

**ORDINANCE NUMBER 4208**

**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 18, IG GENERAL INDUSTRIAL DISTRICT, SECTION 31-382, USE REGULATIONS, IN ORDER TO CLARIFY THE LANGUAGE FOR PERMITTED OUTDOOR STORAGE USES; ADD PRIVATE SCHOOLS, HEALTH CLUBS, INDOOR ROCK CLIMBING WALLS AND SIMILAR USES, VETERINARIAN OFFICE OR ANIMAL MEDICAL CLINIC, CONTRACTOR STORAGE YARD IN CONJUNCTION WITH AN INDUSTRIAL OFFICE, AUTO BROKER, INDOOR OR OUTDOOR AMUSEMENT/RECREATIONAL USES, GROCERY STORE, TRUCK PARKING WITH ASSOCIATED WAREHOUSE BUILDING, AND TRUCK OR BUS PARKING AS THE PRIMARY USE 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**, adding uses as special exception uses ensures that there will be increased development opportunities in the city through a process that enables the decisionmakers to evaluate the provision of parking, traffic and circulation routes for those uses

**WHEREAS**, this proposed amendment to the code of ordinances is being brought forward to update and clarify the list of permitted and special exception uses in the General Industrial district to accommodate additional uses in the district and support the economic development goals of the city; and

**WHEREAS**, this text amendment is also supportive 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, THAT:**

**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 31-382 is amended to read as follows (additions are underlined and deletions appear in ~~strike through~~ format):

Sec. 31-382. Use regulations.

- (a) Uses permitted. The following uses are permitted in the IG general industrial district:
- (1) Any use permitted in the IL districts.
  - (2) Manufacturing, processing and fabrication of any product or commodity except those enumerated hereinafter as prohibited uses or provided as special exceptions.
  - (3) Outdoor drive-in theaters.
  - (4) Public utility structures.
  - (5) Railroad switching and make-up yards.
  - (6) Petroleum storage but not in excess of 50,000 gallons at any one manufacturing or industrial location.
  - (7) Liquid gas storage not in excess of 15,000 gallons at any one manufacturing or industrial location.
  - (8) Any customary accessory use to all above facilities.
  - (9) The following uses shall be permitted east of Broadway (U.S. No. 1) in this district only if directly related to Port of Palm Beach activities and not in conflict with the requirements of this district:
    - a. Piers, docks and wharves.
    - b. Terminals for freight or passengers arriving or departing by ship.
    - c. Railroad lines and sidings for service wharfs and piers, and railroad right-of-way freight, terminals' team-tracks and spur tracks.
    - d. Facilities for maintenance and repair of vessels.
    - e. Ship supply establishments and facilities.
    - f. Wholesale warehouse and retail establishments dealing primarily in bulk materials delivered by ship, and railroad or ship and truck in combination.

- g. Government and professional.
  - h. Refueling stations for Port of Palm Beach District.
- (10) CN district uses excluding residential shall be in accordance with chapter 26.
- (11) Temporary labor employment office.
- (12) Pawn shop.
- (13) Recycling center.
- (14) Recycling facility.
- (b) Special exception. The following uses may be permitted by special exception in the IG general industrial district:
- (1) PUD.
  - (2) Warehouses and storage uses, including outside storage supporting a principal use. Outside storage areas must be screened in with an opaque fence on all sides.
  - (3) Reserved.
  - (4) Asphalt and concrete mixing and batching, and product manufacture.
  - (5) Foreign trade zone.
  - (6) Adult entertainment establishments (see Ordinance No. 2648 [ch. 2.5]).
  - (7) Self-service storage.
  - (8) Private schools.
  - (9) Health clubs, indoor rock climbing walls and similar uses.
  - (10) Veterinarian office or animal medical clinic.
  - (11) Contractor storage yard in conjunction with an industrial office.
  - (12) Auto broker.
  - (13) Truck parking with associated warehouse building.
  - (14) Truck or bus parking as the primary use.
  - (15) Grocery Store
  - (16) 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.
- (c) Uses prohibited. The following uses shall be prohibited in the IG general industrial district:
- (1) Residential uses.
  - (2) Acid manufacture.
  - (3) Cement, lime manufacture.
  - (4) Distillation of bones.
  - (5) Manufacture of explosives.
  - (6) Fat, tallow or lard rendering.
  - (7) Garbage, offal, or dead animal reduction.

- (8) Paper and pulp manufacture.
- (9) Petroleum refining.
- (10) Stockyards and slaughter of animals.
- (11) Soap manufacture.
- (12) Creosote treatment and manufacture.
- (13) Tanning, curing of hides or skins.
- (14) Tar distillation or manufacture.
- (15) Automobile wrecking or junkyards.
- (16) Radioactive materials, manufacturing of.
- (17) Construction demolition debris recycling.
- (18) Scrap metal processing.

**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**

**1<sup>st</sup> READING**

**2<sup>ND</sup> & 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** \_\_\_\_\_

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**D. LAWSON** \_\_\_\_\_

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