

**ORDINANCE NO. 09-2012**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-75(2)(C)(4) OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "CLIC-1 CAMPUS LIGHT INDUSTRIAL / COMMERCIAL DISTRICT" TO ADD EDUCATION FACILITIES AND SCHOOLS AS A PERMITTED USE ALONG THE ULTIMATE RIGHT OF WAY OF WATERTOWER ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, the Town Commission has adopted general provisions pertaining to land development and zoning, which have been codified in Chapter 78 of the Code of Ordinances of the Town of Lake Park; and

**WHEREAS**, the Town's Community Development Department has recommended to the Town Commission that Section 78-75(2)(C)(4) of Chapter 78 of the Code, pertaining to the CLIC-1 zoning district, be amended; and

**WHEREAS**, the Town's Planning and Zoning Board has reviewed the proposed amendments to the Town Code and has provided its recommendations to the Town Commission; and

**WHEREAS**, the Town Commission has determined that the recommended amendments would further the public's health, safety and general welfare.

**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 78-75(2)(C)(4) is hereby amended to read as follows:

**Sec. 78-75. CLIC-1 Campus light industrial/commercial district.**

*(2) Uses permitted.* Within the CLIC- zoning district, no building, structure or land or water use shall be permitted and no building shall be erected, structurally altered or enlarged, except for the following uses:

c. The following uses are permitted on parcels which front on the ultimate right-of way of Park Avenue as extended:

1. Retail and commercial stores and shops.
2. Mixed-use projects which include a residential component and at least two other types of land use, such as retail stores and studios.
3. Residential multifamily to a density of 15.78 units per acre.
4. Education facilities and schools. Shall also be permitted along parcels which front the ultimate right-of-way of Watertower Road. Conditional use approval is required by the Town Commission.

**Section 3. 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 4. Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5.** **Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**Section 6.** **Effective Date.** This Ordinance shall take effect immediately upon adoption.

Upon First Reading this 18 day of July, 2012, the foregoing Ordinance, was offered by Vice-Mayor Rumsey, who moved its approval. The motion was seconded by Commissioner Hockman 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 22 DAY OF July, 2012**

Upon Second Reading this 1 day of August, 2012, the foregoing Ordinance, was offered by Vice-Mayor Rumsey, who moved its adoption. The motion was seconded by Commissioner Hockman 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>	_____

The Mayor thereupon declared **Ordinance No. 09-2012** duly passed and adopted this 1 day of August, 2012.

TOWN OF LAKE PARK, FLORIDA

BY: James DuBois  
Mayor, James DuBois

ATTEST:

Vivian Lemley  
TOWN OF LAKE PARK  
Town Clerk, Vivian Lemley  
(Town Seal)

Approved as to form and legal sufficiency:

Thomas J. Baird  
Town Attorney, Thomas J. Baird

FLORIDA

THE PALM BEACH POST  
Published Daily and Sunday  
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Ellen Sanita**, who on oath says that she is **Call Center Revenue Manager** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter **Ordinance 09-2012** was published in said newspaper in the issues of **July 22, 2012**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.

Sworn to and subscribed before 23<sup>rd</sup> day of July, A.D. 2012.  
Who is personally known to me.

NOTARY PUBLIC-STATE OF FLORIDA  
**Karen M. McLinton**  
Commission # DD832672  
Expires: NOV. 15, 2012  
BONDED THRU ATLANTIC BONDING CO., INC.

NO. 6819365  
LEGAL NOTICE OF  
PROPOSED ORDINANCE  
TOWN OF LAKE PARK

Please take notice that on Wednesday, August 1, 2012 at 9:30 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, 515 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

Ordinance No. 09-2012  
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-75(2)(C)(4) OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "CLUST OF ORDINANCES, ENTITLED "CLUST OF CAMPUS LIGHT INDUSTRIAL / COMMERCIAL DISTRICT" TO ADD EDUCATION FACILITIES AS A PERMITTED USE ALONG THE ULTIMATE RIGHT OF WAY OF WATERTOWER ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; 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 Lemley, Town Clerk at 561-881-3311.

Vivian Mendez Lemley, Town Clerk  
Town of Lake Park, Florida  
PUB. The Palm Beach Post  
July 22, 2012