

ORDINANCE NUMBER 4209

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CITY CODE OF ORDINANCES CHAPTER 31, ZONING, ARTICLE V, DISTRICT REGULATIONS, DIVISION 17, IL LIMITED INDUSTRIAL DISTRICT, SECTION 31-362, USE REGULATIONS, IN ORDER TO CHANGE CONTRACTOR STORAGE YARD TO A SPECIAL EXCEPTION USE; ADD PRIVATE SCHOOLS, HEALTH CLUBS, INDOOR ROCK CLIMBING WALLS AND SIMILAR USES, VETERINARIAN OFFICE OR ANIMAL MEDICAL CLINIC, AUTO BROKER, TRUCK PARKING WITH ASSOCIATED WAREHOUSE BUILDING, TRUCK OR BUS PARKING AS THE PRIMARY USE, INDOOR OR OUTDOOR AMUSEMENT/RECREATIONAL USES, AND GROCERY STORE AS SPECIAL EXCEPTION USES; PROVIDING FOR PURPOSE, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City's Code of Ordinances controls and directs the development of land within the municipal limits of the City by way of text and maps; and

WHEREAS, Section 31-6 of the City of Riviera Beach Code of Ordinances establishes that the City Council may, by ordinance, regulate the location, height, bulk and size of buildings, and other structures; and

WHEREAS, when a use is a special exception request it affords an additional opportunity for the abutting owners and decision-makers to review the proposal and associated traffic, circulation and operational impacts and identify appropriate mitigation steps if indicated; and

WHEREAS, this proposed amendment to the code of ordinances is being brought forward to update the list of permitted and special exception uses in line with current development trends and activity, and to provide for additional economic development in the city in a reasonable and thoughtful manner; and

WHEREAS, this text amendment is also supportive of new types of uses that seek to currently locate in the City's industrial districts; and

WHEREAS, the Planning and Zoning Board find that it is reasonable and appropriate for the City to amend the Code of Ordinances Section 31-362, Use regulations, and recommend approval of this Ordinance as proposed to the City Council; and

WHEREAS, the City Council desires to approve the proposed text amendments to the Code of Ordinance as recommended by the City of Riviera Beach's Planning and Zoning Board.

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

SECTION 1. **Legislative Findings, Intent, and Purpose.** The foregoing recitals are ratified as true and correct and are incorporated herein. It is the purpose and intent of this Ordinance to promote the health, safety and general welfare of the residents, businesses, and stakeholders of the City.

SECTION 2. Chapter 31 of the Code of Ordinances of the City of Riviera Beach, Section 31-362 is amended to read as follows (additions are underlined and deletions appear in ~~striketrough~~ format):

Sec. 31-362. Use regulations.

(a) Uses permitted. The following uses are permitted in the IL limited industrial district:

- (1) The following light industrial and manufacturing uses where the scale of operations and the process of manufacturing or treatment of materials is such that the amount of dust, odor, gas, smoke or noise resulting therefrom will not be objectionable to surrounding residential properties and where the operations are conducted in one or more buildings:

- Appliance manufacturing.
- Auto paint and body shop.
- Auto repairs and auto body shop.
- Bakeries, wholesale, large scale preparation.
- Boats, manufacturing.
- Business offices accessory to primary industrial use.
- Cold storage.
- Confectionery, wholesale, large scale preparation.
- ~~Contractor's storage yard.~~
- Cosmetics manufacturing.
- Dairy processing.
- Dry cleaning plant.
- Electronic equipment manufacturing.
- Engraving.
- Food processing.
- Furniture manufacturing.
- Glass manufacturing.
- Laundry plant.

Leather goods manufacturing.
Lumber yard.
Metal fabrication.
Millwork.
Monument works.
Motion picture studio.
Precision instruments and optics manufacturing.
Port related ship supply establishments and facilities.
Printing and publishing.
Textile and clothing manufacturing.
Tobacco products manufacturing.
Upholstery shop.
Welding shop.
Wholesaling.
New vehicle dealerships.

- (2) CN district uses, nonresidential, which shall be in accordance with chapter 26.
- (b) Special exception. The following uses may be permitted by special exception in the IL limited industrial district:
- (1) PUD.
 - (2) Used car lots.
 - (3) Beverage manufacturing and bottling works.
 - (4) Laboratory industrial research.
 - (5) Auto services, including transmission and oil change establishments.
 - (6) Truck rental and leasing.
 - (7) Private schools.
 - (8) Health clubs, indoor rock climbing walls and similar uses.
 - (9) Veterinarian office or animal medical clinic.
 - (10) Contractor storage yard.
 - (11) Auto broker.
 - (12) Truck parking with associated warehouse building.
 - (13) Indoor or outdoor amusement/recreational uses. These are uses like batting cages, trampoline or tumbling centers, bounce house centers, skating rinks, arcades, go-cart uses intended for use of the general public.
 - (14) Grocery Store.
 - (15) Truck and bus parking as a primary use.

SECTION 3. PURPOSE. The City Council finds that it is in the best interest of the health, safety, and welfare of the public to enact this ordinance.

SECTION 4. SEVERABILITY. 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 5. REPEAL OF LAWS IN CONFLICT. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. CODIFICATION. Specific authority is hereby granted to codify the Ordinance as it is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and sections of this Ordinance may be renumbered to accomplish such intentions.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective immediately upon final passage and adoption by City Council.

PASSED AND APPROVED on the first reading this ____ day of November, 2022

PASSED AND ADOPTED on second and final reading this ____ day of _____
2022

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APPROVED:

RONNIE L. FELDER
MAYOR

KASHAMBA MILLER-ANDERSON
CHAIRPERSON

ATTEST:

SHIRLEY D. LANIER
CHAIR PRO TEM

CLAUDENE L. ANTHONY,

CERTIFIED MUNICIPAL CLERK
CITY CLERK

TRADRICK MCCOY
COUNCILPERSON

DR. JULIA BOTEL
COUNCILPERSON

DOUGLAS LAWSON
CONCILPERSON

1st READING

2ND & FINAL READING

MOTIONED BY:

MOTIONED BY: _____

SECONDED BY:

SECONDED BY: _____

S. LANIER _____

S. LANIER _____

K. MILLER-ANDERSON _____

K. MILLER-ANDERSON _____

T. MCCOY _____

T. MCCOY _____

J. BOTEL _____

J. BOTEL _____

D. LAWSON _____

D. LAWSON _____

REVIEWED AS TO LEGAL SUFFICIENCY

DAWN S. WYNN, CITY ATTORNEY