

## ORDINANCE NO. 13-2019

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING TOWN CODE SECTION 78-83, APPENDIX A, FIGURE 1 "TOWER BUILDING TYPE" TO ELIMINATE THE INTERIOR SIDE SETBACK REQUIREMENT FOR BUILDINGS WHEN 80% BLOCK CONSOLIDATION IS ACHIEVED FOR A DEVELOPMENT PLAN; PROVIDING FOR THE CREATION OF TOWN CODE SECTION 78-84 K.(3), (4), AND (5); PROVIDING FOR HEIGHT AND STORIES EXEMPTIONS FOR PARKING GARAGES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority as is conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission has adopted a Land Development Code in Subpart B of Chapter 78 of the Town Code; and

**WHEREAS**, Subpart B of the Land Development Code establishes various zoning districts, supplemental and other land development regulations to regulate uses, the height and size of structures, and the intensity and density of development within the Town; and

**WHEREAS**, the Community Development Director has recommended amendments to the Mixed Use District (MU) and the Federal Highway Mixed Use District Overlay (FHMUDO) which are codified in Town Code Sections 78-83 and 78-84, respectively; and

**WHEREAS**, the Community Development Director has recommended that the Town Commission amend Section 78-83, Appendix A, Figure 1 related to Tower Building Types to eliminate the interior side setback requirement when 80% block consolidation is achieved for a development plan; and

**WHEREAS**, the Community Development Director has also recommended that the Town Commission create an exception to the height of parking garages to be codified at Section 78-84 K.(3), (4), and (5), providing that the number of stories of a parking garage shall not be counted toward the maximum height or number of stories of a structure constructed therein.

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

**Section 1.** The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

**Section 2.** Chapter 78, Article III, Section 78-83, Appendix A, Figure 1 "Tower Building Type" is amended as follows:





MIXED USE DISTRICT: BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS

**FIGURE 1: TOWER BUILDING TYPE**

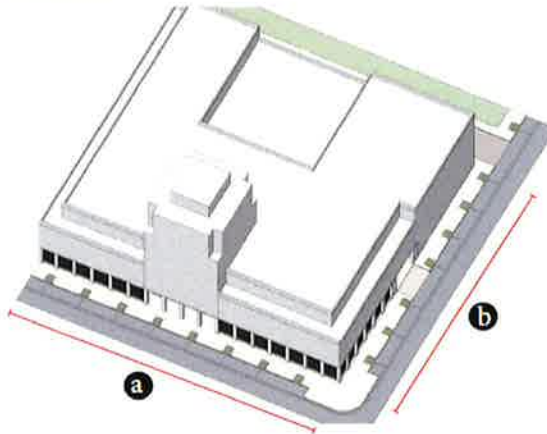
SUB-AREA: Core

**DEFINITION:**

a multi level building organized around a central core where a part of the building is higher in proportion.

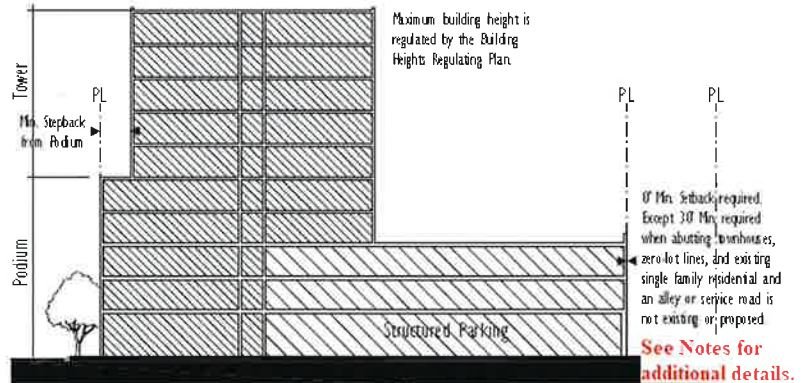
-  BUILDING LINE
-  PROPERTY LINE
-  ACTIVE USE
-  PARKING AREA
-  LOT WIDTH
-  LOT DEPTH

**BUILDING MASSING**

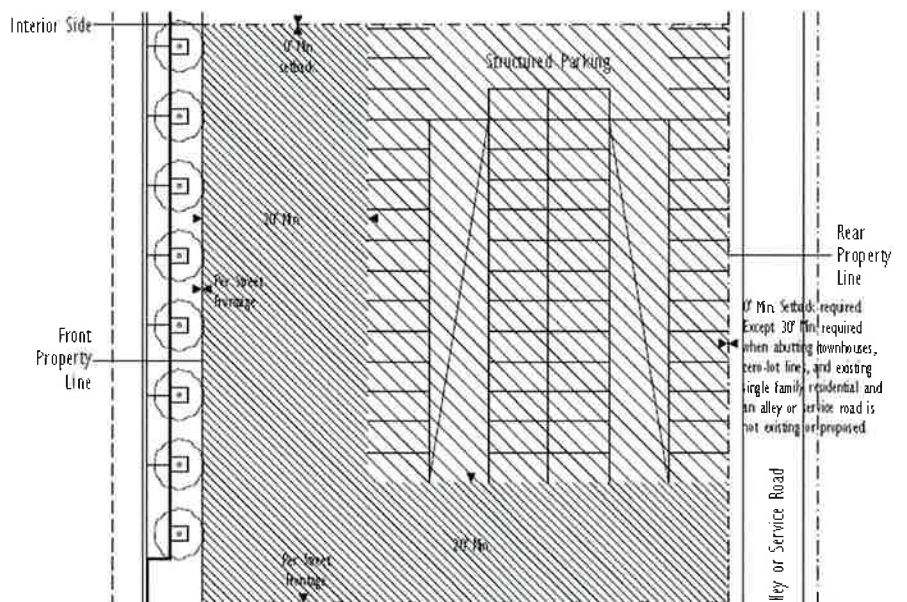


LOT STANDARDS:	MIN.	MAX.
a. Lot Width	200'	375'
b. Lot Depth	150'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90% (1)
e. Pervious Area	10%	N/A (1)
f. Interior Side Setback	0' (2)	N/A
g. Rear Setback	0' (2)	N/A

**BUILDING CONFIGURATION**



**BUILDING SETBACKS**



**NOTES:**

1. At grade
2. Except 30' minimum when abutting townhouse, zero lot lines and existing single family residential and an alley or service road is not existing or proposed, **unless full block consolidation or at least 80% block consolidation is attained.**

**OPEN SPACE STANDARDS:**

All multi-family residential, live-work units and mixed use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

**Section 3.** Chapter 78, Article III, Section 78-84 K. (3), (4), and (5) of the Town Code are hereby created as follows:

- (3). Structures with parking garages within identified development parcels in the Core Sub-Area of (3) Structures with parking garages within identified development parcels in the Core Sub-Area of the Federal Highway Mixed Use District Overlay, east of Federal Highway, are entitled to an exception to the maximum height established for the Core Sub-Area to accommodate the parking of vehicles within the structure. The parking garage shall not be considered as part of the measurement of the total height of a building, provided that: (a) the developer contributes funds to the Federal Highway Mixed-Use District Public Improvement Fund in accordance with Section 78-84(L) proportionate to the overall construction value; and (b) at least 10% of the total number of required parking spaces in the parking garage are designated as free public parking. The free public parking spaces shall be identified as free public parking by signage. The parking garage shall be equipped with camera surveillance of the public parking areas; (c) the parking garage shall be developed with an active use liner on the Federal Highway and Lake Shore Drive frontages of the building.
- (4) Structures within identified development parcels in the Core Sub-Area of the Federal Highway Mixed Use District Overlay, south of Cypress Drive, are entitled to an exemption of up to 5 stories, or 55 feet.
- (5) Structures within the development parcels in the other Core Sub-Areas of the Federal Highway Mixed Use District Overlay, north of Cypress Drive are entitled to an exemption cap of 3 stories, or 33 feet.

**Section 4. Severability.**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 5. Codification.**

The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or any other appropriate word.

**Section 6. Repeal of Laws in Conflict.**

All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 7. Effective Date.**

This Ordinance shall take effect upon execution.



Upon First Reading this 6 day of November, 2019, the foregoing Ordinance was offered by Commissioner Flaherty, 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	/	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	/	_____
COMMISSIONER ERIN FLAHERTY	/	_____
COMMISSIONER JOHN LINDEN	/	_____
COMMISSIONER ROGER MICHAUD	<u>Absent</u>	_____

**PUBLISHED IN THE PALM BEACH POST THIS 10 DAY OF November, 2019**

Upon Second Reading this 20 day of November, 2019, the foregoing Ordinance, was offered by Commissioner Michaud, who moved its adoption. The motion was seconded by Commissioner Flaherty and being put to a vote, the result was as follows:

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

The Mayor thereupon declared **Ordinance No.** 13-2019 duly passed and adopted this 20 day of November, 2019.

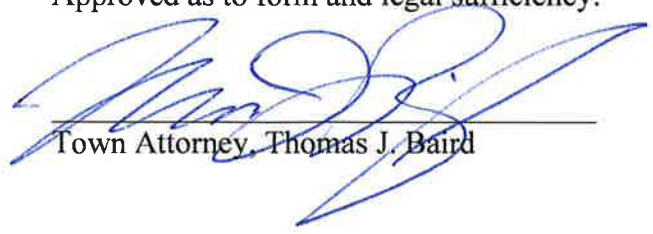
TOWN OF LAKE PARK, FLORIDA

BY:   
Mayor, Michael O'Rourke

ATTEST:

Approved as to form and legal sufficiency:

  
Town Clerk, Vian Mendez  
(Town Seal)  


  
Town Attorney, Thomas J. Baird

**LEGAL NOTICE OF PROPOSED PUBLIC HEARINGS FOR THE REPEAL AND CREATION OF A NEW CAMPUS LIGHT INDUSTRIAL AND COMMERCIAL (CLIC) ZONING DISTRICT (TOWN CODE SECTION 78-75) ALONG WITH THE CREATION OF USE DEFINITIONS IN TOWN CODE SECTION 78-2 AND FOR ADDITIONAL TEXT AMENDMENTS TO THE MIXED-USE (MU) AND FEDERAL HIGHWAY MIXED USE DISTRICT OVERLAY (FHMUDD) - TOWN CODE SECTIONS 78-83 AND 78-84) TOWN OF LAKE PARK**

Please take notice that on **Monday, November 4, 2019** at 6:30 a.m. or soon thereafter as can be heard, the **Town's Planning & Zoning Board** of the Town of Lake Park, Florida in a public hearing session to be held in the Commission Chambers located in Town Hall at 535 Park Avenue, Lake Park, Florida will consider the following items:

- Campus Light Industrial/Commercial (CLIC) Zoning District land development regulations found in Section 78-75 of the Town Code in an attempt to moderate and provide flexibility in permitted uses and development standards through additional land development regulations for the creation of a new Campus Light Industrial and Commercial Code Section 78-75 will also define those uses listed in the proposed town Code Section 78-2.

- **CREATING** town Code Section 78-84(K)(3) and (B) relating to HEIGHT and STORIES limitation for new structures within the 300' setbacks from the side of Federal Highways, with additional public benefit considerations including: (1) *New public parking equivalent to 15% of the required private parking;* (2) *a 1% solar contribution into the Public Improvement Fund for the increased value;* (3) *allow their uses for the entire parking structure on the Federal and Lake Shore Drive sides (with a 240' south of Cypress Drive, 650' wide only, 5 stories or 33 feet) north of Cypress Drive, 650' wide only, 3 stories or 33 feet)*

- **AMENDING** town Code Section 78-83, Appendix A, Figure 1 related to the "Town Building Foot" to eliminate the building side setback requirement when 80% block consolidation is achieved for a development plan.
- The above Ordinance related to the CLIC (Section 78-75 and 78-2) will be considered by the town Commission at a public hearing Ordinance meeting on **Monday, November 4, 2019** at 6:30 a.m. or soon thereafter in the Commission Chambers located at 535 Park Avenue, Lake Park, FL 33405. The CLIC items will also be heard at a public hearing on **Monday, November 5, 2019** at 6:30 a.m. or soon thereafter in the Commission Chambers located at 535 Park Avenue, Lake Park, FL 33405. The FHMUDD items will also be heard at a public hearing on **Monday, November 5, 2019** at 6:30 a.m. or soon thereafter in the Commission Chambers located at 535 Park Avenue, Lake Park, FL 33405. If a person decides to appeal any decision made by the Planning & Zoning Board or Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may request a transcript of the proceedings. The transcript will be prepared and include the testimony and evidence upon which the transcript is based. An additional information, or to review any documents related to the proposals described herein please contact Community Development at 561-961-3315.