



Town of Lake Park, Florida

Local Planning Agency Meeting Minutes

Monday, August 04, 2025

Immediately Following the Planning & Zoning Board Meeting

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403

Richard Ahrens	—	Chair
Jon Buechele	—	Vice-Chair
Evelyn Harris Clark	—	Regular Member
Karen Lau	—	Regular Member
Patricia Leduc	—	Regular Member

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Local Planning Agency, with respect to any matter considered at this meeting, such interested person 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. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER

7:04 P.M.

PLEDGE OF ALLEGIANCE

The board recited the pledge during the Planning & Zoning meeting.

ROLL CALL

Richard Ahrens, Chair

Jon Buechele, Vice-Chair

Patricia J Leduc, Regular Member

Evelyn C Harris, Regular Member

Karen Lau, Regular Member

APPROVAL OF AGENDA

Motion to approve the agenda made by Vice-Chair Buechele; seconded by Board Member Leduc.

Voting Aye: All

APPROVAL OF MINUTES

1. August 8, 2022 Local Planning Agency Board Meeting Minutes.

Motion to approve the August 8, 2022 Local Planning Agency Board meeting minutes made by Board Member Leduc; seconded by Vice-Chair Buechele.

Voting Aye: All

PUBLIC COMMENTS ON AGENDA ITEMS:

Any person wishing to speak on an agenda item is asked to complete a Public Comment Card located on either side of the Commission Chambers, and provide it to the Recording Secretary. Cards must be submitted before the agenda item is discussed.

NONE

ORDER OF BUSINESS:

The normal order of business for Hearings on agenda items as follows:

- Staff Presentation
- Applicant Presentation (when applicable)
- Board Member questions of Staff and Applicant
- Public Comments -3 minute limit per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on the floor
- Vote of Board

NEW BUSINESS:

2. LPA 2025-001: PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE ADOPTING TOWN-INITIATED AMENDMENTS TO THE TOWN OF LAKE PARK COMPREHENSIVE PLAN REPEALING CERTAIN OBJECTIVES AND POLICIES CONTAINED WITHIN THE FUTURE LAND USE ELEMENT AND THE INTERGOVERNMENTAL COORDINATION ELEMENT RELATING TO THE BIOSCIENCE OVERLAY, AND REMOVING THE BIOSCIENCE OVERLAY FROM THE TOWN'S FUTURE LAND USE MAP.

Town Planner Karen Golonka explained the item (as Exhibit A). Chair Ahrens asked what area of Town was included in the overlay. Town Planner Golonka pointed out the area that was included in the map. Board Member Harris Clark asked what the sunset date was for the overlay. Town Planner Golonka explained that the sunset date was June 2024.

Motion to approve staff recommendation made by Vice-Chair Buechele; seconded by Board Member Leduc. Voting Aye: All

LOCAL PLANNING AGENCY BOARD MEMBER COMMENTS:

NONE

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS:

NONE

ADJOURNMENT:

The board adjourned at 7:15 P.M.

FUTURE MEETING DATE: TBD

 , Chair

Town of Lake Park Local Planning Agency Board



Town Clerk, Vivian Mendez, MMC



Approved on this 5 of January, 2026

EXHIBIT A



**TOWN OF LAKE PARK
LOCAL PLANNING AGENCY
Meeting Date: August 4, 2025
Agenda Item #LPA 2025-001**

DESCRIPTION:

PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE ADOPTING TOWN-INITIATED AMENDMENTS TO THE TOWN OF LAKE PARK COMPREHENSIVE PLAN REPEALING CERTAIN OBJECTIVES AND POLICIES CONTAINED WITHIN THE FUTURE LAND USE ELEMENT AND THE INTERGOVERNMENTAL COORDINATION ELEMENT RELATING TO THE BIOSCIENCE OVERLAY, AND REMOVING THE BIOSCIENCE OVERLAY FROM THE TOWN'S FUTURE LAND USE MAP.

A. Summary of Request:

Request by staff to amend the Comprehensive Plan of Lake Park by repealing certain 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 on the Future Land Use Map.

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

The amendments were adopted in 2006 in connection with 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 location of the Town's Overlay and Comprehensive Plan amendments are found on pages 4 and 5 of this report.

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.

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 there is currently a policy that requires a 2/3 vote of the Town Commission to change an industrial land use.

The proposed ordinance to effectuate the amendments is contained in Attachment A.

B. 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](#))

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.

1. Bioscience Research Protection Overlay- Map Amendment to delete the Overlay

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. See map below:

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.

FUTURE LAND USE MAP (Partial) Highlighting the Bioscience Overlay Area of the Town



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.



2. Proposed Text Amendments

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.

Due to the sunset of the Interlocal agreement, at a minimum Comprehensive Plan policies related to the IA and the Board should be removed from the Comprehensive Plan.

Removal of the 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.

3. 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)

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.

D. Public and Municipal Review

Intergovernmental Plan Amendment Review Committee (IPARC):

Notification was sent to the County's Intergovernmental Plan Amendment Review Committee (IPARC), a clearing house for plan amendments, on July 24 via email. Proposed Comprehensive Plan amendments are then sent out to neighboring jurisdictions to allow an opportunity to comment or flag issues they may be concerned about.

At the time of this report, no calls or written requests for information or objections to the amendment had been received.

Legal notice: A display ad legal notice ran in the Palm Beach Post on July 25, in the regular local section.

Required State review: Following the September 3 Transmittal Hearing and approval on first reading by the Town Commission the amendments will be sent to the Florida Department of Economic Opportunity for review. Following receipt of any comments the Town Commission can adopt on second reading.

Conclusion: Staff Recommendation

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.

STAFF RECOMMENDS APPROVAL OF THE PROPOSED AMENDMENTS, AND THAT THE LOCAL PLANNING AGENCY FORWARD THE ITEM AND THEIR RECOMMENDATION TO THE TOWN COMMISSION.

Attachments: A: Proposed Ordinance
B: Original Interlocal Agreement
C: Amendment to Interlocal Agreement

ORDINANCE _____

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 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.

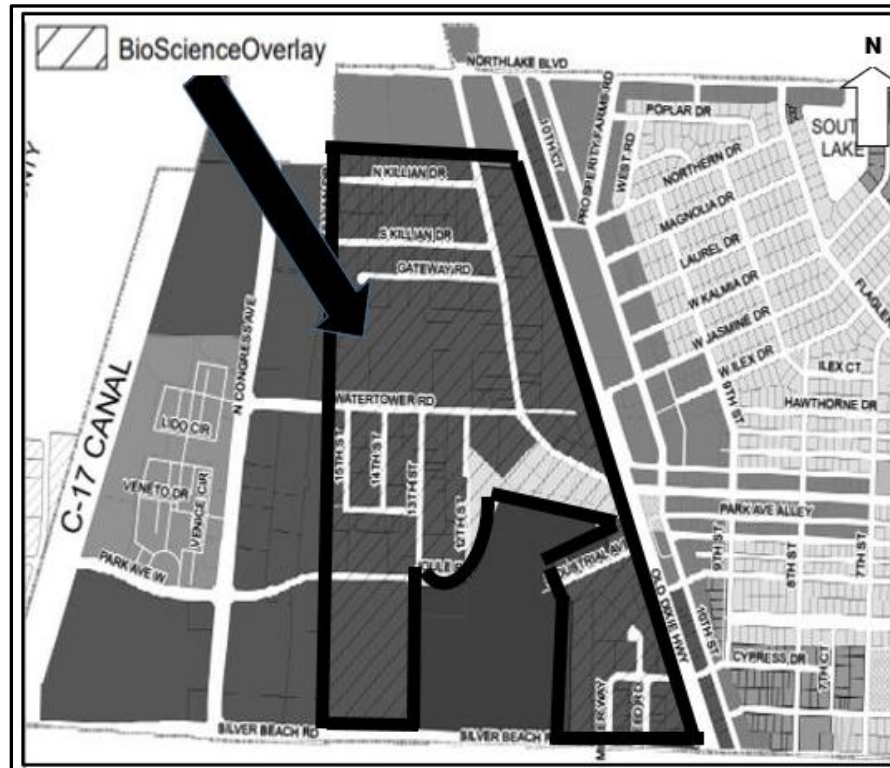
~~Bioscience Research Protection Overlay (BRPO)~~ — ~~The area designated on the Future Land Use Map includes land that has been determined to be appropriate to accommodate bioscience research / biotechnology uses, as well as other intellectual knowledge-based industry sectors. "Bioscience uses" means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

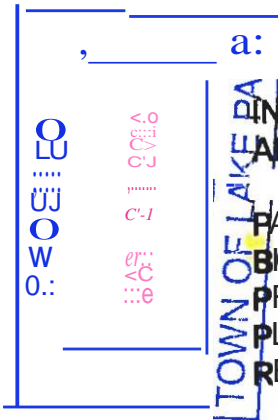
Section 5 Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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.

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22006-10512



INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY
AND THE CITY OF PALM BEACH GARDENS, THE TOWN OF
JUPITER, THE TOWN OF MANGONIA PARK, THE TOWN OF LAKE
PARK, AND THE CITY OF RIVIERA BEACH CREATING A
BIOSCIENCE LAND PROTECTION ADVISORY BOARD AND
PROVIDING FOR CONSIDERATION OF LOCAL COMPREHENSIVE
PLAN AMENDMENTS TO ESTABLISH AND PROTECT BIOSCIENCE
RESEARCH PROTECTION OVERLAYS

This Interlocal Agreement is made the day of MAR.....14 • 2006, between Palm Beach County, a political subdivision of the State of Florida ("County"), and the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Mangonia Park, the Town of Lake Park, and the Town of Jupiter, Florida municipal corporations ("Cities"), collectively referred to as "the Parties", each one constituting a public agency as defined in Part I of Chapter 163, Florida Statutes.

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies, as defined therein, to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, the Cities and County recognize that the relocation of The Scripps Research Institute's ("TSRI") operations onto Florida Atlantic University's John D. McArthur Campus ("FAU Jupiter Campus") and a portion of the Briger Parcel in Palm Beach Gardens ("Briger") will further the vision of the Governor and the State of Florida to create an economic development cluster to support TSRI; and

WHEREAS, the Cities and County recognize that the creation of an economic development cluster to support TSRI will ensure a diversified economy and provide high-wage employment within Palm Beach County, the Treasure Coast Region, and the State; and

WHEREAS, the Palm Beach County Board of County Commissioners elected to enter into negotiations with TSRI for the relocation of its operations to the FAU Jupiter Campus and to Briger in reliance on the Cities' commitment to support an economic development cluster in support of TSRI; and

WHEREAS, to fulfill this commitment, the Cities and County have agreed to form an Advisory Board; and

WHEREAS, to fulfill this commitment, the Cities have each agreed to initiate and consider amendments to their respective Comprehensive Plans that establish a Bioscience Research Protection Overlay ("Overlay"), and that provide a super majority vote requirement to protect land identified in the Overlay.

NOW THEREFORE, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated herein by reference.

SECTION 2. Bioscience Land Protection Advisory Board.

A. A Bioscience Land Protection Advisory Board is hereby established. The purpose of the Board shall be to protect those lands which each of the Cities has identified as being subject to a bioscience research area protection overlay.

B. The Board shall consist of seven (7) members with the Governor of the State of Florida; Palm Beach County; the Towns of Jupiter, Lake Park, and Mangonia Park; and the Cities of Palm Beach Gardens and Riviera Beach each appointing one (1) regular member and one (1) alternate member. Each appointment shall follow the same formal procedure the appointing entity uses for board or commission appointments.

C. A quorum of the Board shall be necessary for it to conduct any business and shall consist of four (4) members present and voting. The majority vote of those present and voting shall be required to pass a motion. Each regular member shall have one vote. An alternate member shall sit on behalf of the appointing entity and have a vote only when the regular member of such entity is absent.

D. Authority of Board.

The Board shall have the authority to:

1. Analyze and make recommendations regarding: (a) applications to rezone land or amend the future land use map designation for land; and (b) Proposed amendments to the land development regulations that directly affect bioscience research uses on property within the Overlay.

No such application to rezone, amend the future land use map, or amend the land development regulations pertaining to said property shall be

considered unless the Board shall have conducted a public meeting on the application and rendered a recommendation to the applicable governing body; provided, however, in the event the Board fails to render a recommendation within sixty (60) days after the staff of the applicable governing body in which the land proposed for approval is located determines that such application or request is complete for purposes of review by the Board, the affected governing body may proceed to consider and make a determination upon the application or request without receiving a recommendation from the Board.

2. Plan for, and address the availability of, developed and undeveloped land for bioscientific training/education, research, and related uses and users.

3. Assist in coordinating, integrating, and streamlining administrative and regulatory procedures at the municipal, county, regional, and state levels for bioscience research uses.

4. Consider and/or propose policy initiatives and legislative or regulatory efforts to encourage and sustain the development of biomedical research uses in the Overlay.

5. Set fees and charges as determined to be necessary for direct costs and expenses incurred by the Board in reviewing development applications.

SECTION 3. Comprehensive Plan Amendments.

The Parties recognize that it may be necessary for the Cities to amend their respective Comprehensive Plans to achieve the goals of this Interlocal Agreement. Each City agrees to direct its respective staff to initiate plan amendments, no later than its next regular round of comprehensive plan amendments, as may be necessary to establish and protect a Bioscience Research Protection Overlay within its jurisdiction. These proposed amendments shall include, at a minimum, amendments to the Future Land Use Element and the Intergovernmental Coordination Element which provide for:

- A. The creation of a Bioscience Research Protection Overlay which:
 - 1. Maps the properties subject to the Overlay.
 - 2. Identifies permitted uses within the Overlay.
 - 3. Identifies prohibited uses within the Overlay.
 - 4. Contains policies protecting lands subject to the overlay from residential or commercial development
 - 5. Contains policies providing mechanisms to coordinate planning between local governments and ensure intergovernmental cooperation in the development and implementation of the Overlay
- B. A requirement for a super majority vote of the governing body to approve conversion of land uses on property within the Bioscience Research Protection Overlay.

SECTION 4. Financial Obligations.

A. Each city will provide technical support necessary to allow the Board to fully review and make recommendations regarding projects in their respective jurisdictions and will provide other technical and logistical support to the extent determined appropriate by each city.

B. County will provide technical support and logistical support to the Board to the extent determined appropriate by the County.

C. If agreed to by the Parties in writing and subject to the appropriation by each party, the Parties may agree to fund the operation of the Board, in whole or in part, through annual appropriations, in amounts determined by the Board and agreed to by each Party.

SECTION 5. General Terms and Conditions.

A. This Agreement shall continue through March 14, 2016, but may be extended by written agreement of the parties.

B. Any party may withdraw from this Agreement upon 365 days' written notice to the other parties, thereby relieving the withdrawing party of all obligations and benefits arising out of this Agreement.

C. This Agreement shall be construed by and governed by the laws of the State of Florida. Venue shall be in circuit court for Palm Beach County, and each party shall bear its own fees and costs.

D. The captions and section designations set forth herein are for convenience only and shall have no substantive meaning.

E. In the event that any section, paragraph, sentence, clause, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Agreement and the same shall remain in full force and effect.

F. This Agreement represents the entire understanding between the parties, and supersedes all other negotiations, representations, or agreement, written or oral, relating to this Agreement.

G. This Agreement may be modified and amended only by written instrument executed by the parties hereto.

H. None of the parties shall be considered the author of this Agreement since the parties have participated in extensive negotiations and drafting and redrafting of this document to arrive at a final Agreement. Thus, the terms of this Agreement shall not be strictly construed against one party as opposed to another party based upon who drafted it.

I. A copy of this Agreement shall be filed with the Clerk of the Circuit Court in and for Palm Beach County pursuant to Section 163.01(11), Florida Statutes.

J. This document can be signed in counterparts.

K. All notices given under this Agreement shall be deemed sufficient to each party when delivered by United States Mail, personal delivery or a nationally-recognized overnight delivery service to the following:

R2024 0629 JUN 04 2024

**SECOND AMENDMENT TO INTERLOCAL AGREEMENT R-2006-0512
BETWEEN PALM BEACH COUNTY AND THE CITY OF PALM
BEACH GARDENS, THE TOWN OF JUPITER, THE TOWN OF
MANGONIA PARK, THE TOWN OF LAKE PARK, AND THE CITY OF
RIVIERA BEACH CREATING THE BIOSCIENCE LAND PROTECTION
ADVISORY BOARD, TERMINATING SAID AGREEMENT
RETROACTIVE TO JANUARY 22, 2024.**

This Second Amendment to Interlocal Agreement is made this 4th day of June, 2024, between Palm Beach County, a political subdivision of the State of Florida ("County"), and the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Mangonia Park, the Town of Lake Park, and the Town of Jupiter, Florida municipal corporations ("Cities"), collectively referred to as "the Parties", each one constituting a public agency as defined in Part I of Chapter 163, Florida Statutes.

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies, as defined therein, to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, the Cities and County entered into Interlocal Agreement R-2006-0512 establishing the Bioscience Land Protection Advisory Board; and

WHEREAS, on January 22, 2024, the Bioscience Land Protection Advisory Board ("BLPAB") held a meeting and voted unanimously to sunset said board and terminate said Interlocal Agreement; and

WHEREAS, Cities and the County have determined it is in their interest to ratify the action of the BLPAB and terminate said board and Interlocal Agreement retroactive to January 22, 2024.

NOW THEREFORE, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

PART 1. The foregoing recitals are true and correct and are hereby incorporated herein by reference.

PART 2. SECTION 5 of INTERLOCAL AGREEMENT R-2006-0512 is amended as follows:

SECTION 5. General Terms and Conditions

A. This Agreement shall terminate on January 22, 2024 ~~continue through March 14, 2026, but may be extended by written agreement of the parties.~~

PART 3.

A. A copy of this Amendment to Interlocal Agreement shall be filed with the Clerk of the Circuit Court in and for Palm Beach County pursuant to Section 163.01(11), Florida Statutes.

B. This document can be signed in counterparts.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures on the
day and year first above written.

R2024 0629

JUN 04 2024

ATTEST:

Joseph Abruzzo, Clerk &
Comptroller

By:

Deputy Clerk

(SEAL)



PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By:

Maria Sachs, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By:

County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

By:

Assistant County Administrator

ATTEST:

By:

City Clerk

CITY OF PALM BEACH GARDENS,
FLORIDA

By:

Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By:

City Attorney