

ORDINANCE NO. 13-2022

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA REZONING A 1.24 ACRE PARCEL OF REAL PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A" FROM "PUBLIC DISTRICT" TO "PARK AVENUE DOWNTOWN DISTRICT"; PROVIDING FOR AN AMENDMENT TO THE OFFICIAL ZONING MAP WHICH IS INCORPORATED BY REFERENCE IN SECTION 78-32 OF THE TOWN CODE TO INCLUDE THE REZONING OF THE 1.24 ACRE PARCEL AS PART OF THE OFFICIAL ZONING MAP AS PADD; PROVIDING FOR THE AMENDMENT OF CHAPTER 78, ARTICLE III, SECTION 78-70, TO ADD THE 1.24 ACRE PARCEL TO FIGURE 1 TO SHOW THE PARCEL AS BEING INCLUDED WITHIN THE EXPANDED PADD SUB-DISTRICT REGULATION PLAN AND IDENTIFYING THE PARCEL AS BEING WITHIN THE CORE SUB-DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, 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, pursuant to Chapter 78 of the Town's Code of Ordinances (Code), the Town has adopted a Zoning Code which establishes zoning districts and an Official Zoning Map; and

WHEREAS, Code Section 78-182 (1) sets forth procedures for Town initiated rezoning of properties of less than 10 contiguous acres within the Town; and

WHEREAS the Town's Community Development Department staff initiated an amendment to the Official Zoning Map to rezone the properties that are legally described in the attached **Exhibit "A"** (the Properties), which is incorporated herein; and

WHEREAS, the Town will also amend Chapter 78, Article III, Section 78-70 entitled "Park Avenue Downtown District" by adding the 1.24 acre parcel to Figure 1 "expanded PADD sub-district regulation plan" with a core sub-district identification ; and

WHEREAS, the Town's Planning and Zoning Board conducted a public hearing and has provided a recommendation to the Commission on the proposed rezoning of the

Properties and related addition of the subject property to Figure 1 of Chapter 78, Article III, Section 78-70; and

WHEREAS, the Town Commission has determined that there are changed circumstances which warrant a rezoning of the Properties and related addition of the subject property to Figure 1 of Chapter 78, Article III, Section 78-70; and

WHEREAS, the Town Commission has conducted a duly noticed public hearing on the proposed rezoning of the Properties legally described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA THAT:

Section 1. The whereas clauses are incorporated herein.

Section 2. The Town Commission hereby rezones the Properties legally described in "Exhibit A" from "Public District" to Park Avenue Downtown District and directs that the Town's Official Zoning Map be amended to reflect the rezoning of the Properties to PADD.

Section 3. Chapter 78, Article III, section 78-70 entitled "Park Avenue Downtown District" is hereby amended to add 1.24 acres as shown in Figure 1, and legally described in Exhibit "A" to the "Expanded PADD sub-district Regulation Plan" and identifying it as being within the core sub-district.

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. This Ordinance shall take effect upon execution.

Upon First Reading this 5 day of October, 2022, the foregoing Ordinance was offered by Commissioner Michaud, 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 JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____
COMMISSIONER MARY BETH TAYLOR	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 9 DAY OF October, 2022

Upon Second Reading this 19 day of October, 2022, the foregoing Ordinance, was offered by Commissioner Linden, 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>Absent</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____
COMMISSIONER MARY BETH TAYLOR	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 13-2022 duly passed and adopted this 19 day of October, 2022.

TOWN OF LAKE PARK, FLORIDA

BY: [Signature]
Mayor, Michael O'Rourke

ATTEST:

[Signature]
Town Clerk, Vivian Mendez
TOWN OF LAKE PARK, FLORIDA
SEAL
(Town Seal)

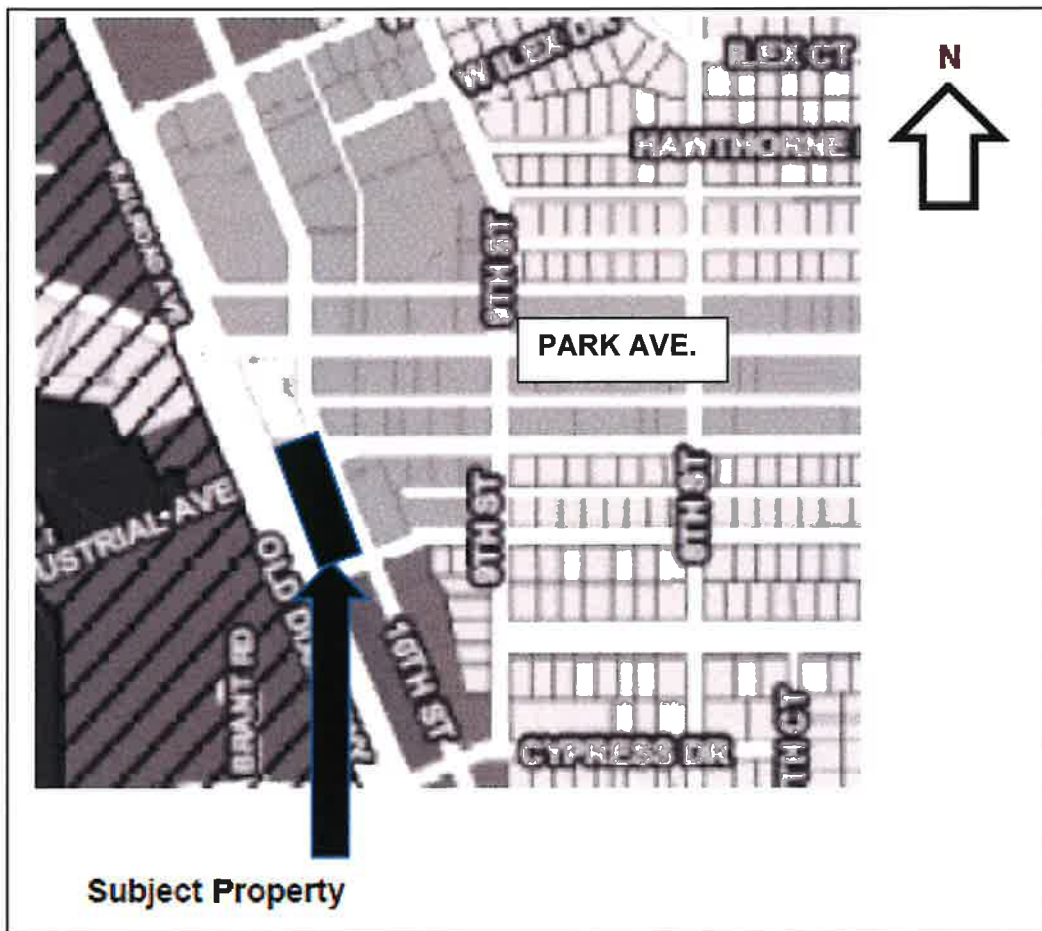
Approved as to form and legal sufficiency:
[Signature]
Town Attorney, Thomas J. Baird

Exhibit A

Legal Description:

All of Block 46a (Less northerly 284.80 Ft), Plat of Kelsey City in Plat Book 8, Pages 15 To 18, 23, 27 & 34 To 37 inclusive.

Location Map



**LEGAL NOTICE OF PROPOSED ORDINANCE
TOWN OF LAKE PARK**

Please take notice that on Wednesday, October 19, 2022 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida to be held at 535 Park Avenue, Lake Park, Florida 33403 will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE 13-2022

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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, MMC, Town Clerk
Town of Lake Park, Florida
PUB: October 9, 2022 The Palm Beach Post

TOWN OF LAKE PARK: NOTICE OF PROPOSED ZONING CHANGE AND TEXT AMENDMENT

Please take Notice and be advised that the Town of Lake Park is considering the following:

- Rezoning of a 1.24 acre town-owned property generally located between the FEC RR and 10th St., approx. 325 ft. south of Park Avenue, from Public District to Park Avenue Downtown District (PADD). Property legally described as “block 46A less the northerly 284.80 ft., Kelsey City, PB 8, pages 15-18, 23,27, & 34-37” Parcel control number 36-43-42-20-01-126-0012
- Amending Town Code section 78-70 Park Avenue Downtown District ,”Figure 1- Expanded PADD Sub-District Regulating Plan” by adding the 1.24 acre parcel to Figure 1 with a Core-Sub-district designation.

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TWO PUBLIC HEARINGS WILL BE HELD AS FOLLOWS:

LAKE PARK PLANNING AND ZONING BOARD

Monday, September 12, 2022 (special call meeting), at 6:30 pm or as soon thereafter as the matter can be heard.

LAKE PARK TOWN COMMISSION – First Reading

Wednesday, Oct 5 2022 at 6:30 pm or as soon thereafter as the matter can be heard.

All Hearings will be held in the Town Commission Chambers, located in Town Hall, 535 Park Ave., Lake Park, FL 33403

BE ADVISED: ALL DATES ARE SUBJECT TO CHANGE. Please refer to the Town website and agendas for the most up to date items being presented or call 561-881-3320.

For additional information, or to review any documents related to the proposal described herein, please call the Community Development Department at 561-881-3320, ext. 325.

If a person decides to appeal any decision made by the Planning & Zoning Board or Town Commission with respect to the rezoning 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: Friday, September 2, 2022

PADD Sub-District Regulating Plan

