

Exhibit D

Town of Lake Park

Town Commission

Transmittal Hearing

Meeting Date: September 3, 2025



STAFF REPORT

Ordinance # 04-2025

Summary of Request

The Community Development Department is requesting the Town Commission consider on first reading Ordinance No. 04- 2025 to amend the Comprehensive Plan of Lake Park by 1) repealing all objectives and policies related to the Bioscience Research Protection Overlay (BRPO) contained in the Future Land Use Element and the Intergovernmental Coordination Element and 2) to remove the Bioscience Research Protection Overlay (BRPO) from the Future Land Use Map.

The recommended amendments to the Comprehensive Plan are basically “housekeeping items” as the Bioscience Research Protection Overlay (BRPO) established by an Interlocal Agreement (IA) between five north county municipalities and the County is no longer in existence.

Note: In the discussion that follows the Bioscience Research Protection Overlay (BRPO) will be referenced as the “Bioscience Overlay”

By state statute there is a specific process to amend Comprehensive Plans. If approved on first reading the amendments are transmitted to the state’s Office of Economic Opportunity, which serves as the state planning agency, for review. This public hearing is considered the “transmittal hearing”.

The bioscience amendments were adopted in 2008 to implement the Interlocal Agreement (IA) adopted by five north county municipalities and Palm Beach County as part of the initiative to bring The Scripps Research Institute to a site in Jupiter/Palm Beach Gardens. The IA also included the creation of a Bioscience Land Protection Advisory Board charged with insuring sufficient land continued to be available in northern Palm Beach County for the location of bioscience companies. The jurisdictions amended their Comprehensive Plans to reflect the bioscience initiatives.

The purpose of the Town’s amendments was to encourage bioscience uses in the Town by adopting a Bioscience Overlay for industrial land uses, discourage rezoning to districts that would not include bioscience uses, and to coordinate with north county jurisdictions.

In June 2024, as the goals had basically been achieved, the Bioscience Advisory Board recommended that it be disbanded, and all parties signed an amendment to the IA, disbanding the board and ending the IA. Therefore certain objectives and policies in the Town’s Comprehensive Plan are no longer relevant and may be repealed.

The “Bioscience Overlay” which will be removed is shown below:

From: ADOPTED FUTURE LAND USE MAP
 BIOSCIENCE RESEARCH PROTECTION OVERLAY



The Bioscience Overlay covers portions of the Mixed Commercial and Light Industrial Categories, along with one area of the Public Buildings and Grounds Land Use.



The text sections proposed to be repealed are shown below and within the proposed ordinance in attachment A.

TO BE REPEALED:

FUTURE LAND USE ELEMENT

3.4.2 Objectives and Policies

From 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.

3.4.3 Future Land Use Classification System

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.

INTERGOVERNMENTAL COORDINATION ELEMENT

Objectives and Policies

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 those 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.

Removal of the Overlay does not change permitted uses and removal of objectives and policies will not prohibit or discourage bioscience uses in the industrial districts. Both the CLIC-1 and C-4 zoning districts include broad categories such as "research, experimental or testing labs" or "research and development" which would include bioscience related businesses. The C-4 zoning district includes "bioscience" as a permitted use. The amendment will facilitate any necessary land use

or zoning changes in the industrial districts since, as required by the IA Future Land Use policy 8.5 requires a 2/3 vote of the Town Commission (rather than a simple majority) to change industrial land uses in the Overlay.

The Planning and Zoning Board, sitting as the Local Planning Agency held a Public Hearing on August 4. The Board voted unanimously to recommend approval of the ordinance to the Town Commission. No public input was received at the meeting.

Background

In March 2006 five north county municipalities and Palm Beach County entered into an Interlocal Agreement (Attachment B) to create a Bioscience Land Protection Advisory Board (BLPAB) and to amend their Comprehensive Plans to establish bioscience overlays to encourage the location of bio-science related companies and to protect industrial lands from being converted to uses that would not allow bioscience.

These actions were required as part of the effort to convince The Scripps Research Institute (TRSI) and the State of Florida to locate at a site in Jupiter (Abacoa) and Palm Beach Gardens (Briger). The State of Florida had been engaged in an aggressive effort to convince TRSI to open a Florida headquarters to augment its existing facility in La Jolla California. The north county site was actually an alternative to another location in Palm Beach County favored by then Governor Bush. The north county jurisdictions agreed among themselves to work together in a unified fashion to bring bioscience to the area.

In order to qualify as an alternative site, two conditions had to be met: 1) 100 acres with the potential for two million square feet of floor area for TSRI had to be provided and, 2) documentation/assurances that the north county area could accommodate an additional six million square feet of floor area for a bioscience/biotechnology cluster within a five-mile radius of the Abacoa/Briger site.

Therefore, the Town of Lake Park, together with the Town of Jupiter, the City of Palm Beach Gardens, Town of Mangonia Park, City of Riviera Beach, and Palm Beach County entered into an interlocal agreement that created the Bioscience Land Protection Advisory Board (BLPAB) to work jointly to preserve sufficient industrial land to meet the requirement. The IA required that each jurisdiction establish a Bioscience Research Protection Overlay in their respective Comprehensive Plan with related policies. In order to discourage conversion of industrial lands, a super majority vote of the Town Commissioners was required to change the land use in the Overlay.

Subsequently the Town of Lake Park in 2008 adopted the text amendments to the Future Land Use Element and the Intergovernmental Coordination Element of the Comprehensive Plan.

The north county was successful in attracting Scripps and the world renowned Max Planck Institute, which led to the location of other bioscience companies and various spin-offs in the county as a whole. However, it did not lead to any new locations in Lake Park. Bioscience users were primarily interested in large tracts of vacant land or new industrial parks, thus most properties in Lake Park were not pursued by these companies. A 13 acre vacant parcel on Congress was lost when it was purchased by the US Government for an Army Reserve facility. As a federal facility it was exempt from local government regulations and the overlay could not be applied.

As the original purpose of the IA had been accomplished and with the reduced demand for additional bioscience research uses, on January 22, 2024, the Bioscience Land Protection Advisory Board (BLPAB) voted unanimously to sunset the Interlocal Agreement. In June, the five municipal parties and the County signed an amendment to the Original Interlocal Agreement which terminated it. ([Attachment C](#))

Data and Analysis

This section provides background information regarding the proposed amendment, and consistency of the proposed changes with the Comprehensive Plan as required in the State review process for amendments.

Impact of Proposed Amendments

In Lake Park the Overlay consists of 200+ acres of land covering portions of the Mixed Commercial and Light Industrial Land Use Categories (which are implemented by the C-4 and CLIC-1 Industrial Zoning Districts), along with one area of the Public Buildings and Grounds Land Use. The lands within the Overlay areas the generally located north of Silver Beach Road, east of W Killian Drive, south of commercially designated parcels on Northlake Boulevard and west of Old Dixie Highway

The amendment would delete the Overlay from the Future Land Use Map; there would be no change to the underlying land use categories or zoning district uses.

Removal of all the Objectives and policies will not prohibit or discourage bioscience uses in the industrial districts. Both the CLIC-1 and C-4 include broad categories such as “research, experimental or testing labs” or “research and development” which would include bioscience related businesses. The C-4 zoning district includes “bioscience” as a permitted use.

Implications for Town’s Land Development Regulations (LDRs) – none

No associated amendments to the Town LDRs are necessary. The Town did not adopt a bioscience zoning overlay. The Town’s LDRs already provided for bioscience type uses.

Consistency with the Comprehensive Plan

Future Land Use Element

Policy 1.5: The Town shall encourage development and redevelopment activities which will substantially increase the tax base.

The amendment is consistent with this policy as it does not eliminate any potential bioscience uses, and actually may make it easier for other non-bioscience companies to locate or rezone properties that were in the Overlay.

Repeal of policy 8.5 will provide greater flexibility to the Town Commission, as it requires a supermajority of the Town Commission to rezone or otherwise convert lands in the Overlay to commercial retail or residential uses which are not clearly accessory or ancillary uses to bioscience research/ biotechnology uses

The deletion of the Overlay does not change the Industrial future land uses which primarily exist in Overlay. Therefore, the opportunity for the retention or development of new research and development would not be impacted by this amendment. The amendments are consistent with the policy.

Private Property Rights Element:

The proposed amendment is consistent with the Property Rights Element as it does not remove any uses currently allowed in the Land Use Category or that would be allowed under the Overlay.

It does not impact a property owner’s “the right to use, maintain, develop, and improve their property for personal use or the use of any other person, subject to state laws and any countywide or town land development regulations or ordinances.” (Policy 1.2)

Legal Notice and Intergovernmental Requirements

Legal Notice: Legal notice requirements have been met for the transmittal hearing, as the Town published a display ad in the July 25, 2025 Palm Beach Post. This is required by State Statute and Town Code. The notice is included as Attachment E.

Intergovernmental Plan Amendment Review Committee (IPARC):

On July 24 the proposed amendments were sent to IPARC, which is an Interlocal clearinghouse to distribute the amendments to adjacent jurisdictions, the School District and the Treasure Coast Regional Planning Council, to provide the opportunity to comment on Comprehensive Plan amendments. To date no comments have been received.

State-mandated Business Impact Estimate: included as Attachment D.

State Review at Transmittal Stage

Following first reading, the proposed amendments will be sent to the Florida Department of Economic Opportunity (State Land Planning Agency) and other agencies set by State Statute for review and comment.

Following receipt of any comments the Town Commission can adopt the ordinance on second reading.

Local Planning Agency Recommendation

The Planning and Zoning Board, sitting as the Local Planning Agency held a Public Hearing on August 4. The Board voted unanimously to recommend approval of the ordinance to the Town Commission. No public input was received at the meeting.

The Board concurred with the staff finding that “The removal of the all the Objectives and policies will not prohibit or discourage bioscience uses in the industrial districts, as the two zoning districts include sufficient language for such uses. Removal will provide greater flexibility for the Town. Given that the Overlay has not been productive for the Town of Lake Park staff recommends the removal of all Comprehensive Plan references to the Overlay, including removal from the Future Land Use Map.”

Recommended Motion:

I move to approve Ordinance No.04-2025 on first reading to amend the Comprehensive Plan of the Town of Lake Park by repealing all objectives and policies related to the Bioscience Overlay contained in the Future Land Use Element and the Intergovernmental Coordination Element and to remove the Bioscience Overlay from the Future Land Use Map,

AND to transmit the proposed amendments to the Florida Office of Economic Opportunity for review as required by Statute.

Attachments: A: Proposed Ordinance
B: Original Interlocal Agreement
C: Amendment to Interlocal Agreement
D. Business Impact Statement
E. Legal Notice