



**TOWN OF LAKE PARK  
LOCAL PLANNING AGENCY  
MEETING AGENDA  
APRIL 5, 2021**

**IMMEDIATELY FOLLOWING THE  
PLANNING & ZONING BOARD MEETING  
535 PARK AVENUE  
LAKE PARK, FLORIDA**

**PLEASE TAKE NOTICE AND BE ADVISED:** If any interested person desires to appeal any decision of the Local Planning Agency with respect to any matter considered at the Meeting, such interested person 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. Persons with disabilities requiring accommodations in order to participate in the Meeting should contact the Town Clerk's Office by calling (561) 881-3311 at least 48 hours in advance to request accommodations.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

- Judith Thomas, Chair
- Joseph Rice, Vice-Chair
- Charlemagne Metayer, Regular Member
- Caleb Decius, Regular Member
- Jon Buchele, Regular Member
- Lauren Paxton, 1st Alternate
- Shelby Lowe, 2nd Alternate

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

- Local Planning Agency Meeting; March 2, 2020

**PUBLIC COMMENTS**

Any person wishing to speak on an agenda item is asked to complete a Public Comment Card located in the rear of the Commission Chambers, and provide it to the Recording Secretary. Cards must be submitted before the agenda item is discussed.

## **ORDER OF BUSINESS**

The normal order of business for Hearings on agenda items is as follows:

- Staff Presentation
- Applicant Presentation (when applicable)
- Board Member questions of Staff and Applicant
- Public Comments – 3 minute limit per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on floor
- Vote of Board

## **NEW BUSINESS**

1. **LPA-21-001: PUBLIC HEARING TO CONSIDER TOWN-INITIATED AMENDMENTS TO THE TOWN OF LAKE PARK COMPREHENSIVE PLAN, INCLUDING TEXT AND LARGE SCALE LAND USE MAP AMENDMENT, TO ESTABLISH THE NEW LAND USE CATEGORY OF “TWIN CITIES MIXED-USE” LAND USE TO 22.31 ACRES GENERALLY BOUNDED BY NORTHLAKE BOULEVARD ON THE NORTH AND PALMETTO DRIVE ON THE SOUTH, AND WHICH CURRENTLY HAS A LAND USE OF COMMERCIAL.**

**LOCAL PLANNING AGENCY MEMBER COMMENTS**

**COMMUNITY DEVELOPMENT DIRECTOR COMMENTS**

**ADJOURNMENT**

**UPCOMING MEETINGS:**

**MAY 3, 2021, AT 6:30 P.M. - PLANNING & ZONING BOARD MEETING**



**Town of Lake Park, Florida  
Local Planning Agency Board  
Meeting Minutes  
Monday, March 2, 2020 at 6:30 p.m.  
Commission Chamber, Town Hall  
535 Park Avenue, Lake Park, Florida 33403**

**CALL TO ORDER**

The meeting was called to order at 6:32 p.m. and Roll Call performed.

**PLEDGE OF ALLEGIANCE**

Vice-Chair Schneider lead the Pledge of Allegiance.

**ROLL CALL**

Judith Thomas, Chair	Excused Absence
Martin Schneider, Vice-Chair	Present
Lawrence Malanga	Not Present
Charlemagne Metayer	Present
Joseph Rice	Present
Caleb Decius (1 <sup>st</sup> Alternate)	Not Present

Also in attendance were Community Development Director Nadia DiTommaso, Attorney Thomas Baird, and Assistant to the Community Development Director Kimberly Rowley.

**APPROVAL OF AGENDA**

**Motion: Board Member Rice moved to approve the agenda; Board Member Metayer seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Decius			Absent
Board Member Malanga			Absent
Board Member Metayer	X		
Board Member Rice	X		
Vice-Chair Schneider	X		
Chair Thomas			Absent

Motion passed 3-0.

**APPROVAL OF MINUTES**

- Local Planning Agency Meeting minutes of January 22, 2018.

**Motion: Board Member Rice moved to approve the Local Planning Agency Board Meeting minutes of January 22, 2018; Board Member Metayer seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Decius			Absent
Board Member Malanga			Absent
Board Member Metayer	X		
Board Member Rice	X		
Vice-Chair Schneider	X		
Chair Thomas			Absent

Motion passed 3-0.

**Public Comment**

Vice-Chair Schneider explained the Public Comment procedure.

**ORDER OF BUSINESS**

The normal order of business for Hearings on agenda items are as follows:

- Staff presentation
- Applicant presentation (when applicable)
- Board Member questions of staff and applicant
- Public Comments – limited to 3 minutes per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on floor
- Vote of Board

**NEW BUSINESS – SITE PLAN APPLICATIONS:**

**1. LPA-20-001: COMPREHENSIVE PLAN AMENDMENT TO UPDATE AND IMPLEMENT THE 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177 FLORIDA STATUTES.**

Denise Malone of NZ Consultants explained the item (see Exhibit “A”). Vice-Chair Schneider asked if the population projections were conducted on a larger than the Town scale. Ms. Malone explained that the population projection was done two-ways: 1) was at a larger scale because it covers the service area of Seacoast Utility Authority, which includes other municipalities. 2) Of the total population, they included the Town of Lake Park projected population was, which was based on Palm Beach County population desegregation model. She explained that the lower East Coast Region Plan total population was utilized for the entire service area (see-attached table). The plan would be updated in five-years.

Board Member Metayer asked if NZ Consultants works together with Seacoast Utility to develop the plan. Ms. Malone stated that “yes” they work together to develop the Work Plan.

Public Comment open:

None

Public Comment closed:

**Motion: Board Member Rice moved to approve LPA-20-001 Comprehensive Plan Amendment to Update and Implement the 10-Year Water Supply Facilities Work Plan as Required by 163.3177 Florida Statutes; Board Member Metayer seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Decius			Absent
Board Member Malanga			Absent
Board Member Metayer	X		
Board Member Rice	X		
Vice-Chair Schneider	X		
Chair Thomas			Absent

Motion passed 3-0.

**Local Planning Agency Board Member Comments**

None

**Community Development Director Comments**

None

**ADJOURNMENT**

There being no further business to come before the Local Planning Agency Board and after a motion to adjourn by Board Member Metayer and seconded by Board Member Rice, and by unanimous vote, the meeting adjourned at 6:43 p.m.

\_\_\_\_\_, Chair  
Town of Lake Park Local Planning Agency Board

\_\_\_\_\_  
Recording Secretary

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_



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February 18, 2020

Ms. Nadia Di Tommaso, FRA-RP, LEED Green Associate  
Community Development Director  
Town of Lake Park  
Community Development Department  
535 Park Avenue  
Lake Park, FL 33403

Ref: NZ Consultants, Inc.: Town of Lake Park 10-Year Water Supply Facilities Work Plan Update.

Dear Ms. Di Tommaso:

Please find attached a copy of the draft Town of Lake Park 10-Year Water Supply Facilities Work Plan Update. In preparation of the March 2, 2020 Planning & Zoning Board (LPA) public hearing and subsequent March 18<sup>th</sup> Town Commission Transmittal Hearing, provided below is a summary of the proposed amendments.

Update of the Lake Park 10-Year Water Supply Facilities Work Plan (WSFWP)

The Town's existing 2015 10-Year WSFWP and related Comprehensive Plan amendments were adopted on September 2, 2015, through Ordinance 07-2015. The purpose of the WSFWP is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government's jurisdiction.

Pursuant to Chapter 163.3177, Florida Statutes, the City's 10-Year WSFWP must be updated, along with any related Comprehensive Plan policy amendments within 18 months after the South Florida Water Management District approves or updates the regional water supply plan. The Lower East Coast Water Supply Plan Update was approved by the South Florida Water Management District (SFWMD) on November 8, 2018. Therefore, the local governments within the Lower East Coast jurisdiction shall update and adopt their water supply work plans for the 10-year planning horizon and provide any related amendments to their Comprehensive Plan policies by May 8, 2020.

Residents of the Town of Lake Park purchase their water directly from Seacoast Utility Authority (SUA). Through the Development Review Committee (DRC) process, the Town coordinates with SUA to ensure that enough capacity is available for delivery to existing and future customers, and SUA ensures that supporting infrastructure, such as the water lines, are adequately maintained.

The updated Town WSFWP includes updates regarding Statutory requirements and relevant regional issues, existing conditions; current and projected water supply demands; SUA water commitments and conservation measures; and capital improvements.



**TOWN OF LAKE PARK  
10-YEAR WATER SUPPLY FACILITIES  
WORK PLAN UPDATE**

**LPA (advertised) Transmittal Public Hearing March 2, 2020  
Ordinance 1<sup>st</sup> Reading Transmittal Public Hearing March 18, 2020  
Ordinance Adoption Public Hearing May, 2020**

**Prepared By:**



**We Plan and Design Memorable Places**



## 1.0 INTRODUCTION

The purpose of the Town of Lake Park's 10-Year Water Supply Facilities Work Plan (Work Plan) Update is to identify and plan for the water supply sources and facilities needed to serve existing and new development within its local government's jurisdiction. The Town's first Work Plan was adopted on March 18, 2009 followed by the first 5-Year update on September 2, 2015. Chapter 163, Part II, F.S., requires local governments to prepare and adopt Water Supply Work Plans into their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update. Updates to the original Work Plan are required every five years.

The Town is located in the South Florida Water Management District region in southeast Florida (Map 1). The *Lower East Coast Water Supply Plan Update* (LEC) was approved by the South Florida Water Management District (SFWMD) on November 8, 2018 and covers a planning horizon from 2016-2040. Therefore, local governments within the South Florida Water Management District Lower East Coast jurisdiction should amend their comprehensive plans to adopt a Work Plan Update by May 8, 2020.

The Seacoast Utility Authority (SUA) is the designated regional supplier of potable water for portions of Palm Beach County, including the Town of Lake Park (Map 2). Customers include certain unincorporated areas of northern Palm Beach County, and the municipalities of Lake Park, Palm Beach Gardens, North Palm Beach and portions of Juno Beach. In that capacity, SUA supplies Town of Lake Park with potable water on an annual volume basis. The Town has no areas of domestic self-supply meaning, the Town relies on the SUA to provide all of its potable water needs.

The Town coordinates with SUA through the Development Review Committee (DRC) process to ensure that sufficient capacity is available, and SUA ensures that supporting infrastructure, such as water lines, are adequately planned for and maintained. The Town recognizes that in order to maintain a water supply system and conservation program there must be effective coordination with SUA. The Town sits on SUA's governing board and continues to enjoy an excellent working relationship with SUA in ensuring compliance with all regulations and guidelines. In accordance with the service agreement, Town staff coordinates with SUA to ensure enough capacity is available for existing and future customers and supporting infrastructure is adequately maintained.

The Work Plan references SUA's water projections and the initiatives identified in the LECWSP Update to ensure adequate water supply for the Town. According to state guidelines, the Work Plan and the comprehensive plan amendment must address the development of traditional and alternative water supplies, bulk sales agreements, and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period. In order to ensure consistency with adopted regional and county planning efforts, the Work Plan uses the same population projections and 10-year planning horizon to 2030 as the Comprehensive Plan, and as provided for in the SFWMD LECWSP Update.

Town of Lake Park  
10- Year Water Supply Facilities Work Plan Update

- b. Identify the traditional and alternative water supply projects and the conservation and reuse programs necessary to meet water needs identified in the applicable RWSP [Section 163.3177(6)(c)3., F.S.]; and
  - c. Update the Work Plan for at least a 10-year planning period for constructing the public, private, and regional water supply facilities identified in the element as necessary to serve existing and new development [Sections 163.3177(6)(c)3. and (5), F.S.].
5. Revise the Five-Year Schedule of Capital Improvements to include water supply, reuse, and conservation projects and programs to be implemented during the 5-year period [Section 163.3177(3)(a)4., F.S.].
6. To the extent necessary to maintain internal consistency after making changes described in Paragraph 1 through 5 above, revise the Conservation element to assess projected water needs and sources for at least a 10-year planning period, considering the applicable RWSP and water use permit(s) [Section 163.3177(6)(d), F.S.]. The comprehensive plan must address the water supply sources necessary to meet the existing and projected water use demand for the established planning period, considering the applicable RWSP [Section 163.3167(9), F.S.].
7. To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Intergovernmental Coordination element to ensure consistency between the Comprehensive Plan and the applicable RWSP [Section 163.3177(6)(h)1., F.S.].
8. Local governments are required to comprehensively evaluate and update the Comprehensive Plan to reflect changes in local conditions every seven years. The evaluation could address the local government's need to update their Work Plan, including the development of alternative water supplies, and determine whether the identified alternative water supply projects, traditional water supply projects, and conservation and reuse programs are meeting local water use demands [Section 163.3191(3), F.S.].
9. Local governments may be exempt from updating their Work Plan if they meet certain criteria. A local government that does not own, operate, or maintain its own water supply facilities and is served by a public water supply entity with a permitted allocation of 300 million gallons per day or greater is not required to amend its Comprehensive Plan when an RWSP is updated if the local government uses less than 1 percent of the public water supply entity's total permitted allocation. However, the local government must cooperate with the public water supply entity that provides service within its jurisdiction and must keep the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge element up to date, pursuant to Section 163.3191, F.S. A local government should contact the Florida Department of Economic Opportunity (DEO) to verify its qualifications for the exemption [Section 163.3177(6)(c)4., F.S.].

## **2.0 BACKGROUND INFORMATION**

### **2.1 Overview**

The Town of Lake Park, approximately 2.35 square miles, is a municipality of 8,916 permanent residents based on the 2019 population Bureau of Economic and Business Research (BEBR) estimate<sup>1</sup>. The Town was chartered as Kelsey City in 1923, and officially renamed as the Town of Lake Park in 1939. Adjacent municipalities include North Palm Beach to the north, Palm Beach Gardens to the northwest, West Palm Beach to the west, and Riviera Beach to the south.

Referred to as the "Gateway to the Palm Beaches" and the "Jewel of the Palm Beaches" since the 1920s, the Town was designed and planned by Dr. John Nolen of Boston, Massachusetts, and the Olmsted Brothers, sons of Frederick Law Olmsted who has long been acknowledged as the founder of American landscape architecture and who, along with his partner Calvert Vaux, designed New York City's Central Park. Kelsey City was the first zoned municipality in the State of Florida. Since then, the boundaries of Lake Park have expanded to 2.35 square miles of residential, business, industrial, and mixed-use land.

While Lake Park has a small town character and population, it is home to several industries including construction, manufacturing, and retail and wholesale trade. Its business-friendly regulatory climate and atmosphere are supportive to business development and entrepreneurship.

As the Town is near build-out, particularly from a residential land use perspective, increases in population will come from the redevelopment of existing residential areas and conversion of non-residential land uses to residential. Even with existing vacant land in the western portion of the Town, most of this is being prepared for commercial development. Most of the remaining vacant land is commercial or industrial in nature. As a result, the Town has been investigating redevelopment efforts both within and without the Community Redevelopment Area (CRA).

As also shown in Map 1, the water distribution service area for the Town includes only those areas within its municipal boundaries. The Town's Water Supply Plan Update was written in coordination with the SUA, and with the water supply plans adopted by SFWMD and Palm Beach County pertaining to population and water supply demand projections, and the components of the Work Plan Update.

## **3.0 DATA AND ANALYSIS**

### **3.1 Overview**

The Town of Lake Park (See Map 1 Town of Lake Park General Location Map) does not own or operate its own potable water supply system. Rather, potable water facilities and services are

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<sup>1</sup> Note: Population estimates for the Town are based on the Medium BEBR projections for the County and are estimated to be 0.0062 percent of the County population through the planning period. A variety of population estimates are identified by BEBR, SFWMD, Palm Beach County, and SUA in their planning efforts. In order to remain consistent with other planning documents, the estimates to be used were determined by SFWMD as part of the 2018 LEC Update (p. 23).

Town of Lake Park  
 10- Year Water Supply Facilities Work Plan Update

SUA also purchased a 6.12-acre parcel of surficial aquifer wellfield property located on Park Lane, immediately south of the Richard Road facility, securing permanent rights to construct a replacement well at this location.

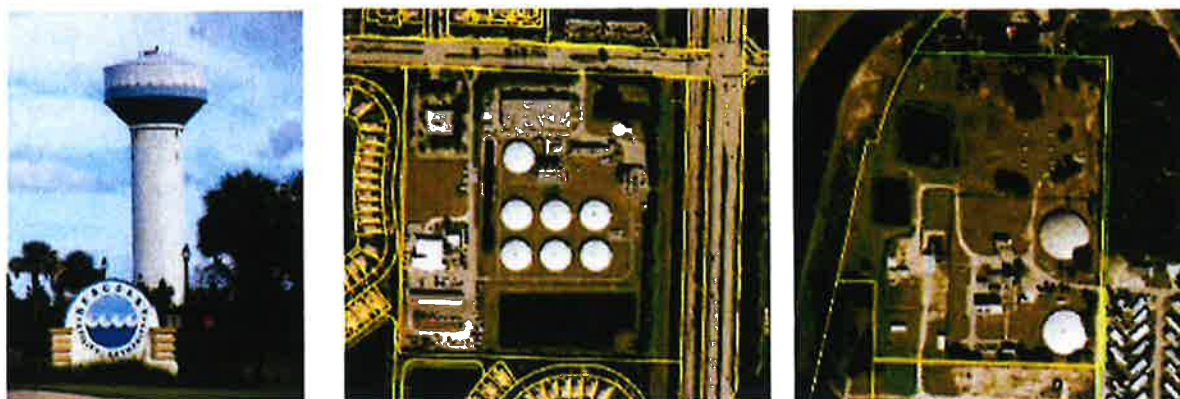


Photo 1: SUA Water Tower Hood Road Facility; Photos 2 and 3: Aerial view of Richard Road and Hood Road Water Plants 2018

### 3.3 Water Source

In 2018, SUA withdrew an average of 18.70 MGD of total raw water from the Surficial Aquifer System (SAS), plus 2.72 MGD from the brackish Floridan Aquifer System (FAS), for a total of 20.42 MGD of raw water for all customers, including Palm Beach Gardens.

Projections of raw water supply and finished water demand from SUA’s 2012 SFWMD water use permit, as currently used today, are presented in Table 1. Projections of finished water demand by expected supply component are presented in Table 2, and include the Scripps Florida Phase II/Briger Development of Regional Impact (DRI) future water demand. This DRI is currently known as the Alton Planned Community Development (PCD)

Table 1: Total SUA Current and Projected Water Supply and Demand\*

Year	Raw Water Withdrawal (MGD)	Finished Water Demand (MGD)
2015	21.88	17.50
2020	23.33	18.62
2025	24.77	19.69
2030	26.30	20.69
2032	26.63	21.09

\*Demand under average conditions  
 Source: SUA (May 2019)

### **3.4 Water Treatment Capacity**

SUA completed an \$88 million, five-year capital improvements program, replacing two lime softening treatment facilities having an aggregate 30.5 MGD treatment capacity with a single 30.5 MGD membrane water treatment plant (FDEP Permit # 4501124).

The facility, placed in service on May 21, 2014, includes 26.0 MGD of nanofiltration capacity to treat surficial aquifer water sources, 4.5 MGD of low pressure reverse osmosis capacity to treat more brackish Floridan aquifer water, and 1.0 MGD of blend capacity.

This membrane water treatment plant replaced the two lime softening plants – built in 1957 and 1976. Benefits include improved drinking water quality. And, whereas, the original plants generated tons of lime sludge each day the waste material generated by the nanofiltration membrane process is a liquid which is blended with reclaimed water at SUA's PGA Wastewater Reclamation Facility, then used for irrigation or buffering wetland areas against the impacts of seasonally varying ground water levels.

### **3.5 Water Supply Provided by Palm Beach County**

In September 2005, the County entered into a Service Area Agreement (R2005-1769) with SUA defining the service area boundary between SUA and the County. The boundaries agreed to were intended to eliminate or minimize duplication of facilities; provide for orderly growth, expansion and extension of respective water, wastewater, and reclaimed water utility systems. The Agreement benefited existing and future SUA and County utility customers by ensuring the most efficient delivery of public utility services.

In June 2006, the County entered into a Utility Bulk Service Agreement (R2006-0687) to provide SUA with up to five (5) million gallons per day (mgd) of bulk potable water and bulk wastewater service during an initial term of five (5) years. SUA extended the Bulk Agreement for a long-term period of twenty-five (25) years at the same capacity levels. The Bulk Agreement requires that the County install the necessary potable water pipeline improvements. By entering into the Agreement, the SUA customers will benefit from the competitively priced bulk water, and existing County utility customers will benefit from the increased revenue.

### **3.6 Population Projections**

As stated previously, for the purpose of water supply planning, the LEC projections were utilized for the SUA Service Area. As shown In Table 3, the LEC Update states that the SUA service area had a population of 90,703 in 2016 and estimates 94,330 for 2020.

Population projections for the Town of Lake Park have been obtained from the Palm Beach County Planning Division and the LEC projections. The figures indicate a slight growth potential within the planning horizon as the Town continues to attract new residential and non-residential development within the Town limits, particularly within the Federal Highway/US 1 Mixed-Use and redevelopment area, and around the marina.

**3.8 Potable Water Demand Projections for the Town**

Projections of finished water demand for the Town are presented in Table 4. Seasonal adjustments were not considered in the 2012 SFWMD Water Use Permit projections and are not included in the table.

Current (2020) finished potable water demand for the Town is estimated at 1.63 MGD (i.e., resident population of 8,670 residents x 189 gallons per capita per day, converted to million gallons per day-MGD), representing approximately 9% of the total (18.62 MGD) within the SUA service area.

It is projected that the Town's potable water demand for 2030, using population projections obtained from the Palm Beach County Planning Division (i.e., resident population of 9,114 residents per Table 4) will attain a level of 1.72 MGD by 2030, or approximately 9% of the total demand within the SUA Service Area. The Town will continue coordinating with SUA through the DRC process to estimate and project potable water use and needs throughout the entire service area.

**Table 4 Lake Park Projected Finished Water Demand**

Year	Lake Park Population Projections	Potable Water Demand (MGD) <sup>2</sup>
	Residents <sup>1</sup>	
2015	8,606	1.63
2020	8,670	1.64
2025	8,834	1.67
2030	9,114	1.72

1. Source: Palm Beach County Planning Division, Population Allocation Model, 2015, unless otherwise noted.  
 2. Residents x 189 gpcd, converted to MGD.

(The remainder of this page intentionally left blank)

### **3.9.1 Town Efforts**

The Town of Lake Park works in coordination with county, regional, state and SUA efforts aimed at promoting conservation through a variety of means including:

- A low per capita water use rates.
- Mandatory reclaimed water service areas.
- Blending source waters.
- Inverted rate structure.
- Conservation policies and regulatory tools.
- Public education.
- Offering low-cost kits to its customers to reduce water use in their homes.

The Town will coordinate future water conservation and reuse efforts with SUA, Palm Beach County, and the SFWMD to ensure that proper techniques are applied. In addition, the Town will continue to support and expand existing goals, objectives and policies in the comprehensive plan that promotes water conservation and reuse in a cost-effective and environmentally sensitive manner. The Town will continue to actively support the SFWMD and Palm Beach County in the implementation of new regulations or programs that are design to conserve water during the dry season. Finally, Lake Park will administer its own water conservation practices.

The Town's water conservation practices are aimed at Florida friendly landscaping/irrigation and effective implementation of water use permits. Ordinance No. 3, 1992 supports the restrictions on irrigation of landscape areas and design of low impact watering landscaping.

Ordinance 10-02-04 is designed to preserve the authority of the Town to determine and implement water conservation measures required by a water use permit. Together these ordinances provide the Town effective water conservation practices.

Ordinance 07-2013, adopted June 5, 2013, created new Article IV entitled "Florida Friendly Fertilizer Use" to reduce irrigation and non-point sources of nutrient pollution.

The Town will be adopting Florida Friendly Irrigation provisions including addressing Year-Round landscape irrigation conservation measures to comply with 40E-24-201 FAC.

### **3.9.2 SUA Efforts**

The SUA, and therefore the Town of Lake Park, implement water conservation through the following Ordinances: Irrigation Hours, Florida-Friendly Landscape, Ultralow Volume Fixtures, Rain Sensor, Water Conservation Rate Structure, Leak Detect & Repair Program and Public Education Program.

SUA has included an extensive conservation program as part of its CUP, including the following components:

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Table 6  
SEACOAST UTILITY AUTHORITY  
RECLAIMED WATER COMMITMENTS  
February 6, 2019

SITE	ALLOCATION	
<b>CLASS A GUARANTEED COMMITMENTS</b>		
Eastpointe Country Club	0.300	208
Eastpointe Golf and Racquet	0.300	208
Eastpointe Homeowners (Biar Lake)	0.100	89
Frenchmans Creek	0.600	347
Mirasol	1.750	1,215
Mariners Cove	0.180	88
Oak Harbour	0.080	68
Old Port Cove	0.200	139
Frenchmans Reserve	0.800	558
The Isles	0.300	208
PGA Boulevard Streetscape	0.020	14
MacArthur (Regional) Center	0.700	488
Old Palm Golf Club (Through same meter as MacArthur allocation below, total 1.8 MGD)	0.800	558
Royal Harbour Condominium	0.040	28
North Palm Beach Country Club	0.300	208
Mirasol Walk	0.055	38
Governors Pointe	0.060	35
Paloma	0.300	208
Waterway Terrace Condominium	0.031	22
Gemini Condominium	0.034	24
Seasons 52 Restaurant	0.085	38
FPL Administrative Complex	0.065	38
FPL Monel Substation	0.004	3
Southampton	0.039	27
Bent Tree	0.060	42
Seamark Condominium	0.010	7
Juno Bay Colony	0.080	68
Clairton Cove	0.050	35
Old Palm Residential	0.430	289
Palm Beach Gardens City Park Sports Complex	0.082	43
Alton	0.225	155
<b>Subtotal, Class A Agreements</b>	<b>7.850</b>	<b>6438</b>
<b>MACARTHUR SITES</b>		
Abacoa (through ENCON interconnect)	1.000	894
Ballerieles East	0.750	521
Ballerieles West	0.750	521
The Bears Club (through ENCON interconnect)	0.600	347
Old Palm	1.000	894
<b>Subtotal, MacArthur Sites</b>	<b>4.000</b>	<b>2,778</b>
<b>TOTAL, ACTIVE CLASS A GUARANTEED COMMITMENTS</b>	<b>11.830</b>	<b>9,216</b>
<b>CLASS A COMMITMENTS, CONTRACTED BUT NOT ON LINE</b>		
<b>TOTAL CLASS A COMMITMENTS, CONTRACTED BUT NOT ON LINE</b>	<b>0.000</b>	<b>0.000</b>
<b>GRAND TOTAL, SEACOAST RECLAIMED WATER CONTRACTS</b>	<b>11.830</b>	<b>9,216</b>

Source: SUA, 2019



#### 4.0 CAPITAL IMPROVEMENTS

##### 4.1 Service Area Initiatives

In September 2006, SUA entered into a Service Area Agreement (R2005-1769) with Palm Beach County defining the service area boundary between the two providers. Delineation of the service area boundary was intended to eliminate or minimize duplication of facilities, and to provide for the orderly growth, expansion, and extension of respective water, wastewater, and reclaimed water utility systems. The Agreement benefited existing and future SUA customers by ensuring the most efficient delivery of public utility services.

The current SUA Consumptive Use Permit issued by the SFWMD 2012 ensures adequate water supply throughout the service area through 2032, along with the various improvements completed by SUA since the Town's 2015 Work Plan Update, SUA has ensured adequate water supply for its service area through 2030, provided that there are no unforeseen impacts on existing and planned supplies.

In addition, the SUA system is interconnected with the Town of Jupiter and Town of Riviera Beach water utility systems in the event of an emergency shortage. Interconnections are detailed in Table 8 and shown in Map 2. Further, SUA has a Utility Bulk Service Agreement (R2017-0444) with Palm Beach County to provide SUA with up to 5 MGD of bulk potable water and bulk wastewater service. The Bulk Agreement's initial term is 30 years with 5-year automatic extensions.

Table 7 SUA Interconnections

Entity	Size (inches)	Capacity (gpm)	Location
Jupiter	16	4,000	SR 811 and Donald Ross Road
Jupiter	10	2,500	US 1 and Ocean Drive
Jupiter	12	3,500	Jog Road and Donald Ross Road
Riviera Beach	12	3,500	Military Trail and Leo Lane
Palm Beach County <sup>1</sup>			Northlake Boulevard at Palm Beach Gardens municipal golf course
Palm Beach County <sup>1</sup>			Northern terminus at Grapevine Boulevard and Royal Palm Beach Acreage

Source: SUA, 2019.

1. Western service area meters are not interconnected with the rest of SUA's system.

Finally, as an emergency back-up to the Palm Beach County interconnect discussed in Section 3.4, SUA plans to construct a water system interconnect with the City of West Palm Beach in 2020. Figure 1 below depicts the locations for the interconnections.

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The FAS Well F-6 was completed August 2019. The FAS Well F-9 is currently under construction, with completion estimated in March of 2020. These wells support Low Pressure Reverse Osmosis (LPRO) expansion from 3.5 MGD to 20 MGD.

#### 4.3 Capital Improvements Schedule

Current and projected water supply by SUA is summarized in Table 9. Since any projects required to meet these demands are part of the SUA Capital Improvement Plan, they are not included in the Town's Five-Year Schedule of Improvements.

Table 8

SUA SERVICE AREA CURRENT AND PROJECTED WATER SUPPLY IN MGD*				
Item	Actual	Projected		
	2016	2020	2025	2030
Population <sup>1</sup>	90,703	94,330	998,320	101,276
Per Capita (gallons per day finished water)	188	189	189	189
Potable Water Demands (daily average annual)	17.08	18.29	19.05	19.52
Water Source: Volume from Biscayne/Surficial	17.54	22.30 <sup>5</sup>	22.30	22.30
Volume from Floridan <sup>2</sup>	2.72	01.03	2.47	3.80
Volume from Other	0.00	0.00	0.00	0.00
Volume from Reclaimed <sup>3</sup>	0.00	0.00	0.00	0.00
Additional Potable Water Needed	0.00	0.00	0.00	0.00

\* Total SUA Service Area, including Lake Park.

1. Source: LECWSP, Appendices 2018. Table B-1.

2. Source: SUA, 2019. All potable volumes finished water. All water source volumes raw water.

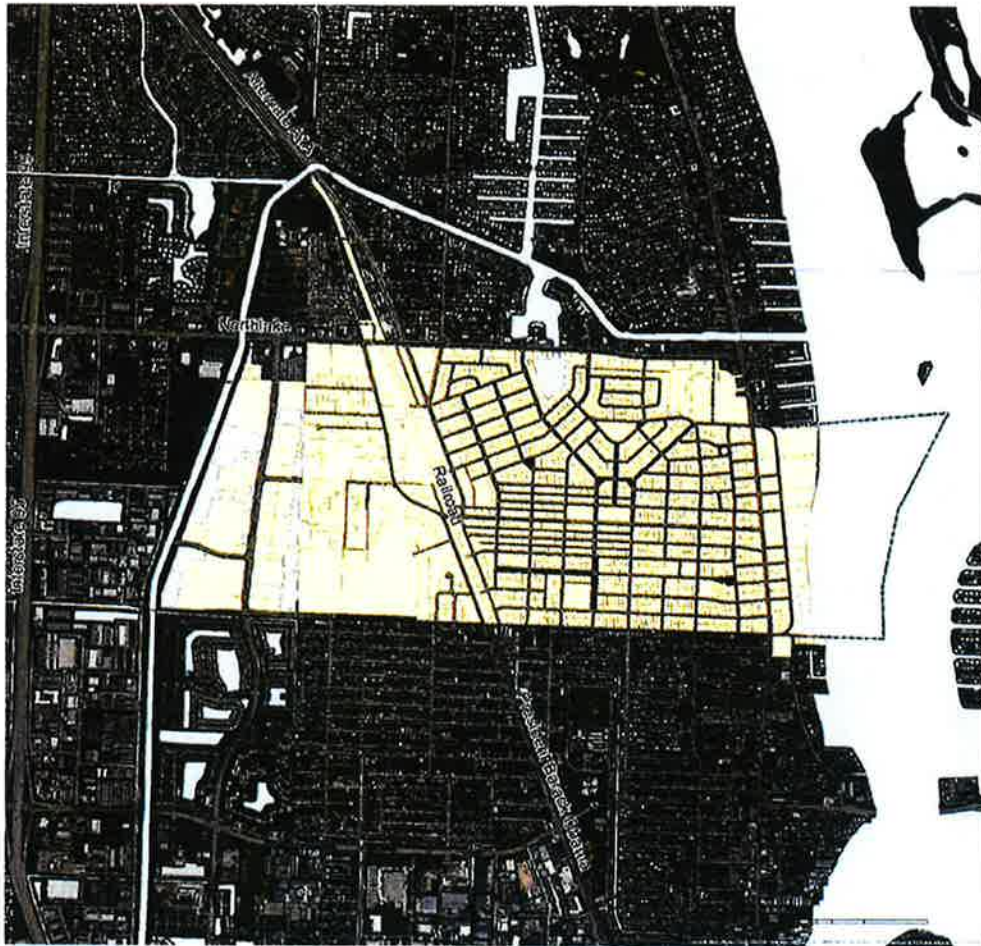
3. SUA recycles 90% annual wastewater flow as irrigation water sold to customers in Table 7.

4. Higher differential between finished and raw water (compared to 2010) because SUA converted to nanofiltration membrane treatment in May 2014.

5. Maximum daily allocation from Biscayne/Surficial aquifer allowed by SFWMD permit.

SUA continues to work with Lake Park and developers through the development process to ensure proper sizing and delivery of potable water to meet any increased demands necessitated by development approvals prior to the approval of a building permit, or Certificate of occupancy or its equivalent.

## MAP 1 Town of Lake Park Location Map



## Generalized Location Map Town of Lake Park

### Map Legend



Associated Layers

 Municipal Boundary

 Parcels

#### Map Disclaimer

The Data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The Town of Mangonia Park & Palm Beach County make no warranties, express or implied, as to the use of the licensed Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.

Document Name: LakeParkGenLocationMap

Scale: 1 inch = 300 Feet

Last Updated: 2/14/2020

Source: Palm Beach County Property Appraiser's PUSE Code

Document Path: S:\N7C\GIS File\Lake Park\Maps & PDFS\LakeParkGeneralLocationMap.mxd



**LEGAL NOTICE OF PUBLIC HEARINGS**  
**TOWN OF LAKE PARK, FLORIDA**  
**LOCAL PLANNING AGENCY MEETING**  
**and**  
**TOWN COMMISSION TRANSMITTAL HEARING**

Please take notice and be advised that the Local Planning Agency will hold a public hearing on Monday, March 2, 2020, at 6:30 p.m., or as soon thereafter as can be heard, in the Town Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida, to consider the following Ordinance:

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN ADOPTING AMENDMENTS TO UPDATE AND IMPLEMENT THE 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR UPDATED OBJECTIVES AND POLICIES WITHIN THE SANITARY SEWER/SOLID WASTE/DRAINAGE/POTABLE WATER/NATURAL GROUNDWATER AQUIFER RECHARGE, CONSERVATION, AND CAPITAL IMPROVEMENTS ELEMENTS OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE TRANSMITTAL OF THE AMENDMENTS TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

The Town of Lake Park Commission will then consider the Ordinance on first reading (TRANSMITTAL HEARING) at their Wednesday, March 18, 2020 meeting at 6:30pm, or as soon thereafter as can be heard, in the Town of Lake Park Commission Chambers at the address listed above.

Records related to this item may be inspected at the Community Development Department located at Town Hall. If a person decides to appeal any decision made by the Local Planning Agency or Town Commission with respect to any hearing, they 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. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

**Town Clerk:** Vivian Mendez

**PUB:** The Palm Beach Post – Friday, February 21, 2020



**TOWN LAKE OF PARK**  
**Local Planning Agency**  
**MEETING DATE: April 5, 2021**  
**Agenda Item # LP-21-01**

**APPLICATION:** **Land Use Map Amendment and Comprehensive Plan Text**  
**Amendments – C-3/Twin Cities**  
**Current Land Use: Commercial**  
**Proposed Land Use: Twin Cities Mixed Use**

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This is a Town-initiated agenda item and as a whole is a collaborative project with the Village of North Palm Beach since the general area is split between the Town of Lake Park and the Village of North Palm Beach (additional details herein). The Town's Comprehensive Plan sets the policies and objectives for the various development areas in the Town and in doing so, sets the land use designations for all the land parcels in the Town. This agenda item focuses on the area historically known as the "Twin Cities Mall/C-3/Promenade Shoppes" (references used interchangeably) where the Publix grocery store and additional business establishments are located.

**Background:**

Located at the southwest corner of US1 and Northlake Boulevard, the Twin City Mall opened on July 21, 1971. The 400,000-square foot mall bisected the Village of North Palm Beach and the Town of Lake Park, thus the "Twin City" name. The Twin City Mall took a year and approximately \$10 million to build. By the 1980's, the mall began to struggle financially – especially when the opening of the Gardens Mall in 1988 drew major tenants away. After years of financial issues, code violations and attempts to revitalize the mall, demolition took place in June, 1997.

Currently, the site has approximately 103,000 sf of commercial space located on 15.75 acres in the Village of North Palm Beach. The Lake Park section of the site contains nearly 22.5 acres of land and 74,500 sf of commercial space, including Publix. Due to the origins of the Twin City Mall, the Town and the Village have committed to work collaboratively on development issues affecting the property through an interlocal agreement that was approved in 1993. Recently, given that the redevelopment of the site is a strategic priority for both communities, the Town and the Village have been coordinating efforts related to the creation of a regulatory code that will guide the development of the property.

In 2019, the Town Commission authorized a contract for Staff to work with a consultant, Dover Kohl & Associates, to create a revised C-3 area that would incorporate mixed-use development opportunities. This process included community workshops that served to provide input on what was desired. Ultimately, more intense and dense redevelopment options were favored. In November and December 2020, the Town Commission held

general discussions on the status of the C-3/Northlake Promenade progress as it related to the work Dover Kohl had done towards the development of new land development regulations (LDRs) and necessary Comprehensive Plan Amendments. It was determined that Staff was better suited to bring this initiative to the finish line and to work with North Palm Beach to get it completed. At the same time, a market analysis and feasibility study was being discussed as a key component to getting this completed also. In late December 2020/early January 2021, a revised Market Analysis/Feasibility Study proposal was received by the Treasure Coast Regional Planning Council and has since been approved by the Town Commission to move forward. In addition, Staff has since revisited the draft LDRs that had been drafted in 2020 and is scheduled to present these as well (for preliminary discussion) at a joint meeting of the Town Commission and Planning & Zoning Board on April 14, 2021. These have also been shared with the Village of North Palm Beach (NPB) for commenting since the Interlocal Agreement that governs the C-3 area requires that the municipal Codes are consistent so as to provide for cohesive development across jurisdictional boundaries.

This agenda item is essentially step 1 of 2 to move this initiative along. This agenda item proposes an Ordinance that would ultimately provide for a Twin Cities Mixed Use Future Land Use Designation that would promote the mixed-use redevelopment of the C-3 area illustrated on the maps on the following pages. The current land use designation is Commercial and only sets the tone for commercial redevelopment of the area. This change will allow for more diverse redevelopment patterns, including the incorporation of residential which we believe to be in high demand. Step 2 will then be the adoption of revised land development regulations alongside the completed market analysis and feasibility study that is estimated to be completed towards the end of this year. In the interim however, this land use change will also allow for the possible submittal and review of residential development plans, if the Town Commission also allows these types of submittals ahead of the full land development regulations being revised.

Please refer to the enclosed Ordinance.

Staff recommends **APPROVAL**.

*\*\*all required notices have been completed\*\**



# LAKE PARK ZONING MAP



## Lake Park Zoning Map



**Legend**

- |   |                                      |                      |                                      |  |
|---|--------------------------------------|----------------------|--------------------------------------|--|
| TOWN BOUNDARY                                     | C1B NEIGHBORHOOD COMMERCIAL DISTRICT | C4 BUSINESS DISTRICT | PADD PARK AVENUE DOWNTOWN DISTRICT   | R2 MULTIPLE FAMILY RESIDENCE DISTRICT    |
| Planned Unit Development Overlay                  | C2 BUSINESS DISTRICT                 | CONSERVATION         | R1A SINGLE FAMILY RESIDENCE DISTRICT | TND TRADITIONAL NEIGHBORHOOD DEVELOPMENT |
| NBOZ Overlay                                      | C3 BUSINESS DISTRICT                 | MU MIXED USE         | R1AA RESIDENCE DISTRICT              |  |
| CRA Overlay                                       | P PUBLIC DISTRICT                    |                      | R1B TWO FAMILY RESIDENCE DISTRICT    |  |
| FHMUDO Federal Highway Mixed Use District Overlay |                                      |                      |                                      |  |

Subject Site

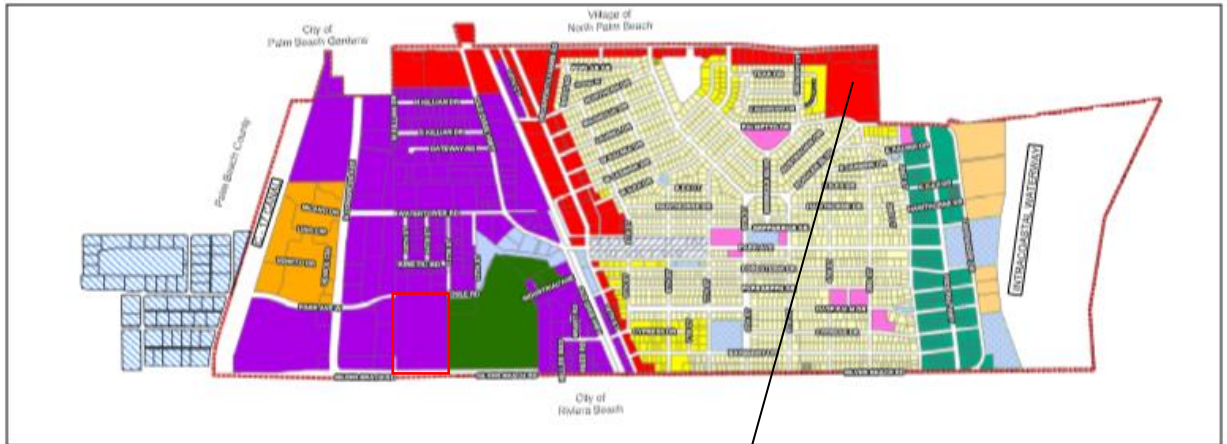
**Adjacent Zoning:**

- |        |   |
|--------|---|
| North: | Village of North Palm Beach (Commercial)                            |
| South: | R1A Single Family Residential and R1B Two Family Residential        |
| East:  | Village of North Palm Beach (existing commercial, future mixed use) |
| West:  | R2 Multiple Family residential                                      |

## LAKE PARK FUTURE LAND USE MAP



# Lake Park Future Land Use Map



**Legend**

TOWN BOUNDARY	COMMERCIAL	COMMERCIAL AND LIGHT INDUSTRIAL	PUBLIC BUILDINGS & GROUNDS	RESIDENTIAL LOW DENSITY
DOWNTOWN	CONSERVATION	MIXED RESIDENTIAL AND COMMERCIAL	RECREATION OVERLAY	RESIDENTIAL MEDIUM DENSITY
AMBASSADOR	FEDERAL HIGHWAY MIXED USE DISTRICT	OTHER PUBLIC FACILITIES	SINGLE-FAMILY RESIDENTIAL	RESIDENTIAL HIGH DENSITY
Other				

Subject Site

### Adjacent Existing Land Use

North: Village of North Palm Beach (Commercial)  
 South: Single Family Residential and Residential Medium Density  
 East: Village of North Palm Beach (existing commercial, future mixed use)  
 West: Residential Medium Density



**ORDINANCE NO.**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENTS TO THE TEXT, ONE OBJECTIVE AND SEVERAL POLICIES OF THE FUTURE LAND USE ELEMENT; AMENDING THE LAND USE CLASSIFICATIONS TO CREATE THE NEW LAND USE CATEGORY OF TWIN CITIES MIXED USE; PROVIDING FOR THE AMENDMENT OF A POLICY WITHIN THE RECREATION AND OPEN SPACE ELEMENT; ASSIGNING THE NEW LAND USE CATEGORY OF TWIN CITIES MIXED USE TO 22.3 ACRES LEGALLY DESCRIBED AND SHOWN ON THE MAP; PROVIDING FOR THE TRANSMITTAL OF THE AMENDMENTS TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission of the Town of Lake Park, Florida (Town) has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, previously known as the "Local Government Comprehensive Planning and Land Development Regulation Act" and now known as the "Community Planning Act" (the Act); and

**WHEREAS**, the former Department of Community Affairs, now known as the Department of Economic Opportunity, has previously determined that the Town's Comprehensive Plan was "in compliance" with the Act; and

**WHEREAS**, the Town's Planning and Zoning Board sitting as the Local Planning Agency (LPA) has conducted a public hearing as required by §163.3174(4)(a), *Fla. Stat.*, and has recommended that the Commission amend the Town's Comprehensive Plan as recommended by the Town's Department of Community Development; and

**WHEREAS**, the Commission has conducted a public hearing to consider the LPA's recommendations regarding the proposed amendments to the Future Land Use Coastal Management, and Recreation and Open Space Elements (the Amendments) and

**WHEREAS**, the Commission has determined that the adoption of the proposed amendments would be in compliance with the Act; and

**WHEREAS**, pursuant to § 163.3184(11), *Fla. Stat.*, the Commission has conducted a public hearing and considered public comments regarding the Amendments and has voted to transmit the Amendments to the Florida Department of Economic Opportunity, appropriate reviewing agencies, and any other local government or governmental agency that has made a written request of the Town pertaining to the Amendments.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:**

**Section 1:** The whereas clauses are hereby incorporated as the legislative findings of the Town Commission.

**Section 2:** The Future Land Use Element of its Comprehensive Plan is hereby amended as follows:

### **3.0 FUTURE LAND USE ELEMENT**

#### **Objective 11: Redevelopment of Twin Cities Mall Site**

The Twin Cities Mixed Use Future Land Use Classification is established to facilitate the redevelopment of the land formerly known as the Twin Cities Mall, which encompasses land which is located within the boundaries of the Village of North Palm Beach and the Town. The purpose is to achieve a vibrant mixed-use place that combines residences, businesses, civic spaces, public plazas, green or open space areas or pocket parks, and promotes an urban form which creates a well-integrated balance of land use combinations, balances intensity and density, promotes the safe interconnectivity of vehicular, pedestrian and other non-motorized movement, enhances the Public Realm and promotes sustainability.

**Policy 11.1: By 2021, the Town shall implement the Objective and Policies of the Twin Cities Mixed Use Future Land Use Classification through the**

adoption of mixed use land development regulations for the C-3 zoning district and renaming it the, Twin Cities Mixed Use District.

**Policy 11.2:** The new land development regulations for the town's C-3 Zoning District shall be developed with compact new residential and non-residential buildings to complement existing businesses all of which are supported by publicly accessible civic spaces, walkable and bikeable streets and served by varied forms of public and private transportation.

**Policy 11.3:** Public plazas, urban or green open space pocket parks that are accessible to the public are required as an integrated component of redevelopment with the Twin Cities Mixed Use District.

**Policy 11.4:** The compatibility of adjacent land uses are of primary concern and are accomplished by establishing land development regulations to control the height and intensity of structures to be consistent with the height and intensity of structures and uses within the Twin Cities Mixed Use District and the land uses in the Town and the Village of North Palm Beach which are adjacent to it.

**Policy 11.5:** The land development regulations for the Twin Cities Mixed Use District shall provide for a variety of non-residential uses (i.e. lodging, business, civic, and educational uses) that are compatible with and complementary to the residential component of this district. The land development regulations shall prohibit uses that are automobile oriented, regional in nature, or inconsistent with the vision of this district that encourages pedestrian access and activity.

**Policy 11.6:** The land development regulations for the Twin Cities Mixed Use District shall at a minimum include the following components:

1. A list of permitted and special exception uses.
2. A Regulating Plan that illustratively shows the location of future streets, terminating landmarks, blocks, civic spaces; and building heights identified by area.
3. Site development regulations, using building frontage types or building typologies including architectural regulations and features.
4. Street, alley, and sidewalk regulations.
5. Landscaping regulations.
6. Parking regulations.
7. Regulations to ensure that a mix of balanced, integrated uses occur within the District

8. Special review procedures
9. Public plazas, urban open or green spaces, or pocket parks
10. Methodology to address developer contributions for equitable funding of shared infrastructure and public improvements in the Twin Cities PUD.

**Policy 11.7:** The land development regulations for the new C-3 zoning district shall provide for a total number of dwellings not exceeding a density of 48 dwelling units per acre, which includes any density bonus.

**Policy 11.8:** Due to close proximity with the FHMUD, development impacts in the Twin Cities PUD shall result in the removal of comparable totals of dwelling units and intensities of developments from the total entitlements for the FHMUD.

**Policy 11.9:** The Twin Cities Mixed Use Future Land Use Classification shall be reflected as such on the Future Land Use Map of the Town's Comprehensive Plan.

### **3.4.3 Future Land Use Classification System**

Land use categories listed as follows are hereby adopted as the "Future Land Use Classification System.", consistent with and as a means to implement the objectives and policies of this element. Please note that the ability to achieve the maximum residential density and/or Floor Area Ratio (F.A.R.) is contingent upon, and shall be limited by, the ability to meet adopted Level of Service Standards in the short term planning horizon.

**Twin Cities Mixed Use Future Land Use** – Lands located in the southwest quadrant of Northlake Boulevard and Federal Highway as shown on the Future Land Use Map shall be designated with the future land use of "Twin Cities Mixed Use." These lands, and adjoining lands to the east in the Village of North Palm Beach, are within the property formerly known as the Twin City Mall. The purpose of the Twin City Mixed Use Classification is to redevelop this site into a vibrant mixed-use place that combines residences, businesses, and civic spaces. The policies which are intended to implement the site's redevelopment are located under Objective 1.12 of the Future Land Use Element.

*[no changes to other designations in the future land use classification system]*

### **3.4.4 Future Land Use Map- Change in Land Use**

The property within the Town legally described below is being changed from the existing "Commercial" designation to the future land use classification of "Twin City Mixed-Use" on the Future Land Use Map series:

Portions of Section 21, Township 42 South, Range 43 East, lying within the Town of Lake Park, Palm Beach County, Florida, more particularly described as:

- Those portions of Parcels 1, 2, 3, 4, R-1, R-2, R-3, and 7 lying within the Town of Lake Park as shown on the Northlake Promenade Shoppes PUD plat as recorded at Plat Book 102, Pages 130 and 131; and
- A parcel of land bounded on the east by the Town of Lake Park municipal boundary, on the north by Parcel 7, and on the west and south by Parcel 8, and
- Those portions of Parcels 8, 9, and 10 lying within the Town of Lake Park as shown on the Northlake Promenade Shoppes PUD Replat No. 1 as recorded at Plat Book 124, Pages 51 to 53;



**Section 3.** The Recreation and Open Space Element of the Comprehensive Plan is hereby amended as follows:

**9.0 RECREATION AND OPEN SPACE**

**9.4 Goal, Objectives and Policies**

**Policy 4.3:** The Town shall update its land development regulations to require a certain amount of open space to be provided for the new development or redevelopment or properties within the Town. For those properties having a future land use designation of Federal Highway Mixed Use District (FHMUD), Downtown or Twin Cities Mixed Use on the Future Land Use Map, the Land Development Regulations may allow or require that that open space in the form of public plazas, green or open space areas or pocket parks are provided rather than a lot by lot basis. For those properties having a future land use designation of Twin Cities Mixed Use, the land development regulations shall provide for both on-site public space and contributions for shared open space, as appropriate.

**Section 4.** **Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 5.** **Severability.** Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 6.** **Effective Date.** The amendments to the Comprehensive Plan contained within this Ordinance shall become effective in accordance with the provisions of § 163.3184(3)(c)4., Fla. Stat.

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