

ORDINANCE 04-2024

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENTS TO THE TEXT OF THE FUTURE LAND USE ELEMENT AND INTERGOVERNMENTAL COORDINATION ELEMENTS; PROVIDING FOR THE AMENDMENT TO THE FUTURE LAND USE MAP TO REMOVE THE BIOSCIENCE RESEARCH PROTECTION OVERLAY; PROVIDING FOR THE TRANSMITTAL OF THE AMENDMENTS TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission (Commission) of the Town of Lake Park, Florida (Town) has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, previously known as the “Local Government Comprehensive Planning and Land Development Regulation Act” and now known as the “Community Planning Act” (the Act); and

WHEREAS, the former Department of Community Affairs, now known as the Department of Economic Opportunity, has previously determined that the Town’s Comprehensive Plan was “in compliance” with the Act; and

WHEREAS, the Town’s Planning and Zoning Board sitting as the Local Planning Agency (LPA) has conducted a public hearing as required by §163.3174(4)(a), *Fla. Stat.*, and has recommended that the Commission amend the Town’s Comprehensive Plan; and

WHEREAS, the Commission has conducted a public hearing to consider the LPA’s recommendations regarding the proposed amendments to the text of the Future Land Use and Intergovernmental Coordination Elements (the Amendments) and

WHEREAS, the Commission has determined that the adoption of the proposed amendments would be in compliance with the Act; and

WHEREAS, pursuant to §163.3184(11), *Fla. Stat.*, the Commission conducted a public hearing and considered public comments regarding the Amendments, following which it voted to transmit the Amendments to the Florida Department of Economic Opportunity, appropriate reviewing agencies, and any other local government or governmental agency that has made a written request of the Town pertaining to the Amendments.

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

Section 1: The whereas clauses are hereby incorporated as the legislative findings of the Town Commission.

Section 2: The Future Land Use Element of its Comprehensive Plan is hereby amended to repeal Policy 1.10 of Objective 1 and Objective 8 and its implementing policies as shown below:

Objective 1

~~Policy 1.10: The Town shall adopt and maintain land development regulations that provide incentives for bioscience research/biotechnology uses to encourage the clustering of that industry within the Town and particularly within the Bioscience Research Protection Overlay (BRPO). Policy 1.11: The Town shall ensure that an adequate amount of land is designated for bioscience research/biotechnology uses.~~

~~**Objective 8** The Town shall implement a Bioscience Research Protection Overlay (BRPO) for the purpose of promoting bioscience research/biotechnology uses and shall discourage the conversion of those uses to retail or residential uses.~~

~~**Policy 8.1:**~~

~~The types of uses encouraged within the BRPO shall include science/biotechnology research uses and their supporting facilities; laboratories; other industrial uses including manufacturing uses; clinical research hospitals; and commercial retail or office uses that are accessory or ancillary to bioscience~~

~~research/biotechnology uses. The Town's Land Development Regulations shall implement the encouragement of these uses.~~

~~Policy 8.2:~~

~~The Bioscience Research Protection Overlay (BRPO) shall be depicted on the Town's Future Land Use Map and the Town's Official Zoning Map.~~

~~Policy 8.3~~

~~The Town shall encourage bioscience research/biotechnology uses as permitted uses within the Bioscience Research Protection Overlay (BRPO) so as to achieve, in coordination with the County and adjacent municipalities, a clustering of bioscience research/biotechnology uses, and thus to promote the intellectual exchange between researchers, scientists, students and others in the bioscience research/biotechnology industry workforce.~~

~~Policy 8.4:~~

~~The Town shall adopt and maintain land development regulations that provide incentives for bioscience development and promote a predominance of bioscience research/biotechnology uses so as to develop a cluster of the industry within the BRPO~~

~~Policy 8.5:~~

~~Those parcels of land whose future land use and zoning designations permit bioscience research/biotechnology uses, may not be rezoned, redesignated, amended or otherwise converted to other commercial retail or residential uses, which are not clearly accessory or ancillary uses to bioscience research/biotechnology uses without the supermajority vote of the Town Commission~~

Section 3. Sections 3.4.3 "Future Land Use Classification System" and 3.4.4 "Future Land Use Map" are hereby amended as follows:

3.4.3 Future Land Use Classification System

Land use categories listed as follows are hereby adopted as the "Future Land Use Classification System.", consistent with and as a means to implement the objectives and policies of this element. Please note that the ability to achieve the maximum residential density and/or Floor Area Ratio (F.A.R.) is contingent upon, and shall be limited by, the ability to meet adopted Level of Service Standards in the short term planning horizon.

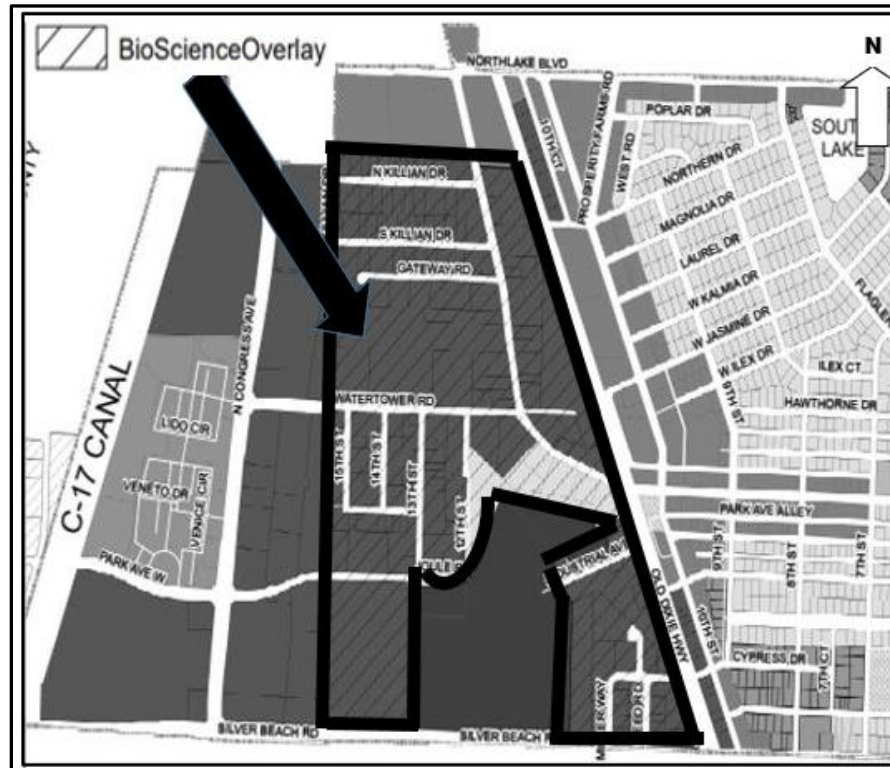
~~Bioscience Research Protection Overlay (BRPO)~~ — ~~The area designated on the Future Land Use Map includes land that has been determined to be appropriate to accommodate bioscience research / biotechnology uses, as well as other intellectual knowledge-based industry sectors. "Bioscience uses" means those land uses that support science and biotechnology research, engineering and~~

~~manufacturing such uses as laboratories, educational facilities and clinical research hospitals and accessory uses, including administrative office and retail uses. Limited residential uses, which support the bioscience cluster shall be considered bioscience uses.~~

[no changes to other designations in the future land use classification system]

3.4.4 Future Land Use Map-

The Future Land Use Map is hereby amended to remove the Bioscience Research Protection Overlay (Bioscience Overlay) as shown on the map below. No change in the future land use categories will occur



Section 4. Objective 7 and Policies 7.1 and 7.2 of the Intergovernmental

Coordination Element of the Comprehensive Plan are hereby repealed as follows:

Objective 7

~~To coordinate planning efforts with the municipalities of Jupiter, Riviera Beach, North Palm Beach, Palm Beach Gardens, Mangonia Park and Palm Beach County (the North Palm Beach County partners) in order to jointly identify land parcels in northern Palm Beach County which will provide opportunities for the development of bioscience research/biotechnology~~

~~uses and will help secure these parcels against conversions to retail, commercial or residential land-use designations.~~

~~Policy 7.1:~~

~~Develop a unified vision in coordination with the North Palm Beach County partners and assign a Bioscience Research Protection Overlay (BRPO) to land parcels within the Town in order to provide opportunities for bioscience research/biotechnology uses.~~

~~Policy 7.2:~~

~~To assure greater cooperation with the North Palm Beach County partners, the Town shall maintain its representation on the Bioscience Land Protection Advisory Board (BLPAB) as set out in the Interlocal Agreement to ensure the protection of bioscience uses within the BRPO.~~

Section 5 Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6 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. The amendments to the Comprehensive Plan contained within this ordinance shall become effective in accordance with the provisions of § 163.3184(3)(c)4., Fla. Stat.