

**PUBLIC HEARING NOTICE  
CITY OF RIVIERA BEACH, FLORIDA**

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, March 3, 2010 at 6:30 PM in the Council Chambers at the Municipal Complex, 600 W. Blue Heron Blvd., Riviera Beach, Florida, to consider enactment of the below proposed Ordinance. Interested persons may appear and be heard with respect to the proposed Ordinance; and it may be examined in its entirety in the Office of the City Clerk between the hours of 8:30 AM and 5:00 PM, except holidays.

**ORDINANCE NO. 3077**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES ENTITLED "ZONING", ARTICLE III, ENTITLED "SITE PLAN REVIEW", BY CREATING A NEW SECTION 31-63 ENTITLED "EXPEDITED PERMITTING" TO PROVIDE FOR AN EXPEDITED PERMITTING PROGRAM FOR QUALIFIED DEVELOPMENT PROJECTS; PROVIDING PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

PLEASE BE ADVISED, persons who wish to appeal any decision made by the City Council with respect to any matter considered at this hearing will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Said person shall have the responsibility at own expense.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Legislative Office at 561-845-4095 no later than 96 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Carrie E. Ward, Master Municipal Clerk  
City Clerk

Publish: March 28, 2010  
Palm Beach Post  
RBTV 18

**Item No. 09**

ORDINANCE NO. 3077

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES ENTITLED "ZONING", BY AMENDING ARTICLE III ENTITLED "SITE PLAN REVIEW", BY CREATING A NEW SECTION 31-63 ENTITLED "EXPEDITED PERMITTING" TO PROVIDE FOR AN EXPEDITED PERMITTING PROGRAM FOR QUALIFIED DEVELOPMENT PROJECTS; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Riviera Beach Code of Ordinances controls and directs the development of land within the municipal limits of the City; and

**WHEREAS**, staff has determined that it would be a benefit to provide an expedited permitting process; and

**WHEREAS**, the City Council has determined that the enactment of this Ordinance is for a proper municipal purpose and protects the health, safety and welfare of the public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, as follows:**

**SECTION 1.** That Chapter 31 of the Code of Ordinances is amended by creating a new Section 31-63 entitled "Expedited Permitting" as follows.

**Sec. 31-63. Expedited permitting program.**

(a) *Purpose and intent.* The expedited permitting program provides qualifying projects an efficient process to resolve issues in a timely manner through face-to-face meetings with a city representative without sacrificing any requirements established in this chapter. The expedited permitting program is available to qualifying companies that are expanding operations or moving into the city so that value-added employment may be created at a faster pace.

(b) *Applicability.* The following criteria shall be used to determine whether a company qualifies for the targeted expedited permitting program:

(1) The property must be properly zoned and platted for the intended use to be eligible.

(2) The company or business must fall into one of the following industry clusters to be eligible for targeted expedited permitting:

- a. Bioscience, Medical, and Pharmaceutical;
- b. Aerospace and Engineering;
- c. Information Technology;
- d. Business and Financial Services;
- e. Marine Businesses and Fishing Equipment Manufacturing;
- f. Corporate Headquarters;
- g. Alternative Energy Manufacturing/Development; and
- h. Education relating to the above industry clusters.

(3) The company must demonstrate the capability to create at least 30 new Jobs in the City of Riviera Beach and to hire Riviera Beach residents to the maximum extent possible within the first two years of operation; or expand its operation within the city as a result of creating at least 30 new jobs in the two years prior to the issuance of the certificate of occupancy for the new facilities; or a combination thereof.

(4) Jobs created must be considered value-added employment based on the average wages and/or compensation paid by the employer. Value-added employment is defined when the average compensation package of positions created is at least fifteen percent higher than the current per capita income level in the City.

(5) Companies must pass the City's due diligence process to establish solvency and credibility prior to acceptance into the program. Due diligence reports (1) shall include a Dun & Bradstreet report and (2) must be reviewed by the City Manager, Community Development Director, and Finance Director for the City.

(6) Notwithstanding the criteria above, a company may qualify for the targeted expedited permitting program if the company is a sanctioned project by the State of Florida or other officially sanctioned economic development organization (e.g. Office of Tourism, Trade and Economic Development (OTTED), Enterprise Florida, Riviera Beach CRA, or Business Development Board of Palm Beach County).

(c) *The Program.* Companies that have been accepted into the expedited permitting program shall receive the following benefits:

- (1) The City Manager shall appoint a single *point of contact* at the City who shall be kept apprised of all developments relating to the review of the project by the City's staff in order to keep the project on track and provide a periodic status report to the company's project manager; and
- (2) The Community Development Department shall inform the applicant of the necessary steps required for project approval in a pre-application meeting; and
- (3) The project shall receive priority at every phase of the review process by City Staff, including face-to-face meetings; and
- (4) The City's development review committee shall review and provide comments to the applicant within ten (10) business days of submission of plans by the applicant; and
- (5) In the case that major issues arise at any point during the development review process, a face-to-face meeting of all concerned parties will be called within three

business days so that a resolution may be found in a timely and efficient manner;  
and

(6) An economic section provided by the applicant will be included in the staff report for the project for the Planning and Zoning Board and City Council hearings.

**SECTION 2.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**SECTION 3.** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of this Ordinance may be renumbered to accomplish such intentions.

**SECTION 4.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**SECTION 5.** Specific authority is hereby granted to codify this Ordinance.

**SECTION 6.** This ordinance shall be in full force and effect immediately upon its final passage and approval.

**PASSED AND APPROVED** on the first reading this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

**PASSED AND ADOPTED** on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_ 2010

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ORDINANCE NO. \_\_\_\_\_

PAGE 4

APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
DAWN S. PARDO  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CARRIE E. WARD,  
MASTER MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
JUDY L. DAVIS  
CHAIR PRO TEM

\_\_\_\_\_  
BILLIE E. BROOKS  
COUNCILPERSON

\_\_\_\_\_  
TONYA DAVIS JOHNSON  
COUNCILPERSON

\_\_\_\_\_  
SHELBY L. LOWE  
COUNCILPERSON

ORDINANCE NO. \_\_\_\_\_  
PAGE 5

**1<sup>ST</sup> READING**

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

B. BROOKS \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. JOHNSON \_\_\_\_\_

D. PARDO \_\_\_\_\_

S. LOWE \_\_\_\_\_

**2<sup>ND</sup> & FINAL READING**

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

B. BROOKS \_\_\_\_\_

J. DAVIS \_\_\_\_\_

T. JOHNSON \_\_\_\_\_

D. PARDO \_\_\_\_\_

S. LOWE \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

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PAMALA HANNA RYAN, CITY ATTORNEY

DATE: \_\_\_\_\_