

ORDINANCE NO. 04-2013

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, PROVIDING FOR THE REZONING OF SIX PARCELS OF REAL PROPERTY AS LEGALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" AND GENERALLY REFERRED TO AS THE PALM BEACH COUNTY SCRUB AREA; PROVIDING FOR THE ASSIGNMENT OF THE CONSERVATION ZONING DISTRICT TO THE SCRUB AREA; PROVIDING FOR THE AMENDMENT BY REFERENCE OF SECTION 78-32 OF THE TOWN CODE WHICH INCORPORATES THE TOWN'S OFFICIAL ZONING MAP TO REFLECT THE ASSIGNMENT OF THE CONSERVATION DISTRICT TO THE PARCELS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County is the owner of six parcels of land in the Town of Lake Park, Florida (Town), which are located west of Old Dixie Highway, between Silver Beach Road and 12th Street (the subject property); and,

WHEREAS, the subject property is known as the Palm Beach County Scrub Area; and

WHEREAS, the subject property is legally described in Exhibit "A" and generally located as shown on Exhibit "B", both of which are attached hereto; and,

WHEREAS, the Town Commission has previously assigned the zoning district of Campus Light Industrial/Commercial (CLIC) to the subject property, and this zoning is currently shown on the Town's Official Zoning Map; and,

WHEREAS, the Town Commission has created a zoning district known as the "Conservation District (C-District)" to the subject property; and

WHEREAS, the Commission's assignment of the Conservation Zoning District (C-District) to the subject property would fulfill the requirements of Article IV, Paragraph 26 of an Interlocal Agreement between the Town and Palm Beach County pertaining to the subject property; and

WHEREAS, the Town Commission has determined that the assignment of the C-District zoning classification to the subject property would be consistent with the Future Land Use designation which has been assigned to the subject property under the Town's Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED 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 Commission

Section 2. The Town Commission hereby assigns the zoning classification of Conservation Zoning District to the subject property which is legally described in the attached Exhibit A, which is incorporated herein.

Section 3. Section 78-32, which incorporates by reference the Town's Official Zoning Map and generally shows the assignment of the various zoning districts to the various properties in the Town, is hereby amended to reflect the assignment of the Conservation Zoning District to the subject property.

Section 4. Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this ordinance.

Section 5. Repeal of Laws in Conflict. All ordinances or part of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. The provisions of this Ordinance shall become effective upon adoption.

Attachment: Exhibit "A" – Legal Descriptions
Exhibit "B" - Location Map

Exhibit "A"
Legal Descriptions

(PCN: 36-43-42-20-00-000-7440)

20-42-43, IRREG SHAPED PARS 1 & 2 OF SW 1/4 LYG SWLY OF DRAKE LUMBER CO RY R/W & SELY OF & ADJ TO PROPOSED 60 FT RD AS IN OR11995P853

(PCN: 36-43-42-20-00-000-7450)

20-42-43, E 1/2 OF SW 1/4 LYG SWLY OF & ADJ TO OLD DRAKE LUMBER CO RY R/W & LYG SELY OF & ADJ TO PARS AS IN OR11995 PS853 & 858 (LESS E 1/8 OF SW 1/4, PARS LYG NELY OF SWLY LI EXTENDED NWLY & SELY IN OR8668P527, INDUSTRIAL AVE R/W & S 108 FT SILVER BEACH RD R/W) & E 482.50 FT OF SW 1/4 OF SW 1/4 (LESS N 323.35 & S 108 FT SILVER BEACH RD R/W)

(PCN: 36-43-42-20-00-000-5130)

20-42-43, PT OF S 1/2 K/A PT OF LAKE PARK SCRUB PAR IN OR11903P158 LYG NELY OF & ADJ TO CRA BDRY & NWLY OF & ADJ TO INDUSTRIAL AVE R/W A/K/A NORTH PAR

(PCN: 36-43-42-20-00-000-5020)

20-42-43, PAR LYG NELY & NWLY OF & ADJ TO INDUSTRIAL AVE & DRAKE LUMBER CO RR BEING PT OF SE 1/4 OF NE 1/4 OF SW 1/4 & PT OF W 1/2 OF SW 1/4 OF NE 1/4 OF SE 1/4 OF SEC

(PCN: 36-43-42-20-00-000-7460)

20-42-43, TH PT OF S 1/2 LYG SWLY OF OLD DIXIE HWY R/W K/A PT OF PARS 1, 2, 4 & 6 IN OR3036P110 PAR IN OR8668P527 & 15 FT ALLEY R/W LYG ADJ TO)

(PCN: 36-43-42-20-00-000-5150)

20-42-43, TRGLR SHAPED PAR IN S 1/2 K/A PT OF LAKE PARK SCRUB PAR IN OR11903P158 LYG SLY OF & ADJ TO INDUSTRIAL AVE R/W & ELY OF & ADJ TO CRA BDRY

Exhibit "B"
Location Map



LEGAL NOTICE OF PROPOSED ORDINANCE TOWN OF LAKE PARK

Please take notice that on Wednesday, March 6, 2013 at 7:00 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

Ordinance No. 02-2013 Amending the Future Land Use Map Designation for Parcels within the Palm Beach County Scrub Area

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE LAND USE DESIGNATION FOR CERTAIN PARCELS OF REAL PROPERTY IN THE TOWN OF LAKE PARK WHEREBY SIX PARCELS ARE OWNED BY PALM BEACH COUNTY KNOWN AS THE SCRUB AREA AND ONE PARCEL IS OWNED BY THE TOWN OF LAKE PARK; PROVIDING FOR A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT PURSUANT TO SECTION 163.3164(39) AND 166.041(3)(A), FLORIDA STATUTES TO ASSIGN THE FUTURE LAND USE DESIGNATION OF CONSERVATION TO THE SCRUB AREA AND PUBLIC BUILDINGS AND GROUNDS TO THE TOWN-OWNED PARCEL; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.



Ordinance 03-2013 Zoning Code Text Amendment Creating the Conservation District Zoning District (C-District)

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING A CONSERVATION ZONING DISTRICT (C-DISTRICT) AND INCORPORATING SAME INTO SECTION 78-76.1 OF CHAPTER 78, ARTICLE III, OF THE TOWN'S CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance 04-2013 Request to Rezone Palm Beach County's Scrub Area from the "Campus Light Industrial/Commercial" Zoning District to the "Conservation" Zoning District

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, PROVIDING FOR THE REZONING OF SIX PARCELS OF REAL PROPERTY AS LEGALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" AND GENERALLY REFERRED TO AS THE PALM BEACH COUNTY SCRUB AREA; PROVIDING FOR THE ASSIGNMENT OF THE CONSERVATION ZONING DISTRICT TO THE SCRUB AREA; PROVIDING FOR THE AMENDMENT BY REFERENCE OF SECTION 78-32 OF THE TOWN CODE WHICH INCORPORATES THE TOWN'S OFFICIAL ZONING MAP TO REFLECT THE ASSIGNMENT OF THE CONSERVATION DISTRICT TO THE PARCELS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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, CMC, Town Clerk, Town of Lake Park, Florida
PUB: The Palm Beach Post, February 24, 2013

Upon First Reading this 6 day of February, 2013, the foregoing Ordinance was offered by Vice-Mayor Rumsey, who moved its approval. The motion was seconded by Commissioner Stevens and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	_____
VICE-MAYOR KENDALL RUMSEY	<u>/</u>	_____
COMMISSIONER STEVEN HOCKMAN	<u>/</u>	_____
COMMISSIONER JEANINE LONGTIN	_____	<u>/</u>
COMMISSIONER TIM STEVENS	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 24 DAY OF February 2013

Upon Second Reading this 6 day of March, 2013, the foregoing Ordinance, was offered by Commissioner Longtin, who moved its adoption. The motion was seconded by Vice-Mayor Rumsey and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	_____
VICE-MAYOR KENDALL RUMSEY	<u>/</u>	_____
COMMISSIONER STEVEN HOCKMAN	<u>/</u>	_____
COMMISSIONER JEANINE LONGTIN	<u>/</u>	_____
COMMISSIONER TIM STEVENS	<u>Absent</u>	_____

The Mayor thereupon declared Ordinance No. 04-2013 duly passed and adopted this 6 day of March, 2013.

TOWN OF LAKE PARK, FLORIDA

BY: James DuBois
Mayor, James DuBois

ATTEST:

Vivian Mendez
Town Clerk, Vivian Mendez
(Town Seal)

Approved as to form and legal sufficiency:

Thomas J. Baird
Town Attorney, Thomas J. Baird