

ORDINANCE 05-2021

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENTS TO THE FUTURE LAND USE AND RECREATION AND OPEN SPACE ELEMENTS; PROVIDING FOR THE AMENDMENT OF THE FUTURE LAND USE CLASSIFICATION SYSTEM TO CREATE THE NEW LAND USE CATEGORY OF TWIN CITIES MIXED USE; PROVIDING FOR THE CREATION OF A NEW FUTURE LAND USE OBJECTIVE AND POLICIES; PROVIDING FOR THE AMENDMENT OF POLICY 4.3 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 FUTURE LAND USE 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, 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 developed and 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. This land use category is established to enable a vibrant mixed-use place that will combine residences, businesses, and civic spaces; enhance the public realm through public plazas, green or open space areas or pocket parks; provide an urban form of integrated land use combinations with balanced densities and intensities; achieve the safe interconnectivity of vehicular, pedestrian and other non-motorized movement , and promote 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

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

Policy 11.2: The new land development regulations for the proposed Twin Cities Mixed Use District shall provide for the development of new compact residential and non-residential buildings to complement the existing commercial buildings, 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: The new land development regulations for the proposed Twin Cities Mixed Use District shall provide for public plazas, urban or green open spaces or pocket parks that are accessible to the public and which form an integrated component of redevelopment with the Twin Cities Mixed Use District.

Policy 11.4: The new land development regulations for the proposed Twin Cities Mixed Use District shall provide for compatibility of adjacent land uses by establishing land development regulations to control the height and intensity of structures so that new development is internally consistent with the height and intensity of structures and the intensity and density of uses within the adjacent zoning districts of the town, the Twin Cities Mixed Use District and the land development regulations adopted by the Village of North Palm Beach .

Policy 11.5: The new land development regulations for the Twin Cities Mixed Use District shall provide for a variety of non-residential uses that are internally compatible with and complementary to the residential uses provided for in the Twin Cities Mixed Use District.

Policy 11.6 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 11.7: The new 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 Mixed Use District.

Policy 11.8: The land development regulations for the new Twin Cities Mixed Use zoning district shall provide for a density of up to 48 dwelling units per gross acre, which includes any density bonus, as calculated for the entire site. The Commission may grant bonus units that result in a density greater than 48 du/acre on an individual site so long as the average density for the entire Twin Cities Mixed Use District area does not exceed 48 du/acre. The regulations shall provide for a maximum FAR of 2.0 for non-residential uses. Development of sites within the Twin Cities Mixed Use District may exceed the maximum stated land use and density and FAR if appropriate and consistent with the policies contained herein and as provided in the land development regulations.

Policy 11.9: The Twin Cities Mixed Use Future Land Use Classification shall be reflected 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 maximum density shall not exceed an average of 48 dwelling units per gross acre, as calculated for the entire Twin Cities Mixed Use area within the Town of Lake Park. The FAR for non-residential uses shall not exceed an average FAR of 2.0, as calculated for the entire Twin Cities Mixed Use area within the Town of Lake Park. The policies which are intended to implement the site's redevelopment are located under Objective 11 of the Future Land Use Element.

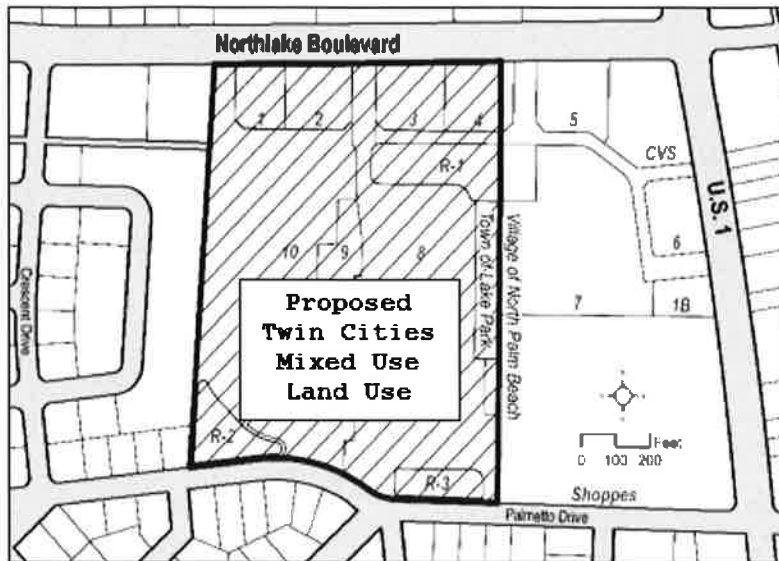
[no changes to other designations in the future land use classification system]

3.4.4 Future Land Use Map- Change in Land Use

The property within the Town legally described below, and as shown on the map 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) or Downtown, on the Future Land Use Map, the land development regulations may allow that that open space in the form of public plazas, green or open space areas, or pocket parks are provided rather than on 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.

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.

Upon First Reading this 2 day of June, 2021, the foregoing Ordinance was offered by Commissioner Linden, who moved its approval. The motion was seconded by Vice-Mayor Glas-Castro and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>Absent</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 25 DAY OF July, 2021

Upon Second Reading this 4 day of August, 2021, the foregoing Ordinance, was offered by Vice-Mayor Glas-Castro who moved its adoption. The motion was seconded by Commissioner Linden and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 05 - 2021 duly passed and adopted this 4 day of August, 2021.

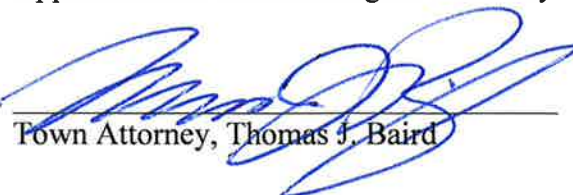
TOWN OF LAKE PARK, FLORIDA

BY: 
Mayor, Michael O'Rourke

ATTEST:

Approved as to form and legal sufficiency:


Town Clerk, Vivian Mendez
SEAL
(Town Seal)


Town Attorney, Thomas J. Baird

FLORIDA

TOWN OF LAKE PARK

NOTICE OF ADOPTION OF PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN: TEXT AND LAND USE CHANGE

Notice is hereby given that the Town of Lake Park, in accordance with the requirements of Chapter 163, Part II, Florida Statutes and other authority, intends to adopt Ordinance # 05-2021 on second reading, amending the Town's adopted Comprehensive Plan to establish the new Land Use category of "Twin Cities Mixed Use" and associated objectives and policies, and to assign the "Twin Cities Mixed Use" land use to 22.3 acres generally bounded by Northlake Boulevard on the north and Palmetto Drive on the south, as shown in the map, and which currently have a land use of "Commercial".

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LAKE PARK TOWN COMMISSION ADOPTION HEARING

Wednesday August 4, 2021, immediately following a public workshop commencing at 6:00pm, or as soon thereafter as can be heard.

Adoption Hearing will be held in the Town Hall Commission Chambers, located in Town Hall, 535 Park Avenue, Lake Park, FL, 33403.

LOCATION MAP



To receive a copy of the ordinance or request information on the Comprehensive Plan amendments please call the Community Development Department at 561-881-3320, ext. 325.

If a person decides to appeal any decision made by the 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.

Vivian Mendez, Town Clerk

PUB: Sunday, July 25, 2021, Palm Beach Post