



# **Town of Lake Park, Florida**

## **Local Planning Agency Meeting Agenda**

Monday, August 4, 2025

Immediately Following the Planning & Zoning Board Meeting

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

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

***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.***

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### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **APPROVAL OF AGENDA**

### **APPROVAL OF MINUTES**

[1. August](#) 8, 2022 Local Planning Agency Board Meeting Minutes

### **PUBLIC COMMENT 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.*

### **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.**

**LOCAL PLANNING AGENCY BOARD MEMBER COMMENTS:**

**COMMUNITY DEVELOPMENT DIRECTOR COMMENTS:**

**ADJOURNMENT:**

**FUTURE MEETING DATE: TBD**



**Town of Lake Park, Florida  
Local Planning Agency  
Meeting Minutes  
Monday, August 8, 2022 at 8:12 P.M.  
Commission Chamber, Town Hall  
535 Park Avenue, Lake Park, Florida 33403**

**CALL TO ORDER**

The meeting was called to order at 8:12 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Thomas led the Pledge of Allegiance.

**ROLL CALL**

Richard Ahrens, Chair	Present
Jon Buechele, Vice-Chair	Present
Lauren Paxton, Regular Member	Present
Elizabeth Woolford, Regular Member	Present

Also in attendance were Town Planner Anders Viane, Town Attorney Thomas Baird, and Executive Assistant Kimberly Rowley.

**APPOINTMENT OF CHAIR**

**Motion: Board Member Buechele moved to appoint Richard Ahrens as Chair; Board Member Paxton seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

**APPOINTMENT OF VICE-CHAIR**

**Motion: Board Member Paxton moved to appoint Jon Buechele as Vice-Chair; Board Member Woolford seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

## **APPROVAL OF AGENDA**

**Motion: Vice-Chair Buechele moved to Approve the Agenda; Board Member Paxton seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

## **APPROVAL OF MINUTES**

- Local Planning Agency Meeting Minutes of December 6, 2021.

**Motion: Board Member Woolford moved to approve the Local Planning Agency Meeting Minutes of December 6, 2021; Board Member Paxton seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

## **Public Comments**

Chair Ahrens explained the Public Comment procedure.

## **ORDER OF BUSINESS**

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

- Staff presentation
- Applicant presentation (when applicable)
- Board Member questions of staff and applicant
- Public Comments – limited to 3 minutes per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on floor
- Vote of Board

**NEW BUSINESS:**

**1. LPA-22-01: PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE ADOPTING TOWN-INITIATED AMENDMENTS TO THE TOWN OF LAKE PARK COMPREHENSIVE PLAN, INCLUDING AMENDMENTS TO THE GENERAL TEXT AND CERTAIN OBJECTIVES AND POLICIES WITHIN THE CAPITAL IMPROVEMENTS ELEMENT, AND AMENDMENTS TO THE GENERAL TEXT AND CERTAIN OBJECTIVES AND POLICIES WITHIN THE TRANSPORTATION ELEMENT.**

Town Attorney Baird explained the item (see Exhibit “A”).

**Motion: Vice-Chair Buechele moved to LPA-22-01; Board Member Paxton seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

**2. LPA-22-02: PUBIC HEARING TO CONSIDER A PROPOSED ORDINANCE ADOPTING A TOWN INITIATED SMALL SCALE COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT, TO CHANGE THE FUTURE LAND USE FROM “PUBLIC BUILDINGS AND GROUNDS” TO “DOWNTOWN” FOR THE TOWN-OWNED 1.24 ACRE PARCEL THAT IS THE PROPOSED TRI-RAIL STATION LOCATION.**

Town Planner Golonka explained the item (see Exhibit “B”). Chair Ahrens asked clarifying questions regarding how many stories could be built on the property. Town Planner Golonka stated that the Land Development Regulations (LDR’s) would determine it. She explained that the goal was to develop a Tri-Rail Station. Board Member Paxton asked if a public survey had been conducted to determine the need for a Tri- Rail Station. Town Planner Golonka stated that she was not aware of a survey. Board Member Paxton asked if one could be done. She asked if a crime study could be conducted to determine if a Tri-Rail Station would affect crime in Town. Town Planner Golonka suggested that the request be added to the motion for the Town Commission to consider. Board Member Woolford asked if there is any way to know if a Tri-Rail Station would be in Town in the next five or 10-years from now. Board Member Paxton stated that the Town Commission wants a Tri-Rail Station. Town Planner Golonka explained that even if a Tri-Rail Station is not placed on that property, the Town Commission wants a transit hub on the property. The Board Members offered suggestions to get information regarding the need for a Tri-Rail Station.

**Motion: Board Member Woolford moved to recommend to the Town Commission the approval of the Small-Scale Amendment and recommend a survey of the residents and businesses to determine their support for a Tri-Rail Station at that location; Board Member Paxton seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

**Local Planning Agency Board Member Comments**          None

**Community Development Director Comments**          None

### **ADJOURNMENT**

There being no further business to come before the Local Planning Agency Board and by unanimous vote, the meeting adjourned at 8:40 p.m.

\_\_\_\_\_  
Chair, Town of Lake Park Local Planning Agency

Town Seal

\_\_\_\_\_  
Vivian Mendez, Town Clerk, MMC

Approved on this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_



**TOWN OF LAKE PARK**  
**Local Planning Agency Meeting**  
**Meeting Date: August 8, 2022**  
**Agenda Item # LPA-22-01**

**DESCRIPTION**

**PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE ADOPTING TOWN-INITIATED AMENDMENTS TO THE TOWN OF LAKE PARK COMPREHENSIVE PLAN, INCLUDING AMENDMENTS TO THE GENERAL TEXT AND CERTAIN OBJECTIVES AND POLICIES WITHIN THE CAPITAL IMPROVEMENTS ELEMENT, AND AMENDMENTS TO THE GENERAL TEXT AND CERTAIN OBJECTIVES AND POLICIES WITHIN THE TRANSPORTATION ELEMENT**

**Summary of Request**

The Planning and Zoning Board is sitting as the Local Planning Agency (LPA) to conduct a Public Hearing to consider Town-initiated amendments to the Comprehensive Plan, which are contained in the above-referenced proposed ordinance. **The proposed ordinance immediately follows this staff report.**

- Amendments to the Transportation Element, to include Data and Analysis and setting forth and amending certain objectives and policies directing the Town to undertake a study and the possible establishment of a Mobility Plan for the Town of Lake Park.
- Amendments to the Capital Improvements Element, to include Data and Analysis and setting forth and amending certain Objectives and policies directing the Town to undertake a study and the possible establishment of a Mobility Plan.

**RECOMMENDATION: STAFF RECOMMENDS APPROVAL OF THE PROPOSED ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF LAKE PARK WHICH INCLUDE CHANGES TO THE CAPITAL IMPROVEMENTS ELEMENT AND TRANSPORTATION ELEMENT.**

## **Analysis**

### **Background**

In December 2021 the Town adopted text amendments to its Transportation and Capital Improvement Elements of the Comprehensive Plan directing the staff to work with a planning consultant to conduct a study for the development of a Mobility plan. The Planning and Zoning Board, sitting as the Local Planning Agency (LPA) reviewed the amendments in September 2021 and recommended approval to the Town Commission. The Town Commission adopted these plan amendments. The adopted plan amendments never became effective because Palm Beach County (the County) filed an administrative law Petition challenging the amendments and alleging that the amendments were not consistent with the County's Comprehensive Plan because the amendments contained certain text and policies which asserted that the establishment of adoption of a Mobility Plan and Fee would repeal and replace the County's transportation concurrency program within the town, as well as proportionate share and impact fees collected in the town.

The Town has established a local transportation concurrency program and as part of this program has adopted Level of Service (LOS) C for its local roads and those road segments of County roads for which the town is responsible. The Town has not adopted a road impact fee. The Town's consultants as part of their ongoing mobility study are recommending that the Town consider adopting a mobility fee, based upon an adopted Mobility Plan which would replace the town's local concurrency program and be assessed in lieu of a local impact fee. The consultants are also recommending as part of the ongoing mobility study that the Town consider an areawide LOS for roads and Multimodal Quality of Service, if possible.

### **Proposed New Amendments**

The revised proposed amendments (both the data and analysis and objectives and policies sections), focus on setting up a framework for the development of a Town Mobility Plan and a potential mobility fee, with no reference to repealing and replacing the current County impact fee or its transportation concurrency program. The Town's mobility fee would be in lieu of the Town's assessment of a local impact fee (which was never adopted).

The Town is experiencing new growth and redevelopment in several areas of the town. The Mobility Plan, and if adopted, a mobility fee would allow the Town to mitigate the impact of new growth and redevelopment on the Town's transportation network by establishing a multimodal transportation system that encourages people to use alternative forms of transportation. This could include walking, bicycling or riding micromobility devices such as electric bikes and electric scooters. The existing



infrastructure would need to be improved or modified to accommodate these uses, and the mobility fee would provide the major source of funding.

Proposed new text is shown underlined, existing Comprehensive Plan text being deleted has ~~strike-thrus~~, and exiting text that is remaining will show as it is.

### **Interlocal Notice and Legal Notice Requirements**

Legal notice requirements have been met, as the Town published a display ad in the July 29, 2022 edition of the Palm Beach Post. The ad also included the Wednesday, August 17, 2022 date for the transmittal hearing by the Town Commission.

A summary of the proposed amendments was sent to IPARC, which is an Interlocal clearinghouse that distributes the amendments to adjacent jurisdictions, the School District and the Treasure Coast Regional Planning Council. Jurisdictions are asked to send comments no later than 7 days prior to the transmittal hearing before the Town Commission.

#### **RECOMMENDATION:**

**STAFF RECOMMENDS THAT THE LOCAL PLANNING AGENCY  
RECOMMEND TO THE COMMISSION THAT IT APPROVE THE PROPOSED  
AMENDMENTS TO THE TRANSPORTAIN AND CAPITAL IMPROVEMENTS  
ELEMENTS OF THE COMPREHENSIVE PLAN AND TRANSMIT THE DAME TO  
THE DEPARTMENT OF ECONMIC OPPORTUNITY**

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**ORDINANCE NO.**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENTS TO THE GENERAL TEXT TO INCLUDE DATA AND ANALYSIS AND CERTAIN OBJECTIVES AND POLICIES WITHIN THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR AMENDMENTS TO THE GENERAL TEXT TO INCLUDE DATA AND ANALYSIS ADDING A NEW POLICY 3.0, AND AMENDING CERTAIN OBJECTIVES AND POLICIES WITHIN THE TRANSPORTATION ELEMENT; PROVIDING FOR THE TRANSMITTAL OF THE AMENDMENTS TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town 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 as set forth herein; and

**WHEREAS**, the Commission has conducted a public hearing to consider the LPA’s recommendations regarding the proposed amendments to the Transportation and Capital

Improvements Elements; 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 has conducted a public hearing and considered public comments regarding the Amendments and has 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 Capital Improvements Element of the Comprehensive Plan is hereby amended as set forth in **Appendix A**, attached hereto and made a part of this ordinance.

**Section 3.** The Transportation Element of the Comprehensive Plan is hereby amended as set forth in **Appendix B**, attached hereto and made a part of this ordinance.

**Section 4. 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 5.**    **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.

## **Exhibit A**

### **Capital Improvements Element**

#### **Data and Analysis**

##### **11.2.1.2 Revenue Sources Available to the Town.**

Impact Fees: Pursuant to § 163.31801(2), Fla. Stat., the Town may enact an impact fee pursuant to its home rule powers, provided it meets the intent of, and satisfies all of the conditions of § 163.31801(3) , Fla. Stat.. Impact fees must be proportional and reasonably connected to, or have a rational nexus with the need for additional capital facilities and the increased impact generated by the new residential or commercial construction.

Mobility Fees. Pursuant to § 163.3180(5), Fla. Stat., these fees may be charged as an alternative mobility funding system to compliment transportation concurrency in the Town. Mobility fees are charged in advance of development or redevelopment and are intended to pay for multimodal transportation facilities. The fees are paid by the developers of new development or redevelopment projects.

##### **11.3.1 Local Policies and Practices**

Level of Service Standards. Level of service (LOS) standards are indicators of the extent or degree of service provided by, or proposed to be provided by a facility based upon and related to the operational characteristics of the facility. LOS indicates the capacity per unit of demand of a particular public facility. They are, in short, a summary of existing or desired public facility conditions. Chapter 163, Florida Statutes, ~~and Chapter 9J-5, Florida Administrative Code,~~ now require LOS standards to be included for public facilities addressed by local governments in their comprehensive plans. Specifically, these LOS standards will be established for the purpose of issuing development orders or permits to ensure that adequate facility capacity will be maintained and provided for future development.

LOS standards can also effect the timing and location of development by encouraging development in areas where facilities may have excess capacity. On the other hand, development will not be permitted unless needed facilities and services are provided. Such provision and development may occur in a phased sequence over time.

Mobility Plan. Pursuant to 163.3180(5)(f), Fla. Stat., the Florida Legislature has encouraged local governments to develop tools and techniques to compliment the application of transportation concurrency. The tools and techniques encouraged by the Florida Legislature are set forth in § 163.3180 (5)(f) 1-6. Mobility planning was intended

by the Florida Legislature to be complimentary to concurrency and impact fees and to facilitate new mixed-use development or redevelopment within certain districts or areas, multimodal transportation districts, or for affordable or workforce housing.

The Town does not levy an impact fee, but as an alternative has elected to prepare a Mobility Plan, which may set forth the basis for a mobility fee. Given the Florida Legislature's encouragement of local governments to develop mobility plans to compliment transportation concurrency systems, the development a mobility fee may provide the Town with a new revenue source to balance infrastructure costs resulting from new development and redevelopment in certain areas of the Town where mixed use has been directed by the Future Land Use Element, and Land Development Regulations implementing mixed use development or redevelopment.

In 1989, the Town, as part of its local concurrency management program adopted Level of Service (LOS) C for the collector, arterial and local roads within the Town. The Town anticipates that development from the Town's adjacent local governments, along with redevelopment and urban infill development in the Town may impact the Town's existing transportation system. As part of a Mobility Plan, the Town is evaluating whether the establishment of an areawide LOS for roads is possible.

The Town's mobility plan may recommend the implementation of a street quality of service (QOS) standard based on posted speeds may be appropriate for use in the design of roads and multimodal improvements. As part of the mobility plan, an evaluation of whether multimodal QOS standards for people walking, bicycling, riding transit and driving on streets is appropriate.

## **Goal. Objectives and Policies**

### **Policy 1.10:**

The Town shall adopt a mobility plan that identifies multimodal capital improvements over the next 10 to 25 years. These improvements will be prioritized by the Town Commission for funding as part of the annual Capital Improvements Program. The Town shall periodically evaluate the mobility plan and update the plan at least once every five years.

### **Objective 3.**

At such time that a mobility plan becomes effective, future development or redevelopment will be required to mitigate its impacts to local roads and areawide roads serving the town and other local governments. Where appropriate, the Town may enter into interlocal agreements to address mobility planning for roads serving the town and other local governments. Future development may also be required to make site related access and multimodal improvements through requirements and standards adopted through a multimodal site access assessment, or its functional equivalent.

**Policy 3.1:**

If a Mobility Plan establishes the basis for a mobility fee, and one is adopted, the Town may require developers to pay the fee to fund multimodal improvements identified in the Mobility Plan.

**Policy 4.4:**

Efforts shall be made to secure grants, private funds, and federal and state funds through the TPA and leverage mobility fees, if adopted, whenever possible to finance the provision of capital improvements. In accordance with Policy 1.6 of this element, a review of grants or private funds shall be conducted to identify funding sources.

## **Exhibit B**

### **Transportation Element**

#### **4.5.6 Mobility Plan Data and Analysis**

##### **Mobility Plan**

As part of the Growth Management Act of 1985, as amended local governments were required to adopt Transportation Elements that detail goals, objectives and policies for transportation systems including the establishment of Level of Service (LOS) standards and transportation concurrency. In 1989, the Town adopted LOS C for the local, arterial and collector roads. Pursuant to the Palm Beach County Charter, the County has established level of service standards and concurrency for its arterial and collector roads.

The Town's Transportation Element provides an inventory of Lake Park's roadways including arterial, collector and local facilities. U.S. Highway 1 and Northlake Boulevard are state urban principal arterials. The Florida Department of Transportation (FDOT) is responsible for the maintenance of these roads. Roadway Segments of 10<sup>th</sup> Street, Old Dixie Highway and Park Avenue are classified as County urban arterials. The Town and the County share maintenance responsibility for their respective segments of these roads. Silver Beach Road is classified as a County urban collector. The County has the responsibility for maintaining Silver Beach Road. Portions of 10<sup>th</sup> Street, Prosperity Farms Road, Park Avenue and Old Dixie Highway are local roads within the Town. The Town and County share maintenance responsibilities for these roads. All of the other local roads in the Town are maintained by the Town.

Over time the Town amended its Future Land Use Element and adopted new land development regulations (LDRs) to facilitate redevelopment in key areas within the community. These redevelopment areas are supported by the following roads: U.S. 1, portions of Park Avenue, 10<sup>th</sup> Street, Old Dixie Highway, and Northlake Boulevard. These policies and regulations have focused on the provision of increased densities and intensities, mixed use development, and multimodal transportation systems. Given the nature of the redevelopment and the introduction of multimodal transportation opportunities it is appropriate for the Town to develop a Mobility Plan with a focus on the movement of people through a range of transportation options rather than just vehicles.

The development of a Mobility Plan will address a planning period over the next 10 to 25 years. The Mobility Plan should identify multimodal programs consisting of facility improvements, programs, operations and services to encourage people to bicycle, walk, and use transit, as available. Where appropriate, the Town will coordinate the implementation of its Mobility Plan, including Quality Service Standards (QSS) with adjacent local governments.



In 2011, as part of the Community Planning Act, (which substantially replaced the Growth Management Act of 1985) the Florida Legislature encouraged<sup>1</sup> local governments that apply transportation concurrency to develop policy guidelines and techniques to address potential negative impacts on future development, or redevelopment. In particular, the Florida Legislature encouraged local governments to develop tools and techniques to complement the application of transportation concurrency such as:

1. Adoption of long-term strategies to facilitate development patterns that support multimodal solutions, including urban design, and appropriate land use mixes, including density and intensity.
2. Adoption of an area wide level of service not dependent on any single road segment function.
3. Exempting or discounting impacts of locally desired development, such as development in urban areas, redevelopment, job creation, and mixed use on the transportation system.
4. Assigning secondary priority to vehicle mobility and primary priority to ensuring a safe, comfortable and attractive pedestrian environment, with convenient interconnection to transit.
5. Establishing multimodal level of service standards that rely primarily on nonvehicular modes of transportation where existing or planned community design will provide adequate level of mobility.
6. Reducing impact or local access<sup>2</sup> fees to promoted development within urban areas, multimodal transportation districts, and a balance of mixed-use development in certain areas or districts, or for affordable or workforce housing.

### **Mobility Fee**

The Town is developing a Mobility Plan which anticipates that a Mobility Fee may be adopted to implement the improvements identified in the Mobility Plan to enhance transportation options and address the potential negative impacts of the redevelopment. If the Town implements a Mobility Fee to fund projects identified in a Mobility Plan, the Town should coordinate the expenditure of revenues derived from these fees with other local governments so that areawide improvements can be achieved consistent with the Town's Mobility Plan. If implemented, the Town's Mobility Fees, together with any revenues contributed by other local governments can be used to fund multimodal programs, such as bike lanes, complete streets with streetscape and landscape enhancements, sidewalks, slow streets, and transit circulators, identified in the Mobility Plan. If a Mobility Fee is adopted, the Town should coordinate any identified areawide improvements with adjacent local governments, in particular, the County and set aside a pro-rata share of any Mobility Fees it collects together with any financial contributions from the County toward the funding the design and or construction of improvements affecting County roads which are identified in the Mobility Plan.

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<sup>1</sup> See § 163.3180 (5)(e) and (f)

<sup>2</sup> The Town has not adopted an impact or local access fee. The County has an impact fee that it applies countywide to new development.

## 4.6 GOAL, OBJECTIVES AND POLICIES

### 4.6.1 Town Goal Statement

A safe, connected, convenient, and efficient multimodal motorized and non-motorized transportation system shall be available to that emphasizes the movement of people and goods in a sustainable manner and minimizes environmental and neighborhood impact to benefit all residents, businesses, and visitors to the Town.

### 4.6.2 Objective and Policies

#### Objective 1:

The Town shall coordinate as appropriate with, the appropriate agencies, adjacent municipalities, the Florida Department of Transportation (FDOT), Palm Beach County, and the Palm Beach County Transportation Planning Agency (TPA), Palm Tran, the Treasure Coast Regional Planning Council (TCRPC), Tri-Rail, and private transportation mobility entities, such as Brightline, Metropolitan Planning Organization, to implement projects to address roadway deficiencies and address current and projected multi-modal multimodal transportation needs through whatever modes of transportation the Town deems appropriate.

#### Policy 1.6:

The Town shall establish multimodal quality of service standards for people walking, bicycling, and riding transit.

#### Policy 1.7

The Town shall establish multimodal quality of service standards for its streets, based on posted speed, to replace segment- based road level of service standards.

#### Policy 1.8

The Town shall utilize the areawide road level of service and multimodal quality of service standards as performance measures to evaluate the addition of multimodal facilities and changes in service standards over time.

## **Objective 2:**

The Town shall develop a Mobility Plan which emphasizes the movement of people via a multimodal transportation system that provides safe and convenient improvements, services, and programs for people walking, bicycling, riding or using micro mobility devices and micro transit vehicles, using shared mobility services and programs, and driving motor vehicles. Ensure the provision of a full range of multimodal transportation options, including pedestrianism, bicycles, automobiles, and transit for existing and future residents, businesses and visitors.

The Town shall continue to coordinate with the Palm Beach County Metropolitan Planning Organization (MPO) to ensure that innovative ideas regarding transportation planning in Lake Park are forwarded.

### **Policy 2.1:**

The Town shall adopt a Mobility Plan that addresses impacts to Town, County, and State of Florida transportation facilities within and adjacent to the Town. The multimodal improvements identified in the Mobility Plan shall be based on future person travel demand and multimodal projects necessary to meet that demand as required by the needs requirement of the dual rational nexus test. The horizon year for the Mobility Plan shall be either consistent with the Town's Comprehensive Plan or the most recently adopted Palm Beach County TPA Long Range Transportation Plan (LRTP). The Mobility Plan may identify improvements that may be used in the calculation of a Mobility Fee, which may be wholly or partially attributable to new development, or redevelopment.

### **Policy 2.2:**

The Mobility Plan and the Future Land Use Element may include policies related to mixed-use development, mobility districts, multimodal oriented developments, and transit-oriented development. The Mobility Plan or updated land development regulations may include provisions that identify mobility hubs, curbside management and dynamic parking management strategies for mixed-use, multimodal, and transit-oriented development to facilitate the creation of park-once environments that reduce the need for motor vehicle trips.

The Town shall encourage mixed-use development and/or Transit Oriented Development in appropriate locations in order to reduce the need for vehicular trips.

### **Policy 2.3:**

The types of improvements included in the Mobility Plan shall be consistent with multimodal quality of service standards established therein. At a minimum, the Mobility Plan shall include the identification of improvements for people walking, such as sidewalks and pathways, bicycling, such as bike lanes or bike trails, people riding micro

transit and transit vehicles, such as multimodal lanes, slow speed (15 MPH) lanes, and dedicated lanes, and for people driving, such as upgraded intersections and wider roads, and low speed and shared curb less streets.

Policy 2.4:

The Town shall evaluate opportunities to reimagine the function of rights-of-way in and through the Town and whether spaces can be repurposed within these existing rights-of-way to provide more opportunities for people bicycling, walking, and using micro transit vehicles, and shared mobility services, so as to create safer space for all users by slowing down the speed of motor vehicles and potentially relocating parking to areas that create a park-once environment.

Policy 2.5:

The Town shall evaluate developing complete street policies identified in the Mobility Plan into it's land development regulations. These land development regulations would address the anticipated users of roads, including pedestrians, bicyclists, transit, motorists. The land development regulations shall evaluate appropriate designs of roadway cross-sections based upon mobility and accessibility needs.

Policy 2.6:

The Mobility Plan shall include provisions related to climate change and include elements that reduce vehicular trips, vehicular miles of travel and greenhouse gas emissions. The Mobility Plan shall also incorporate provisions for reduced heat island effects and improve air quality through trees and landscaping and to reduce stormwater run-off and water quality through the integration of low impact development techniques, bio-swales, rain gardens and other green techniques that can be incorporated into the planning, design and construction of transportation improvements.

**Objective 3:**

The Mobility Plan may evaluate the adoption of a Mobility Fee to mitigate the travel demand of persons in and through the Town attributable to future development and redevelopment on the Town, County, and state of Florida roads identified in this Element.

~~The provision of motorized and non-motorized vehicle parking and the provision of bicycle and pedestrian ways will be regulated.~~ **(Moved to Policy 8.3, under Objective 8)**

Policy 3.1:

If adopted, a Mobility Fee shall be used to implement the travel demand within and through the Town as set forth in a Mobility Plan.

~~The Town shall seek opportunities to expand multi-modal transportation access to its roadway system and existing and proposed developments and uses. (Moved to Objective 8 and Incorporated into new Policy 8.5)~~

Policy 3.2:

~~The Town shall review all proposed development for its accommodation of bicycle and pedestrian traffic needs. (Incorporated into new Policy 8.6)~~

Policy 3.3:

The Town shall encourage adjacent local governments, including the County to enter into Interlocal Agreements related to mobility, whereby these local governments agree to expend revenues they collect on multi-modal improvements to shared roadways, and in particular those County owned or maintained road segments as identified in this Element. If a Mobility Fee is implemented, the Town shall set aside a pro-rata share of Mobility Fees collected to mitigate transportation impacts to County owned or maintained road segments, for those improvements identified in the Mobility Plan. The Town shall seek to coordinate improvements to County owned or maintained road segments with the County's expenditure of any impact fees collected from new development or redevelopment in the Town to insure that there is a rational nexus maintained between the fees collected and the improvements made.

**Objective 4:**

The Town multimodal transportation system shall emphasize and prioritize making streets safer and aesthetically pleasing for all users of the transportation system. ~~safety and aesthetics.~~

Policy 4.1:

The Palm Beach County Sheriff's Department shall be responsible for the preparation of annual accident frequency reports for all collector and arterial roads.

Policy 4.2:

The Town shall coordinate with the appropriate agencies and adjacent local governments, including the County to implement improvements at the dangerous points as identified in the accident analysis of this element.

Policy 4.3:

As part of a Mobility Plan, the Town may develop and implement conditions in development orders to insure safer streets for all users.

**Objective 5:**

Traffic circulation planning shall ~~will~~ be coordinated with the future land uses shown on the Future Land Map of this plan, and the roadway and transportation improvement plans of the State, County, Palm Beach County TPA MPO, adjacent ~~neighboring municipalities,~~ Palm Tran, Tri-Rail, Brightline, and other transportation mobility providers. and ~~jurisdictions.~~

Policy 5.1:

As part of the annual budgeting and Capital Improvements Element update the Town shall review the compatibility of this Element with the roadway and transportation improvement plans of the State, County and TPA MPO.

Policy 5.2:

The Town shall review the transportation plans and programs of other jurisdictions that operate transportation facilities within or proximate to its boundaries, including neighboring municipalities ~~jurisdictions~~, to ensure consistency with this Element.

**Objective 8:**

Continue to insure adequate multimodal ~~traffic~~ circulation and multimodal access to new developments ~~and redevelopment~~.

Policy 8.1:

The Town shall strictly enforce land development regulations during the plan review and implementation process.

Policy 8.2:

At the time of redevelopment and though cross-access and shared access agreements, the Town shall discourage excessive curb cuts including the control of connections and access points of driveways and roads to roadways on arterial and major collector streets within the confines of the Town's roadway network.

Policy 8.3:

The Town shall adopt land development regulations, or conditions to development orders that provide for parking of motorized and non-motorized vehicles, and for bicycle and pedestrian access and ways, and access to transit.

Policy 8.4:

As part of a Mobility Plan, parking plan, or amendment to its land development regulations, the Town shall encourage park-once environments within its downtown community redevelopment area including any future rail station site identified in the Town's Comprehensive Plan.

Policy 8.5:

The Town should consider amendments to land development regulations or conditions to development orders that decouple parking from development or offer parking reductions through the private provision of mobility hubs and curb management.

Policy 8.6

The Town shall seek opportunities to expand multimodal transportation access connections to its multimodal transportation system and cross-access between existing and proposed developments and uses. The Town shall amend its land development regulations to require multimodal access and cross-access connections. **(Moved, and amended, from Policy 3.1)**

**Objective 9:**

The Town shall encourage private and public micro transit and transit systems to provide mobility options to residents, businesses, and visitors. ~~adequate public transportation systems.~~

Policy 9.1:

The Town continues to support an improved intra-county ~~public transit~~ transportation system.

Policy 9.2:

The Town supports the concept for the development of a regional ~~transit public transportation-system.~~

Policy 9.3:

The Town shall evaluate opportunities to partner with private mobility entities for the provision of individual micro transit systems and shared mobility services to enhance multimodal access and mobility and to provide first and last miles connectivity to transit systems.

Policy 9.4:

The Town shall evaluate allowing the use of micro transit vehicles, such as golf carts and neighborhood electric vehicles, by residents, businesses, visitors, and private operators.

Policy 9.5:

The Town shall actively pursue a train station adjacent to downtown for future passenger rail service.

**Objective 10:**

~~To~~ ~~e~~ ~~Coordinate~~ transportation planning and the implementation of multimodal connectivity with the ~~C~~ities of Riviera Beach, Palm Beach Gardens, and the Village of North Palm Beach to avoid conflicting regulations of commonly shared streets.

Policy 10.1:

Coordinate the Town's efforts to implement any roadway maintenance, signage, stripping or any other activity affecting Silver Beach Road, Northlake Boulevard and Old Dixie Highway with the County, the City of Riviera Beach and/or Village of North Palm Beach.

Policy 10.2:

Coordinate the Town's mobility planning initiatives with the County and adjacent municipalities.

Policy 10.3:

Coordinate with the County and adjacent municipalities any Town planned transit circulator system providing access to the future rail station which has been identified by the City of Palm Beach Gardens for regional rail transit and a future rail station in Lake Park for local commuter rail service.

**Objective 11:**

To assure participation in the transportation planning process of the West Palm Beach Metropolitan area such that Lake Park will continue to be well integrated with the larger transportation network.

Policy 11.1:



Continue the Town's transportation planning and implementation with the Palm Beach County Transportation Planning Agency (TPA), the Florida Department of Transportation (FDOT) District Four (Southeast District) in Ft. Lauderdale, Tri-Rail, and Brightline.

Policy 11.2:

Consider the most recently adopted Long Range Transportation Plan ~~latest Long urban transportation plan~~ prepared by the TPA ~~West Palm Beach Urban Area Metropolitan Planning Organization~~ and the five year Transportation Improvement Program prepared by FDOT and the TPA.

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**DESCRIPTION:**

**PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE ADOPTING a TOWN INITIATED SMALL SCALE COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT, TO CHANGE THE FUTURE LAND USE FROM “PUBLIC BUILDINGS AND GROUNDS” TO “DOWNTOWN” FOR THE TOWN-OWNED 1.24 ACRE PARCEL THAT IS THE PROPOSED TRI-RAIL STATION LOCATION.**

**Background**

On December 6, 2021 the Lake Park Local Planning Agency (LPA) approved an expansion of the Downtown Land Use area in the general Park Avenue area, which was subsequently approved by the Town Commission. At that time, the Town-owned parcel adjacent to the railroad tracks which is proposed for the future Tri-Rail station (“train station parcel”) was not included.

The Town Commission has requested that we now move forward with the land use and zoning changes, to allow for a potential public-private development which could be imminent.

Thus, the application before the LPA is to add the site to the Downtown Land Use. (The corresponding zoning change will follow next month.)

The 1.24 acre site has long been identified by the Town as a future Tri- Rail station. With the new emphasis on transit oriented development and new forms of mobility, the Town also desires the site to act as a transit hub connecting various types of transit from micro to bus. Mobility Plan.

The parcel location is shown on the map on the following page.

## Map 1: Location Map



The timeline for Tri-Rail expanding north has not been established, nor any northern station locations officially approved by Tri-Rail. However the recent double-tracking by Brightline is a critical initial step. The next action that must occur is an agreement between Tri-Rail and the FEC for Tri-Rail's use of the tracks, and then selection of station locations. While the outcome is not anticipated in the immediate future, the Town desires to take a pro-active position and is interested in moving forward with construction of a station and thus place itself in a position to insure a station in Lake Park. Should it not become a tri-rail station, it could still serve as a transit hub for various forms of transit.

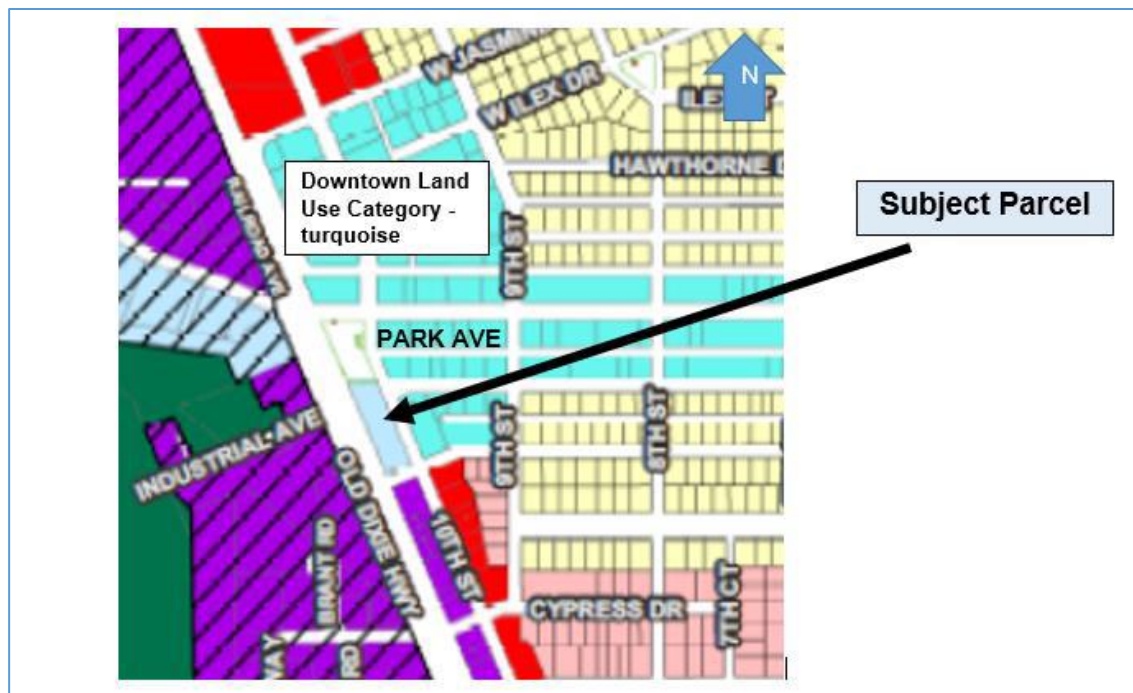
### Analysis

The 1.24 acre parcel is proposed to be changed from its current land use designation of "public buildings and grounds" to "Downtown", which will enable the Town to pursue a public –private partnership for development of the station, and the possibility of incorporating residential units to incorporate a mixed use development adjacent to the station.

## Map 2: Future Land Use Map



The map below shows the location of the subject parcel and its relationship to the area currently designated with the Downtown future land use category. The parcel would be an extension of the Future Downtown Land Use, which abuts the site, across 10<sup>th</sup> St. on the east.





For reference, the definitions of the two land use categories contained in section 3.43, “Future Land Use Classification System” of the Future Land Use Element are shown below:

*Public Buildings and Grounds – Lands and structures that are owned, leased, or operated by a government entity such as libraries, police stations, fire stations, post offices, government administration buildings, and areas used for associated storage of vehicles and equipment, with a maximum F.A.R. of 3.0. Also, lands and structures owned or operated by a private entity and used for a public purpose such as a privately held by publicly regulated utility. Public schools are a permitted use within this land use designation”*

*Downtown – Mixed Use development with a maximum F.A.R. which shall not exceed 3.0 per gross acre, as calculated for the entire contiguous Downtown Land Use area. The maximum density shall not exceed an average of 48 dwelling units per gross acre, as calculated for the entire contiguous Downtown Land Use area.*

*Horizontal mixed use may be developed and bonus units may be granted in excess of 48 units on one site, so long as the average density for the entire contiguous Downtown Land Use area does not exceed 4 units per acre.*

As the definitions indicate, the current Future Land Use designation of Downtown does not allow for residential uses, which are a vital component of most mixed-use projects. Additionally the FAR is limited to 3. Thus the change would create opportunities for a variety of future options

## **Consistency with the Comprehensive Plan**

**The proposed land use change is consistent with and furthers the following objectives and policies of the Comprehensive Plan:**

### *Future Land Use Element*

#### *Objective 5:*

*As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments and neighboring jurisdictions.*

#### *Policy 5.3:*

*The Town shall foster the redevelopment of key corridors and target areas. Compact mixed-use development, defined as a mixture of at least two different land uses in a design-unified, vertically and or horizontally integrated, pedestrian-friendly environment, should be the preferred form of development and redevelopment*

*Objective 12: Redevelopment of the Historical Downtown Area: A Downtown Future Land Use Classification is established to facilitate the redevelopment of the historical Park Avenue downtown and the immediate surrounding area. This land use category encourages a dense, vibrant, walkable mixed-use downtown that combines residences, businesses, and civic spaces, and that is well-integrated into the surrounding neighborhoods. This land use classification is also intended to facilitate development that complements a future tri-rail station.*

#### Policy 12.6

*The Town shall continue to pursue a proposed train station location immediately adjacent to the Downtown future land use area, in support of its redevelopment and mobility goals.*

#### **Transportation Improvement Element**

***NOTE: Portions of text underlined below reflect the proposed Comprehensive Plan amendments which were the first item on the LPA agenda this evening.***

*Objective 9: The Town shall encourage private and public micro transit and transit systems to provide mobility options to residents, businesses, and visitors. ~~adequate public transportation systems.~~*

#### Policy 9.3:

*The Town shall evaluate opportunities to partner with private mobility entities for the provision of individual micro transit systems and shared mobility services to enhance multimodal access and mobility and to provide first and last miles connectivity to transit systems.*

#### Policy 9.5:

*The Town shall actively pursue a train station adjacent to downtown for future passenger rail service.*

#### **Capital Improvement Element**

##### Policy 1.10:

*The Town shall adopt a mobility plan that identifies multimodal capital improvements over the next 10 to 25 years. These improvements will be prioritized by the Town Commission for funding as part of the annual Capital Improvements Program. The Town shall periodically evaluate the mobility plan and update the plan at least once every five years.*

#### **Level of Service**

*Policy 3.1 of the Future Land Use Element requires that “The development of residential, commercial and mixed commercial/industrial lands shall be timed and staged in conjunction with provisions of supporting community facilities, such as streets, utilities, police and fire protection service, emergency medical service, and public schools.”*

With the land use change, required levels of service are anticipated to continue to be met. Additionally all development projects are reviewed to insure levels of service are maintained, or required improvements are made to insure the levels remain.

### **Consistency with Community Redevelopment Agency (CRA) Plan**

**The proposed land use change is consistent with and furthers the CRA Plan.**

The Plan specifically lists the location as a “potential redevelopment catalyst project “.

“6.A        - Railsite Site - T0D/ P3 / Mixed-Use Development

*The preferred redevelopment program for this site includes a transit station    (future train stop), parking, pocket park, /plaza, ground floor commercial, and multi-family units.....*

*Pursue redevelopment of the property by leveraging the Town ownership with private investment.”*

## **CONCLUSION TO THE ANALYSIS OF PROPOSED COMPREHENSIVE PLAN AMENDMENTS**

- The proposed Future Land Use Map amendment is consistent with the goals, objectives, and policies of the Town of Lake Park Comprehensive Plan.
- The Map amendment is consistent with the goals and strategies of the CRA Plan.
- The proposed amendment is necessary to reflect changing conditions and trends which encourage mixed use.
- The proposed map amendment is compatible with the surrounding properties and land use patterns

## **LEGAL NOTICE AND ADOPTION PROCESS**

Florida Statutes section 163.3187 provides for a shortened, simplified adoption process for parcels of land under 50 acres. The process does not require transmittal to the state for review, merely transmittal after the Town adopts the land use change. The amendment is not required to be submitted to the IPARC interlocal review process.

The first Public Hearing before the Commission is scheduled for September 7.

Notice is required to the affected property owner, which is the Town.

## **STAFF RECOMMENDATION**

**Staff recommends approval of the proposed small scale Comprehensive Plan Future Land Use change for the 1.24 Town-owned acre parcel from Public Buildings and Grounds to Downtown.**

**ORDINANCE NO.      - 22**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A SMALL SCALE PLAN AMENDMENT TO THE COMPREHENSIVE PLAN AND AMENDING THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE CLASSIFICATION OF 1.24 ACRES OF REAL PROPERTY FROM “PUBLIC BUILDINGS AND GROUNDS” AND ASSIGNING THE FUTURE LAND USE CLASSIFICATION OF “DOWNTOWN” TO THE REAL PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town 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**, §163.3187 *Fla. Stat.* provides for the adoption of small scale amendments to Comprehensive Plans; and

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

**WHEREAS**, pursuant to §§ 163.3187(2) and 163.3184(11), *Fla. Stat.*, the Commission has conducted a public hearing to consider the LPA’s recommendation regarding the proposed small scale amendment to change the future land use classification of 1.24 acres of real property from “Public Buildings and Grounds” to the future land use classification of “Downtown” as described in the Comprehensive Plan’s Future Land Use Element and



**WHEREAS**, the Commission has determined that the amendment to the future land use classification of the is in compliance with the Act; and consistent with adopted policies of the Comprehensive Plan;

**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 the Town's Comprehensive Plan is hereby amended as follows:

#### **3.4.4 Future Land Use Map- Change in Land Use**

*The future land use classification of the 1.24 acres of real property within the Town as shown on the map and legally described herein in Exhibit A, which is attached hereto and incorporated herein, the current future land use designation of which is "Public Buildings and Grounds," is changed to "Downtown" on the Future Land Use Map.*

**Section 3. Effective Date.** The amendments to the Comprehensive Plan contained within this Ordinance shall become effective in accordance with the provisions of § 163.3187(5)(c), Fla. Stat.

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## Exhibit A

### Legal Description:

All of Block 46a (Less northerly 284.80 Ft), Plat of Kelsey City in Plat Book 8, Pages 15 To 18, 23, 27 & 34 To 37 inclusive.

### Location Map





**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:

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#### 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.

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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.

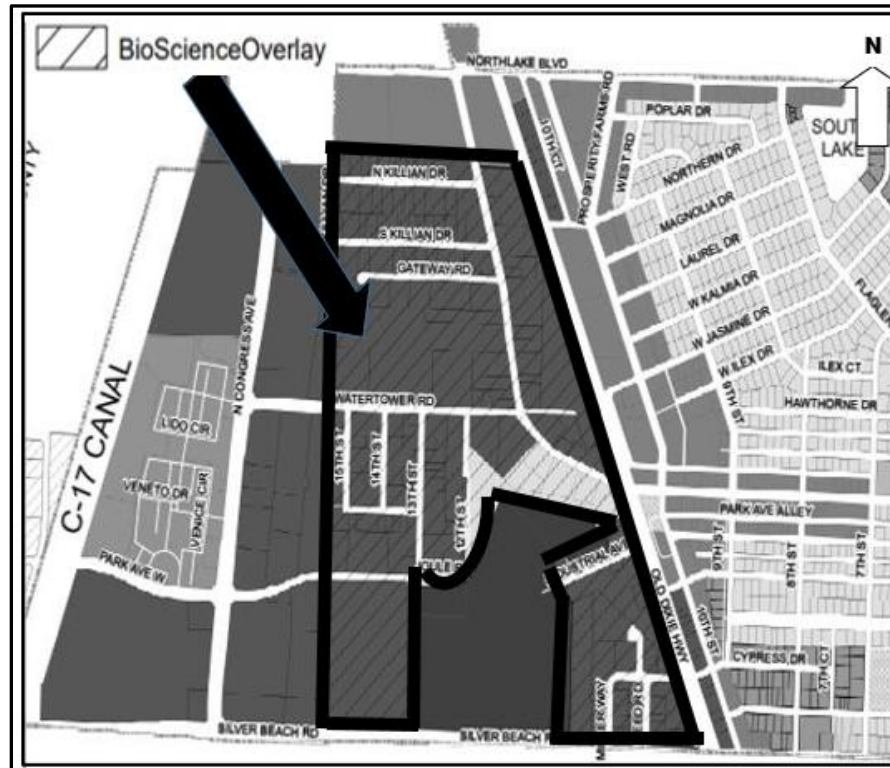
~~Bioscience Research Protection Overlay (BRPO)~~ — ~~The area designated on the Future Land Use Map includes land that has been determined to be appropriate to accommodate bioscience research / biotechnology uses, as well as other intellectual knowledge-based industry sectors. "Bioscience uses" means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

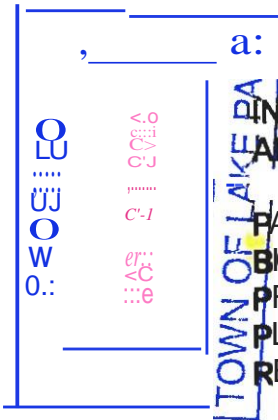
**Section 5    Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**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 4<sup>th</sup> 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