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**ORDINANCE NO. 2020-05 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING POLICIES IN THE FUTURE LAND USE ELEMENT OF THE CITY’S COMPREHENSIVE PLAN RELATING TO DOWNTOWN MIXED USE, AND TRANSIT ORIENTED DEVELOPMENT FUTURE LAND USE (FLU) DESIGNATIONS, INCLUDING MODIFICATIONS TO THE FLU DEVELOPMENT REQUIREMENTS, LIMITATIONS, AND GENERAL LOCATION DESCRIPTIONS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Florida Local Government Comprehensive Planning and Land Development Regulation Act, section 163.3220, *et seq.*, Florida Statutes, requires each municipality to adopt a comprehensive plan and authorizes amendments to an adopted comprehensive plan; and

WHEREAS, the City has a previously adopted Evaluation and Appraisal Report (EAR) Comprehensive Plan, dated June 1, 2018; and

WHEREAS, the City has identified the need to revise the Future Land Use Element portion of the Comprehensive Plan in order to further advance the goal of well-planned and orderly development; and

WHEREAS, the amendments further the City’s Strategic Plan that is committed to building a vibrant and diverse economy, planning thoughtfully for the future, and supporting the Plan’s Strategic Pillars, including to be a competitive viable location of choice, strengthening Lake Worth Beach as a “Community of Neighborhoods”, and navigating towards a sustainable community; and

WHEREAS, City staff has prepared amendments to the Comprehensive Plan that modify Future Land Use Element Policies 1.1.1.7, 1.1.1.8, and 1.1.2.10; and

WHEREAS, on May 13, 2020, the City Historic Resources Preservation Board, sitting as the duly constituted Local Planning Agency for the City, held a public hearing to consider the comprehensive plan amendments and forwarded a recommendation of approval to the City Commission; and

WHEREAS, on May 20, 2020, the City Planning and Zoning Board, sitting as the duly constituted Local Planning Agency for the City, held a public hearing to consider the comprehensive plan amendments and forwarded a recommendation of approval to the City Commission; and

WHEREAS, the City Commission desires to amend its Comprehensive Plan to adopt the amendments; and

49 WHEREAS, the City Commission finds that the subject text amendment that is  
50 eligible for the State Expedited Review Process for the Adoption of Comprehensive Plan  
51 Amendments and that it has been processed in a manner consistent with Sections  
52 163.3184 Florida Statutes;

53  
54 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE  
55 CITY OF LAKE WORTH BEACH, FLORIDA, that:

56  
57 Section 1. The foregoing recitals are true and accurate and are expressly incorporated  
58 herein by reference and made a part hereof.

59  
60 Section 2. The Elements to the City Comprehensive Plan are hereby amended as set  
61 forth in **Exhibit A** which is attached hereto and made part hereof as if fully set forth herein.

62  
63 Section 3. The City Manager or designee is hereby directed to ensure that this ordinance  
64 and all other necessary documents are forwarded to the Florida Department of Economic  
65 Opportunity and other review agencies in accordance with section 163.3184(3), Florida  
66 Statutes.

67  
68 Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

69  
70 Section 5. If any provision of this ordinance or the application thereof to any person or  
71 circumstances is held invalid, such invalidity shall not affect other provisions or  
72 applications of this ordinance which can be given effect without the invalid provision or  
73 application, and to this end the provisions of this Ordinance are declared to be severable.

74  
75 Section 6. Pursuant to section 163.318(3)(c)4, Florida Statutes, this plan amendment  
76 does not become effective until 31 days after the Department of Economic Opportunity  
77 notifies the City that the plan amendment package is complete. If timely challenged, this  
78 amendment does not become effective until the Department of Economic Opportunity or  
79 the Administration Commission enters a final order determining the adopted amendment  
80 to be in compliance.

81  
82 The passage of all parts of Ordinance 2020-05 that did not pertain to South Federal  
83 Highway was moved by Commissioner Hardy, seconded by Commissioner Robinson,  
84 and upon being put to a vote, the vote was as follows:

85		
86	Mayor Pam Triolo	AYE
87	Vice Mayor Andy Amoroso	AYE
88	Commissioner Scott Maxwell	AYE
89	Commissioner Omari Hardy	NAY
90	Commissioner Herman Robinson	AYE

91  
92  
93 The Mayor thereupon declared this ordinance duly passed on first reading on the  
94 2<sup>nd</sup> day of June, 2020.

95

96 The passage of this ordinance on second reading was moved by Commissioner  
97 \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and upon being put to a  
98 vote, the vote was as follows:

- 99  
100 Mayor Pam Triolo  
101 Vice Mayor Andy Amoroso  
102 Commissioner Scott Maxell  
103 Commissioner Omari Hardy  
104 Commissioner Herman Robinson

105  
106 The Mayor thereupon declared this ordinance duly passed on the \_\_ day of \_\_\_\_\_,  
107 2020.

108  
109 LAKE WORTH BEACH CITY COMMISSION

110  
111  
112 By: \_\_\_\_\_  
113 Pam Triolo, Mayor

114  
115 ATTEST:

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118 \_\_\_\_\_  
119 Deborah Andrea, CMC, City Clerk  
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**EXHIBIT A**  
**FUTURE LAND USE ELEMENT TEXT AMENDMENTS**

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The following represents the four (4) proposed text amendments in ~~strikethrough~~ (proposed deleted provisions) and underline (proposed new provisions) format.

1) Future Land Use Element Policy 1.1.1.8 Transit-Oriented Development (TOD):

Policy 1.1.1.8: Transit-Oriented Development, maximum 650/du acre

The Transit-Oriented Development land use category is established to promote compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute. The maximum density of permitted residential development is 650/ dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. All buildings are required to provide transitional buffering and design features to mitigate impact of the TOD sites adjacent to residential zoning districts. The implementing zoning districts for this category are TOD-E, TOD-W, SFR, MF-30, MU-DH MF-20, MU-W, P, PROS, and AI.

2) Future Land Use Element Policy 1.1.1.1 Table 1 Transit-Oriented Development (TOD):

**TABLE 1 Cont'd.**  
 \*\*\*Omitted for brevity\*\*\*

	Land Use	Zoning District	Density Allowed by Zoning District	Building Height	Height w/ Sustainable Incentive Bonus Program Allocation (1)	Allowable Mix of Uses per District	Floor Area Ratio
<b>Transit-Oriented Development</b>	Transit-Oriented Development (TOD) 45' – 55' Max.	TOD-E	<u>650</u> du/acre	30 feet (max 2 stories)	plus 25 feet (max 5 stories – train station.)	75% residential/ 25% non-res.	2.65
		TOD-W	<u>650</u> du/acre	30 feet (max 2 stories)	plus 25 feet (max 5 stories – train station.)		
		SFR	7 du/acre	30 feet (max 2 stories)	N/A		
		MF-30	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		MU-DH	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		AI	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		

\*\*\*Omitted for brevity\*\*\*

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3) Future Land Use Element Policy 1.1.2.10 Transit-Oriented Development (TOD):

Policy 1.1.2.10: Locational Criteria for the Transit Oriented Development Designation

The Transit Oriented Development designation is intended for mapping in the following locations:

1. TOD-W includes the area just south of Lake Worth Road, north-east of Lake Osborne, and west of I-95 and railway tracks; and the area from Lake Worth Road north to 2<sup>nd</sup> Avenue North, and from Boutwell Road east to I-95 and the railway tracks.
2. TOD-E includes the area between Lucerne Avenue and 4<sup>th</sup> Avenue South flanking both sides of the FEC railway tracks; the area between 7<sup>th</sup> Avenue North and 11<sup>th</sup> Avenue North flanking both sides of the FEC railway tracks; and the area between 7<sup>th</sup> Avenue South and 10<sup>th</sup> Avenue South flanking both sides of the FEC railway tracks; and the area from Lake Worth Road north to 2<sup>nd</sup> Avenue North, and from I-95 and the railway tracks east to North A Street. The TOD-E locations have potential for future rail stations. The TOD-E district between Lucerne Avenue and 4<sup>th</sup> Avenue South is also envisioned to encourage arts, entertainment and cultural activities in the City.

The TOD designation shall provide an alternative mixed-use development pattern within a one-quarter mile radius of rail or light rail transit nodes. This pattern is an alternative to piecemeal, parcel-based development, and shall allow for a wide range of commercial and institutional uses, functionally integrated with residential uses, and shall include a concentrated area for retail, professional offices and services, cultural, and housing opportunities.

4) Future Land Use Element Policy 1.1.1.7 Downtown Mixed Use (DMU):

Policy 1.1.1.7: Downtown Mixed Use, maximum 40 du/acre

The Downtown Mixed Use land use category is intended to provide for the establishment and expansion of a broad range of office, retail and commercial uses, ~~including higher intensity commercial~~, and some residential within the traditional downtown core of the City. Diversity of retail uses is encouraged; however, certain commercial uses are not permitted in the Downtown Mixed Use category because they would be detrimental to the shopping or office functions of the area. The maximum density of permitted residential development is 40 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. The implementing zoning districts are DT, MU-E, MF-20 and MF-30.

\*\*\*Omitted for brevity\*\*\*