

ORDINANCE NO. 630

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, PROVIDING FOR THE IMPOSITION OF A TEMPORARY MORATORIUM ON THE PROCESSING OF APPLICATIONS AND ISSUANCE OF BUILDING PERMITS FOR NEW CONSTRUCTION OR CONSTRUCTION THAT EXCEEDS FIFTY PERCENT OF THE COST OF THE EXISTING STRUCTURE OR INCREASES THE SIZE OF THE EXISTING STRUCTURE BY MORE THAN FIFTY PERCENT FOR PROPERTIES LOCATED IN THE TOWN'S RSF ZONING DISTRICT; PROVIDING FOR A NINE (9) MONTH TERM TO BE EXTENDED IF NECESSARY BY THE TOWN COMMISSION; PROVIDING FOR CONFLICTS, 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 has found that there is a need to revise code standards relating to the development or the redevelopment of properties located within the RSF Zoning District; and

WHEREAS, the proposed building and zoning review should encompass, but not be limited to, building size, amount of bedrooms and bathrooms as this relates to the size of the drain field as well as egress issues and required onsite parking spaces, and relationship of the building to the site and to the neighborhood; and,

WHEREAS, the Town staff is in the process of evaluating development and compatibility standards in the RSF Zoning District and intends to present to the Town Commission a proposed ordinance or ordinances amending the Town's land development code for the purpose of updating said standards specifically as they relate to unconventional structures and compatibility, and the development of zoning standards that will enhance the single family residential zoning scheme in the RSF Zoning District; and

WHEREAS, the Town wishes to place the public and all parties on notice that it is considering such amendments and is hereby creating a temporary moratorium on the acceptance and processing of applications for development orders and building permits and issuance of development orders and/or building permits concerning properties located within the RSF Zoning District for new construction and for construction on the structure that exceeds fifty percent of the cost of the existing structure or fifty percent of the size of the existing structure; 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. The foregoing Whereas clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The Town Commission of the Town of Ocean Ridge has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 166, Florida Statutes.

Section 3. Unless otherwise specifically provided for in this Ordinance, the Town hereby places a temporary moratorium (suspension) on the acceptance, processing and consideration of all applications for development and building permits as well as the issuance of development orders and building permits for new construction and construction on the structure exceeding fifty percent of the cost of the existing structure or exceeding fifty percent of the size of the existing structure for all properties located within the RSF Zoning District. The cost of the existing structure shall be that amount as stated on the Palm Beach County Property Appraiser's website for improvement market value or based on an appraisal, performed by a licensed/certified real estate appraiser, provided by the property owner. The moratorium shall be from the effective date of this Ordinance until March 4, 2019, unless terminated earlier by the Town Commission.

Section 4. In the event applications for development and/or building permits are submitted that do not involve an unconventional structure or a compatibility issue regarding impacts on drain fields, egress issues, parking issues or the relationship of the building to the site or neighborhood, as determined by the Town Manager, these applications may be processed and are not subject to this moratorium. In the event the applicant or an aggrieved party disagrees with the Town Manager's decision such appeal shall be in accordance with the Town Code.

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 7th day of May, 2018.

SECOND AND FINAL READING this 4th day of June, 2018.

Commissioner de Haseth 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:

JAMES A. BONFIGLIO, Mayor

Yea

DON MAGRUDER, Vice Mayor

Yea

PHILIP BESLER, Commissioner

Yea

STEVE COZ, Commissioner

Yea

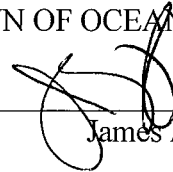
KRISTINE DE HASETH, Commissioner

Yea

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 4th day of June, 2018.

TOWN OF OCEAN RIDGE, FLORIDA

BY:



James A. Bonfiglio, Mayor

ATTEST:



Tracey L. Stevens, Town Clerk