MEMORANDUM

To: Council Members                            AGENDA ITEM 4B8
From: Staff
Date: May 18, 2018 Council Meeting
Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Town of Lake Park Comprehensive Plan
Amendment No. 18-1ESR

Introduction

The Community Planning Act, Chapter 163, Florida Statutes, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the strategic regional policy plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from the Town of Lake Park was received on February 26, 2018 and contains a change to the text of the Future Land Use Element and a change to the Future Land Use Map of the comprehensive plan, both related to the Federal Highway Mixed Use District. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendment

1. Federal Highway Mixed Use District Future Land Use Designation

   The proposed amendment would revise the Future Land Use Element to create a new designation called the Federal Highway Mixed Use District in order to implement the Town’s vision for the Federal Highway Corridor running north-south through the eastern portion of the Town just west of the Intracoastal Waterway. According to materials provided by the Town, it is expected that this will encourage appropriate redevelopment activity and better address compatibility with existing adjacent development. The most significant feature is the establishment of a maximum number of dwelling units and non-residential square footage for the entire land area to receive the Federal Highway Mixed Use District designation in lieu of maximum density and intensity rates to be applied parcel by parcel. The “entitlements pool” established is based on a calculation of the
allowable maximum density and intensity for the existing future land use designations and the acreage subject to those limits. Changes are summarized as follows:

- Revise Objective 9 to change the name from Federal Highway/Intracoastal Waterway Mixed Use to Federal Highway Mixed Use District (FHMUD).

- Replace Policy 9.2 with text describing the intent of the FHMUD and providing for the continuation of existing automobile oriented businesses and the regulation of new ones.

- Replace Policy 9.3 with text providing for specific methods to achieve compatibility between adjacent uses in order to address a primary redevelopment concern.

- Add Policy 9.4 encouraging the provision of public plazas and pocket parks as an integrated component of redevelopment within the FHMUD.

- Add Policy 9.5 requiring the inclusion of listed design features that enhance public safety and pedestrian mobility such as bus shelters, wide sidewalks, buildings fronting the street, parking strategies that encourage pedestrian activity, etc.

- Add Policy 9.6 requiring the provision of internal pedestrian amenities and other amenities in adjacent publicly accessible spaces.

- Add Policy 9.7 providing that total land use entitlements within the FHMUD are as established within the Future Land Use Element and that when development occurs such that 80% of the entitlements have been committed to approved projects, the Town will consider an amendment to the Comprehensive Plan to ensure that all properties in the District have access to adequate development rights.

- Revise Objective 10 to better relate to the new FHMUD.

- Delete Policies 10.1, 10.2, 10.4, and 10.6.

- Revise Policy 10.3 to become Policy 10.1 and add that public access to the waterfront is desirable in addition to the previously indicated Lake Shore Drive and Marina.

- Revise Policy 10.5 to become Policy 10.2 and replace the Transfer of Development Rights program for historically significant properties with zoning regulations with height limits to encourage preservation. Add a provision that if the structures are relocated, the Town may reconsider the heights and densities allowed for those sites.

- Renumber Policy 10.7 to become Policy 10.3.

- Revise 3.4.3.1 Future Land Use Classification System to remove references to density and intensity rates and substitute numerical caps of 3,049 dwelling units and 11.4 million square feet of non-residential for the totality of the FHMUD.
2. Future Land Use Map

The proposed amendment is to change the future land use designation of approximately 47.37 acres located along the west side of Federal Highway bounded by 2nd Street to the west, Silver Beach Road to the south, and Palmetto Drive to the north from Mixed Residential and Commercial to Federal Highway Mixed Use District. Also included is a change to the future land use designation of approximately 32.82 acres located along the east side of Federal Highway bounded by Lake Shore Drive to the east, Silver Beach Road to the south, and Palmetto Drive to the north from Mixed-Use Federal Highway Intracoastal Waterway to Federal Highway Mixed Use District. The current designations allow up to 3,049 dwelling units and 11.4 million square feet of non-residential development based on density maximums of 40 to 60 dwelling units per acre and a 4.0 to 6.0 floor area ratio (east of Federal Highway), and 20 dwelling units per acre and a 2.5 floor area ratio (west of Federal Highway). The proposed designation would allow the same maximum 3,049 dwelling units and 11.4 million square feet of non-residential development based on an aggregated “entitlements pool” established through the text amendment to the Future Land Use Element described above and allocated based on site specific development potential determined through compliance with the land development regulations. The future land use designations on adjacent properties are Residential High Density and Public Buildings with Recreation Overlay to the east, Residential Low Density to the west, Village of North Palm Beach to the north, and City of Riviera Beach to the south. Because the maximum development potential is the same as the current designations approved in the Comprehensive Plan, no additional demand on public facilities and services will be created.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

The proposed amendments were circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on January 29, 2018. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

Recommendation

Council should approve this report and authorize its transmittal to the Town of Lake Park and the Florida Department of Economic Opportunity.

Attachments
## List of Exhibits

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Exhibit 2
Future Land Use Element Text Changes in Strikeout and Underline Format

EXHIBIT “A”
COMPREHENSIVE PLAN - FUTURE LAND USE ELEMENT

Objective 9. Federal Highway Intracoastal Waterway Mixed Use District. The Commission designated an area as shown on the Town’s Future Land Use Map as a unified redevelopment area to be known as the Federal Highway Intracoastal Waterway (ICW) Mixed Use District (FHMUD) with the future land use designation of FHMUD.

Policy 9.1: The commercial use component of a building within the Mixed Use designation shall include those uses established by the land development regulations which are generally include small scale retail sales and services; business services; and medical or professional offices primarily serving the residents of the town and those within close proximity of the town.

Policy 9.2: Commercial uses within this mixed use area may be developed up to the FAR proscribed in the sub district in which they are located. The intent of the FHMUD is to create a walkable, transit oriented mixed use district. Existing auto-oriented businesses within the FHMUD boundaries on the date of adoption of this land use plan amendment ordinance will be treated as any other permitted use within the FHMUD and will be allowed to remain, rebuild and expand and otherwise continue business operations regardless of present or future ownership as long as the use remains within the site boundaries established at the time this ordinance is adopted. New auto-oriented businesses, however, will not be allowed within the FHMUD unless designed in a manner to encourage pedestrian and transit usage and may be further restricted in the Town’s applicable Zoning District regulations.

Policy 9.3: The residential use component of a building within the Mixed Use designation shall include multi family residential units which may be developed up to the densities established in the land development regulations for the sub district in which they are located.

Compatibility of adjacent uses will be of primary concern during redevelopment of the FHMUD. Compatibility will be accomplished by:

- incorporating fences, walls or other appropriate edge treatments along with building design elements that respect existing development but do not impede safe and efficient pedestrian access.
- Building setbacks and heights that address compatibility between proposed and existing development.
- Service areas that do not impact adjacent residential development.
- All land uses, including institutional and utility uses, must be designed to be compatible with adjacent properties.

Policy 9.4: Public plazas, urban open space or green space/pocket park uses that are accessible to the public are encouraged where appropriate as an integrated component of redevelopment within
Policy 9.5: Future development within the FHMUD area will include design features that promote and enhance public safety and pedestrian mobility, including connectivity and pedestrian amenities, based on the following characteristics which are detailed further in the Town’s applicable Zoning District regulations:

- Integrated bus stops with shelters.
- Wide (the minimum shall be consistent with ADA requirements) pedestrian and bicycle paths that minimize conflicts with motorized traffic and are adequately landscaped, shaded and provide opportunities for shelter from the elements.
- Buildings should front the street (zero or minimal setbacks are encouraged).
- Vehicle parking strategies that encourage pedestrian activity such as parking that does not front the street, shared parking and parking structures.
- Streets (internal and adjacent to the FHMUD) should be designed to discourage isolation and provide connectivity.
- Projects should be designed in accordance with Crime Prevention Through Environmental Design (CPTED) principles to enhance public safety.

Policy 9.6: Development within the FHMUD land use designation will include internal pedestrian amenities to serve the residents and employees within the area (such as seating on benches or planter ledges, shade, light fixtures, trash receptacles, information kiosks, bicycle parking) and other amenities that can be incorporated into adjacent publicly accessible areas and plazas (such as clocks, fountains, sculpture, drinking fountains, banners, flags and food and refreshment vendor areas.)

Policy 9.7: The total land use entitlements within the FHMUD are established under the Land Use Classification System herein. At such time as the residential entitlements are 80 percent committed to approved projects, the Town will prepare and consider a Comprehensive Plan amendment to add additional residential entitlements to ensure all properties in the District have access to adequate development rights to be distributed at the densities as intensities permitted by the FHMUD zoning code.

Objective 10: The Commission shall amend the Town’s Official Zoning Map establishing the boundaries of a Mixed Use Zoning District and establishing two mixed-use sub-districts consistent with the boundaries of the Mixed Use FHMUD land use designation as shown on the Future Land Use Map. The Commission shall establish land development regulations for each of the sub-districts with increased residential densities and Floor Area Ratios (FAR) for commercial retail and office uses as an incentive to encourage redevelopment within the Mixed Use land use designation east of Federal Highway. The Zoning District shall provide for redevelopment with a mixture of residential and complimentary commercial uses, open space, public amenities, and pedestrian access from Federal Highway to Lakeshore Drive and the adjacent waterfront, where feasible.

Policy 10.1: Properties within the following sub-districts shall be developed in a mixed use...
project which integrates a combination of residential, open space, and complimentary commercial retail and office uses.

A. Urban Edge Sub-district
The Commercial component for this sub-district shall not exceed a FAR of 4.0. The Residential component shall not exceed a density of 60 units per acre.

B. Urban Waterfront Sub-district
The Commercial component for this sub-district shall not exceed a FAR of 6.0. The Residential component shall not exceed a density of 80 units per acre.

Policy 10.2: The Land Development Regulations for the sub-districts shall ensure that properties are developed pursuant to a unified re-development site plan or Planned Unit Development which integrates a compatible mix of commercial retail and office uses, residential densities, and open space.

Policy 10.3: The Land Development Regulations for properties to be re-developed within the sub-districts east of Federal Highway (FHMUD) shall provide for the dedication of easements as an amenity or, in the case of a PUD, public benefit to ensure the public has access from Federal Highway to Lakeshore Drive, the waterfront and the Marina, to the greatest extent feasible.

Policy 10.4: The first floor of any building which is part of a mixed-use project that has frontage on the east side of Federal Highway shall not contain residential uses.

Policy 10.5: The Town shall develop a Transfer of Development Rights (TDR) program zoning regulations with height limits to facilitate the preservation of transfer of development rights for those historically designated or significant properties, and to promote the re-development of properties east and west of Federal Highway. If the buildings with historic character are relocated, the Town may reconsider the heights and densities allowed for the affected properties.

Policy 10.6: Development on the east side of Federal Highway that combines lots fronting on both Federal Highway and Lakeshore Drive shall be developed pursuant to the mixed-use land development regulations adopted to implement Objective 10 and its Policies.

Policy 10.7: Development along Lakeshore Drive shall maintain pedestrian oriented architecture, landscaping and access as defined in the land development regulations.

3.4.3.1. Future Land Use Classification System.
Residential and Commercial—Lands and structures devoted to promoting a compatible mix of residential at up to 20 units per gross acre and commercial uses with a maximum F.A.R. of 2.5 along major thoroughfares.
Federal Highway-Intracoastal Waterway (ICW) Mixed Use District (FHMUD) — Lands and structures divided into two sub-districts located on the east and west side of Federal Highway as shown on the Future Land Use Map: Urban Edge Sub-district with a maximum F.A.R. of 4.0 and a maximum density of 60 units per acre, and the Urban Waterfront Block with a maximum F.A.R. of 6.0 and a maximum density of 80 units per acre.

This designation has been applied to the Future Land Use Map for the Federal Highway Mixed Use District (Text Amendment Ordinance # and Map Amendment Ordinance #). The densities and intensities of permitted uses within the designated FHMUD are as follows:

- **Residential**: 3,049 dwelling units
- **Nonresidential (Retail, Office, Hotel, Institutional, Utility, etc., as per the Zoning Code permitted uses)**: 11,400,000 square feet