

ORDINANCE NO. 11-2021

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENTS TO THE TEXT OF THE FUTURE LAND USE ELEMENT BY AMENDING THE DENSITY AND INTENSITY OF THE DOWNTOWN FUTURE LAND USE CLASSIFICATION; PROVIDING FOR A NEW OBJECTIVE SETTING FORTH POLICIES RELATED TO THE DOWNTOWN FUTURE LAND USE CLASSIFICATION; AMENDING THE FUTURE LAND USE MAP BY ASSIGNING THE DOWNTOWN FUTURE LAND USE CLASSIFICATION TO APPROXIMATELY 21.6 ACRES OF REAL PROPERTY AS SHOWN THEREON; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND 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 the public hearings required by §163.3174(4)(a), *Fla. Stat.*, and has recommended that the Commission amend the Town’s Comprehensive Plan as set forth herein; and

WHEREAS, the Commission has conducted a public hearing to consider the LPA's recommendation regarding the proposed amendments to the Future Land Use Element, (the Amendments) and

WHEREAS, the Commission has determined that the proposed amendments are in compliance with the Act; and

WHEREAS, pursuant to § 163.3184(11), *Fla. Stat.*, the Commission has conducted the required public hearings and considered public comments regarding the Amendments; and

WHEREAS, the Town Commission has conducted a transmittal and adoption hearings in accordance with § 163.3184 (11), *Fla. Stat.*, to adopt 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 12: Redevelopment of the Historical Downtown Area

A Downtown Future Land Use Classification is established to facilitate the redevelopment of the historical Park Avenue downtown and the immediate surrounding area. This land use category encourages a dense, vibrant, walkable mixed-use downtown that combines residences, businesses, and civic spaces, and that is well-integrated into the surrounding neighborhoods.

This land use classification is also intended to facilitate development that complements a future tri-rail station.

Policy 12.1: The Downtown Land Use classification is implemented by the Park Avenue Downtown District (PADD) zoning district. The Downtown Land Use shall provide for the development or redevelopment of compact residential and non-residential or mixed use buildings to complement the existing buildings.

Policy 12.2: Within section 3.4.3 "Future Land Use Classification System" the Downtown Land Use provides for a density of 48 du/acre and a FAR of 3.0 across the entire contiguous area.

The Commission may approve a project greater than 48 du/acres so long as the average density of development within the entire contiguous Downtown Land Use area does not exceed 48 du/acre, and is consistent with the policies contained herein and meets the land development regulations. The land development regulations shall provide for a maximum FAR of 3.0 for non-residential uses. Development of sites within the Downtown Land Use may exceed the maximum 3.0 FAR, so long as the average FAR for the entire Downtown Land Use area does not exceed 3.0, is consistent with the policies contained herein and as provided in the land development regulations.

Policy 12.3: The land development regulations developed to implement the Downtown Land Use shall provide for compatibility of adjacent land uses by establishing criteria to address buffering and to control the height and intensity of structures to mitigate the impacts of development on adjacent zoning districts, particularly single-family districts

Policy 12.4 Development and redevelopment shall be supported by publicly accessible civic spaces, walkable and bikeable streets and served by varied forms of public and private transportation.

Policy 12.5

Development shall provide for and accommodate various alternative mobility and micro-mobility options, consistent with policies of the Transportation Element, to achieve the safe interconnectivity of vehicular, pedestrian, and other non-motorized movement, and promote sustainability.

Policy 12.6

The Town shall continue to pursue a proposed train station location immediately adjacent to the Downtown future land use area, in support of its redevelopment and mobility goals.

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.

Downtown – Mixed Use development with a maximum F.A.R. of 5.0 which shall not exceed 3.0 per gross acre, as calculated for the entire contiguous Downtown Land Use area, and a maximum residential density of 27 units per gross acre. The maximum density shall not exceed an average of 48 dwelling units per gross acre, as calculated for the entire contiguous Downtown Land Use area.

Residential uses shall comprise no less than 20 percent, or no more than 80 percent, of the floor area of any vertical mixed-use building, and no less than 20 percent and no more than 80 percent of the buildings on a development site or block face. Horizontal mixed use may be developed and bonus units may be granted in excess of 48 units per acre on one site, so long as the average density for the entire contiguous Downtown Land Use area does not exceed 48 units per acre.

3.4.4 Future Land Use Map- Change in Land Use

The properties within the Town as shown on the map below and boundaries described herein are being changed from their current future land use designations of either Commercial, Public Buildings and Grounds, Residential Medium Density, or Single-family Residential to "Downtown" on the Future Land Use Map series.

Description:

Properties within the area bounded on the west by the FEC RR r-o-w, on the east by 9th Street, on the north by West Jasmine Drive, and on the south by Greenbrier Court,

Together with

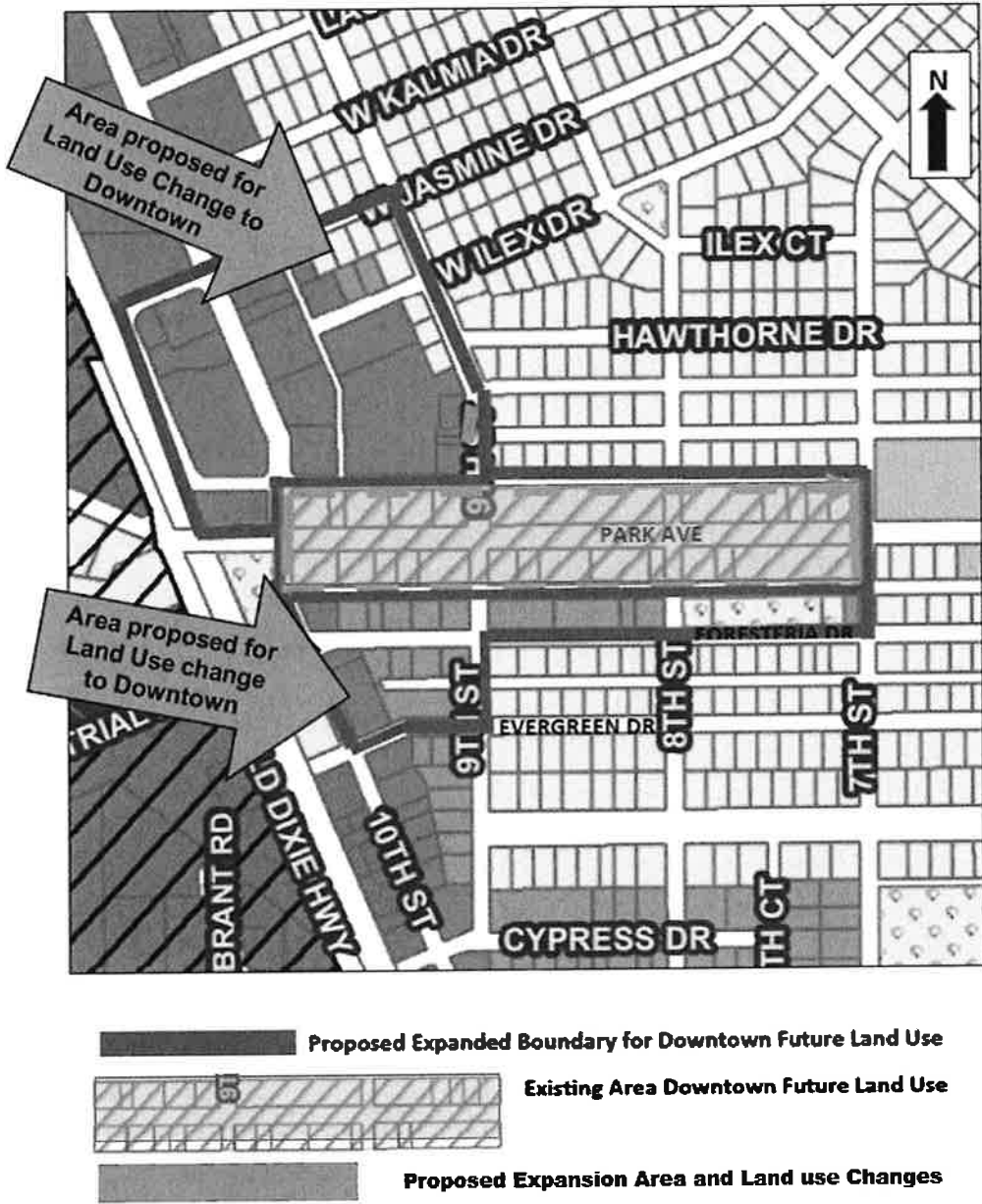
One parcel bounded on the west by the FEC RR r-o-w, on the east by 10th Street, on the north by Greenbrier Court and on south by Park Avenue.

Together with

Properties within the area bordered on the west by 10th Street, on the east by, 7th Street, on the south by Foresteria Dr., and the north by the r-ow-(alley) behind the properties in the 900 block of Park Avenue,

And

Properties within the area bordered on the west by 10th Street, on the east by 9th Street, on the north by Foresteria Drive, and the south by Evergreen Drive.



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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Upon First Reading this 15 day of December, 2021, the foregoing Ordinance was offered by Vice-Mayor Glas-Castro who moved its approval. 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>	_____

PUBLISHED IN THE PALM BEACH POST THIS 6 DAY OF February, 2022
Upon Second Reading this 16 day of February, 2022 the foregoing Ordinance, was offered by Vice-Mayor Glas-Castro, who moved its adoption. The motion was seconded by Commissioner Michaud 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.** 11-2021
duly passed and adopted this 16 day of February, 2022.

TOWN OF LAKE PARK, FLORIDA

BY: [Signature]
Mayor, Michael O'Rourke

ATTEST:

Approved as to form and legal sufficiency:

[Signature]
Town Clerk, Vivian Mendez
**TOWN OF LAKE PARK
SEAL
FLORIDA**

[Signature]
Town Attorney, Thomas J. Baird

TOWN OF LAKE PARK
NOTICE OF PROPOSED ADOPTION OF
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 on second reading the following ordinance to amend its adopted Comprehensive Plan by amending text related to the Downtown Future Land Use Category and amending the Future Land Use Map by assigning the Downtown Future Land Use category to 21.57 acres, as shown in the map in this ad.

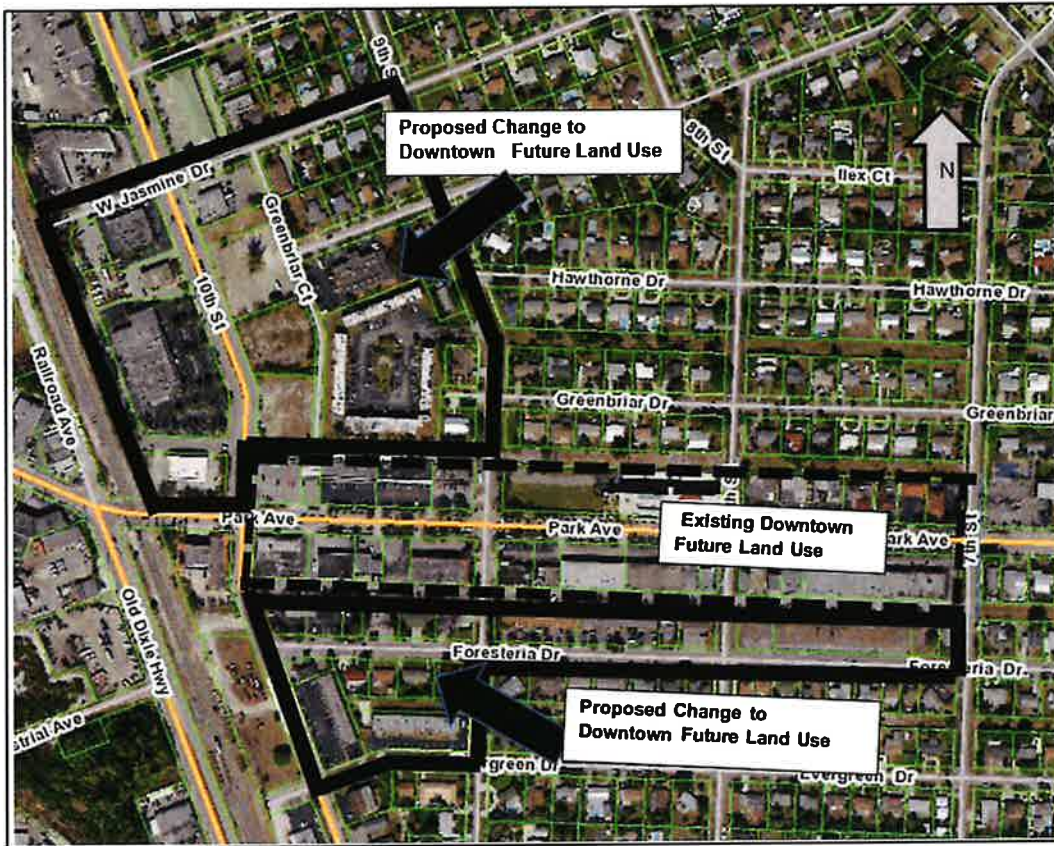
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ADOPTION HEARING BY LAKE PARK TOWN COMMISSION

Date: Wednesday February 16, 2022 at 6:30 pm or as soon thereafter as the matter can be heard.

Location: Town Commission Chambers, located in Town Hall, 535 Park Ave., Lake Park, FL 33403



Existing Downtown Future Land Use - Change in Density and Intensity within Land Use Definition

Proposed Downtown Future Land Use – Change in Future Land Use from Commercial, Residential Medium Density or Residential single family to Downtown Future Land Use

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 such 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, February 6, 2022, The Palm Beach Post