

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE AT CHAPTER 64, "ZONING", ARTICLE I, "DISTRICT REGULATIONS", SECTION 64-1, "RSF AND RSE SINGLE-FAMILY RESIDENTIAL DISTRICTS, TO ADD A PROVISION AUTHORIZING A SPECIAL DESIGN EXCEPTION BY THE PLANNING AND ZONING COMMISSION FOR A PITCHED ROOF WITH A MINIMUM PITCH OF 3:12 (RISE TO RUN); PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

WHEREAS, the Town of Ocean Ridge, Florida ("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 received a request to consider allowing a residential single-family home to have a pitched roof with a pitch less than the minimum allowed pitch of 4:12 (rise to run) in the Town's Land Development Code; and

WHEREAS, based on direction of the Town Commission, the Town's Planning and Zoning Commission considered the request and directed staff to prepare an amendment to the Land Development Code to allow a minimum pitch of 3:12 if approved by the Planning and Zoning Commission as a special design exception; and

WHEREAS, based on the direction of the Planning and Zoning Commission, Town staff prepared an amendment to section 64-1(f) to allow approval of a minimum pitch of 3:12 as a special design exception if such design complies with the criteria set forth in section 63-56 (development plan review criteria) of the Town's Land Development Code; and,

WHEREAS, the Planning and Zoning Commission approved the draft amendment to section 64-1(f) as proposed and as set forth in this Ordinance; and,

WHEREAS, this Ordinance is consistent with the goals and objectives of the Town's Comprehensive Plan; and

WHEREAS, the Town Commission for the Town of Ocean Ridge finds that this Ordinance serves a valid public purpose and is in the best interests of the Town of Ocean Ridge.

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 and incorporated herein as true findings of fact of the Town Commission.

SECTION 2 – Amendment: Chapter 64, entitled “Zoning”, Article I, entitled “District Regulations”, Section 64-1, entitled “RSF and RSE Single-Family Residential Districts”, subsection (f), entitled “Roofs and Flat Roof Usable Areas”, is hereby amended to read as follows (underline denotes added language; ~~strike through~~ denotes deleted language):

Chapter 64 – ZONING

Article I. – DISTRICT REGULATIONS

Sec. 64-1 RSF and RSE Single-Family Residential Districts.

Sec. 64-1(f) Roofs and Flat Roof Usable Areas:

- (1) For single-family residential dwellings and accessory buildings in the single-family residential districts, the minimum permitted pitch for a pitched roof is 4:12 (rise to run) and the maximum permitted pitch is 14:12 (rise to run). The Planning and Zoning Commission may approve a pitched roof minimum of 3:12 as a special design exception subject to the Development Plan Review criteria in section 63-56(1) including, but not limited to, sections 63-56(1)(a)(2), 63-56(1)(b), and 63-56(1)(c)(1), (2), (5), (6), and (7). Except for a flat roof usable area (defined below), it shall be unlawful to construct or maintain a pitched roof system consisting of tar paper or felt without approved exterior shingles, tiles or metal covering. Parapets shall not be utilized with pitched roofs except in conjunction with a flat roof usable area (defined below).
- (2) Flat roofs, which are less than 4:12 pitch (rise to run) (excluding roofs receiving special design exception for a minimum pitch of 3:12), are permitted on single-family residential dwellings and accessory buildings in the single-family residential districts, provided the flat roof complies with all requirements and restrictions set forth in section 67-37.
- (3) A flat roof usable area is an area provided with a pitched roof or flat roof system which may be utilized as a deck, porch, or other outdoor usable space on single-family residential dwellings and accessory buildings in the single-family residential districts. A flat roof usable area shall not exceed fifteen percent (15%) of the total floor area. A flat roof usable area shall be limited to a maximum height of 14 feet from the finished floor. No balconies shall be attached to, connected to, or adjoin a flat roof usable area. Except for temporary external access necessary for maintenance, repairs, and emergencies, access to the flat roof usable area must be internal to the dwelling or building. The construction and/or installation of any non-temporary external access to the flat roof usable area is prohibited.

SECTION 3 - Codification: This Ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All ordinances, resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed.

SECTION 5 - 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 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this 5th day of February 2024.

SECOND AND FINAL READING this 4th day of March, 2024.

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

	AYE	NAY
GEOFF PUGH, Mayor	<u>X</u>	___
STEVE COZ, Vice Mayor	<u>X</u>	___
CAROLYN CASSIDY, Commissioner	<u>X</u>	___
DAVID HUTCHINS, Commissioner	<u>X</u>	___
AINAR AIJALA JR., Commissioner	<u>X</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 4th day of March, 2024.

TOWN OF OCEAN RIDGE, FLORIDA

BY: [Signature]
Geoff Pugh, Mayor

ATTEST:

BY: [Signature]
Kelly Avery, Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: [Signature]
Christy Goddeau, Town Attorney

