

ORDINANCE NO. 612

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ARTICLE IV, DIVISION 1, SECTION 66-117 OF THE CODE OF ORDINANCES TO MAKE THE LANDSCAPE PROVISIONS OF DIVISION 1, PARKING AREA LANDSCAPE, APPLICABLE TO SINGLE FAMILY AND DUPLEX DWELLING UNITS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 66-117 of the Code of Ordinances provides that the landscaping provisions of Article IV, Division 1 of the Code, addressing parking area landscaping, are not applicable to single-family and duplex dwelling units; and

WHEREAS, the Town's Planning and Zoning Board was directed by the Town Commission to review the Code's landscaping provisions to determine whether they met the needs and desires of the Town and its residents, especially with respect to the planting and maintaining of invasive plant species; and

WHEREAS, the Planning and Zoning Board held a public meeting on August 10, 2015, to consider this matter at which input and information was received from Town staff and Town residents; and

WHEREAS, after considering the information presented and the views and opinions expressed by the Planning and Zoning Board members; and

WHEREAS, the Planning and Zoning Board determined that it was in the best interests of the Town and its residents to prevent the planting and maintenance of invasive plant species throughout the entire Town; and

WHEREAS, the Planning and Zoning Board's recommendation was presented to the Town Commission at its regular meeting on September 10, 2015; and

WHEREAS, Town Commission accepted the Planning and Zoning Board's recommendation as being in the best interests of the Town and its residents.

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.** Section 66-117 of the Code of Ordinances is hereby amended to remove the exceptions contained therein for single-family and duplex dwelling units and reads, in its entirety, as follows:

The provisions of this division shall apply to all new or redeveloped off-street parking areas and other vehicular use,

service and loading areas. However, any lot shall have at least 25 percent of the total area in landscaped open space.

Section 3. Codification. This ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

Section 4. 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 the Ordinance.

Section 5. Repeal. All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

FIRST READING this 2nd day of November, 2015.

SECOND AND FINAL READING this 7th day of December, 2015.

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

GEOFFREY A. PUGH, Mayor	<u>Yea</u>
DR. LYNN ALLISON, Vice Mayor	<u>Yea</u>
GAIL ADAMS AASKOV, Commissioner	<u>Yea</u>
JAMES A. BONFIGLIO, Commissioner	<u>Yea</u>
RICHARD J. LUCIBELLA, Commissioner	<u>Yea</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 7th day of Dec., 2015.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____

GEOFFREY A. PUGH, MAYOR

ATTEST: _____

Karen E. Hancsak, Town Clerk