

ORDINANCE NO. O-1 -2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, PROPOSING A TOWN INITIATED AMENDMENT TO THE TOWN'S CHARTER; WHICH WOULD PROVIDE FOR AN OVERLAY ON ZONING DISTRICT B TO ALLOW DEVELOPMENT OF THREE STORY BUILDINGS IN CERTAIN CIRCUMSTANCES, AND WHICH WOULD PROVIDE GENERAL DEVELOPMENT RESTRICTIONS FOR CONSTRUCTION OF THREE STORY BUILDINGS IN SAID OVERLAY; FURTHER PROVIDING A BALLOT TITLE AND BALLOT SUMMARY IN ACCORDANCE WITH THE REQUIREMENTS OF FLORIDA LAW; PROVIDING FOR PROPOSED CHARTER AMENDMENT QUESTION LANGUAGE; AND PUTTING SAID CHARTER AMENDMENT QUESTION TO A VOTE OF THE ELECTORS OF THE TOWN AT THE MARCH 11, 2014 MUNICIPAL ELECTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Commission of the Town of Palm Beach Shores desires to provide greater opportunity for the re-development of properties located in Zoning District B; and

WHEREAS, the Town Commission has studied current development trends and believes that the creation of an overlay that permits re-development of Zone B properties east of Atlantic Avenue, in or near the Ocean Avenue corridor, with three story buildings under certain conditions is a desirable way to stimulate such re-development; and

WHEREAS, the Town Commission desires to place certain basic overlay development requirements into the Town Charter in order to prevent requirements for three story development in Zoning District B from being relaxed without future voter approval; and

WHEREAS, the Town Commission desires to place before the electors of the Town the question of whether to amend the Town Charter to provide for a Zoning District B overlay that allows three story buildings under certain conditions; and

WHEREAS, the next municipal election to be held within the Town is March 11, 2014; and

WHEREAS, the deadline for submission of such ballot title and summary to the Palm Beach County Supervisor of Elections for the March 11, 2014 municipal election is February 7, 2014; and

WHEREAS, the Town Commission desires to provide a legally sufficient ballot title and summary as set forth in this ordinance within the deadline for placement on the March 11, 2014, municipal election.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:

Section 1: The above recitals are true and accurate, and are incorporated herein.

Section 2: The Town Commission hereby directs that the following ballot title and ballot summary shall be put to a vote of the Town electors at the March 11, 2014 municipal election:

“CHARTER AMENDMENT TO PROVIDE FOR A ZONING DISTRICT “B” OVERLAY AND RELATED DEVELOPMENT REGULATIONS”

“SHALL THE PALM BEACH SHORES CHARTER BE AMENDED TO ADD AN OVERLAY ON ZONE “B” PROPERTIES EAST OF ATLANTIC AVENUE, ALLOWING THREE STORY BUILDINGS IN SAID OVERLAY EXCEPT WHERE ADJACENT TO ZONE “A” PROPERTIES, PROVIDING REGULATIONS THAT SPECIFY SINGLE FAMILY OCCUPANCY PER DWELLING UNIT, LIMIT DENSITY TO THREE UNITS PER PLATTED LOT, SET HEIGHT LIMITS OF 42 FEET, REQUIRE A TWO LOT OR CORNER LOT MINIMUM SITE AREA, AND A 60 FOOT MINIMUM FRONT ELEVATION”?

YES _____

NO _____

Section 3: Based on the language contained in the petition, the proposed new Charter language, if approved by a majority of the Town Electors at the March 11, 2014 municipal election, would be placed at ARTICLE IX. Section 9.2 as follows:

Sec. 9.2. District B Overlay.

Building height.

All principal buildings in the overlay shall have a minimum of two (2) stories with one (1) story being located at the ground level. No building in the overlay shall have more than three (3) stories. The maximum height of any three (3) story building in the overlay shall not exceed forty-two (42) feet and the top of the beam on any such building shall not exceed thirty-seven (37) feet. No building in the overlay located immediately adjacent to any lot located in Zoning District A shall have more than two (2) stories. The maximum height of any two (2) story building in the overlay located immediately adjacent to any lot located in Zoning District A shall not exceed twenty-nine (29) feet and the top of the beam on any such building shall not exceed twenty four (24) feet.

Building site area.

The minimum building site area for the District B Overlay shall be two (2) adjoining platted lots, or a single corner lot; and the maximum site area shall be three (3) adjoining platted lots as set out on the Plat of Palm Beach Shores, as amended.

Dwelling unit density; other requirements.

Maximum dwelling unit density for the District B Overlay shall not be greater than fifteen (15) dwelling units per acre (DUA) (and shall not exceed three (3) units per platted lot regardless of actual DUA calculations). All dwelling units shall be for occupancy by one family only. Each dwelling unit shall have one story at ground level.

Front elevation.

The minimum width of the front elevation for all three (3) story buildings in the District B Overlay shall be sixty (60) feet and there shall be a break in each building front elevation and corresponding roof line of at least six (6) feet in order to accentuate building width instead of height, and to provide architectural interest.

Geographic boundary of Overlay.

The overlay shall be located in all of Zoning District B east of Atlantic Avenue.

Section 4: The Town Clerk is hereby directed to provide a certified copy of this Ordinance to the Palm Beach County Supervisor of Elections immediately, but in no event any later than Noon of February 7, 2014.

Section 5. This Ordinance shall take effect immediately upon adoption.

FIRST READING this 14th day of January, 2014.

SECOND AND FINAL READING this 27th day of January, 2013.

✓
Aye Nay
✓
Aye Nay

TOWN OF PALM BEACH SHORES


MAYOR JOHN WORKMAN


VICE MAYOR ROBY DeREUIL

☒ Aye ☐ Nay

☒ Aye ☐ Nay

☒ Aye ☐ Nay

Alan D. Fiers
COMMISSIONER ALAN FIERS

Lisa Tropepe
COMMISSIONER LISA TROPEPE

Myra Koutzen
COMMISSIONER MYRA KOUTZEN

ATTEST:

Evyonne Browning
Evyonne Browning, Town Clerk

Approved as to form and legal sufficiency:

Keith Davis
Keith Davis, Town Attorney

