

ORDINANCE NO. 638

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 64 “ZONING”, ARTICLE III “SUPPLEMENTAL REGULATIONS”, SECTION 64-46 “OFF-STREET PARKING”, TO REQUIRE ONE PARKING SPACE PER BEDROOM AND TO REQUIRE THAT SOME OF THOSE SPACES MUST BE LOCATED IN A GARAGE; AMENDING SECTION 64-60 “DECKS, PATIOS, STEPS, STOOPS, AND TERRACES (UNENCLOSED AND UNCOVERED)”, TO INCREASE THE SETBACK REQUIREMENTS OF IMPERVIOUS AREAS FROM A PROPERTY LINE; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AN EFFECTIVE DATE AND TERMINATION OF THE MORATORIUM ORDINANCE.

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 increased requirements regarding off street parking, garages and setbacks for impervious areas as recommended by the professional planner; 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 64 “Zoning”, Article III “Supplemental Regulations” Section 64-46 “Off-street parking”, is hereby amended to read as follows:

Sec. 64-46. - Off-street parking.

- (a) *Single-family and two-family dwellings.* All single-family and two-family dwellings shall have require one off-street parking spaces per bedroom or per room that may qualify as a bedroom, in accordance with the Florida Building Code, except as set forth below. Parking shall occur on driveways and parking areas otherwise permitted by code. Parking areas which are not contiguous to a street or right of way shall be connected to such by a driveway. Driveways shall be considered as constituting off-street parking spaces for single-family and two-family duplex dwellings in all appropriate residential districts, provided that sufficient spaces are available on such driveways to meet the requirements of this section. Driveways shall be constructed in a manner that is clearly delineated and engineered and consistent with section 67-174(a)(3). Each single-family and two family dwellings shall include an accessory attached and/or detached, fully-enclosed garage to accommodate two full-size vehicles. For every two bedrooms above four bedrooms, an additional garage parking space shall be provided. For single/two family dwellings on existing lots less than 10,000 square feet in area, that are located in zoning districts other than RSF and RSE, only one off-street parking space shall be required. Each interior parking space shall be a minimum of 10 feet by 20 feet. Each exterior parking space shall be a minimum of 9 feet by 18 feet. Parking spaces shall be located on the same property as the primary structure and vertically stacked spaces shall not be counted as a parking space.

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SECTION 3 – Amendment: Chapter 64 “Zoning”, Article III “Supplemental Regulations” Section 64-60 “Decks, patios, steps, stoops, and terraces (unenclosed and uncovered)”, is hereby amended to read as follows:

Sec. 64-60. - Decks, patios, driveways, parking areas, steps, stoops, and terraces (unenclosed and uncovered).

Unenclosed and uncovered decks, patios, driveways, parking areas, steps, stoops, and terraces shall be setback at least ~~three~~ five feet from any property line or right-of-way line, whichever is closer. These improvements shall be maintained and drained so as to prevent nuisance conditions, which include, but is not limited to, nuisances as described in this Code, to the public and/or abutting property owners. In those instances where that portion of the property containing the deck, patio, steps, stoops or terraces abuts a sea wall, no setback shall be required.

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.

SECTION 8 – Moratorium Ordinance No. 630. Ordinance No. 630, adopted by the Town Commission on June 4, 2018, established a nine month moratorium on the acceptance, processing and issuance of applications for development orders and building permits for properties in the RSF zoning district. Pursuant to Section 3 of Ordinance No. 630 the Town Commission may terminate the moratorium earlier than the nine month initial period set forth in Ordinance No. 630. Upon adoption of this ordinance, the moratorium established in Ordinance No. 630 shall be automatically terminated.

FIRST READING this 1st day of October, 2018.

SECOND AND FINAL READING this 5th day of November, 2018.

Commissioner Bonfiglio offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner MaGruder 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 5th day of November, 2018.

TOWN OF OCEAN RIDGE, FLORIDA

BY: 
Steve Coz, Mayor

ATTEST: 
Tracey L. Stevens, Town Clerk