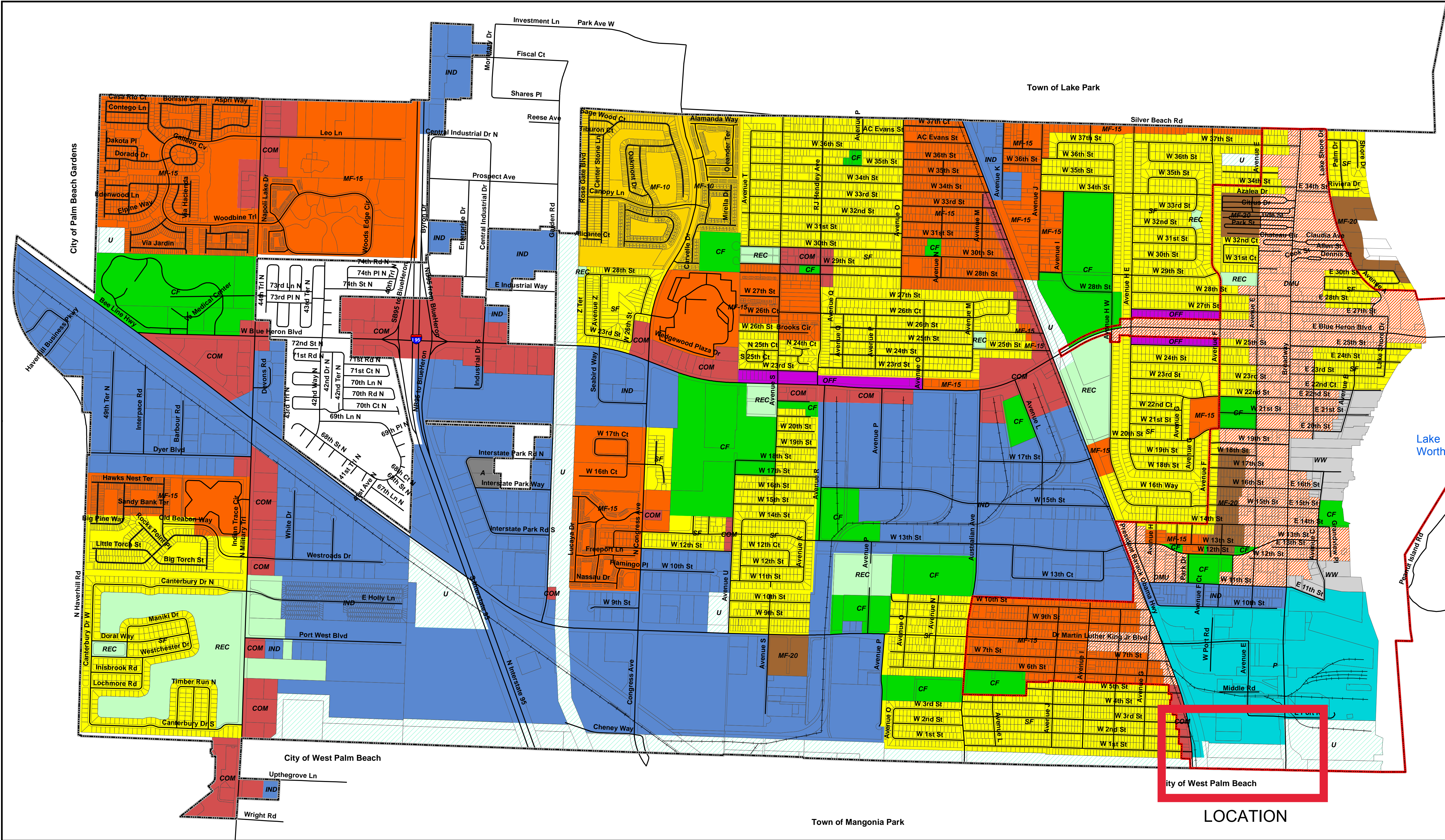


0 62.5 125 250 375 500 Feet

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.

Location Map
LU-16-02
105 Broadway

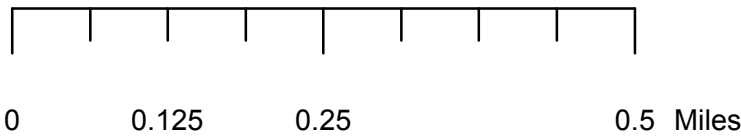




Revisions	Date	Description	Ordinance
	12/16/1992	Annexation	2572
	12/16/1992	Land Use Change	2573
	6/16/1993	Annexation	2581
	12/1/1993	Land Use Change	2588
	7/19/1995	Land Use Change	2670
	5/15/1996	Land Use Change	2705
	12/18/1996	Land Use Change	2723
	12/18/1996	Annexation	2726
	12/18/1996	Land Use Change	2727
	3/5/1997	Land Use Change	2732
	4/16/1997	Land Use Change	2735
	7/1/1998	Land Use Change	2778
	3/20/2002	Stipulated agreement	2914
	6/2/2002	Annexation	2921
	11/20/2002	Annexation	2932
	12/18/2002	Land Use Change	2923
	5/21/2003	Annexation	2943
	7/2/2003	Annexation	2940
	12/17/2003	Land Use Change	2952
	1/7/2004	Annexation	2954
	2/4/2004	Land Use Change	2957
	4/7/2004	Land Use Change	2965
	10/6/2004	Annexation	2981
	11/17/2004	Annexation	2982
	4/2/2006	Land Use Change	2998
	3/15/2006	Land Use Change	3005
	6/7/2006	Land Use Change	3007
	11/15/2006	Land Use Change	3017
	11/15/2006	Land Use Change	3019
	4/2/2008	Land Use Change	3040
	9/17/2008	Land Use Change	3051
	5/19/2010	Land Use Change	3066
	10/6/2010	Land Use Change	3073
	5/7/2014	Land Use Change	4042
	6/4/2014	Annexation	4046
	6/15/2016	Land Use Change	4080

Land Use Districts

- Single Family Residential: Up to 6 dwelling units per acre
- Annexed, FLU not yet assigned
- Resort Hotel
- Low Density Mixed Type Multiple Family Residential: Up to 10 dwelling units per acre
- Medium Density Multiple Family Residential: Up to 15 dwelling units per acre
- High Density Multiple Family Residential: Up to 20 dwelling units per acre
- Resort, Hotel, and Timeshare up to 40 suites per acre
- Commercial
- Working Waterfront
- Downtown Mixed Use
- Office
- Port
- Industrial
- Community Facilities
- Recreational
- Special Preservation
- Utilities

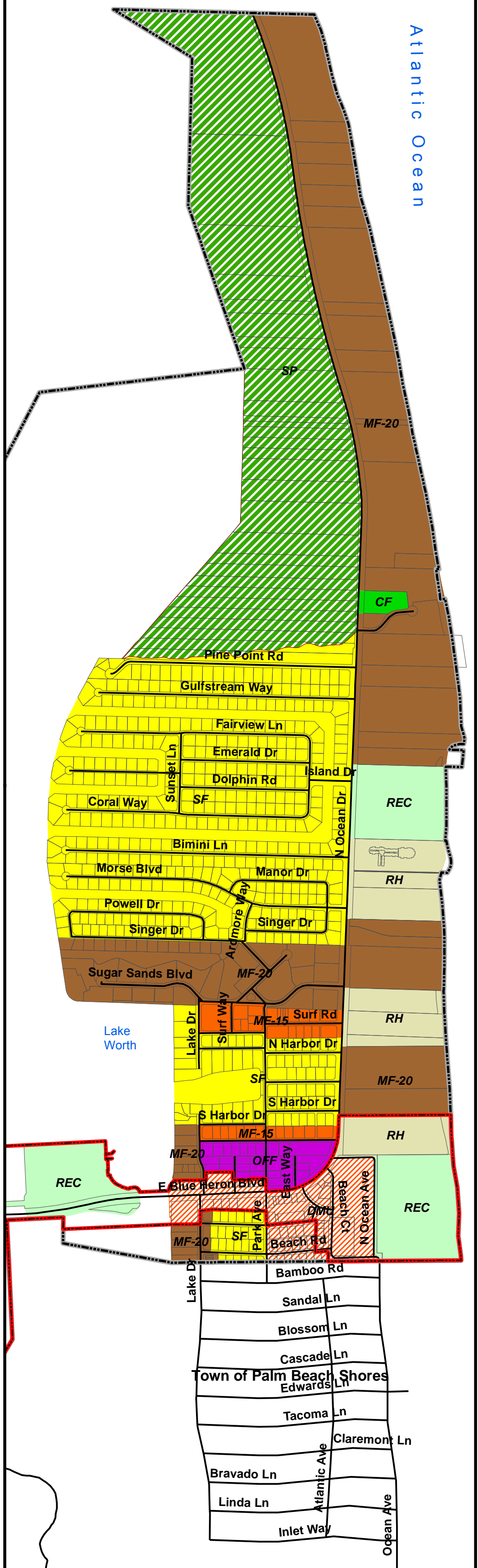


City of Riviera Beach, Florida



Future Landuse Map

LOCATION

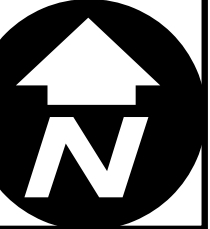


Base Map Features

- CRA Boundary
- City Boundary
- Roads
- Railroad Lines
- Parcels

Map originally created on December 2000 - updated on May 2014 by the City of Riviera Beach Community Development Department.
Source for Zoning Districts and Railroads:
City of Riviera Beach Community Development Department.
Source for Street Centerlines and Parcels: Palm Beach County Information Systems Services. The GIS Data used to create this map is property of Palm Beach County, Florida Copyright 2001. All rights reserved. Any use of Palm Beach County GIS Data is subject to a license agreement and the data and map disclaimer found on the bottom left hand corner of this map.

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**STAFF REPORT – CITY OF RIVIERA BEACH
CASE NUMBER RZ-16-02
PLANNING AND ZONING BOARD, DECEMBER 8, 2016**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S ZONING MAP DESIGNATION FOR THE REAL PROPERTY LOCATED AT 105 BROADWAY, CONSISTING OF APPROXIMATELY 5.22 ACRES OF LAND, FROM A UTILITIES ZONING DESIGNATION TO A LIMITED INDUSTRIAL ZONING DESIGNATION, IN ORDER TO FACILITATE USE OF THE SITE FOR STORAGE OF ROLLING AND BULK CARGO; AND PROVIDING FOR AN EFFECTIVE DATE.

A. Applicant: Port of Palm Beach District.

B. Request: The applicant is requesting a zoning map amendment.

C. Location: 105 Broadway.

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

Parcel Control Number: 56-43-42-33-00-000-5140.

Parcel Size: +/- 5.21 Acres.

Existing Use: Formerly used for construction parking for FPL.

Zoning: Utilities (amendment proposed).

Future Land Use: Utilities (amendment proposed).

E. Adjacent Property Description and Uses:

North: Utilities, FPL Powerlines.

South: West Palm Beach; Residential uses.

East: Broadway, FPL Energy Center.

West: FEC Railway, FPL Powerlines, President Barak Obama Highway.

F. Background:

This property was acquired by the Port of Palm Beach District from the Florida Department of Transportation on November 30, 2011. The Quitclaim Deed is recorded in Palm Beach County Official Record Book 24882, Page 0566. Specific restrictions on the use of the land exist within said deed and a reverter clause was also provided. A Zoning Map Amendment is required from "Utilities District" to "Limited Industrial District" in order to accommodate Port of Palm Beach District cargo storage uses on this property. This application has been submitted in conjunction with a land use amendment, site plan and plat application.

G. Staff Analysis:

Proposed Development/Use: Port of Palm Beach uses as provided by the site plan conditions (primarily rolling cargo).

Zoning Regulations: The Port of Palm beach has applied to amend the zoning map designation from Utilities to Limited Industrial.

Comprehensive Plan: The Port of Palm beach has applied to amend the future land use map designation Utilities to Industrial.

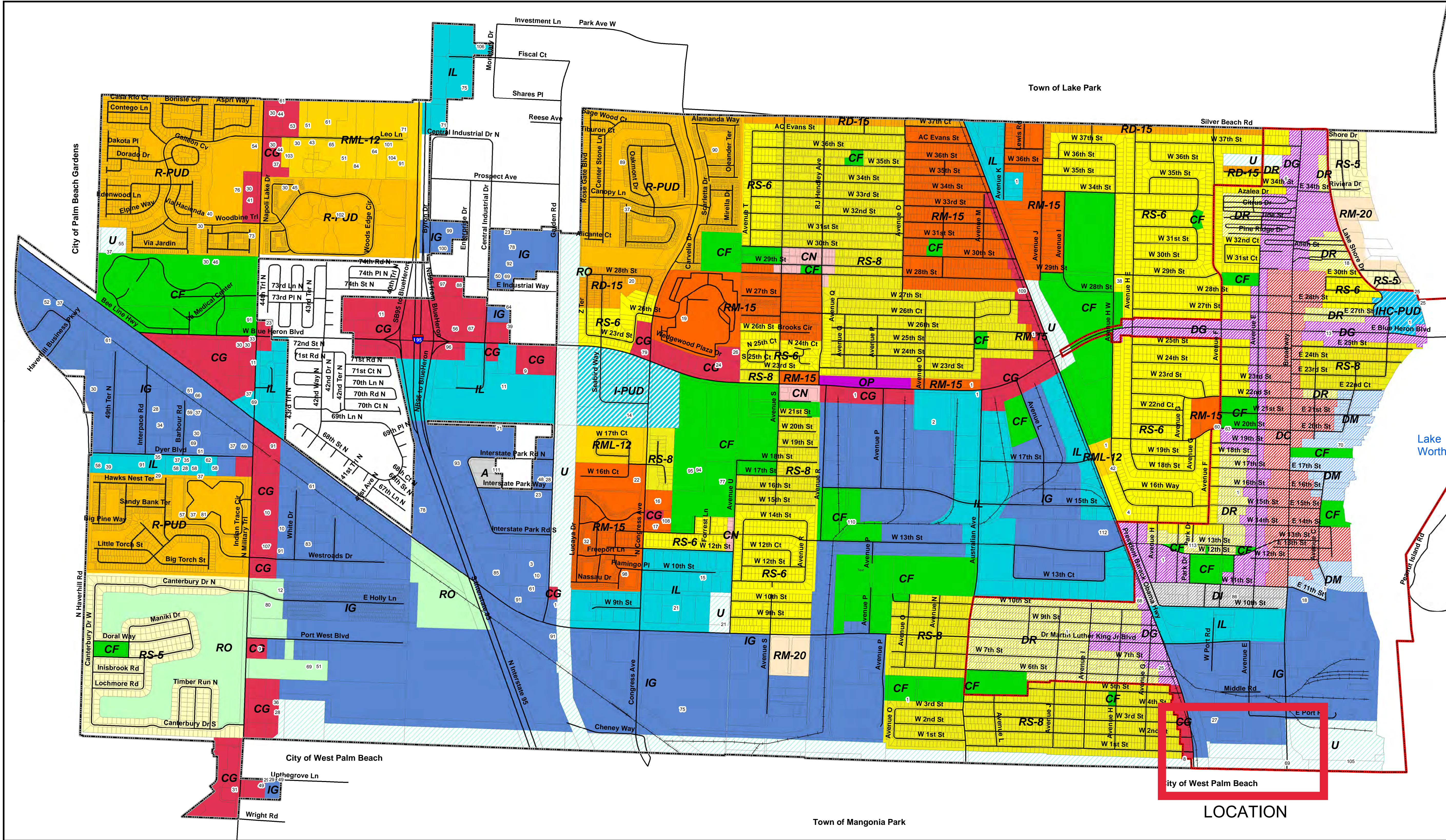
Compatibility: Specific deed restrictions and conditions of use on the site plan exist to ensure compatibility to the greatest extent possible with surrounding properties and uses.

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

Landscaping: Landscape improvements are proposed in association with the site plan application.

Parking/Traffic: Adequate ingress and egress to the property currently exists. Parking and storage uses will occur onsite.

H. Recommendation: Staff recommends approval of the Zoning Map amendment from Utilities District to Limited Industrial District.



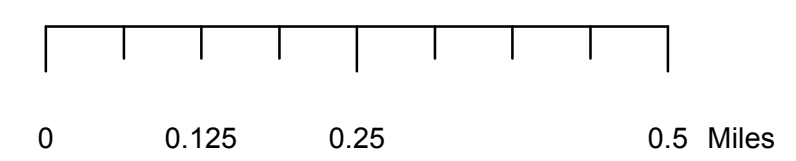
Revision #	Ordinance	Year	Revision #	Ordinance	Year	Revision #	Ordinance	Year
1	2178	1982	39	2531	1991	77	2793	1998
2	2180	1982	40	2535	1991	78	2796	1998
3	2190	1983	41	2536	1991	79	2820	1999
4	2197	1983	42	2545	1991	80	2846	2000
5	2218	1983	43	2551	1992	81	2858	2000
6	2230	1984	44	2552	1992	82	2869	2000
7	2235	1984	45	2553	1992	83	2893	2001
8	2236	1984	46	2555	1992	84	2909	2001
9	2253	1984	47	2556	1992	85	2921	2002
10	2254	1984	48	2557	1992	86	2924	2003
11	2256	1984	49	2558	1992	87	2927	2002
12	2268	1985	50	2572	1992	88	2932	2002
13	2269	1985	51	2581	1993	89	2935	2003
14	2272	1985	52	2590	1993	90	2939	2003
15	2273	1985	53	2591	1993	91	2940	2003
16	2274	1985	54	2592	1993	92	2943	2003
17	2275	1985	55	2595	1993	93	2954	2004
18	2277	1985	56	2597	1993	94	2956	2004
19	2286	1985	57	2605	1993	95	2957	2004
20	2288	1985	58	2606	1993	96	2970	2004
21	2291	1985	59	2607	1993	97	2974	2004
22	2298	1986	60	2617	1993	98	2976	2004
23	2312	1986	61	2618	1993	99	2981	2004
24	2315	1986	62	2619	1993	100	2983	2004
25	2326	1987	63	2632	1994	101	2993	2005
26	2387	1988	64	2634	1994	102	2996	2005
27	2388	1988	65	2636	1994	103	2999	2005
28	2398	1988	66	2644	1994	104	3006	2006
29	2433	1989	67	2669	1995	105	3008	2006
30	2477	1989	68	2706	1996	106	3018	2006
31	2488	1990	69	2707	1996	107	3020	2006
32	2490	1990	70	2724	1996	108	3041	2008
33	2494	1990	71	2726	1996	109	3052	2008
34	2495	1990	72	2731	1997	110	4043	2014
35	2496	1990	73	2736	1997	111	4046	2014
36	2497	1990	74	2750	1997	112	4079	2016
37	2521	1990	75	2766	1997	113	4081	2016
38	2525	1991	76	2777	1998			

- Zoning Districts**
 - RS-5: Single Family Dwelling District
 - Downtown Marine
 - Downtown Industrial
 - Downtown Residential
 - Downtown General
 - Downtown Core
 - RH
 - RS-6: Single Family Dwelling District
 - RS-8: Single Family Dwelling District
 - RML-12: Low Density Multiple Family Dwelling District
 - RD-15: Two Family Dwelling District
 - RM-15: Multiple Family Dwelling District
 - RM-20: High Density Multiple Family Dwelling District
 - RMH-15: Multiple Family / Hotel District
 - RMH-20: Multiple Family / Hotel District
- CN: Neighborhood Commercial District
 - CG: General Commercial District
 - R-PUD: Residential Planned Unit Development (Special Exception)
 - C-PUD: Commercial Planned Unit Development (Special Exception)
 - I-PUD: Industrial Planned Unit Development (Special Exception)
 - IHC-PUD: Inlet Harbor Center Planned Unit Development (Special Exception)
 - OP: Office Professional District
 - TLI: Transitional Limited Industrial District
 - IL: Limited Industrial District
 - IG: General Industrial District
 - RO: Recreation and Open Space District
 - CF: Community Facility District
 - U: Utilities District
 - A: Annexed, Zoning Not Yet Assigned

City of Riviera Beach, Florida



Zoning Map

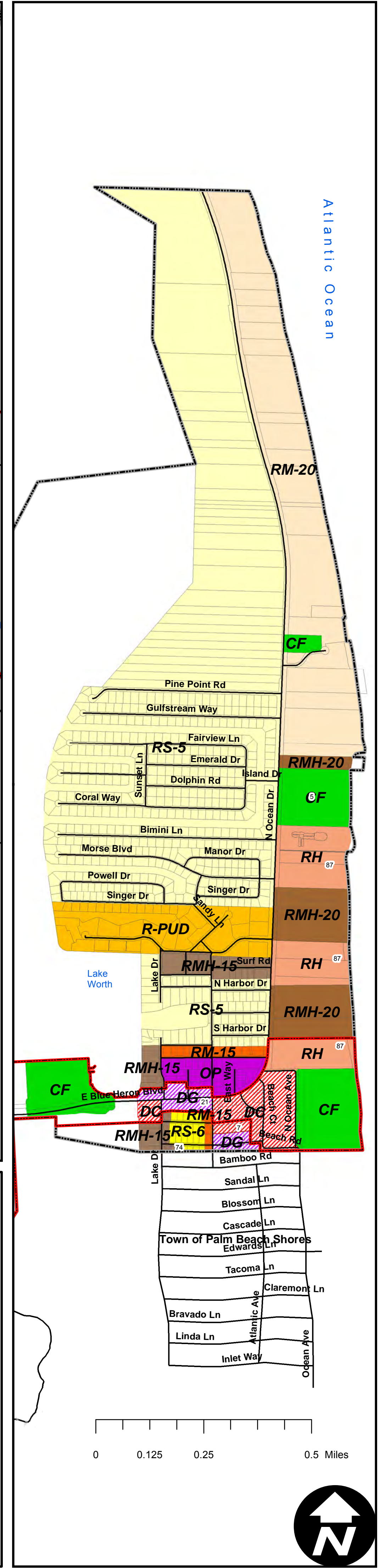


Base Map Features

- CRA Boundary
- City Boundary
- Roads
- Railroad Lines
- Parcels

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**STAFF REPORT – CITY OF RIVIERA BEACH
CASE NUMBER SP-16-13
PLANNING AND ZONING BOARD, DECEMBER 8, 2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM THE PORT OF PALM BEACH DISTRICT, FOR PORT RELATED USES, INCLUDING STORAGE OF ROLLING AND BULK CARGO, FOR THE REAL PROPERTY LOCATED AT 105 BROADWAY; PROVIDING SPECIFIC CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

A. Applicant: Port of Palm Beach District.

B. Request: The applicant is requesting site plan approval for the storage of rolling and bulk cargo to support the movement and intermodal transportation of cargo in support of commerce and trade activities, parking of vehicles and equipment, and storage of materials.

C. Location: 105 Broadway.

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

Parcel Control Number: 56-43-42-33-00-000-5140.

Parcel Size: +/- 5.21 Acres.

Existing Use: Formerly used for construction parking for FPL.

Zoning: Utilities (amendment proposed).

Future Land Use: Utilities (amendment proposed).

E. Adjacent Property Description and Uses:

North: Utilities, FPL Powerlines.

South: West Palm Beach; Residential uses.

East: Broadway, FPL Energy Center.

West: FEC Railway, FPL Powerlines, President Barak Obama Highway.

F. Background:

This property was acquired by the Port of Palm Beach District from the Florida Department of Transportation on November 30, 2011. The Quitclaim Deed is recorded in Palm Beach County Official Record Book 24882, Page 0566. Specific restrictions on the use of the land exist within said deed and a reverter clause was also provided.

In February of 2012, an Interlocal Agreement between the City of West Palm Beach, the Port of Palm Beach and the City of Riviera Beach was executed providing specific conditions of property use (City Resolution No. 28-12). This agreement accommodated

the request to utilize this property for parking and storage associated with the construction of the FPL Riviera Beach Energy Center (adjacent to the east). The City of West Palm Beach has requested that similar use conditions are placed on future use of the property in order to protect the health, safety and welfare of the residential uses (within the jurisdiction of WPB) located directly to the south of 105 Broadway. The City of Riviera Beach supports this request and has incorporated additional conditions of approval to protect these residents.

G. Staff Analysis:

Proposed Development/Use: Port of Palm Beach storage of rolling and bulk cargo to support the movement and intermodal transportation of cargo in support of commerce and trade activities, parking of vehicles and equipment, and storage of materials.

Zoning Regulations: The Port of Palm beach has applied to amend the zoning map designation from Utilities to Limited Industrial.

Comprehensive Plan: The Port of Palm beach has applied to amend the future land use map designation Utilities to Industrial.

Compatibility: Specific deed restrictions and conditions of use exist and are also proposed as conditions of approval for this site plan.

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

Landscaping: Landscape improvements are proposed in association with the site plan application.

Parking/Traffic: Adequate ingress and egress to the property currently exists. Parking and storage uses will occur onsite.

H. Recommendation: Staff recommends approval of the site plan application from the Port of Palm Beach District with the following conditions of approval:

1. This real property may only be utilized for the staging and storage of rolling and bulk cargo (containers) to support the movement and intermodal transportation of cargo in support of commerce and trade activities, for parking of vehicles and equipment, and storage of materials. Any alternate property uses require approval by the City of Riviera Beach.
2. Open storage of loose materials, including, but not limited to, dirt, sand, gravel, scrap metal, demolition debris, plastic, paper or wood pulp is prohibited. Storage of wrecked or junked vehicles or equipment is prohibited.
3. Storage of fuel drums or tanks, hazardous or combustible materials or substances, hazardous wastes or other pollutants or contaminants is prohibited.
4. All lighting shall be directed away and shielded from adjacent property and shall not exceed a spillover of 0.5 foot candles into adjacent residential property. To avoid light trespass, light poles shall not exceed 25 feet in height.

5. Shipping containers shall not be stacked higher than one container on top of another (two containers in total height). The height of cargo, equipment, or material shall not exceed twenty-five (25) feet in height.
6. Activity on this property which results in offensive noise or vibration shall be discontinued during the time between 8:00 PM and 7:00 AM.
7. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before the certificate of occupancy is issued.
8. Construction and landscaping improvements must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.
9. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.
10. Once approved, this resolution shall supersede any previous site plan approval resolutions associated with this property, causing previous site plan approval resolutions to be null and void.
11. City council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.

Port of Palm Beach District

City of Riviera Beach, Florida



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RIVIERA BEACH, FLORIDA	DSGN	DR	CHK
	C. ROGERS		J. PEREZ

3001 PGA BOULEVARD - SUITE 201
PALM BEACH GARDENS, FLORIDA 33410
EB0000072 AAC001992

ANNEX PROPERTY ZONING
PORT OF PALM BEACH
RIVIERA BEACH, FLORIDA

ch2m.

GENERAL

COVER SHEET AND INDEX OF DRAWINGS

VERIFY SCALE

BAR IS ONE INCH ON
ORIGINAL DRAWING.
0 1"

DATE MAY 2016

PROJ	472906
------	--------

DWG G-001

PLOT TIME: 1:50pm

FII FNAME: G001 472906 dwn

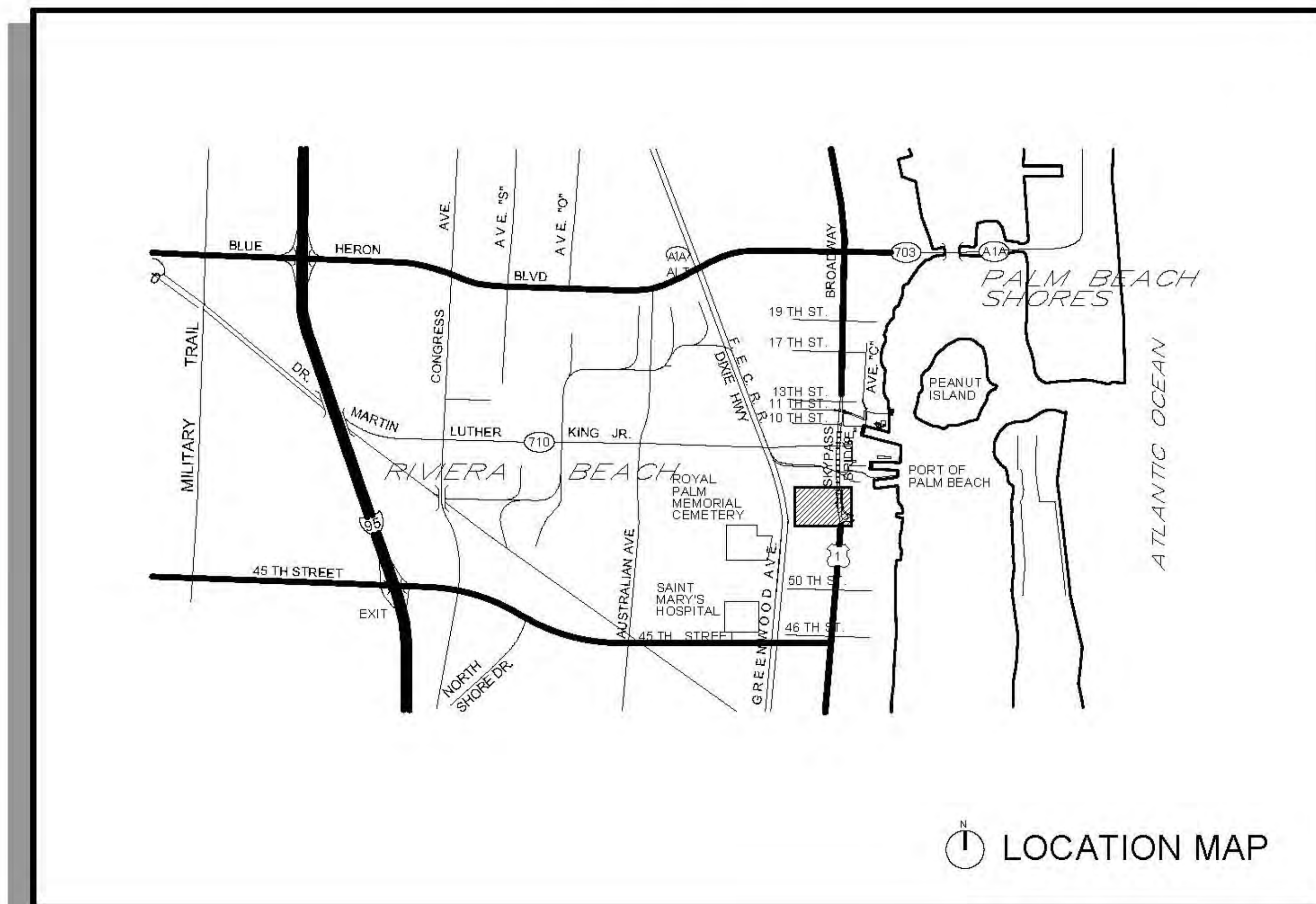
PI OT DATE: May26 2016

PLOT TIME: 1:50pm

3001 PGA BOULEVARD - SUITE 300
PALM BEACH GARDENS, FLORIDA 33410
EB0000072 AAC001992
(561) 904-7400 (561) 904-7401 (FAX)

GENERAL

- | | |
|-------|-----------------------------------|
| G-001 | COVER SHEET AND INDEX OF DRAWINGS |
| G-002 | EXISTING SITE |
| G-003 | SITE PLAN |
| G-004 | UTILITY SITE PLAN |
| G-005 | LANDSCAPE PLAN |
| G-006 | LIGHTING PLAN |



LEGEND

- CONCRETE LIGHT POLE
- ELECTRIC BOX
- GAS MARKER
- GUY ANCHOR
- METAL PIPE
- METAL TRAFFIC SIGN POST
- SIGN
- VALVE
- WOOD POWER POLE
- OIL MARKER
- CONCRETE POWER POLE
- LIGHT POLE
- TRAFFIC SIGNAL BOX
- MASTARM
- FPL MARKER
- TV BOX

- OVERHEAD WIRES
- FENCE
- SWALE
- SWALE CENTERLINE

- PROPERTY LINE
- EXISTING ASPHALT PAVEMENT
- EXISTING CONCRETE
- EXISTING CRUSHED ASPHALT
- EXISTING SPOT ELEVATION

LEGAL DESCRIPTION:

A PORTION OF STATE ROAD 710, LYING IN SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

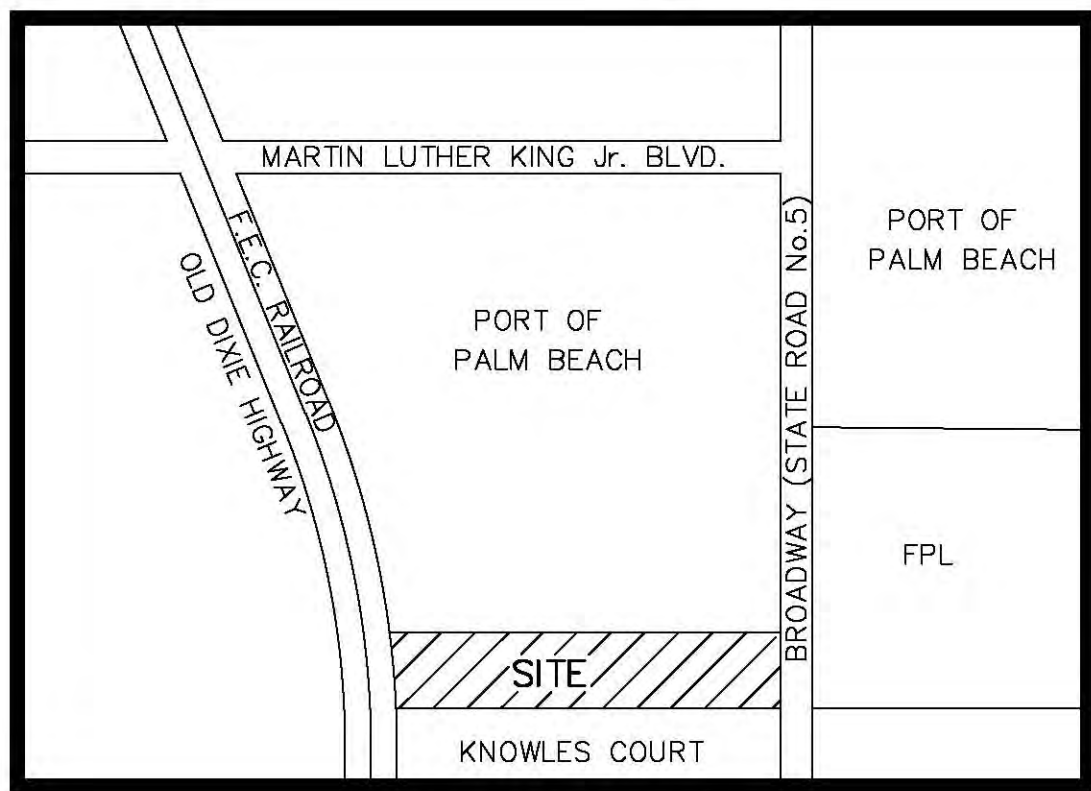
BEGIN AT THE NORTHWEST CORNER OF LOT 73, KNOWLES COURT ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 82 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID CORNER BEING AT THE INTERSECTION OF THE EAST EXISTING RIGHT OF WAY LINE FOR THE F.E.C. RAILROAD AND THE SOUTH EXISTING RIGHT OF WAY FOR STATE ROAD 710 (CONNECTOR AT PORT OF PALM BEACH) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP ITEM/SEGMENT 2298951, FOR SECTION 93310-2506; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE SOUTH 88°50'10" EAST, 1,252.58 FEET TO A POINT ON THE WEST EXISTING RIGHT OF WAY LINE, FOR S.R. 5 (U.S. 1) AS SHOWN ON SAID RIGHT OF WAY MAP; THENCE ALONG SAID WEST RIGHT OF WAY LINE NORTH 00°20'55" WEST, 181.06 FEET TO A POINT ON THE NORTH EXISTING RIGHT OF WAY LINE FOR SAID STATE ROAD 710; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, NORTH 88°50'10" WEST, 1,259.37 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE FOR THE F.E.C. RAILROAD AND A POINT ON A CURVE CONCAVE WESTERLY, HAVING A CHORD BEARING OF SOUTH 02°29'32" EAST; THENCE ALONG SAID EAST RAILROAD RIGHT OF WAY LINE AND SAID CURVE, HAVING A RADIUS OF 2,914.93 FEET, A CENTRAL ANGLE OF 03°33'56", AN ARC DISTANCE OF 181.40 FEET TO END OF SAID CURVE AND THE POINT OF BEGINNING.

CONTAINING 5.215 ACRES, MORE OR LESS.

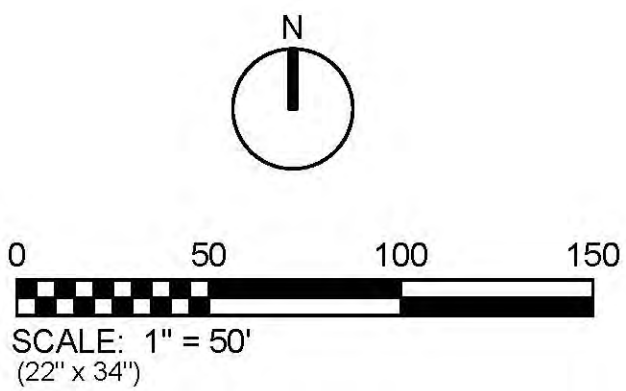
LEGAL DESCRIPTION PER THE QUITCLAIM DEED
PALM BEACH COUNTY ORB 24882 PG 0566

ABBREVIATIONS:

- IR - IRON ROD
- IR/C - IRON ROD WITH CAP AS NOTED
- SET IR/C - SET 1/2" IRON ROD WITH BROWN & PHILLIPS CAP
- C.M. - 4"x4" CONCRETE MONUMENT
- PRM - PERMANENT REFERENCE MONUMENT
- ND - NAIL & DISK
- PK - PARKER KALON
- SET ND - SET PK NAIL WITH LB6473 DISK
- NAD - NORTH AMERICAN DATUM
- LB - LICENSED BUSINESS
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- P.B. - PLAT BOOK
- ORB - OFFICIAL RECORD BOOK
- PG. - PAGE
- RAW - RIGHT-OF-WAY
- PBC - PALM BEACH COUNTY
- F.E.C. - FLORIDA EAST COAST
- FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION
- S.R. - STATE ROAD
- R - RADIUS
- Δ - CENTRAL ANGLE
- A - ARC LENGTH
- U.E. - UTILITY EASEMENT
- D.E. - DRAINAGE EASEMENT
- (P) - PLAT DIMENSION
- (D) - DEED DIMENSION
- (M) - MEASURED DIMENSION
- (C) - CALCULATED DIMENSION, PER DEED



LOCATION MAP
NOT TO SCALE



3001 PGA BOULEVARD, SUITE 201
PALM BEACH GARDENS, FLORIDA 33410
EB0000072 AAC001992

ANNEX PROPERTY ZONING

GENERAL

EXISTING SITE

VERIFICATION SCALE

DATE MAY 2016

PROJ 472906

DWG G-002

3001 PGA BOULEVARD, SUITE 201
PALM BEACH GARDENS, FLORIDA 33410
EB0000072 AAC001992

ANNEX PROPERTY ZONING

GENERAL

EXISTING SITE

VERIFICATION SCALE

DATE MAY 2016

PROJ 472906

DWG G-002

3001 PGA BOULEVARD, SUITE 201
PALM BEACH GARDENS, FLORIDA 33410
EB0000072 AAC001992

ANNEX PROPERTY ZONING

GENERAL

EXISTING SITE

VERIFICATION SCALE

DATE MAY 2016

PROJ 472906

DWG G-002

3001 PGA BOULEVARD, SUITE 201
PALM BEACH GARDENS, FLORIDA 33410
EB0000072 AAC001992

ANNEX PROPERTY ZONING

GENERAL

EXISTING SITE

VERIFICATION SCALE

DATE MAY 2016

PROJ 472906

DWG G-002

3001 PGA BOULEVARD, SUITE 201
PALM BEACH GARDENS, FLORIDA 33410
EB0000072 AAC001992

ANNEX PROPERTY ZONING

GENERAL

EXISTING SITE

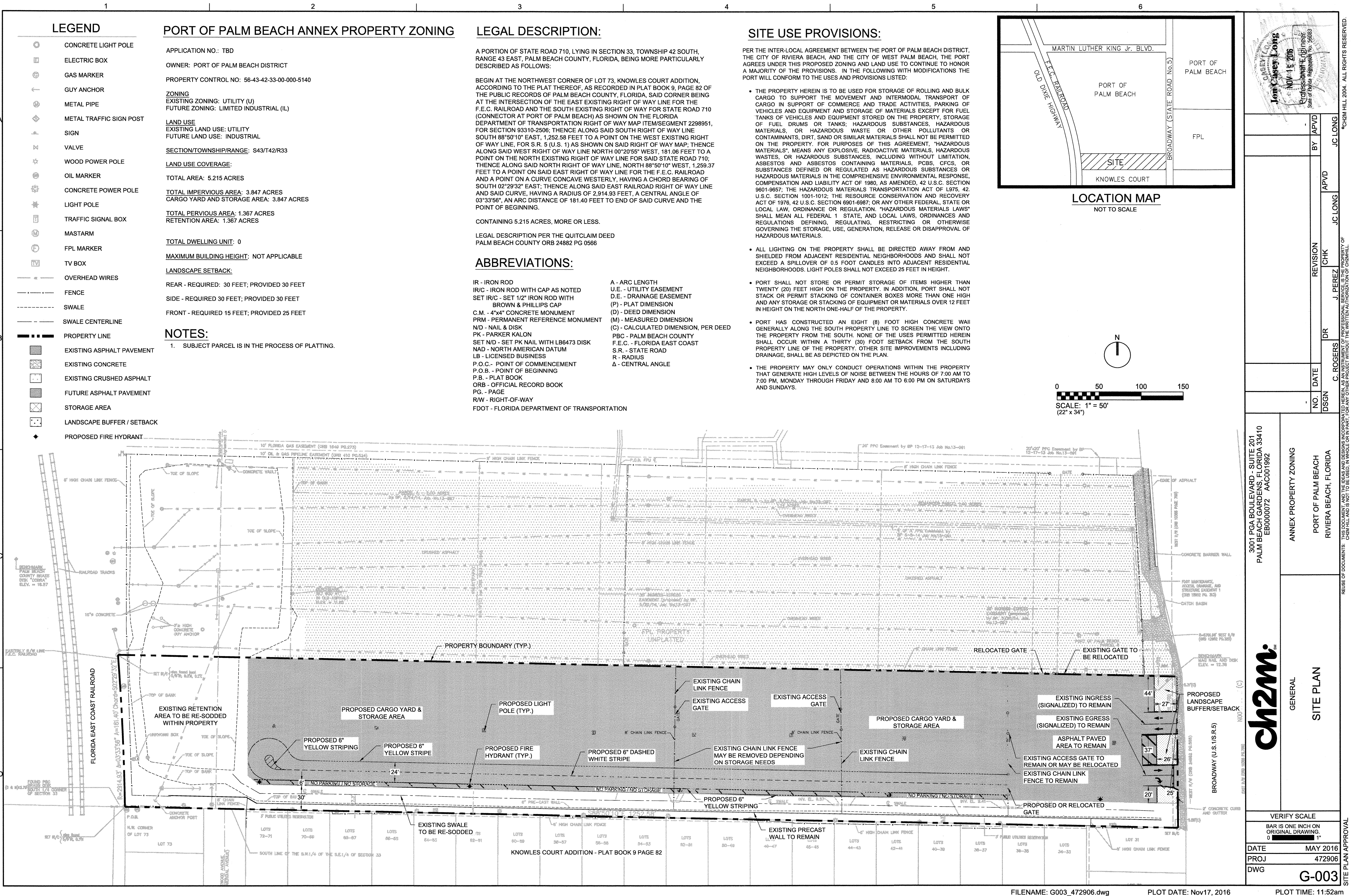
VERIFICATION SCALE

DATE MAY 2016

PROJ 472906

DWG G-002

FILE NAME: G002 472906.dwg PI OT DATE: May26 2016 PI OT TIME: 2:53pm



For Staff Use Only

City of Riviera Beach Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404 Phone: (561) 845-4060 Fax : (561) 845-4038	Date:	Case Number:
	Project Title:	
	Fee Paid:	Notices Mailed:
	1st Hearing:	2nd 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.

APPLICANT	Name of Property Owner(s): Port of Palm Beach District
	Mailing Address: 1 East 11th Street, Suite 600, Riviera Beach, FL 33404
	Property Address: 105 Broadway
	Name of Applicant (if other than owner):
	Home: () N/A Work: (561) 383-4100 Fax: (561) 842-4240
	E-mail Address:

PLEASE ATTACH LEGAL DESCRIPTION

PROPERTY	Future Land Use Map Designation: INDUSTRIAL Current Zoning Classification: UTILITY
	Square footage of site: 227,121.84 Property Control Number (PCN): 56-43-42-33-00-000-5140
	Type and gross area of any existing non residential uses on site: NOT APPLICABLE
	Gross area of any proposed structure: 0.00
	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: Utilities, Florida Power and Light
	South: SF-7, West Palm Beach, Residential, City of West Palm Beach
East: Utilities, US-1 / Broadway	
West: Utilities, Florida East Coast Railroad	

REZONE	Requested Zoning Classification: LI (Limited Industrial District)
	Is the requested zoning classification contiguous with existing? Yes
	Is a Special Exception necessary for your intended use? [] Yes [<input checked="" type="checkbox"/>] No
	Is a Variance necessary for your intended use? [] Yes [<input checked="" type="checkbox"/>] No

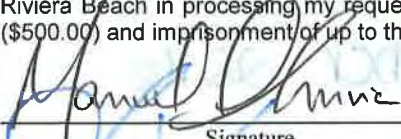
FUTURE LAND USE	Existing Use: Utilities	Proposed Use: Industrial
	Land Use Designation: Utilities	Requested Land Use: Limited Industrial
	Adjacent Land Uses: North: Utilities	South: Residential, SF-7
	East: Utilities	West: Utilities
	Size of Property Requesting Land Use Change: 5.214 Acres (227,121.84 SF)	

SPECIAL EXCEPTION	Describe the intended use requiring a Special Exception: Not Applicable
	Provide specific LDR ordinance section number and page number: Not Applicable
	How does intended use meet the standards in the Land Development Code? Not Applicable
	Demonstrate that proposed location and site is appropriate for requested use: Not Applicable
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods: Not Applicable
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: Not Applicable
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: Not Applicable
	Demonstrate how utilities and other service requirements of the use can be met: Not Applicable
	Demonstrate how the impact of traffic generated will be handled: On-site: Not Applicable
	Off-Site: Not Applicable
Other: Not Applicable	

VARIANCE	Describe the Variance sought: Not Applicable
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site: Not Applicable
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space: Not Applicable
	Other: Not Applicable

SITE PLAN	Describe proposed development: Storage of cargo and equipment to support the movement and intermodal transport of cargo in support of commerce and other IL uses.
	Demonstrate that proposed use is appropriate to site: Parking of vehicles and equipment and storage of cargo and equipment.
	Demonstrate how drainage and paving requirement will be met: Existing on-site retention pond with off-site emergency discharge through natural weir/berm.
	Demonstrate any landscaping techniques to visually screen use from adjacent uses: Existing privacy wall along a majority South Property Line with small western segment of chain link fence and landscaping per Sheet G-005.
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use: Recent Installation of 8'-0" High Concrete Wall on South Boundary of Property and landscaping along west and east boundary.
	Demonstrate how utilities and other service requirements of the use can be met: No utilities proposed except for fire hydrants for fire protection and irrigation for landscape as required.
	Demonstrate how the impact of traffic generated will be handled: On-site: Utilize internal roadways. Off-site: Utilize roadways internal to the Port and existing access points offsite.

OTHER	COMMUNICATION TOWER CO-LOCATION REQUIREMENTS: Not Applicable.
	<ul style="list-style-type: none"> • 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. • Antenna manufacture cut sheets including antenna size and shape. • Zoning map of area with site clearly marked. • Photos of existing building or tower and surrounding uses. • Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional. • Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop. • Letter of structural capacity and building code compliance. • Notes on plan or letter demonstrating floor area coverage not in excess of restrictions • Provide Photo Enhancements of proposal. • Statement that proposal is in compliance with Environmental Regulations prior to permit issue.

Confirmation of Information Accuracy	
<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	11/17/16 Date

AGENT AUTHORIZATION FORM

Owner(s) of Record: Port of Palm Beach District

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared _____

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

PCN: 56-43-42-33-00-000-5140

the street address of which is: _____

and that we hereby appoint:

Name: Jon Casey Long, P.E. / CH2M HILL
Address: 3001 PGA Boulevard, Suite 201A
Palm Beach Gardens, Florida 33410
Telephone: 561/ 904-7400

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.



_____ (Seal)

Sworn to and subscribed before me this 16 day of November, 2016.

Dionna Abel
Notary Public



CH2M
3001 PGA Blvd.
Suite 201A
Palm Beach Gardens, FL 33410
O +1 561.904.7497
F +1 561.904.7401
www.ch2m.com

City of Riviera Beach
Department of Community Development
600 West Blue Heron Blvd,
Riviera Beach, FL 33404
Attn: Jeff Gagnon, AICP

November 16, 2016

Subject: Review of Uniform Land Use Application, 105 Broadway
PCN: 56-43-42-33-00-000-5140

Dear Mr. Gagnon,

CH2M is in receipt of your letter dated March 9, 2016 and responded on May 27, 2016 to each comment. Since that submittal and after subsequent meetings with you, we offer the following revised responses in red:

1. Comment: *Please provide a site survey*
Response: **2 Signed and Sealed copies of the survey have been provided with this submittal.**
2. Comment: *This information provided indicated that the property (105 Broadway) is currently not platted. This property shall be platted concurrently with the site plan approval process.*
Response: **The proposed draft plat survey is attached. Easements are still under review and subject to change.**
3. Comment: *Please revise the Uniform Land use Application (Property Section) and the initial paragraph of the Project Narrative from CH2MHILL (and any other pages) to indicate that the adjacent property to the north of 105 Broadway is owned by FPL and has a Utilities Future Land Use and Zoning Designation. Please note that the City has not approved of any Port use of this property. Additionally, the adjacent property to the north falls outside of the Port's designated boundary.*
Response: **The Land Use Application has been revised accordingly. Application shows Limited Industrial and the Site Plan addresses proposed uses of the property per FDOT reverter clause.**
4. Comment: *Does the POPB intend to incorporate this parcel (or others) into the Port's boundary as designated within the PBC Comprehensive Plan? If so, what is the current status of the request?*
Response: **The parcel is owned by the port. The PBC comprehensive plan recognizes the intention to utilize this subject parcel per this land use application. The parcel does not need to be incorporated into the Port's boundary.**

5. Comment: *All sections of the Variance Section of the Uniform Land Use Application should read “not applicable”.*

Response: **Revised accordingly**

6. Comment: *A PBC Traffic Standards Performance Review approval letter may be required depending on proposed future development on site.*

Response: **Noted. As discussed with no buildings being proposed as part of this application and the majority of trips being generated internally, the total trip generations from US1 are below the requirement to require a traffic study at this time. See Traffic Generation memo attached.**

7. Comment: *City staff believes that some of the proposed amendments to the TLI Zoning Designation are not compatible with this designation or are currently regulated by other City Code Sections. City Staff will continue to work with the applicant’s team to generate language suitable for all. A revised draft will soon be provided for discussion.*

Response: **~~Noted. Our proposed revision based on our review of the City’s recommendations is forth coming.~~ Application has been switched to Limited Industrial as recommended by City Staff.**

8. Comment: *Site Plan (Sheet G-002):
a. The site plan does not demonstrate future development, instead it acts more similar to a site survey. All anticipated/desired site improvements should be provided on the site plan for review and analysis (structures, parking spaces, storage areas, etc.) Proposed future development also has the potential to impact site concurrency review standards.*

Response: **We have provided both an existing site conditions and proposed site plan with this resubmittal addressing these items.**

Response: *b. Please identify the access easements through the FPL parcel to the north.*
These have been added and identified.

Response: *c. Existing chain link fence is shown on the site plan. Please identify the location of any access gates.*
Added accordingly both existing and proposed

Response: *d. Why is “PORT OF PALM BEACH DISTRICT” shown in the center of the site plan, utility plan and landscape plan?*
This has been removed.

Response: *e. Lighting plan/photometric plan is required.*
This has been provided, see Sheet G-006

9. Comment: *Landscape Plan (Sheet G-004):
a. Is the plant material shown proposed or already existing on site (Cabbage Palms and Dwarf Firebush)? If existing, please add additional cabbage palms within the landscape buffer (running north and south) at 15’ increments to fill in any gaps.*

Response: **Revised accordingly, see G005.**

b. The existing asphalt on the east side of the site is not to code. Typically only ingress and egress points/drive aisles are paved, allowing for a landscape buffer area adjacent to the right-of-way. Please specify the dimensions of these ingress and egress points on all applicable plans. A landscape buffer area approximately 25 feet wide should be created in the areas not designated for ingress and egress by removing existing asphalt, adding curb, and restoring the soil by adding new fill. All

landscape material proposed should have a low height at maturity to maintain line-of-site. It should also be low maintenance and drought tolerant. Green Island Ficus is recommended (or similar).

Response: **25' Landscape Buffer has been added.**

c. The sodded retention area on the western portion of the site must be reseeded or re-sodded according to the aerial map views currently available.

Response: **Noted and plans revised to include.**

Should you need additional information please contact me at 561-904-7497.

Regards,
CH2M

A handwritten signature in blue ink, appearing to read 'JCL', is positioned above the printed name of the sender.

J. Casey Long, P.E.
Senior Project Manager

cc: Manuel Almira, Port of Palm Beach
Ken Hern, Port of Palm Beach
File

Narrative: Port of Palm Beach District Annex Property Zoning

PREPARED FOR: City of Riviera Beach Community
Development Department

COPY TO: File

PREPARED BY: J. Casey Long, P.E., CH2M HILL

DATE: November 16, 2016

PROJECT NUMBER: 472906

A. Describe project purpose and details of intended use, including phasing and relationship to surrounding area.

The subject parcel, which is 5.215 acres in area, is located on the west side of US 1 (Broadway) just north of 59th Street (Knowles Court). The property is bounded by US 1 to the east, residential (City of West Palm Beach) to the south, the Florida East Coast Railroad to the west, and a parcel owned by Florida Power and Light to the North (overhead power lines).

The site was previously zoned OP (Office Professional District) and CG (Commercial) in 2013, however, the latest official zoning is currently now U (Utility). We have not seen record of this change officially. The Owner, the Port of Palm Beach District, is requesting a rezoning of the property to IL, Limited Industrial District.

Additionally, the Future Land Use map designation is proposed to be changed from Utilities to Industrial.

Until 2012, the subject property was a residential trailer park or vacant land.

In late 2012, the Port of Palm Beach District redeveloped the property into a laydown, overflow parking, and construction staging area to support the construction of the Florida Power and Light (FP&L) Riviera Beach Energy Center Project. The improvements are based on a Memorandum of Agreement executed between the Port of Palm Beach District and Florida Power and Light (FP&L) in November 2012.

To facilitate construction traffic and equipment operations from US 1 to primary laydown area, the eastern 200 feet of the property, which abuts US 1, was paved with asphalt. The laydown and overflow parking area, just west of the asphalt paved area, has been surfaced with asphalt millings. To the west of the laydown area, a retention pond was constructed onsite. (Refer to FP&L Riviera Beach Energy Center Unit 5 Site Related Work Contractor Parking /Laydown Area General Arrangement Plans by Zachry.)

Now that the support of the FP&L project is completed, the Port of Palm Beach District desires to utilize the property for operations consistent with the Port's IG zoned area. These operations will include the storage of cargo and equipment to support the movement and intermodal transport of cargo in support of commerce and trade activities, parking of vehicles and equipment, and storage of materials. However the Port of Palm Beach District is requesting to rezone to IL, Limited Industrial District instead of the typical IG, General Industrial.

Future improvements on the parcel proposed include permanent asphalt paving of the portions of the site that are currently improved with the asphalt millings; the installation of a water main and fire hydrants on

the south side of the site to provide fire protection; and the construction of accessory buildings (mobile facilities) to support the land use designation.

Per the inter-local agreement between the Port of Palm Beach District, the City of Riviera Beach, and the City of West Palm Beach, the Port agrees under this proposed zoning and land use to continue to honor the following with indicated modifications. The applicable changes needed as a result of Zachary's construction being completed are presented in strike through and underline format to present the language the Port of Palm Beach is proposing to be held to for the site within the IL designation:

- The property herein is to be used for storage of rolling and bulk cargo to support the movement and intermodal transport of cargo in support of commerce and trade activities, parking of vehicles and equipment and storage of materials** ~~Except for the fuel tanks located as shown on the Exhibit "B" plan referred to below (which fuel tanks must be permitted by any agency having jurisdiction over permitting such tanks), and Except for fuel tanks of vehicles and equipment stored on the Property, storage of fuel drums or tanks; hazardous substances, hazardous materials, or hazardous waste or other pollutants or contaminants, dirt, sand or similar materials shall not be permitted on the Property. For purposes of this Agreement, "Hazardous Materials", means any explosive, radioactive materials, hazardous wastes, or hazardous substances, including without limitation, asbestos and asbestos containing materials, PCBs, CFCs, or substances defined or regulated as hazardous substances or hazardous materials in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Section 9601-9657; the Hazardous Materials Transportation Act of 1975, 42 U.S.C. Section 1001-1012; the Resource Conservation and Recovery Act of 1976, 42 U.S.C. Section 6901-6987; or any other federal, state or local law, ordinance or regulation. "Hazardous Materials Laws" shall mean all federal 1 state, and local laws, ordinances and regulations defining, regulating, restricting or otherwise governing the storage, use, generation, release or disapproval of Hazardous Materials.~~
- All lighting on the Property shall be directed away from and shielded from adjacent residential neighborhoods and shall not exceed a spillover of 0.5 foot candles into adjacent residential neighborhoods. Light poles shall not exceed 25 feet in height.
- Port shall not store or permit storage of items higher than twenty (20) feet high on the Property. In addition, Port shall not stack or permit stacking of container boxes more than one high and any storage or stacking of equipment or materials over 12 feet in height ~~shall be on the north one-half of the property.~~
- ~~Prior to the Interim Uses commencing, Port shall improve the Property or cause the Property to be improved by Port has constructed an eight (8) foot high concrete wall generally along the south property line (or as close to the property line as practicable) to screen the view onto the Property from the south, by paving the area to be used for staging and storage and by providing associated drainage. None of the Interim Uses permitted herein shall occur within a thirty (30) foot setback from the south property line of the Property. Other site improvements including drainage, shall be as depicted on the plan prepared by Zachry Construction attached hereto and incorporated herein as Exhibit "B".~~
- The Property may only conduct **operations within the property that generate high levels of noise** ~~be used as described herein~~ between the hours of 7:00 AM to 7:00 PM, Monday through Friday and 8:00 AM to 6:00 PM on Saturdays **and Sundays**. ~~Use of the Property on Sundays shall be between the hours of 8:00 AM to 6:00 PM and shall require the prior approval of the building official of Riviera Beach or his designee and the prior notification of the building official of WPB.~~

The language adjustments as summarized above are presented in strike through and underline format.

B. Include estimate of employment and student population generated by project, if applicable.

The rezoning will not result in a student population. Based on current operations at the Port, should the maximum number of spaces on the property be 238, it is estimated that 34 jobs will be created in support of the proposed land use.

CRB Site Plan Approval Procedure – Application Information for the Port of Palm Beach District Annex Property Zoning

PREPARED FOR: City of Riviera Beach
PREPARED BY: J. Casey Long, P.E., CH2M HILL
DATE: November 16, 2016
PROJECT NUMBER: 472906

1. SITE PLAN – Refer to Site Plan, Plan Sheet G-003

- a. Special site plan drawing with information block showing zoning, parking calculations, site area, building coverage, pervious/impervious areas, location map. - **Refer to Site Plan, Plan Sheet G-003**
- b. Dimensions should include – lot, landscape strips, setbacks, roads, internal circulation areas, building(s), typical parking spaces, dumpster pads/enclosures, sign locations. It should be noted that sign approval requires separate building permit submission. **Refer to Site Plan, Plan Sheet G-003**
- c. Provide a digital copy of the site plan drawing with State Plan Coordinates in AutoCAD 2000 (.DWG) or Shapefile (.shp) format. **Refer to CD**

2. LANDSCAPE PLAN and ENVIRONMENTAL ASSESSMENT - Refer to Landscape Plan, Plan Sheet G-005

- a. Show compliance with the City of Riviera Beach Land Development Code - **Refer to Landscape Plan, Plan Sheet G-005**
- b. Drawings and/or narrative sufficient to describe the relevant flora and fauna which may be on the site. Tree survey may be required. - **Refer to Landscape Plan, Plan Sheet G-005**

3. ARTERIAL ROAD DESIGN AND STANDARD – Not applicable to this application

- a. Design standards for all non-residential properties fronting the following roads are required:
 - Dr. Martin Luther King, Jr. Boulevard
 - Old Dixie Highway
 - Blue Heron Boulevard
 - 13th Street
 - Military Trail
 - Congress Avenue
- b. Drawings indicating the appearance standards are required and addressed under Ordinance 2833.
- c. Only one monument sign is permitted per site with maximum square footage of 42 square feet.

4. UTILITY and DRAINAGE PLAN – Refer to the Utility Plan, Plan Sheet G-004

- a. Conceptual plan, indicating location of lines and tie-ins, proposed hydrants, if applicable - **Refer to the Utility Plan, Plan Sheet G-004; Water main with fire hydrants are proposed for fire protection for the use proposed by the Applicant. Domestic water services and sanitary sewer mains are not required or proposed at this time.**

- b. Conceptual plan to include existing and proposed major elevations. - **Refer to the Utility Plan, Plan Sheet G-004; all elevations are existing and not intended to be affected or modified for the use proposed by the Applicant.**
- c. Show easement, existing and proposed. - **Refer to the Utility Plan, Plan Sheet G-004; Easements are not required for the water main improvements.**
- d. Show conceptually how retention area will provide treatment for one-hour storm. - **Refer to the Utility Plan, Plan Sheet G-004 and the Drainage Concurrence Statement; Runoff will sheet flow onto to the existing retention pond on the west side of the property.**

5. **TRAFFIC ASSESSMENT** – **Refer to the Traffic Concurrence Statement**

- a. If traffic trip generation is under 500 T.P.D. then a properly formulated traffic statement is adequate. Traffic generation above this level will require a traffic engineer prepared traffic study. Provide total ADT (Average Daily Trips) for project [from Traffic Statement, Traffic Study or Table 1 in Sec. 23.AA – 28.3 of Code]. **The trip generation will not exceed 476 trips per day. Refer to the Traffic Generation Statement.**
- b. Palm Beach County Traffic Assessment Requirements: Applicant must submit a Traffic Impact Study for Palm Beach County to receive concurrency approval in accordance with Sec. 23-131 of the Palm Beach County Traffic Performance Code.

6. **BUILDING ELEVATIONS** – **Not applicable to this application**

- a. Front, rear, and both sides.
- b. Show finishes (color, materials).
- c. Elevators are required to be in color showing building finishes, lighting, canopies, etc. Plans shall have a minimum sheet size of 8 ½ "x 14". Plans larger than 8 ½ "x 14" shall be folded individually. Reduced copies of the site plan on 11" x 17" sheets are required for the City Council. (Note: Plans for submittal to the Planning and Zoning Board and City Council shall be provided after all comments and requirements by staff have been satisfied.

7. **FLOOR PLAN** – **Not applicable to this application**

- a. Conceptual (construction details are not necessary).

8. **NARRATIVE OR COVER LETTER** – **Refer to the Narrative**

- a. Describe project purpose and details of intended use, including phasing and relationship to surrounding area. **Refer to the Narrative**
- b. Include estimate of employment and student population generated by project, if applicable. **Refer to the Narrative**

9. CONCURRENCE COMPLIANCE

- a. Traffic Generation: Total ADT (Average Daily Trips) for project [from Traffic Statement, Traffic Study or Table I in Sec. 31-715 of Code] – **Refer to the Traffic Generation Statement**
- b. Sanitary Sewer: Total gallons per day produced by project - [from calculations or Table III in Section 31-717 of Code] – **Refer to the Sanitary Sewer Concurrence Statement**
- c. Potable Water: Total gallons per day required by project [from calculation or based on Table II in Section 31-716 of Code] – **Refer to the Potable Water Concurrence Statement**
- d. Drainage: Does project detain on-site the first inch of run-off or run-off from a one-hour storm (3 year)? Note: All developments of one acre or more are required to obtain an NPDES permit prior to obtaining a City Building permit, and provide PPP and BMP plans. – **Refer to the Drainage Statement**
- e. Solid Waste: Total pounds of waste generated per day by project [from calculations or based on Table IV in Section 31-718 of Code] – **Refer to the Solid Waste Concurrence Statement**
- f. Recreation: If a residential project, list proposed public recreational or park elements of project (in acres) – **Not Applicable to this application**
- g. School Concurrence: The School Concurrence Application and Service Provider Form must be completed and submitted with this application. Please refer to the attached School Concurrence Application and Service Provider Form for related fees. – **Refer to the Attached**

Traffic Generation: Port of Palm Beach District Annex Property Zoning

PREPARED FOR: City of Riviera Beach Community
Development Department

COPY TO: File

PREPARED BY: J. Casey Long, P.E., CH2M HILL

DATE: November 16, 2016

PROJECT NUMBER: 472906

City of Riviera Beach Traffic Generation Requirements:

The City of Riviera Beach Community Development Department requires the following information traffic/trip generated by the subject property.

"Traffic Generation: Total ADT (Average Daily Trips) for project [from Traffic Statement, Traffic Study or Table I in Sec. 31-715 of Code] "

Sec. 31-715. - Table of daily trip generation rates.

Table I

Daily Trip Generation Rates

Type of Land Development Activity	Official Daily Trip Generation Rate Per Unit or Area	Pass-By Trip Rate (Percentage)*
Residential:		
Single-family detached	10/DU	—
Attached housing	7/DU	—
Congregate living facility	2.145/DU	—
Mobile home	5/DU	—
Nonresidential:		
Drive-in bank	291/1,000 sq. ft.	46
Miniwarehouse	2.6/1,000 sq. ft.	0
Hotel	8.7 trips/room	0
Movie theatre	1.76 trips/seat	0
Racquet club	44.23 trips/court	0
Church/synagogue	0.19 trips/seat in sanctuary	0
Day care center	67/1,000 sq. ft.	10
Slow turnover restaurant	95.6/1,000 sq. ft.	15
High turnover restaurant	201/1,000 sq. ft.	15

New car sales	47.5/1,000 sq. ft.	0
General office (examples):		
10,000 sq. ft.	24.39 trips/1,000 sq. ft.	0
50,000 sq. ft.	16.31 trips/1,000 sq. ft.	0
100,000 sq. ft.	13.72 trips/1,000 sq. ft.	0
150,000 sq. ft.	12.40 trips/1,000 sq. ft.	0
200,000 sq. ft.	11.54 trips/1,000 sq. ft.	0
300,000 sq. ft.	10.42 trips/1,000 sq. ft.	0
400,000 sq. ft.	9.70 trips/1,000 sq. ft.	0
500,000 sq. ft.	9.17 trips/1,000 sq. ft.	0
600,000 sq. ft.	8.77 trips/1,000 sq. ft.	0
700,000 sq. ft.	8.43 trips/1,000 sq. ft.	0
800,000 sq. ft.	8.16 trips/1,000 sq. ft.	0
Office building, medical	34.17/1,000 sq. ft.	0
Hospital	11.75/bed	0
Nursing home	2.597/bed	0
Warehouse	4.882/1,000 sq. ft.	0
Motel	10.189/room	0
General recreation	3/parking space	0
General industrial	6.967/1,000 sq. ft.	0
General commercial retail (examples):		
10,000 sq. ft.	166.35 trips/1,000 sq. ft.	45
50,000 sq. ft.	94.71 trips/1,000 sq. ft.	44
100,000 sq. ft.	74.31 trips/1,000 sq. ft.	43
200,000 sq. ft.	58.93 trips/1,000 sq. ft.	41
300,000 sq. ft.	48.31 trips/1,000 sq. ft.	38
400,000 sq. ft.	43.00 trips/1,000 sq. ft.	36
500,000 sq. ft.	39.81 trips/1,000 sq. ft.	34
600,000 sq. ft.	37.69 trips/1,000 sq. ft.	32
800,000 sq. ft.	35.03 trips/1,000 sq. ft.	27
1,000,000 sq. ft.	33.44 trips/1,000 sq. ft.	23
1,200,000 sq. ft.	32.30 trips/1,000 sq. ft.	18
1,400,000 sq. ft.	31.62 trips/1,000 sq. ft.	14
1,600,000 sq. ft.	31.05 trips/1,000 sq. ft.	9
Nonresidential (short trip length):		
Fast food restaurant	632 trips/1,000 sq. ft.	30
Gas station	748 trips/station	58
Convenience store	887.056 trips/1,000 sq. ft.	45

Conclusion:

Future use of the property after the completion of the Florida Power and Light (FP&L) Riviera Beach Energy Center Project will be consistent with the current Port of Palm Beach District cargo yard operations and storage; this includes the storage of cargo and equipment to support the movement and intermodal transport of cargo in support of commerce and trade activities, parking of vehicles and equipment, storage of materials and equipment and other uses listed in the proposed package.

The subject property will be capable of providing the temporary storage of up to 238 vehicles. These operations will generate a **maximum of 476 trips per day**.

Currently, all traffic currently accesses and exits the site through the US 1 (Broadway/Federal Highway) driveway connection on the east property boundary. Traffic utilizes US 1 (Broadway/Federal Highway) from either the north or the south to enter the Port of Palm Beach District. The site is not accessible from the north, south or the west.

Future use of the site will require access/egress by either two routes.

1. Oversized equipment, cargo and passenger vehicles will continue to utilize the existing signalized driveway on the east property boundary at US 1 (Broadway/Federal Highway); or
2. Access the property from the north internally through the Port of Palm Beach District property (utilizing two access easements through the parcel owned by Florida Power and Light). Traffic will utilize US 1 (Broadway/Federal Highway) and enter the Port from the south through Loop Road. Traffic may also utilize Old Dixie Highway and enter the Port from the west through Martin Luther King Jr. Boulevard. **It is anticipated that the majority of trips will be generated internally through the Port and from these routes on and offsite. Two cross access easement agreements through the FP&L property to the north of the site will be implemented to accommodate this.**



**STAFF REPORT – CITY OF RIVIERA BEACH
CASE NUMBER PA-16-02
PLANNING AND ZONING BOARD, DECEMBER 8, 2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PLAT APPLICATION FROM THE PORT OF PALM BEACH DISTRICT, FOR THE REAL PROPERTY LOCATED AT 105 BROADWAY; AND PROVIDING FOR AN EFFECTIVE DATE.

A. Applicant: Port of Palm Beach District.

B. Request: The applicant is requesting plat approval in conjunction with a concurrent site plan submittal as the property survey identifies that the property is unplatted.

C. Location: 105 Broadway.

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

Parcel Control Number: 56-43-42-33-00-000-5140.

Parcel Size: +/- 5.21 Acres.

Existing Use: Formerly used for construction parking for FPL.

Zoning: Utilities (amendment proposed).

Future Land Use: Utilities (amendment proposed).

E. Adjacent Property Description and Uses:

North: Utilities, FPL Powerlines.

South: West Palm Beach; Residential uses.

East: Broadway, FPL Energy Center.

West: FEC Railway, FPL Powerlines, President Barak Obama Highway.

F. Background:

This property was acquired by the Port of Palm Beach District from the Florida Department of Transportation on November 30, 2011. The Quitclaim Deed is recorded in Palm Beach County Official Record Book 24882, Page 0566. Specific restrictions on the use of the land exist within said deed and a reverter clause was also provided. A plat is required in conjunction with the site plan application from the Port of Palm Beach since the property is currently unplatted.

G. Staff Analysis:

Proposed Development/Use: Port of Palm Beach uses as provided by the site plan conditions (primarily rolling cargo).

Zoning Regulations: The Port of Palm beach has applied to amend the zoning map designation from Utilities to Limited Industrial.

Comprehensive Plan: The Port of Palm beach has applied to amend the future land use map designation Utilities to Industrial.

Compatibility: Specific deed restrictions and conditions of use on the site plan exist to ensure compatibility to the greatest extent possible with surrounding properties and uses.

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

Landscaping: Landscape improvements are proposed in association with the site plan application.

Parking/Traffic: Adequate ingress and egress to the property currently exists. Parking and storage uses will occur onsite.

H. Recommendation: Staff recommends approval of the plat application from the Port of Palm Beach District.

PORT OF PALM BEACH DISTRICT ANNEX PROPERTY

LYING IN SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST,
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

SHEET 1 OF 2

DEDICATIONS AND RESERVATIONS

STATE OF FLORIDA
COUNTY OF PALM BEACH

KNOW ALL MEN BY THESE PRESENTS THAT PORT OF PALM BEACH DISTRICT, AN INDEPENDENT SPECIAL TAXING DISTRICT OF THE STATE OF FLORIDA, OWNER OF THE LAND SHOWN HEREON AS:

PORT OF PALM BEACH DISTRICT ANNEX PROPERTY

LYING IN SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 73, KNOWLES COURT ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 82 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID CORNER BEING AT THE INTERSECTION OF THE EAST EXISTING RIGHT OF WAY LINE FOR THE F.E.C. RAILROAD AND THE SOUTH EXISTING RIGHT OF WAY LINE FOR STATE ROAD 710 (CONNECTOR @ PORT OF PALM BEACH) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP ITEM/SEGMENT NO. 2298951, FOR SECTION 93310-2506;
THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 88°50'10" EAST, 1,252.58 FEET TO A POINT ON THE WEST EXISTING RIGHT OF WAY FOR S.R. 5 (U.S. 1) AS SHOWN ON SAID RIGHT OF WAY MAP;
THENCE ALONG SAID WEST RIGHT OF WAY LINE, NORTH 00°20'55" WEST, 181.06 FEET TO A POINT ON THE NORTH EXISTING RIGHT OF-WAY LINE FOR SAID STATE ROAD 710;
THENCE ALONG SAID NORTH RIGHT OF-WAY LINE, NORTH 88°50'10" WEST, 1259.37 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE FOR THE F.E.C. RAILROAD AND A POINT ON A CURVE CONCAVE WESTERLY, HAVING A CHORD BEARING OF SOUTH 02°29'32" EAST; THENCE ALONG SAID EAST RAILROAD RIGHT OF WAY LINE AND SAID CURVE, HAVING A RADIUS OF 2,914.93 FEET, A CENTRAL ANGLE OF 03°33'56", AN ARC DISTANCE OF 181.40 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING.

CONTAINING 5.21 ACRES, MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

1. TRACT A:

TRACT A, AS SHOWN HEREON, IS HEREBY RESERVED BY THE PORT OF PALM BEACH DISTRICT, ITS SUCCESSORS AND ASSIGNS, FOR PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF THE CITY OF RIVIERA BEACH, FLORIDA, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PORT OF PALM BEACH, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF RIVIERA BEACH, FLORIDA.

2. WATER LINE EASEMENT:

THE WATER LINE EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED IN PERPETUITY TO THE PORT OF PALM BEACH DISTRICT, ITS SUCCESSORS AND ASSIGNS, FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF WATER PIPELINES, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PORT OF PALM BEACH, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF RIVIERA BEACH.

IN WITNESS WHEREOF, THE ABOVE-NAMED PORT OF PALM BEACH DISTRICT HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS BOARD OF COMMISSIONERS, THIS ____ DAY OF _____, 20____.

PORT OF PALM BEACH DISTRICT,
AN INDEPENDENT SPECIAL TAXING DISTRICT
OF THE STATE OF FLORIDA

WITNESS: _____

(PRINT NAME)

BY: _____
WAYNE M. RICHARDS, CHAIRMAN

WITNESS: _____

(PRINT NAME)

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED WAYNE M. RICHARDS, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS CHAIRMAN, OF PORT OF PALM BEACH DISTRICT, AN INDEPENDENT SPECIAL TAXING DISTRICT OF THE STATE OF FLORIDA, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID DISTRICT, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL (IF AVAILABLE) OF SAID DISTRICT AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR DISTRICT AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID DISTRICT.

WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 20____.

MY COMMISSION EXPIRES: _____(SIGNATURE)
_____(PRINTED NAME)
NOTARY PUBLIC
(SEAL)

TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, JOHN W. GARY, III, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN THE PORT OF PALM BEACH DISTRICT, AN INDEPENDENT SPECIAL TAXING DISTRICT OF THE STATE OF FLORIDA; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT THERE ARE NO MORTGAGES OF RECORD; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: _____

BY: _____
JOHN W. GARY, III
ATTORNEY-AT-LAW
LICENSED IN FLORIDA

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS (P.R.M.s) AND MONUMENTS, ACCORDING TO SEC.177.091(9), F.S., HAVE BEEN PLACED AS REQUIRED BY LAW; AND FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA.

JOHN E. PHILLIPS, III, P.S.M.
LICENSE NO. 4826
STATE OF FLORIDA

DATE

REVIEWING SURVEYOR APPROVAL

ON BEHALF OF THE CITY OF RIVIERA BEACH, IN ACCORDANCE WITH CHAPTER 177.081 (1) FLORIDA STATUTES, THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177, PART 1, FLORIDA STATUTES, AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA. THIS REVIEW DOES NOT INCLUDE THE VERIFICATION OF THE GEOMETRIC DATA, OR THE FIELD VERIFICATION OF THE PERMANENT REFERENCE MONUMENTS (P.R.M.s) AT THE TRACT CORNERS.

(PRINT NAME) DATE

LICENSE NO. _____
STATE OF FLORIDA

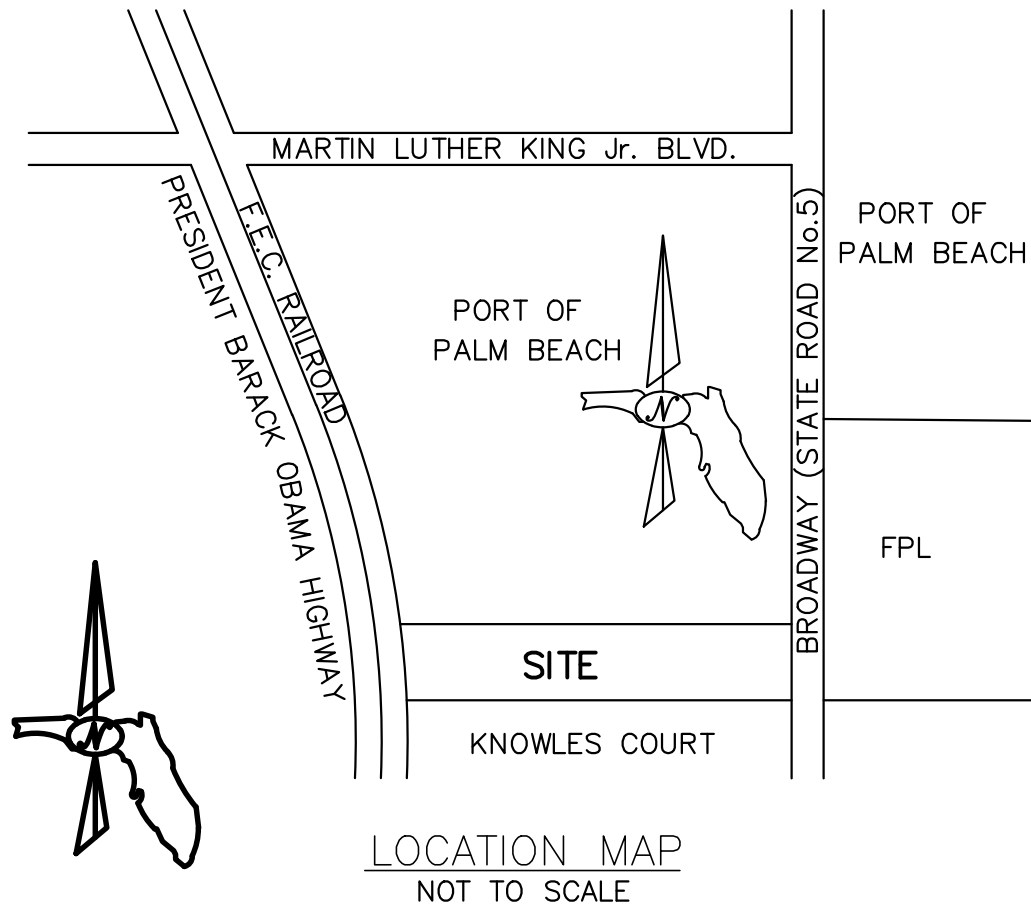
PORT OF PALM
BEACH DISTRICT
SEAL
(IF AVAILABLE)

CITY ENGINEER'S
SEAL

CITY SEAL

REVIEWING
SURVEYOR'S
SEAL

SURVEYOR'S
SEAL



CLERK'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS PLAT WAS FILED FOR
RECORD AT ____ M.
THIS ____ DAY OF
A.D. 201____, AND DULY
RECORDED IN PLAT BOOK ____
ON PAGES ____ AND ____

SHARON R. BOCK
CLERK AND COMPTROLLER

BY: _____
DEPUTY CLERK

CITY OF RIVIERA BEACH APPROVALS

COUNTY OF PALM BEACH
STATE OF FLORIDA

IT IS HEREBY CERTIFIED THAT THIS PLAT OF "PORT OF PALM BEACH DISTRICT ANNEX PROPERTY" HAS BEEN OFFICIALLY APPROVED FOR RECORD BY THE CITY OF RIVIERA BEACH, FLORIDA, THIS ____ DAY OF _____, 20____.

BY: _____
THOMAS MASTERS, MAYOR

BY: _____
CLAUDENE L. ANTHONY, CMD CITY CLERK

BY: _____
TERRANCE N. BAILEY, CITY ENGINEER

NOTES:

1. BEARINGS ARE BASED ON N88°50'10"W (ASSUMED), ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 33/42/43, PER THE DEED RECORDED IN OFFICIAL RECORD BOOK 24882, PAGE 566.

2. ☐ PERMANENT REFERENCE MONUMENT (P.R.M.), SET 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "LB6473", UNLESS NOTED OTHERWISE.

3. NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.

4. ABBREVIATIONS:
P.O.C. - POINT OF COMMENCEMENT
P.O.B. - POINT OF BEGINNING
ORB - OFFICIAL RECORD BOOK
P.B. - PLAT BOOK
RPB - ROAD PLAT BOOK
Q.C. - QUIT CLAIM DEED
PG. - PAGE
U.E. - UTILITY EASEMENT
R/W - RIGHT-OF-WAY
FPL - FLORIDA POWER & LIGHT
SEC. - SECTION
PBC - PALM BEACH COUNTY
FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION
PRM - PERMANENT REFERENCE MONUMENT
C - CENTERLINE
B - BASELINE
LB - LICENSED BUSINESS
(M) - MEASURED DIMENSION
(D) - DEED DIMENSION
(C) - CALCULATED DIMENSION
R - RADIUS
Δ - CENTRAL ANGLE
A - ARC LENGTH
S.R. - STATE ROAD

5. NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

PREPARING SURVEYOR & MAPPER'S STATEMENT

THIS INSTRUMENT WAS PREPARED BY
JOHN E. PHILLIPS III, P.S.M. 4826

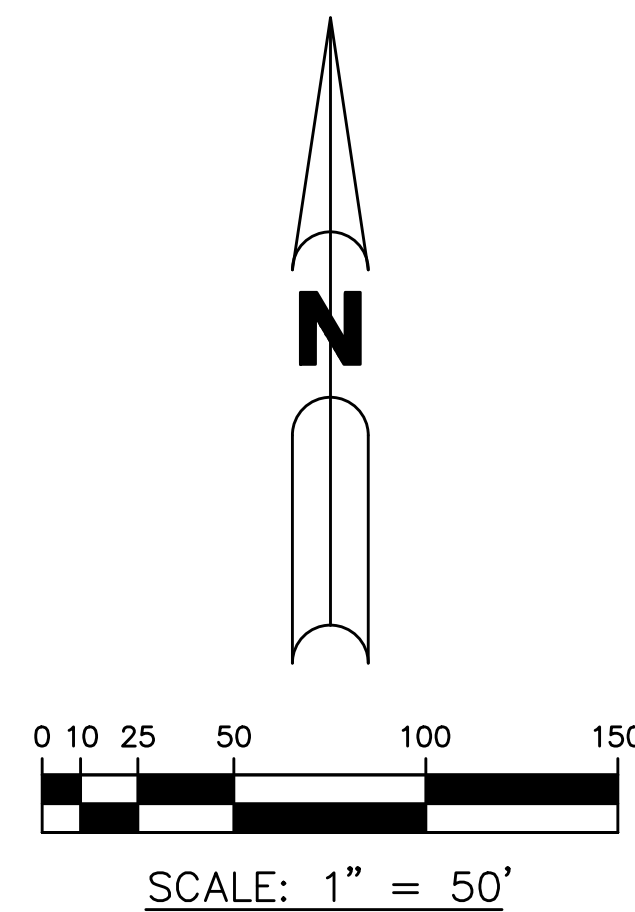


BROWN & PHILLIPS, INC.

CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE RD., SUITE 509
WEST PALM BEACH, FLORIDA 33409
561-615-3988, 615-3986 FAX

LYING IN SECTION 33, TOWNSHIP 42 SOUTH, RANGE 43 EAST,
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

SHEET 2 OF 2



SCALE: 1" = 50'

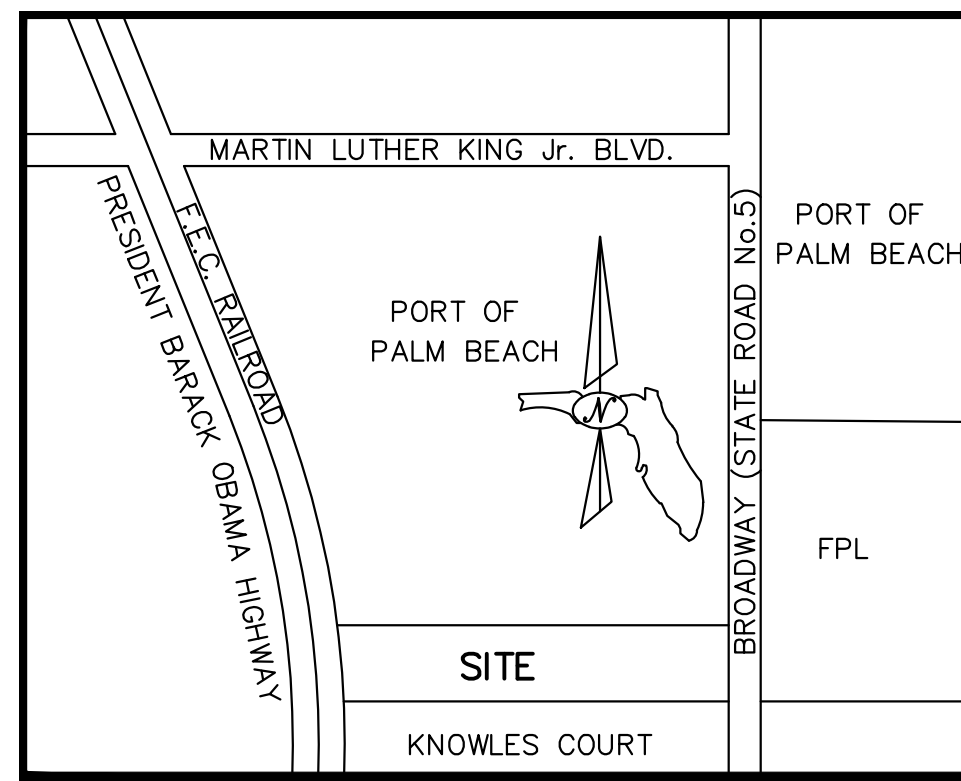
CLERK'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF PALM BEACH

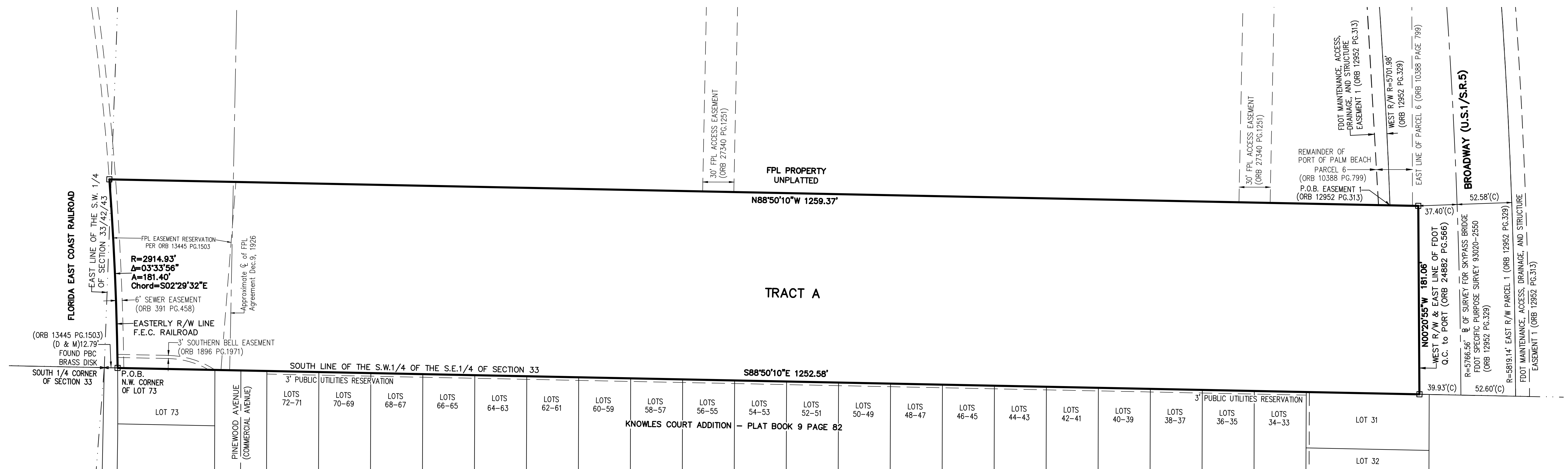
THIS PLAT WAS FILED FOR
RECORD AT _____ M.
THIS _____ DAY OF _____
A.D. 201____ AND DULY
RECORDED IN PLAT BOOK _____
ON PAGES _____ AND _____

SHARON R. BOCK
CLERK AND COMPTROLLER

BY: _____
DEPUTY CLERK



VICINITY MAP
NOT TO SCALE



PREPARING SURVEYOR & MAPPER'S STATEMENT

THIS INSTRUMENT WAS PREPARED BY
JOHN E. PHILLIPS III, P.S.M. 4826

**BROWN & PHILLIPS, INC.**

CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE RD., SUITE 509
WEST PALM BEACH, FLORIDA 33409
561-615-3988, 615-3986 FAX