

TAB 3

**Town of Lake Park Town Commission
 Agenda Request Form**

Meeting Date: 1/21/04

Agenda Item No. 4

- | | |
|---|---|
| <input checked="" type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input checked="" type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | |
| <input type="checkbox"/> Other: | |

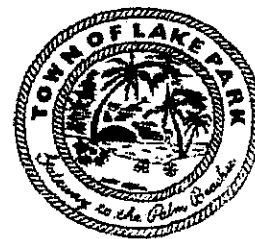
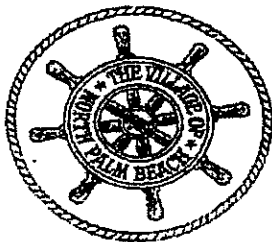
SUBJECT: Repeal of the Northlake Boulevard Overlay Zoning District Regulations

RECOMMENDED MOTION/ACTION: Staff is recommending this item be continued to the February 4 2004 Town Commission meeting to allow the Planning and Zoning Board to make a recommendation.

Approved by Town Manager *[Signature]* Date: 1/14/2004

Originating Department:	Costs: \$ Funding Source: Acct. #	Attachments:
Department Review: <input checked="" type="checkbox"/> City Attorney <u><i>[Signature]</i></u> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development <u><i>[Signature]</i></u>	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input checked="" type="checkbox"/> Town Manager <u><i>[Signature]</i></u>
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background: Staff is requesting a continuance of this item to allow the P&Z Board to discuss this matter at their next regularly scheduled meeting in February. The P&Z was scheduled to hear this item on January 5, 2004 but had asked to continue the discussion because several other agenda items that evening required more time than anticipated, and the meeting was close to ~~reaching~~ reaching the 11:00 p.m. cut-off hour.



13 January 2004

Mayor Eric Jablin
10500 North Military Trail
Palm Beach Gardens, Florida, 33410

Dear Mayor Jablin,

There has lately been considerable discussion of the history and current status of the Northlake Task Force (NLTF) and the effect that the discussions will have on the future of the NLTF. It is my understanding that the Palm Beach Gardens Council may possibly discuss this item at their January 15, 2004, Council meeting even though it is not listed on the published agenda.

As the current chairman of the Task Force, it is my sincere request that if the Palm Beach Gardens Council is to discuss this matter, that the Palm Beach County and the North Palm Beach Task Force members be noticed and included in the discussions.

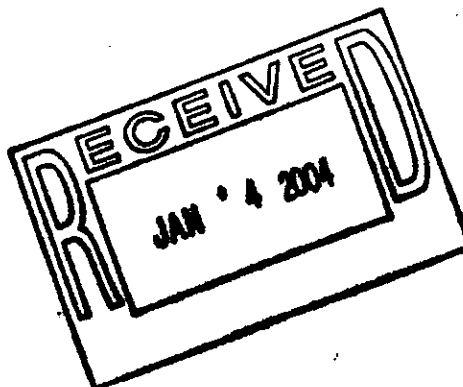
All of the past actions, decisions and recommendations of the Task Force have been unanimously approved and voted upon at publicly noticed and recorded meetings. Hopefully, any discussion of Task Force actions by any agency will include all members of the Task Force.

Your early consideration of this request will be appreciated.

Sincerely

Charles R. O'Meilia
Chairman

cc. NLTF



ORDINANCE NO. 01-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING ARTICLE II, SECTION 32-59 OF THE TOWN CODE PERTAINING TO THE NORTHLAKE BOULEVARD OVERLAY ZONING DISTRICT; AMENDING ARTICLE II, SECTION 32-23(16) TO ELIMINATE THE REFERENCE TO THE NORTHLAKE BOULEVARD OVERLY ZONING DISTRICT; AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF LAKE PARK TO DELETE ALL REFERENCES TO THE NORTHLAKE BOULEVARD OVERLAY ZONING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, portions of Northlake Boulevard are located in jurisdictions of the Town of Lake Park, other portions in the Village of North Palm Beach, other portions in the City of Palm Beach Gardens, and other portions within unincorporated Palm Beach County (collectively, the "local governments"); and

WHEREAS, the local governments entered into an Interlocal Agreement pertaining to the land development of properties along Northlake Boulevard; and also created an entity known as the Northlake Boulevard Corridor Task Force ("Task Force"), which is comprised of members from the local governments and was intended to facilitate improvements along Northlake Boulevard; and

WHEREAS, Chapters 163 and 166, Florida Statutes, establish the right and power of municipalities to provide for the health, safety, and welfare of the existing and future residents by enacting and enforcing comprehensive plans, and implementing land development regulations to protect, and further the public's health, safety and general welfare; and

WHEREAS, pursuant to Ordinance No. 33-2002, the Town Commission previously established land development regulations in Article II, Section 32-59 of the Town Code, to create a zoning district known as the Northlake Boulevard Overlay District ("NBOZ"), for the area generally located along Northlake Boulevard, west of U.S. Highway One and east of Military Trail (hereinafter, "the Northlake Corridor"); and

WHEREAS, the Town Commission has determined that the purpose and intent of the NBOZ, as contemplated at the time the NBOZ was created, and its current operation and effect, is not being fulfilled, is not economical and, generally is not beneficial to the Town of Lake Park and its residents; and

WHEREAS, the Town Commission has determined that the continued existence of the NBOZ no longer furthers the health, safety and general welfare of the residents of the Town of Lake Park; and

WHEREAS, the Town Commission has further determined that the elimination of the NBOZ as a zoning district in the Town of Lake Park is appropriate; and

WHEREAS, the Town of Lake Park Planning and Zoning Board has reviewed the purpose, intent, function, usefulness, and efficiency of the NBOZ, and has made its recommendations to the Town Commission regarding the repeal of Article II, Sections 32-59 and 32-23(16) of the Town Code and the elimination of the NBOZ as a zoning district in the Town.

NOW THEREFORE, be it ordained by the Town Commission of the Town of Lake Park:

Section 1. The whereas clauses are incorporated herein as true and correct.

Section 2. The Town Council hereby repeals Article II, Section 32-59 of the Town

Code as follows:

Sec. 32-59. Northlake Boulevard Overlay Zoning District.

~~(a) — Purpose and intent. The purpose and intent of the Northlake Boulevard Overlay Zoning District (NBOZ) is to implement the site development regulations of uses within the established Northlake Boulevard Corridor, pursuant to the "Design Guidelines: Northlake Boulevard Overlay Zoning District (NBOZ)" prepared by Michael Redd and Associates, dated March 11, 2002, which are attached to Ord. No. 33-2002 as Exhibit A. These guidelines were developed by the Northlake Boulevard Corridor Task Force, a task force created through an interlocal agreement between the Town of Lake Park, Village of North Palm Beach, City of Palm Beach Gardens, and Palm Beach County to facilitate improvements along the corridor. The criteria outlined in Design Guidelines, Northlake Boulevard Overlay Zoning District will serve to unify commercial development along the corridor and provide a positive collective identify for the corridor.~~

~~The purpose of the NBOZ is to provide a consistent, comprehensive and coordinated approach for development and redevelopment for the Northlake corridor through site improvement, landscape enhancement, streetscape design and building renovation.~~

~~(b) — Applicability. The provisions of the NBOZ, as outlined in "Design Guidelines: Northlake Boulevard Overlay Zoning District (NBOZ)" prepared by Michael Redd and Associates and dated March 11, 2002, which are attached to Ord. No. 33-2002 as Exhibit A and incorporated herein by reference, shall apply to all proposed development order applications within the NBOZ.~~

~~(c) — Boundaries. The Northlake Boulevard Overlay Zoning District includes the public right of way for Northlake Boulevard and all properties along Northlake Boulevard from Military Trail to U.S. Highway One for one property depth north and south of Northlake Boulevard, including the street intersection properties at U.S. Highway One and at Military Trail. This boundary shall apply to properties as they existed upon January 15, 2002.~~

Section 3. The Town Council hereby repeals Article II, Section 32-23(16) of the

Town Code as follows:

Sec. 32-23. Division of town into districts; districts enumerated.

To regulate and limit the height and size of buildings; to regulate and limit the intensity of the use of lot areas; to regulate and determine the areas of open spaces within and surrounding buildings; to classify, regulate and restrict the location of trades and industries; and the location of buildings designed for specified industrial, business, residential and other uses, the town is hereby divided into the following districts:

- (1) Residence district R-1AA
- (2) Residence district R-1A
- (3) Residence district R-18
- (4) Residence district R-1
- (5) Residence district R-2A
- (6) Residence district R-2
- (7) Residence district R-3
- (8) Residence district C-1A
- (9) Residence district C-1B
- (10) Residence district C-1C
- (11) Residence district C-1
- (12) Residence district C-2
- (13) Regional business district C-3
- (14) Business district C-4
- (14) Business district CLIC-1
- (15) Public district P
- ~~(16) Northlake Boulevard Overlay District NBOZ~~

Section 4. The Town's official zoning map, is hereby amended to reflect the repeal of the NBOZ as a zoning district in the Town of Lake Park.

Section 5. Codification.

The Sections of the Ordinance 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. 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 7. Repeal of Laws in Conflict.

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

Section 8. Effective Date.

This Ordinance shall take effect immediately upon adoption by the Town Commission.

Upon First Reading this 7th day of January, 2004 the foregoing ORDINANCE was offered by Commissioner Balius who moved its approval. The motion was seconded by Commissioner Longtin, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	X	
COMMISSIONER JEANINE LONGTIN	X	
COMMISSIONER BILL OTTERSON	X	

Upon Second Reading this _____ day of January, 2004 the foregoing ORDINANCE was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO		
VICE MAYOR CHUCK BALIUS		
COMMISSIONER PAUL GARRETSON		
COMMISSIONER JEANINE LONGTIN		
COMMISSIONER BILL OTTERSON		

The Mayor thereupon declared Ordinance No.01-2004 duly passed and adopted this day of January, 2004

TOWN OF LAKE PARK, FLORIDA

BY: _____
Mayor Paul Castro

ATTEST:

Approved as to form and legal sufficiency:

Carol Simpkins, Town Clerk
(Town Seal)

Thomas J. Baird, Town Attorney