

**ORDINANCE NO. 637**

**AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 66 “ENVIRONMENTAL REGULATIONS”, ARTICLE I “GENERAL PROVISIONS, SEA TURTLES AND WETLANDS”, SECTION 66-1 “GENERAL PROVISIONS”, TO CHANGE THE PERVIOUS AREA REQUIREMENTS FROM 25% TO 35%; AMENDING CHAPTER 67 “BUILDINGS AND BUILDING REGULATIONS”, ARTICLE III “TECHNICAL CODES AND OTHER CONSTRUCTION STANDARDS”, SECTION 67-33 “DRAINAGE, REQUIRED; SWALES; CONSTRUCTION OF DRIVEWAYS”, TO PROVIDE FOR THE CONNECTION OF TRENCH DRAINS; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Ocean Ridge, Florida (the “Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission retained the services of a professional planner to review the Town’s land development regulations and make recommendations on proposed changes to the regulations as it relates to managing growth, drainage and parking issues; and

**WHEREAS**, the following changes to the Town’s land development regulations were recommended by the professional planner and were also recommended by the Planning and Zoning Commission of the Town at its September 24, 2018 meeting; and

**WHEREAS**, the proposed changes further the goals, objectives and policies of the Town’s Comprehensive Plan; and

**WHEREAS**, the Town Commission wishes to provide for an increase in pervious area requirements from 25% to 35% and to provide for the connection of trench drains; and

**WHEREAS**, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:**

**SECTION 1 – Findings of Fact:** The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

**SECTION 2 – Amendment:** Chapter 66 “Environmental Regulations”, Article I “General Provisions, Sea Turtles and Wetlands” Section 66-1 “General Provisions”, is hereby amended to read as follows:

**Sec. 66-1. - General Provisions.**

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- (c) *Pervious area.* At least ~~25~~ 35 percent of any contiguous buildable lot area shall be maintained in a natural or landscaped state pervious to rainfall in order to recharge the aquifer and otherwise minimize runoff. Pervious areas shall not include patios, swimming pools, decks, driveways and any other impervious surface. See article IV of this chapter for plant material details.

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**SECTION 3 – Amendment:** Chapter 67 “Buildings and Building Regulations”, Article III “Technical Codes and Other Construction Standards” Section 67-33 “Drainage, required; swales; construction of driveways”, is hereby amended to read as follows:

**Sec. 67-33. - Drainage, required; swales; construction of driveways.**

.....

- (c) *Trench drains; required.* A trench drain, as used herein, is any drainage structure approved by the building code administrator for the transport of runoff, which is below grade, and which crosses a driveway or other impervious structure, and which also allows for the collection of runoff from the surface elevation. It may include perforated pipe, a grade and trough, or other approved means. Trench drains along a property line shall connect to an existing or new drainage system. Any construction or reconstruction of a driveway, other than resurfacing, patching or top dressing, shall require the placement of a trench drain across the driveway at a suitable point where the driveway crosses the public right-of-way, if surface swaling is either insufficient to carry the drainage flow, or the angle of elevation of the driveway without a trench drain would otherwise impede normal vehicular use.

**SECTION 4 - Codification:** The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

**SECTION 5 - Repeal of Conflicting Ordinances:** All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

**SECTION 6 - Severability:** If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

**SECTION 7 - Effective Date:** This Ordinance shall become effective immediately upon adoption.

FIRST READING this 1<sup>st</sup> day of October, 2018.

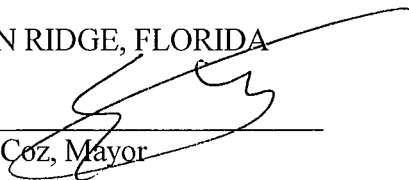
SECOND AND FINAL READING this 5<sup>th</sup> day of November, 2018.

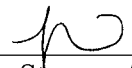
Commissioner Bonfiglio offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner Besler and upon being put to a vote, the vote was as follows:

STEVE COZ, Mayor	<u>Aye</u>
DON MAGRUDER, Vice Mayor	<u>Aye</u>
PHILIP BESLER, Commissioner	<u>Aye</u>
JAMES A. BONFIGLIO, Commissioner	<u>Aye</u>
KRISTINE DE HASETH, Commissioner	<u>Aye</u>

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 5<sup>th</sup> day of November, 2018.

TOWN OF OCEAN RIDGE, FLORIDA

BY:   
Steve Coz, Mayor

ATTEST:   
Tracey L. Stevens, Town Clerk