

# REQUEST FOR PROPOSALS

**DEVELOPMENT OF SITES  
IN DOWNTOWN LAKE WORTH BEACH  
RFP #02-1920**



**RELEASE DATE:  
MARCH 2, 2020**

**SUBMISSION DEADLINE:  
3:00PM//JUNE 2, 2020**

THE LAKE WORTH BEACH COMMUNITY REDEVELOPMENT AGENCY  
1121 LUCERNE AVE.  
LAKE WORTH BEACH, FL 33460  
[WWW.LAKEWORTHCRA.ORG](http://WWW.LAKEWORTHCRA.ORG)

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## Overview of the City

The City of Lake Worth Beach is located on the southeast coast of Florida, in Palm Beach County, just south of West Palm Beach and north of Delray Beach. Although development in Lake Worth Beach has been intermittent for the last 50 years, development pressure from both the north and south have made the City a focal point for new investment. The City is determined to attract new residents, businesses and activities while still remaining quaint, distinctive and authentic. Lake Worth Beach is known as the place where art is created due to the many artists who call Lake Worth Beach home. It is home to such cultural institutions as the Cultural Council of Palm Beach County, the historic Lake Worth Playhouse, Benzaiten Center for the Arts, and it hosts the annual Street Painting Festival, Pride Fest and Dia de los Muertos. Lake Worth Beach is also known for its inclusive environment and its diverse ethnic make-up.

The available sites discussed below are in the heart of the Downtown, in an area undergoing significant redevelopment. Values in this area have been steadily rising in recent years as more residents move to the urban area for its close proximity to everything Lake Worth Beach has to offer, including the arts district, unique downtown stores, live entertainment and the beach, which is just a little more than a mile away. The City is already investing more than \$40M into the roads, utilities and public amenities. Additional capital project improvements are planned using Palm Beach County Penny Sales Tax proceeds.

## Purpose

The purpose of this Request for Proposals (RFP) is to solicit proposals for the development of vacant, CRA-owned parcels along Lake Avenue as well as South 'L' Street, South 'M' Street and South 'K' Street, just to the south of Lake Avenue in both the downtown and mixed-use east zoning districts (maps and corresponding land use regulations are attached).

There are **three** total sites which are available for redevelopment.

**SITE 1:** Contains eleven CRA-owned or controlled properties located between South 'L' Street and South 'M' Street, located to the north of 1<sup>st</sup> Avenue South.

**SITE 2:** Contains three CRA- owned properties at the corner of South 'K' Street and 1<sup>st</sup> Avenue South.

**SITE 3:** Contains two City-owned parking parcels north of Site 2 on South 'K' Street. This site must continue to be only used for public parking/parking garage. The site can be leased from the City by a developer for parking purposes only.

Preferably, the CRA is seeking one proposal from one firm for all of the CRA owned sites. The parcels are in the City's "Old Town Historic District". It is the CRA's intention to competitively select a Developer with the proven ability and interest to construct a development and to own the property once constructed. Projects should average four stories in height. Each project should have a mixture of uses, including parking, which may also include, market rate apartments, for-sale condominiums or hotel rooms, must meet City design guidelines, create foot-traffic and be architecturally significant.

The structures, currently on the sites, are to be moved or demolished before any new construction permits are released. The chosen developer should be shovel ready after the planned, mixed-use development is approved by the City Commission. The City of Lake Worth Beach's Historic Resource Preservation Board ("HRPB") issued a Certificate of Appropriateness ("COA") for the

relocation or demolition of the contributing historic structures located on the properties which are the subject of this RFP. The HRPB's decision was appealed to the City of Lake Worth Beach City Commission, which upheld the HRPB's issuance of the COA. On February 12, 2020, an affected party filed a Petition for Writ of Certiorari with the 15<sup>th</sup> Judicial Circuit of Palm Beach County challenging the City Commission's action. The current case should not impact the CRA's ability to move forward with the RFP.

The City-owned parking lots located at 13 and 19 South 'K' Street (Site 3) total .60 acres. These lots are currently used for public parking and have MU-East zoning and DMU land use. Due to Charter restrictions, these parcels are not available for sale. However, the City may lease these properties for up to 20 years. If a developer saw a need to partner with the City for the use of this land, for parking (for example), the City would consider a public-private partnership arrangement. This arrangement could give the developer additional density and square footage in exchange for public parking or lease payments. The details would need to be negotiated at a later time, however, a proposer could include a part of the proposed development using this potential site.

A developer would have the ability to choose OPTION 1 or OPTION 2 when making a proposal to the CRA. This would include either, using Site 1 & 2 only (OPTION 1) or Sites 1, 2 and 3 (OPTION 2). A proposal with an alternate scenario may be submitted. The evaluation committee will decide whether or not to consider the proposal.

## **Background**

The Lake Worth Beach CRA has undertaken both housing and commercial property development over the last decade. The goal of the CRA is to spur private investment and improve property values in the District. In 2010 the CRA was awarded \$23M from the Department of Housing and Urban Development for the development of at least 100 new or rehabilitated affordable housing units. The CRA and its partners, far exceeded this goal and, to date, created over 175 residential units. Other projects associated with the purchase of formerly blighted properties also has led to the development of over 12,000 square feet of commercial space. With the development of commercial space, local jobs were created, meeting an NSP-2 National Objective. The CRA is seeking to continue the development of housing choices, while also creating additional local job opportunities.

With that in mind, the CRA secured a line of credit and purchased properties in key areas of the City. For this particular assemblage, the CRA partnered with the City to facilitate the development of a mixed-use project to attract residents to the downtown area and stimulate additional commercial activity in the core. While Lake and Lucerne Avenues continue as retail and entertainment corridors, additional market rate units in close proximity will help create a compact, walkable and sustainable downtown.

Due to the configuration of the purchased lots, the proposed development would have access to 125 feet of frontage along Lake Avenue. Lake Avenue is the City's premiere retail corridor with access to both I-95 and the beach. Although a development would need to be architecturally sensitive to the historic built environment, the Lake Ave. frontage provides prime commercial space as well as a connection to the remainder of the project. The CRA is seeking a variety of quality housing units, a consolidation of uses including residential, commercial/office and parking, and an expansion of the urban center to create healthier and livelier main streets.

## **Minimum Requirements**

The selected developer will, at a minimum:

- Be an experienced, stable and financed development firm which has completed similar projects.
- Be able to develop aesthetically-pleasing, well-designed units incorporating innovative features and amenities such as green, sustainable building techniques while meeting the City's mixed-use zoning regulations, thoroughfare design guidelines and historic preservation design guidelines.
- Work with CRA/ City Staff to identify and incorporate the design objectives for the area, as expressed in the City's Comprehensive Plan and the Arts and Cultural Master Plan for Downtown Lake Worth Beach.
- The project must include at least 60 market rate or above rental or for-sale units along with commercial uses on the ground floor of Lake Avenue and portions of South "L," "M," and "K" Streets. Please note that the CRA is seeking active ground floor uses that are open during the day and night. A market study that supports the proposed project is encouraged.
- The project must also produce enough parking to meet the demands of the development. If the use of the City parking lots (Site 3) are included in the project, at least 160 spaces must be set aside for public use. The location of the parking, using the sites available, its structure and design may be interpreted by the developer. If public parking is included, incentive money may be available from the City.
- Proposals that include a hotel use are acceptable.
- The proposal shall include a purchase price the developer is ready and willing to pay for the 14 CRA-owned parcels. A minimum offer of \$2.8M is required. Any offers above the minimum required will earn the proposer extra points. If, however, the Proposer is willing to develop at least 160 public spaces for the City (for public use) a lower price for the property will be considered.
- Only development proposals that will generate ad-valorem taxes will be accepted.
- The redevelopment should support, enhance and elevate the City's image and brand on a regional and national basis.
- Projects incorporating public art or public amenities shall be afforded additional consideration.
- Projects providing funds to assist with the relocation of the existing historic structures on the project site shall also be given additional consideration.
- Firm or individual must submit, at a minimum, a proposal for the redevelopment of SITES 1 & 2. The CRA reserves the right to reject proposals that do not include the redevelopment of SITES 1 & 2.

**The Sites: (SITE 1; SITE 2; SITE 3)**

The Project Area includes lots that are zoned mixed-use east (MU-E) or downtown (DT) and have a future land use designation of downtown mixed-use (DMU). The addresses and parcel control numbers include:

**SITE 1:**

PCN #	ADDRESS	SIZE/ACRES	ZONING	LAND USE	SALES PRICE	CLOSING COSTS	TOTAL COSTS
38-43-44-21-15-023-0090	16 S L ST	0.16	MU-E	DMU	\$300,000	\$18,715	\$318,715
38-43-44-21-15-023-0220	13 S M ST	0.08	MU-E	DMU	\$272,000	-	\$272,000
38-43-44-21-15-023-0060	20 S L ST	0.23	MU-E	DMU	\$375,000	-	\$375,000
38-43-44-21-15-023-0230	17 S M ST	0.16	MU-E	DMU	\$620,000	\$7,133	\$627,133
38-43-44-21-15-023-0250	23 S M ST	0.23	MU-E	DMU	\$575,000	\$35,658	\$610,658
38-43-44-21-15-023-0050	24 S L ST	0.08	MU-E	DMU	\$200,000		\$200,000
38-43-44-21-15-023-0030	26 S L ST	0.16	MU-E	DMU	\$1,050,000	\$43,395	\$1,093,395
38-43-44-21-15-023-0020	30 S L ST	0.08	MU-E	DMU			
38-43-44-21-15-023-0010	32 S L ST	0.08	MU-E	DMU			
Alley (north/south)		0.06			-	-	-
38-43-44-21-15-023-0191	501 LAKE AVE.	0.17	DT	DMU	\$250,000	-	\$250,000
38-43-44-21-15-023-0170	509 LAKE AVE.	0.19	DT	DMU	\$855,000	\$49,019	\$904,019
Alley (east/west)		0.10			-	-	-
<b>SITE 1 TOTAL's</b>		<b>1.78 acres</b>			<b>\$4,497,000</b>	<b>\$153,920</b>	<b>\$4,650,920</b>

**SITE 2:**

PCN #	ADDRESS	SIZE/ACRES	ZONING	LAND USE	SALES PRICE	CLOSING COSTS	TOTAL COSTS
38-43-44-21-15-019-0290	25 S. 'K' Street	0.0775	MU-E	DMU	\$230,000	\$14,118	\$244,118
38-43-44-21-15-019-0301	704 1 <sup>ST</sup> AVE South	0.0976	MU-E	DMU	\$280,000	\$17,129	\$297,129
38-43-44-21-15-019-0302	710 1 <sup>ST</sup> AVE South	0.0574	MU-E	DMU	\$230,000	\$14,289	\$244,289
<b>SITE 2 TOTAL's</b>		<b>0.2325 acres</b>			<b>\$740,000</b>	<b>\$45,536</b>	<b>\$785,536</b>

**SITES 1 & 2 TOTAL: 2.01 acres**

**SITE 3: (\*City-owned parking lots available for long-term lease for only 20 years)**

PCN #	ADDRESS	SIZE/ACRES	ZONING	LAND USE
38-43-44-21-15-019-0220*	13 S. 'K' Street	0.0775	MU-E	DMU
38-43-44-21-15-019-0230*	19 S. 'K' Street	0.4649	MU-E	DMU
Alley (north/south)		0.06		
<b>SITE 3 TOTAL's</b>		<b>0.60 acres</b>		

**SITES 1, 2 & 3 TOTAL: 2.61 acres**

Individual property surveys are available for all available lots.

**Relevant Experience and Past Performance**

Proposers are required to identify related work performed that has been successfully completed to date, or is actively underway. Most notably, the work identified should closely resemble the type of development sought in this proposal. For each project, please list:

- Project name and address
- Photos of development (renderings if under construction)
- Contact person, title, phone number and email
- Detailed description of the type of project
- The duration of the project including start and completion (or anticipated) dates
- Value of each project

Please provide at least three business related references for projects that are submitted as part of the proposers past performance who can be contacted for an independent evaluation of your work (EXHIBIT 'C'). Before submission of a proposal, applicants are strongly encouraged to visit [lakeworthcra.org](http://lakeworthcra.org) for the Redevelopment Plan and <https://lakeworthbeachfl.gov/community-sustainability/> for City requirements and guidelines.

**Developer's Financial Capacity and Capability**

- Financial Statements – in order to demonstrate access to equity and debt capital and other financing resources to carry out the proposed project, the developer must provide in a separate submittal, one set of audited financial statements for the past two years for each

principal and joint venture partner. Each entity must submit separate financial statements; and/or

- Sources and Availability of Capital – identify sources of debt/ equity capital, including relationship of lender/investor to the developer and contact information. Also provide a written statement from each financing source that the equity and or debt capital is available or will be made available for funding the proposed project. Written statements must shall detail the amount of capital, the size of the project and any other pertinent information to assist the CRA in determining the availability of equity and debt capital to the proposed project.
- Pipeline Projects – list and describe all projects currently in the pipeline, including status, development budget and schedule.

All responses must be delivered or mailed to:

Lake Worth Beach Community Redevelopment Agency  
1121 Lucerne Avenue  
Lake Worth Beach, FL 33460  
Attn: Chris Dabros  
[cdabros@lakeworthbeachfl.gov](mailto:cdabros@lakeworthbeachfl.gov)

**ENVELOPE MUST BE IDENTIFIED AS RFP #02-1920 AND RECEIVED AT THE CRA OFFICE NO LATER THAN 3:00PM ON JUNE 2, 2020.**

The documents included or incorporated in this RFP constitute the complete set of instructions, scope of work, specification requirements and forms. It is the responsibility of the submitter to insure that all pages are included.

All must be typed or written in ink, and must be signed in ink by an officer having authority to represent the company. Signatures are required where indicated; failure to do so shall be cause for submittal rejection.

**Changes and Interpretations:**

Changes to this RFP will be made by written addenda. A written addendum is the only official method whereby interpretation, clarification or additional information can be given. All addenda will be posted on the CRA’s website: [www.lakeworthcra.org](http://www.lakeworthcra.org). It is the sole responsibility of each Proposer to check the CRA’s website for posted addenda. The CRA will not mail or fax any addenda to a Proposer.

All questions regarding this RFP should be submitted in writing via mail or e-mail and must be received by the CRA no later than twenty (20) calendar days prior to the due date for submissions:

CRA Office  
Chris Dabros, Deputy Director  
1121 Lucerne Ave  
Lake Worth Beach, FL 33460  
[cdabros@lakeworthbeachfl.gov](mailto:cdabros@lakeworthbeachfl.gov)



All questions will be answered via addenda. If a question is not answered, the submitting firm should assume all relevant information is contained within this RFP. The CRA will strive to issue all addenda at least five (5) business days before the proposal due date; however, the CRA reserves the right to issue any addenda at any time.

All land use, zoning, historic preservation or design questions must be directed to:

City of Lake Worth Beach  
Director of Community Sustainability; William Waters  
1900 Second Avenue North  
Lake Worth Beach, FL 33461  
V: 561-586-1634  
[wwaters@lakeworthbeachfl.gov](mailto:wwaters@lakeworthbeachfl.gov)

### **Proposal Process**

A Selection Committee, led by CRA Staff, will evaluate all proposals that meet the requirements. The Panel will conduct interviews, if desired, with the top finalists and select a qualified developer based on the selection criteria included in this RFP. Following this process, Staff will recommend a development team for review and approval by the CRA Board of Commissioners.

Once a development team has been selected by the Board, the selected proposer and CRA Staff will negotiate the terms of a binding agreement for the sale and development of the property. Exact duration and financial terms of the sale are to be negotiated. The selected development team will be required to provide a non-refundable, good-faith deposit of \$20,000 before execution of a purchase and sale and a development agreement.

### **Property of the CRA:**

All materials submitted in response to this RFP become the property of the CRA. The CRA has the right to use any or all ideas presented in any response to this RFP, whether amended or not, and selection or rejection of a proposal(s) does not affect this right. No variances to this provision shall be accepted.

### **RFP Timetable:**

The *anticipated* schedule for this RFP and contract approval is as follows:

- |  |                             |
|--|-----------------------------|
| ▪ Pre-submittal Meeting:                     | April 16, 2020              |
| ▪ Proposals Due:                             | June 2, 2020                |
| ▪ Ranking of firms by Committee:             | no later than June 20, 2020 |
| ▪ Proposal Reviewed & Approved by CRA Board: | no later than July 14, 2020 |

The CRA reserves the right to amend the anticipated schedule as it deems necessary.

## **Additional Terms and Conditions**

### **Cone of Silence**

In accordance with the Palm Beach County Lobbyist Registration Ordinance and the City of Lake Worth Beach procurement code, the City's procurement cone of silence will be in effect as of the due date for proposers in response to this RFP. A complete copy of the City's procurement code is available on-line and at [municode.com](http://municode.com) under the City's code of ordinances (Sections 2-111-2-117). All Firms are highly encouraged to review the ordinance. In summary, the code of silence prohibits communication between certain City/CRA official's employees and agents and any entity or person seeking to be awarded a contract. The cone of silence terminates at the time of award, rejection of all responses or some other action by the City/CRA to end the selection process.

### **Ethics Requirement**

This RFP is subject to the State of Florida Code of Ethics and the Palm Beach County Code of Ethics. Accordingly, there are prohibitions and limitations on the employment of City officials and employees and contractual relationships providing a benefit to the same. Respondents are highly encouraged to review both the Florida Code of Ethics and the Palm Beach County Code of Ethics in order to insure compliance with the same.

### **Disclosure and Disclaimer**

The information contained herein is provided solely for the convenience of Respondents. It is the responsibility of a Respondent to assure itself that information contained herein is accurate and complete. Neither the CRA, nor its advisors provide any assurances as to the accuracy of any information in this RFP. Any reliance on the contents of this RFP, or on any communications with CRA representatives or advisors, shall be at each Proposer's own risk. Proposers should rely exclusively on their own investigations, interpretations and analyses in connection with this matter. The RFP is being provided by the CRA without any warranty or representation, express or implied, as to its content; accuracy or completeness and no Respondent or other party shall have recourse to the CRA if any information herein contained shall be inaccurate or incomplete. No warranty or representation is made by the CRA that any response conforming to these requirements will be selected for consideration, negotiation or approval.

In its sole discretion, the CRA may withdraw this RFP either before or after receiving proposals, may accept or reject proposals, and may accept proposals which deviate from the non-material provisions of this RFP. In its sole discretion, the CRA may determine the qualifications and acceptability of any firm or firms submitting proposals in response to this RFP. Following submission of a response, the Firm agrees to promptly deliver such further details, information and assurances, including, but not limited to, financial and disclosure data, relating to the response and/or the Firm, including the Firms affiliates, officers, directors, shareholders, partners and employees, as requested by the CRA. Any action taken by the CRA in response to submittals made pursuant to this RFP or in making any award or failure or refusal to make any award pursuant to such responses, or in any cancellation of award, or in any withdrawal or cancellation of this RFP, either before or after issuance of an award, shall be without any liability or obligation on the part of the CRA, or their advisors.

Any recipient of this RFP, who responds hereto, fully acknowledges all the provisions of this Discloser and Disclaimer and agrees to be bound by the terms hereof. Any response submitted pursuant to this RFP is at the sole risk and responsibility of the party submitting such response.

## **Contract Agreement**

The terms and conditions of the resulting contract for the services to be rendered will be negotiated with the successful respondent. If the CRA and the successful respondent cannot agree on the terms and conditions of the resulting contract, the CRA reserves the right to terminate negotiations with the successful respondent and move to the next ranked respondent to commence negotiations. Negotiations may continue in this process until the CRA is able to enter into a contract with a respondent that best meets the needs of the CRA.

## **Insurance Requirements**

Prior to execution of the resulting contract derived from this RFP, the awarded firm shall obtain and maintain in force at all times during the term of the resulting contract insurance coverage as required herein. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida. The Certificates shall clearly indicate that the firm has obtained insurance of the type, amount, and classification as required for strict compliance with this provision and that no material change or cancellation of the insurance shall be effective without thirty (30) days prior written notice to the CRA. Compliance with the foregoing requirements shall not relieve the firm of its liability and obligations under the resulting contract.

- A. The firm shall maintain during the term of the contract, standard Professional Liability Insurance in the minimum amount of \$1,000,000.00 per occurrence.
- B. The firm shall maintain, during the life of the contract, commercial general liability, including public and contractual liability insurance in the amount of \$1,000,000.00 per occurrence (\$2,000,000.00 aggregate) to protect the firm from claims for damages for bodily and personal injury, including wrongful death, as well as from claims of property damages which may arise from any operations under the contract, whether such operations be by the firm or by anyone directly or indirectly employed by or contracting with the firm.
- C. The firm shall carry Workers' Compensation Insurance and Employer's Liability Insurance for all employees as required by Florida Statutes.

All insurance, other than Professional Liability and Workers' Compensation, to be maintained by the firm shall specifically include the Lake Worth Beach Community Redevelopment Agency and the City of Lake Worth Beach as an "Additionally Insured".

## **Public Records**

The awarded firm must agree to comply with Florida public records laws, including but not limited to Chapter 119, Florida Statutes, specifically to:

1. Keep and maintain public records required by the CRA to perform the service.
2. Upon request from the CRA's custodian of public records, provide the CRA with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Agreement term and following completion of the contract if the Auditor does not transfer the records.

4. Upon completion of the Agreement, transfer, at no cost, to the CRA all public records in possession of the Auditor or keep and maintain public records required by the CRA to perform the service. If the Auditor transfers all public records to the CRA upon completion of the Agreement, except as provided by law, the Auditor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Auditor keeps and maintains public records upon completion of the Agreement, the Auditor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the CRA, upon request from the CRA's custodian of public records, in a format that is compatible with the information technology systems of the CRA.

**IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:  
(561) 493-2550 [etheodossakos@lakeworthbeachfl.gov](mailto:etheodossakos@lakeworthbeachfl.gov)  
1121 Lucerne Ave  
Lake Worth Beach, FL 33460**

As used herein, the term "public records" means "all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the CRA".

### **Public Entity Crime Act**

Any person or firm submitting a response to this RFP must confirm that it is not on the convicted vendors list maintained by the Florida Department of Management Services and must acknowledge that it has been notified of the following:

*A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract for repair of a public building or public work, may not submit a bid on public leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for Category Two for a period of 36 months from the date of being placed on the convicted vendors list.*

### **Scrutinized Company Certification**

The firm submitting a response must certify that it, and its subcontractors are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S., the CRA may immediately terminate the Agreement that may result from this RFP at its sole option if the firm or its subcontractors are found to have submitted a false certification; or if the firm, or its subcontractors are placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.

If the Agreement that may result from this RFP is for more than one million dollars, the firm certifies that it and its subcontractors are also not on the Scrutinized Companies with Activities in

Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S. pursuant to Section 287.135, F.S., the CRA may immediately terminate the Agreement that may result from this RFP at its sole option if the firm, its affiliates, or its subcontractors are found to have submitted a false certification; or if the firm, its affiliates, or its subcontractors are placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.

The firm responding to this RFP agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under the Agreement that may result from this RFP.

As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize the above-stated contracting prohibitions then they shall become inoperative.

### **Evaluation and Award**

The CRA will assemble an Evaluation Committee to evaluate the proposals from respondents. The Evaluation Committee will convene for a public meeting to evaluate and rank the most advantageous responses and make a recommendation for contract award to the CRA Board. CRA Staff will notify all submitting Respondents and advertise the Evaluation Committee meeting in the appropriate media as directed by law. The CRA Board is not bound by the recommendation of the Evaluation Committee and the CRA Board may deviate from the recommendation in determining the best overall response which is most advantageous and in the best interest of the CRA District.

Each Response will be evaluated individually and in the context of all other responses. Submittals must be fully responsive to the requirements described in this RFP and to any subsequent requests for clarification or additional information made by the CRA/City through written addenda to this RFP. Submittals failing to comply with the submission requirements, or those unresponsive to any part of this RFP, may be disqualified. The CRA reserves the right to award the contract to the Respondent submitting the best overall responsive submittal which is most advantageous and in the best interest of the CRA District. The CRA shall be the sole judge of the submissions and the resulting contract that is in its best interest and its decision shall be final.

While the CRA allows Responders to specify any desired variances to the RFP terms, conditions, and specifications, the number and extent of variances taken will be considered in determining the Respondent who is most advantageous to the CRA.

***Evaluation Scoring Criteria has been incorporated into the RFP document.***

### **Representations by Submittal of Firms**

By submitting a response, the Firm warrants, represents and declares that:

A. Person(s) designated as principal(s) of the Firm are named and that no other person(s) other than those therein mentioned has (have) any interest in the submittal or in the anticipated contract.

B. The submittal is made without connection, coordination or cooperation with any other persons, company, firm or party submitting another qualification, and that the Firm submitted is, in all respects, fair and in good faith without collusion or fraud.

C. The Firm understands and agrees to all elements of the submission unless otherwise indicated or negotiated, and that the response may become part of any contract entered into between the CRA and the Firm.

D. By signing and submitting a response, Submitter certifies that Firm and any parent corporations, affiliates, subsidiaries, members, shareholders, partners, officers, directors or executives thereof are not presently debarred, proposed for debarment or declared ineligible to bid or participate in any federal, state or local government agency projects.

E. Pursuant to 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted firm list maintained by the State of Florida may not submit a submittal to the CRA/City of Lake Worth Beach for 36 months following the date of being placed on the convicted firm list. Proposer certifies that submittal of its proposal does not violate this statute.

F. Proposer recognizes and agrees that the CRA will not be responsible or liable in any way for any losses that the Firm may suffer from the disclosure or submittal of response information to third parties.

### **Protests**

Any actual Firm who is aggrieved in connection with this RFP may protest such procurement. The protest must be filed with the CRA in accordance with the City's procurement code. A complete copy of the City's procurement code is available on-line at [municode.com](http://municode.com) under the City's code of ordinances (sections 2-111 – 2-117). The protest procedures are set forth at section 2-115. There are strict deadlines for filing a protest. Failure to abide by the deadlines will result in a waiver of the protest.

### **Compliance**

All proposals received in accordance with this RFP shall be subject to applicable Florida Statutes governing public records including without limitation Chapter 119, Florida Statutes.

**END OF GENERAL INFORMATION**

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## **Specific Submittal Requirements**

Submittals must contain the following documents, each fully completed and signed as required.

### **Letter of Transmittal**

Each submittal must include an executive letter of transmittal containing the Firms interest in developing the sites and the signature of the representative authorized to enter into signed contracts for the prime contractor. This letter should not exceed three pages in length.

In addition to the letter of transmittal, the following items shall be provided in the order specified. Written submittals should be concise and clearly outlined and include:

- The Firm's owners and management team and proof of their ability to produce a quality development
- A narrative description of the mixed-use project being proposed
- Sketches/ renderings of the proposed project
- Green building elements and amenities to be included
- Type and number of units (affordable, workforce, market and commercial rent estimates)
- Estimated timeframe for development
- Overall benefit to the community
- A description of the Proposer's ability to mobilize the necessary team to commence design and construction
- A description of the Proposer's existing financial capacity and/or ability to secure necessary financing
- Detail of how the space will be marketed to tenants or users
- If any tenants are already interested in leasing, please provide LOI's
- List of additional properties owned or to be added to the project
- All related licenses and/or certifications
- Submitting Firms Information Page
- EXHIBIT A: Confirmation of a Drug-Free Workplace
- EXHIBIT B: Similar Projects
- EXHIBIT C: References
- EXHIBIT D: Scrutinized Companies Certification Form

**\*\*\*Each proposer is asked to submit one unbound original and five hard bound copies plus one copy of the submittal on a portable drive or CD.\*\*\***

### **Financing the Development**

As stated earlier, the CRA may contribute a portion of the land costs to help facilitate quality development. Additional compensation (above the required amount listed on **page 5**) for the land will earn the proposer additional consideration. The Proposer is expected to fully fund their development without any additional funding coming from the CRA.

### **Selection Criteria**

1. Firm's understanding of the project, capacity, skill and the ability to assemble a team with the appropriate specialties – 20 points
2. Appropriateness of proposed plan with RFP goals and scale of development – 20 points
3. Proof of available and secured financing – 20 points
4. References: Firms references evidencing record of performance and ability to successfully complete projects on time and within budget (a minimum of three are required) – 20 points

5. Offer of more than \$2.85M for land – 5 points
6. Development of at least some public parking spaces (100 or more) – 5 points
7. Provide a plan that includes the City of Lake Worth Sustainable Density Bonus for additional density – 5 points
8. Accelerated, but reasonable, time-frame for development – 5 points

Total – 100 points

CRA Staff will be responsible for ensuring all submittals responded to the RFP accordingly and have provided all the necessary information to be considered “responsive”. This includes handing proposals in by the time and date specified earlier in this request. The CRA will establish an evaluation committee to review the submittals and rank them according to the point system explained above. The evaluation committee will then make a formal recommendation to the CRA Board for approval.



**SUBMITTING FIRM'S INFORMATION PAGE\***

Company Name: \_\_\_\_\_

Authorized  
Signature:

\_\_\_\_\_  
Signature Print Name

Title: \_\_\_\_\_

Physical  
Address:

\_\_\_\_\_  
Street

\_\_\_\_\_  
City State Zip Code

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Website: \_\_\_\_\_

Federal Identification Number: \_\_\_\_\_

**\*This is a requirement of every Firm who submits a proposal.**

**EXHIBIT 'A'**  
**CONFIRMATION OF DRUG-FREE WORKPLACE \*\***

In accordance with Section 287.087, Florida Statutes, whenever two or more proposals are equal with respect to price, quality, and service which are received by any political subdivision for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

(1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

(2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

(3) Give each employee engaged in providing the commodities or contractual services that are under proposal a copy of the statement specified in subsection (1).

(4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 days after such conviction.

(5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.

(6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement on behalf of \_\_\_\_\_, I

certify that \_\_\_\_\_ complies fully with the above requirements.

\_\_\_\_\_  
Authorized Representative's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

**\*\* If this form is not returned, the CRA will assume the responding Firm has not implemented a drug-free workplace program.**

**EXHIBIT 'B'**  
**SIMILAR PROJECTS**

List three (3) similar projects successfully completed in the past five (5) years by the individual, firm, or project manager assigned to the project.

**Completed Project #1:**

Agency/company: \_\_\_\_\_

Current contact person at agency/company: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address of agency/company: \_\_\_\_\_

Name of project: \_\_\_\_\_

Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Project value: \_\_\_\_\_ Start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

(month/year)

(month/year)

Name(s) of assigned personnel:

Project manager: \_\_\_\_\_

Others: \_\_\_\_\_

**Completed Project #2:**

Agency/company: \_\_\_\_\_

Current contact person at agency/company: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address of agency/company: \_\_\_\_\_

Name of project: \_\_\_\_\_

Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Project value: \_\_\_\_\_ Start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

(month/year)

(month/year)

Name(s) of assigned personnel:

Project manager: \_\_\_\_\_

Others: \_\_\_\_\_

**Completed Project #3:**

Agency/company: \_\_\_\_\_

Current contact person at agency/company: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address of agency/company: \_\_\_\_\_

Name of project: \_\_\_\_\_

Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Project value: \_\_\_\_\_ Start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

(month/year)

(month/year)

Name(s) of assigned personnel:

Project manager: \_\_\_\_\_

Others: \_\_\_\_\_

**EXHIBIT 'C'**  
**REFERENCES**

Below, or on an attached sheet, list references per the RFP requirements for providing commercial developmental projects. Provide the name, addresses and telephone numbers of organizations, governmental or private, for whom you now are, or have **within the past five (5) years** provided services. This form may be copied.

**REFERENCE #1**

Name of Client:

---

Address:

---

Phone: (\_\_\_\_) \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Description of services:

---

---

**REFERENCE #2**

Name of Client:

---

Address:

---

Phone: (\_\_\_\_) \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Description of services:

---

---

**REFERENCE #3**

Name of Client:

---

Address:

---

Phone: (\_\_\_\_) \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Description of services:

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**EXHIBIT 'D'**  
**SCRUTINIZED COMPANIES CERTIFICATION FORM**

By execution below, I, \_\_\_\_\_, on behalf of \_\_\_\_\_ (hereinafter, the "Contractor"), hereby swear or affirm to the following certifications:

The following certifications apply to all procurements:

1. The Contractor has reviewed section 215.4725, Florida Statutes, section 215.473, Florida Statutes and section 287.135, Florida Statutes, and understands the same.
2. The Contractor is not on the Scrutinized Companies that Boycott Israel List nor is the Contractor engaged in a boycott of Israel.
3. If awarded a contract, the Contractor agrees to require these certifications for applicable subcontracts entered into for the performance of work/services under this procurement.
4. If awarded a contract, the Contractor agrees that the certifications in this section shall be effective and relied upon by the City for the entire term of the contract, including any and all renewals.

If the contract awarded hereunder is for one million dollars or more, the following additional certifications apply:

1. The Contractor is not on the Scrutinized Companies with Activities in Sudan List.
2. The Contractor is not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.
3. The Contractor is not engaged in business operations in Cuba or Syria.
4. If awarded a contract, the Contractor agrees to require these certifications for applicable subcontracts entered into for the performance of work/services under this procurement.
5. If awarded a contract, the Contractor agrees that the certifications in this section shall be effective and relied upon by the City for the entire term of the contract, including any and all renewals.

**CONTRACTOR:**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

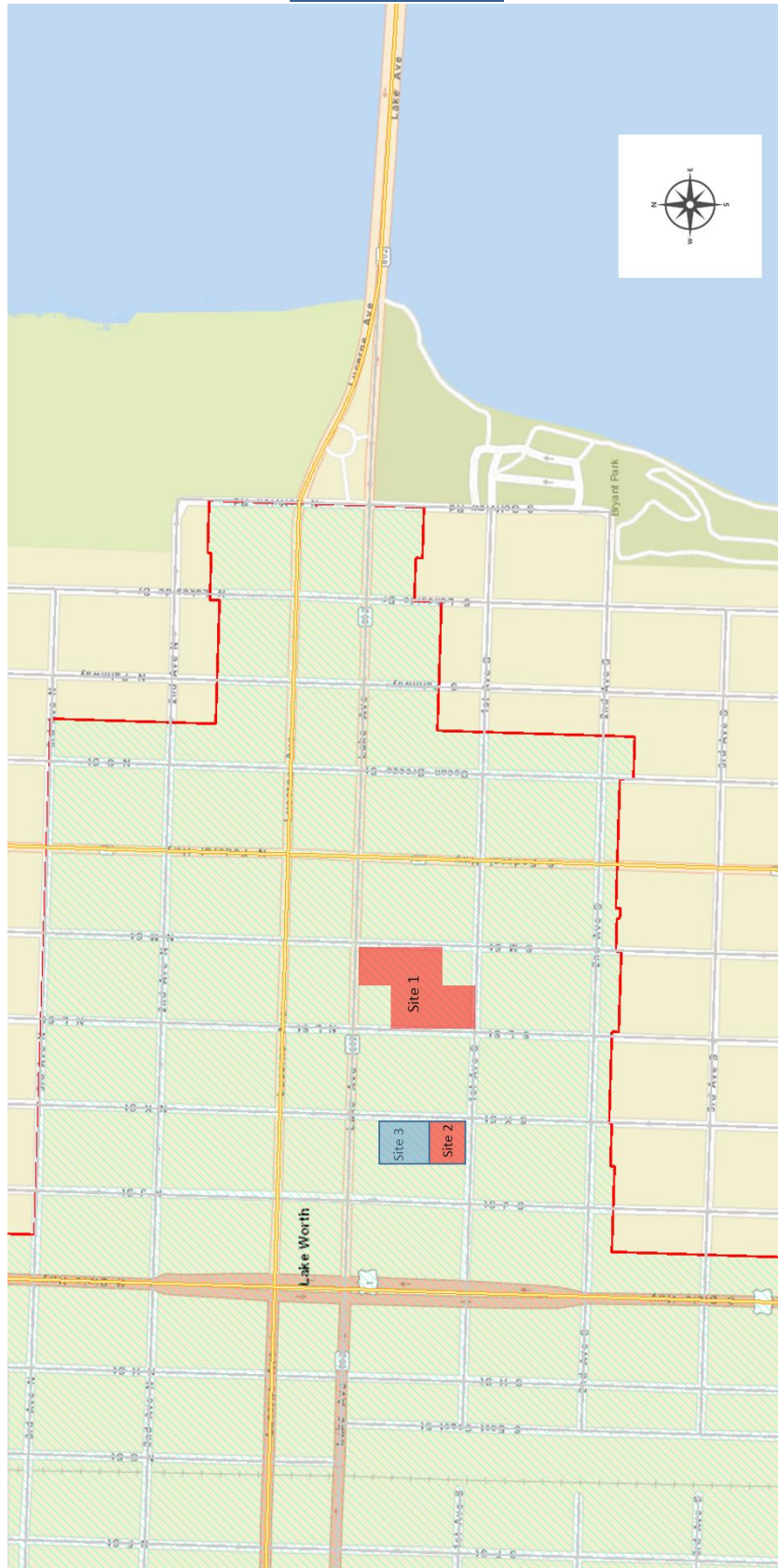
The foregoing instrument was sworn to (or affirmed) and subscribed before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is the \_\_\_\_\_ of \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification.

NOTARY PUBLIC

**Printed Name of Notary:**

**My Commission expires:**

### LOCATION MAP



AERIAL (all sites)



AERIAL (SITE 1)





AERIAL (SITE 2 & 3)



**FUTURE LAND USE (all sites)**

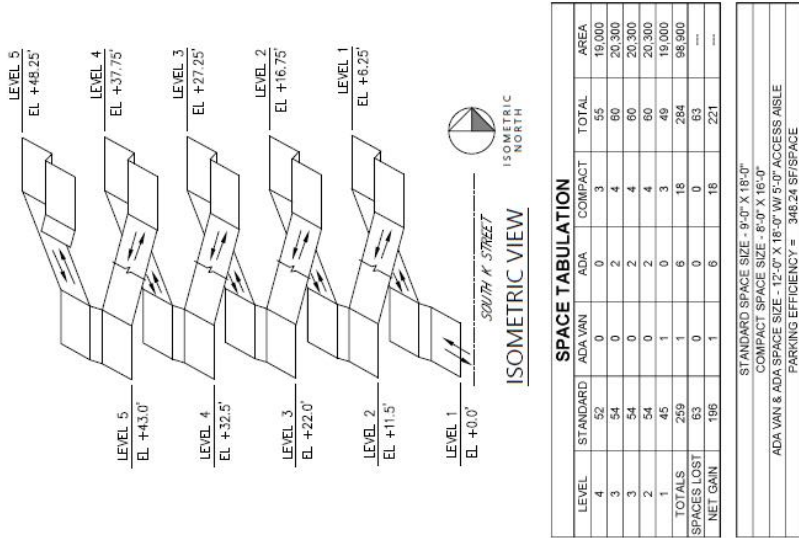








**PUBLIC PARKING GARAGE CONCEPTUAL - option 1 (5 levels)**



LEVEL	SPACE TABULATION			TOTAL	AREA
	STANDARD	ADA VAN	COMPACT		
4	52	0	3	55	19,000
3	54	0	4	60	20,300
2	54	0	4	60	20,300
1	45	1	3	49	19,000
<b>TOTALS</b>	<b>209</b>	<b>1</b>	<b>18</b>	<b>284</b>	<b>98,900</b>
<b>SPACES LOST</b>	<b>63</b>	<b>0</b>	<b>0</b>	<b>63</b>	<b>---</b>
<b>NET GAIN</b>	<b>196</b>	<b>1</b>	<b>18</b>	<b>221</b>	<b>---</b>

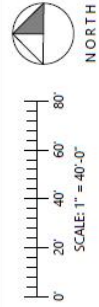
STANDARD SPACE SIZE = 9'-0" X 18'-0"  
 COMPACT SPACE SIZE = 8'-0" X 16'-0"  
 ADA VAN & ADA SPACE SIZE = 12'-0" X 18'-0" (W/5'-0" ACCESS AISLE)  
 PARKING EFFICIENCY = 348.24 SF/SPACE



February 24, 2020

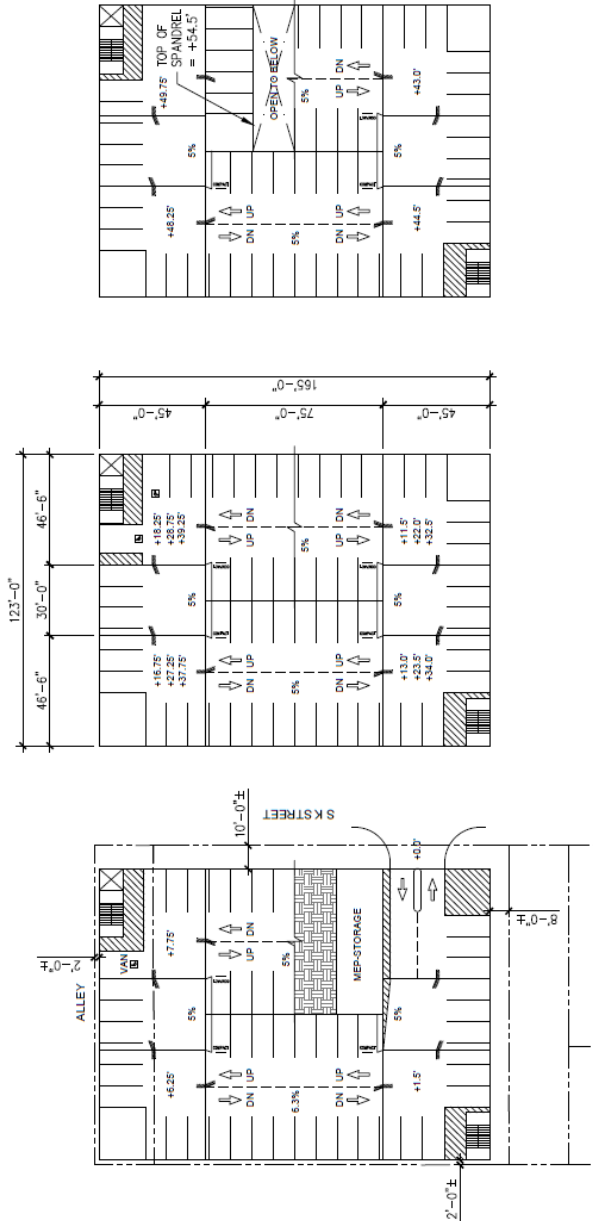
First Avenue & K Street Concept 2A

Sheet 1 of 2



**Downtown Lake Worth**  
 Parking Expansion Options  
 Lake Worth, Florida

**PUBLIC PARKING GARAGE CONCEPTUAL - option 1 (5 levels)**



LEVEL 5 PLAN

LEVEL 2-4 PLANS

LEVEL 1 PLAN

Sheet 2 of 2

First Avenue & K Street Concept 2A

February 24, 2020

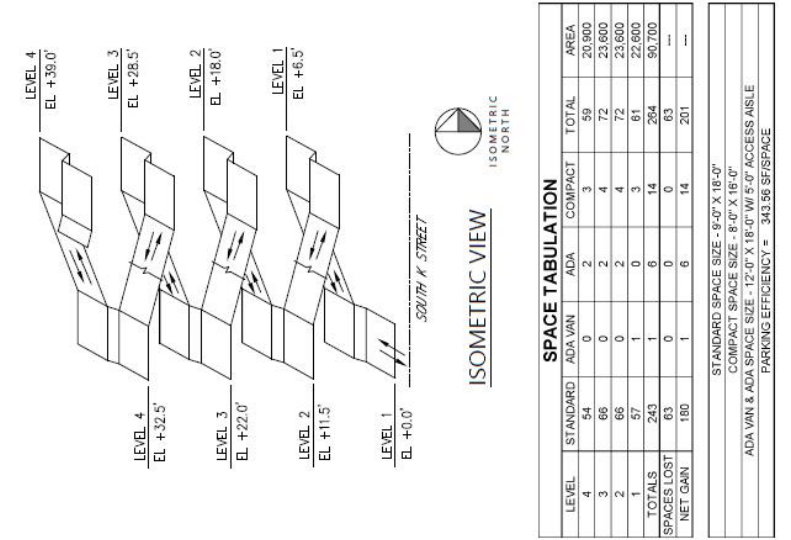
**Downtown Lake Worth**  
 Parking Expansion Options  
 Lake Worth, Florida



2035 Vista Parkway  
 West Palm Beach, Florida  
 P 561.687.2220

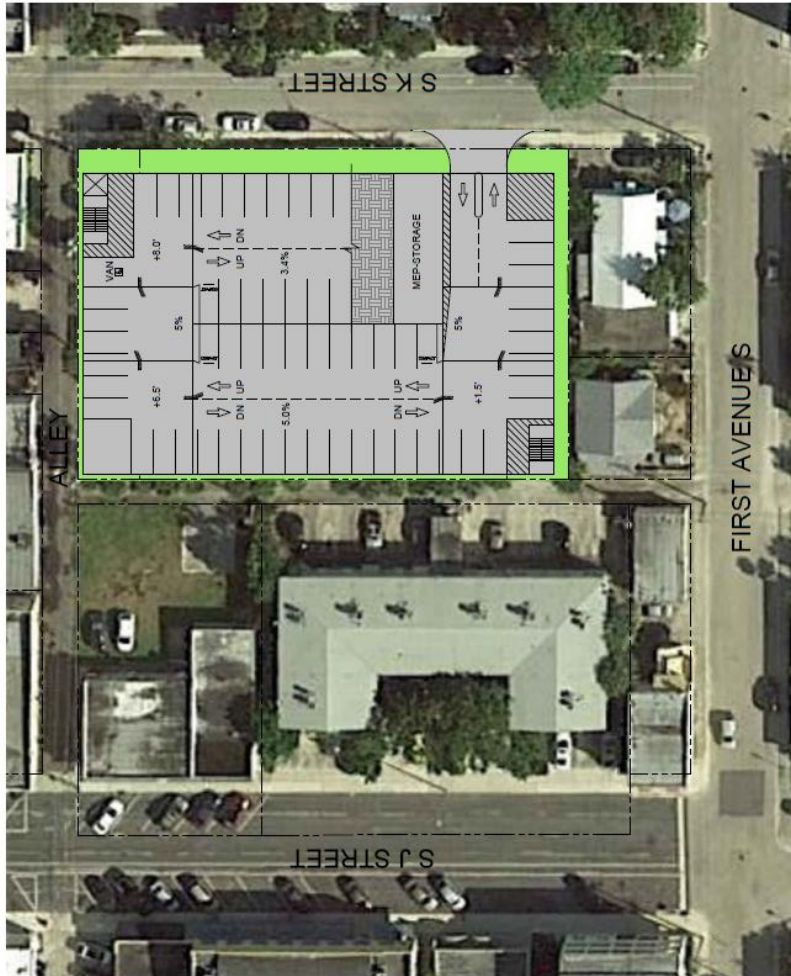


**PUBLIC PARKING GARAGE CONCEPTUAL - option 2 (4 levels)**



LEVEL	SPACE TABULATION			TOTAL	AREA
	STANDARD	ADA VAN	ADA COMPACT		
4	54	0	2	59	20,900
3	66	0	2	72	23,600
2	66	0	2	72	23,600
1	57	1	0	61	22,600
TOTALS	243	1	6	254	90,700
SPACES LOST	63	0	0	63	---
NET GAIN	180	1	6	201	---

STANDARD SPACE SIZE - 9'-0" X 18'-0"  
 COMPACT SPACE SIZE - 8'-0" X 18'-0"  
 ADA VAN & ADA SPACE SIZE - 12'-0" X 18'-0" W/ 5'-0" ACCESS AISLE  
 PARKING EFFICIENCY = 343.56 SF/SPACE



Sheet 1 of 2

First Avenue & K Street Concept 2B

**Downtown Lake Worth**  
 Parking Expansion Options  
 Lake Worth, Florida

February 24, 2020

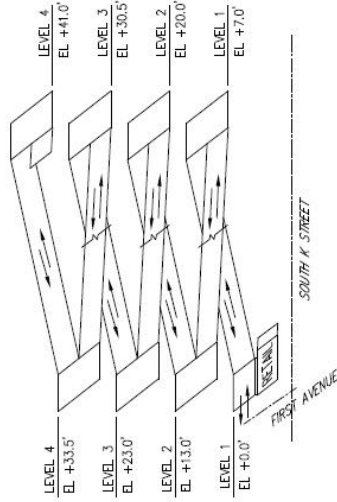
2035 Vista Parkway  
 West Palm Beach, Florida  
 P 561.687.2220







**PUBLIC PARKING GARAGE CONCEPTUAL - option 3 (4 levels with mixed-use space)**



ISOMETRIC VIEW

LEVEL	SPACE TABULATION			TOTAL	AREA
	STANDARD	ADA/VAN	COMPACT		
4	73	0	3	76	25,000
3	63	0	2	65	28,000
2	80	0	4	84	28,000
1	62	2	0	64	22,000
TOTALS	298	2	9	319	103,000
SPACES LOST	63	0	0	63	---
NET GAIN	235	2	9	246	---

STANDARD SPACE SIZE - 9'-0" X 18'-0"
COMPACT SPACE SIZE - 8'-0" X 16'-0"
ADA/VAN & ADA SPACE SIZE - 12'-0" X 18'-0" W/ 5'-0" ACCESS AISLE
PARKING EFFICIENCY = 322.88 SF/SPACE
RETAIL SPACE = 380 SF

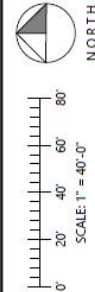
February 24, 2020

First Avenue & K Street Concept 2C

Sheet 1 of 2

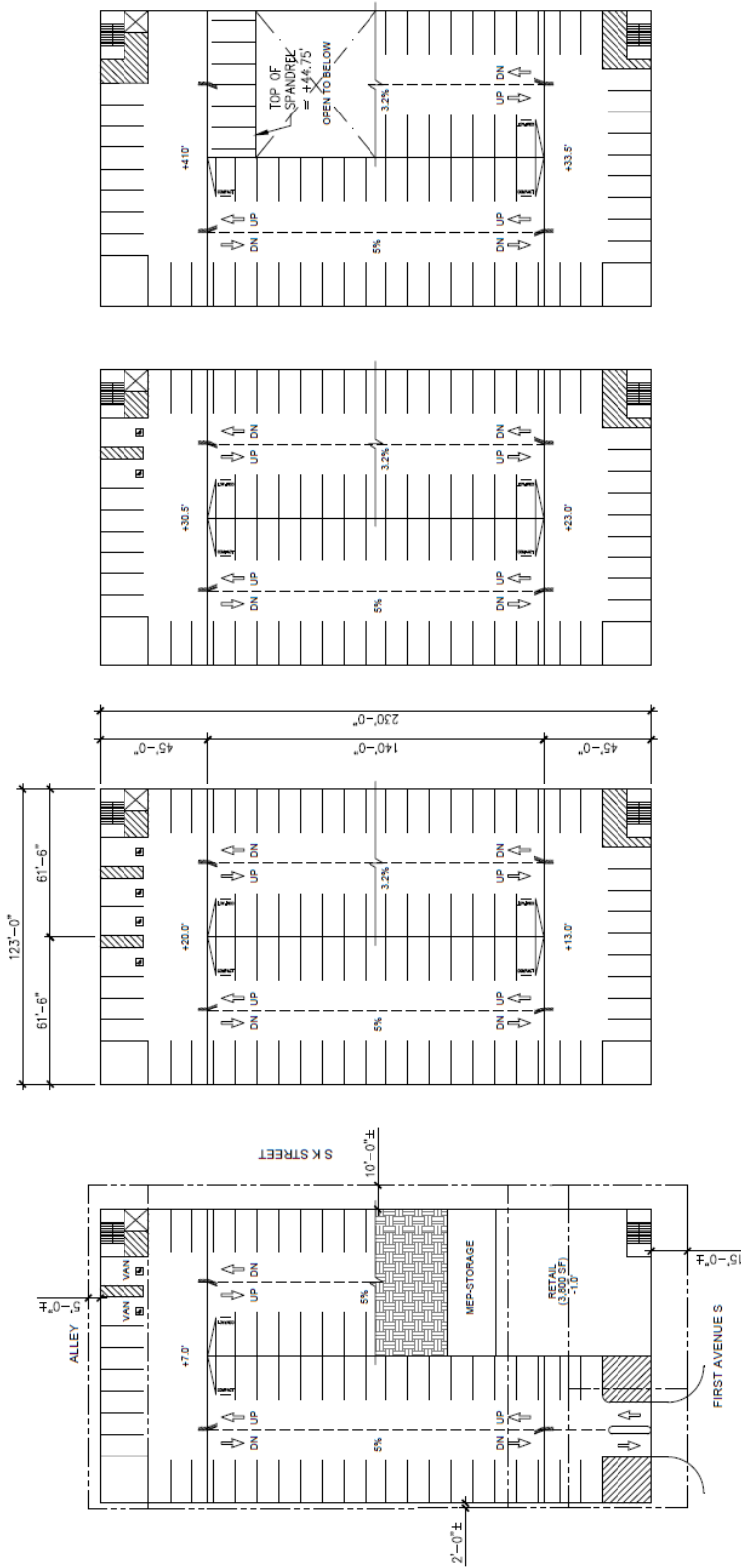


2035 Vicksa Parkway  
West Palm Beach, Florida  
P 561.687.2220



**Downtown Lake Worth**  
Parking Expansion Options  
Lake Worth, Florida

**PUBLIC PARKING GARAGE CONCEPTUAL - option 3 (4 levels with mixed-use space)**



LEVEL 1 PLAN

LEVEL 2 PLAN

LEVEL 3 PLAN

LEVEL 4 PLAN

February 24, 2020

First Avenue & K Street Concept 2C

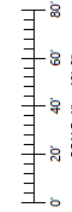
Sheet 2 of 2



2035 Vista Parkway  
West Palm Beach, Florida  
P 561.687.2220



NORTH



**Downtown Lake Worth**  
Parking Expansion Options  
Lake Worth, Florida

**CITY OF LAKE WORTH BEACH**  
**LAND DEVELOPMENT REGULATIONS - ZONING**

**Sec. 23.3-13. - MU-E—Mixed use east.**

- a) *Intent* . The "MU-E mixed use east district" is geared toward the commercial gateways and thoroughfares that are adjacent to the central commercial core of the city. The intent of MU-E district is to encourage the establishment and expansion of a broad range of office, commercial, hotel/motel and medium-density multiple-family residential development as well as to facilitate redevelopment within these areas that achieves a mix of residential and professional office land uses. It also strives to create a place of common vision and physical predictability for all new construction, renovations, and redevelopment. Certain commercial uses are not permitted along some thoroughfares because they will be detrimental to the adjacent residential neighborhoods. The district implements in part the mixed use land use category of the Lake Worth Comprehensive Plan.

The district has four (4) sub-areas as follows:

- (1) MU-E - Lake and Lucerne Avenues.
- (2) MU-E - First and Second Avenues.
- (3) MU-E - Federal Highway.
- (4) MU-E - Sixth and Tenth Avenues - Gateways.

Provision is made for the establishment of the following nonresidential uses for all areas of the district:

- (1) Low intensity commercial uses.
- (2) Low intensity office uses.
- (3) Low intensity retail uses.
- (4) Low intensity personal service uses.
- (5) Low intensity cultural and artisanal arts.
- (6) Low intensity institutional uses.
- (7) Residential apartments as related uses in structures with office uses as primary uses.

Provision is also made for the establishment of low-density multiple-family residential uses and single-family and two-family residential uses in accordance with the provisions of the "medium-density multiple-family residential district, 30 du/net acre."

- b) Use restrictions and development regulations for residential uses. In mixed use (MU) districts, projects that are all residential are allowed and can follow the height, setback, FAR and building lot coverage of the mixed use district versus the multi-family district. Multiple-family, two-family and single-family residential uses may be established subject to the provisions of section 23.3-11. Townhouses are permitted as conditional uses subject to the regulations and standards as set forth in Article 4, Development Standards. Single-family residences existing as of August 16, 2013 are permitted uses as of right, and may be expanded provided that they do not increase existing nonconformities in regard to the applicable development regulations of section 23.3-11(c).
- c) *Use restrictions for nonresidential uses* . Uses permitted by right and uses permitted as conditional uses shall be subject to applicable provisions of Article 4, Development Standards. Refer to the permitted use table at section 23.3-6 for a complete list of uses.
1. *Principal nonresidential uses permitted by right in all subareas of district.*
    - A. Commercial - low intensity.
    - B. Office - low intensity.
    - C. Retail - low intensity.

- D. Personal services - low intensity.
  - E. Cultural and artisanal arts - low intensity.
  - F. Institutional - low intensity.
  - G. Community residences, up to six (6) residents, subject to regulations as set forth in Article 4, Development Standards.
  - H. Essential services.
2. *Principal uses permitted as either administrative or conditional uses in all subareas of district.*
- A. Commercial - medium intensity.
  - B. Office - medium intensity.
  - C. Retail - medium intensity.
  - D. Personal services - medium intensity.
  - E. Cultural and artisanal arts - medium intensity.
  - F. Institutional - medium intensity.
  - G. Community residences, up to fourteen (14) residents, subject to the regulations as set forth in Article 4, Development Standards.
  - H. Bed and breakfast inns.
  - I. Cemeteries, public and private.
  - J. Places of worship.
  - K. Day care centers.
  - L. Hotels and motels; subject to the following requirement:  
Each guest room and bath unit shall have a minimum area of two hundred fifty (250) square feet measured from the interior face of the exterior walls and from the interior face of the demising walls of the unit.
  - M. Light utility facilities.
  - N. Public indoor neighborhood recreation and service.
  - O. Public outdoor neighborhood recreation.
  - P. Schools, elementary.
  - Q. Schools, intermediate and secondary, offering courses in general and vocational education but not offering courses which involve the regular use of heavy equipment out-of-doors.
  - R. Transitional parking facilities.
3. *Accessory uses permitted by right.*
- A. Home occupations.
  - B. Any use accessory to and customarily incidental to a principal use permitted by right.
4. *Accessory uses permitted as either administrative or conditional uses.*
- A. Child day care centers and nursery school uses accessory to places of worship.
  - B. Residential apartments as secondary uses in structures with office uses as primary uses.
  - C. Restaurant accessory to hotels.
  - D. Any use accessory to and customarily incidental to a principal use permitted as either an administrative or conditional use.

5. *Additional principal nonresidential uses permitted as either administrative or conditional uses in the Lake and Lucerne sub-area and the Sixth and Tenth Avenue sub-area of the district.*
    - A. Commercial - high intensity.
    - B. Office - high intensity.
    - C. Retail - high intensity.
    - D. Personal services - high intensity.
    - E. Cultural and artisanal arts - high intensity.
    - F. Institutional - high intensity.
  6. *Principal uses permitted as either administrative or conditional uses.*
    - A. Parking facilities.
    - B. Places of worship (see Article 4, Development Standards).
- d) *Development regulations for nonresidential uses permitted by right .*

Lot Area	6,500 square feet with max density 1 du per each 1,450 square feet net lot area	
	Max density 30 dwelling units per gross acre of 43,560 square feet, minimum of 1,450 square feet per unit	
Lot Width	25 ft. on Lake Avenue and Lucerne Avenue	
	50 ft. on First Avenue South and Second Avenue North	
	50 ft. on Federal Highway	
	100 ft. on Sixth Avenue South and Tenth Avenue North - Gateways	
	50 ft. in general	
Height	Primary	30 ft. (not to exceed 2 stories) *Additional 5 ft. of height under Sustainable Bonus Incentive Program (not to exceed 3 stories). *Additional 15 ft. of height under Sustainable Bonus Incentive Program (not to exceed 4 stories) for lots west of the FEC Railroad Tracks and east of F Street.
	Accessory	24 ft. (not to exceed 2 stories)
Setback	Front	Lake Avenue and Lucerne Avenue - 10 ft. minimum not to exceed 22 ft.

		First Avenue South and Second Avenue North - 10 ft. minimum not to exceed 22 ft.
		Federal Highway - 10 ft. minimum not to exceed 22 ft.
		Sixth Avenue South and Tenth Avenue South - 10 ft. minimum not to exceed 22 ft.
	Rear	15 ft. or 10% of lot depth when next to residential zoning district. 10 ft. in general. 5 ft. for accessory structure
	Side	Lake Avenue and Lucerne Avenue - 10 ft. on street and 0 ft. on interior lot.
		First Avenue South and Second Avenue North - 10 ft. on street and 0 ft. on interior lot for.
		Federal Highway - 10 ft. on street and 10% of width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width on interior lot.
		Sixth Avenue South and Tenth Avenue North - Gateways - 10 ft. on street and 10% of width, minimum of 3 ft. up to a minimum of 10 ft. for lots over 100 ft. in width on interior lot.
		Roof overhangs shall not exceed more than 2 feet.
	Bonus Height and Stories	For all stories above the second story, both the front façade and rear façade must be set back an additional distance beyond the minimum.
		A. Front façade for third story and above must have front setback of eight (8) to twelve (12) feet in addition to minimum.
		B. Rear façade for third floor and above must have rear setback of eight (8) to twelve (12) feet in addition to minimum.
		C. Façades facing major thoroughfares must have setbacks of eight (8) to twelve (12) feet in addition to minimum for third story and above.

Living Area	Single- Family	800 square feet first dwelling
		400 square feet second dwelling
	Multiple- Family	400 square feet Eff.
		600 square feet 1 BR
		750 square feet 2 BR
		900 square feet 3 BR
1,350 square feet 4 BR		
Accessory Structure Limitations	The total area for accessory structures is limited to 40% of the principal structure area or 1,000 square feet, whichever is less.	
Impermeable Surface Total	A. Small lot - 75%	
	B. Medium lot - 70%	
	C. Large lot - 65%	
Maximum Lot Coverage for all Buildings	A. Lots up to 4,999 square feet (small lot) - 65%	
	B. Lots 5,000 square feet to 7,499 square feet (medium lot) - 60%	
	C. Lots over 7,500 square feet (large lot) - 55%	
Maximum Wall Heights at Side Setback	30'-0" wall height at setback, 35'-0" wall height with sustainable incentive; and 45'-0" for additional stories with sustainable incentive between Lake and Lucerne west of FEC Railroad Tracks and east of F Street.	
Floor Area Ratio (FAR) Limitation	Maximum FAR is 1.5.	
	The FAR shall be 1.00 for lots up to 4,999 square feet; 0.95 for lots between 5,000 square feet and 7,499 square feet; and 0.90 for lots 7,500 square feet and greater.	



	<p>An additional 0.50 of FAR shall be granted under the Sustainable Bonus Incentive Program.</p>
--	--

1. *Maximum density and minimum lot dimensions uses.*
  - A. Minimum lot area: six thousand five hundred (6,500) square feet.
  - B. Minimum lot width:
    - (1) Lake Avenue and Lucerne Avenue - twenty-five (25) feet.
    - (2) First Avenue South and Second Avenue North - fifty (50) feet.
    - (3) Federal Highway - fifty (50) feet.
    - (4) Sixth Avenue South and Tenth Avenue North - one hundred (100) feet.
    - (5) Fifty (50) feet in general.
2. *Maximum height of building.*
  - A. Principal building: Thirty (30) feet in height and not to exceed two (2) stories.
  - B. Additional five (5) feet in height and one (1) story shall be granted under the Sustainable Bonus Incentive Program not to exceed three (3) stories.
  - C. Additional fifteen (15) feet in height shall be granted under the Sustainable Bonus Incentive Program (not to exceed four (4) stories) for lots located west of FEC Railroad Tracks and east of F Street.
  - D. Garages and other accessory buildings: Twenty-four (24) feet not to exceed two (2) stories.
3. *Minimum setbacks for nonresidential buildings.*
  - A. Minimum front setback: Twenty (20) feet.
    - (1) Lake Avenue and Lucerne Avenue - minimum of ten (10) feet not to exceed twenty-two (22) feet.
    - (2) First Avenue South and Second Avenue North - minimum of ten (10) feet not to exceed twenty-two (22) feet.
    - (3) Federal Highway - minimum of ten (10) feet not to exceed twenty-two (22) feet.
    - (4) Sixth Avenue South and Tenth Avenue North - minimum of ten (10) feet not to exceed twenty-two (22) feet.
  - B. Minimum side setback: Ten (10) feet or ten (10) percent of lot width, whichever is less.
    - (1) Lake Avenue and Lucerne Avenue - ten (10) feet on street and zero (0) feet on interior lot.
    - (2) First Avenue South and Second Avenue North - ten (10) feet on street and zero (0) feet on interior lot.
    - (3) Federal Highway - minimum of ten (10) feet on street and ten (10) percent of lot width, minimum of three (3) feet up to a minimum of ten (10) feet for lots over one hundred (100) feet in width.
    - (4) Sixth Avenue South and Tenth Avenue North - minimum of ten (10) feet on street and ten (10) percent of lot width, minimum of three (3) feet up to a minimum of ten (10) feet for lots over one hundred (100) feet in width.
    - (5) Roof overhangs shall not exceed more than two (2) feet into required setback.

- C. Minimum rear setback:
    - (1) Fifteen (15) feet or ten (10) percent of lot depth, whichever is less, when next to a residential zoning district.
    - (2) Ten (10) feet in general.
    - (3) Five (5) feet for accessory structures.
  - D. Additional height and stories setback: Buildings in excess of thirty (30) feet in height shall provide an additional front and rear setback of between eight (8) and twelve (12) feet to the minimum required front and rear setbacks.
  - E. Additional height and stories setback along major thoroughfares: Buildings in excess of thirty (30) feet in height shall provide an additional setback of between eight (8) and twelve (12) feet for façades facing a major thoroughfare.
4. *Maximum impermeable surface for entire lot.* The maximum impermeable surface shall be:
- A. Seventy-five (75) percent of the lots up to four thousand nine hundred ninety-nine (4,999) square feet;
  - B. Seventy (70) percent for lots between five thousand (5,000) square feet and seven thousand four hundred ninety-nine (7,499) square feet; and
  - C. Sixty-five (65) percent for lots seven thousand five hundred (7,500) square feet and greater.
- Provided however that the lesser of nine hundred (900) square feet or seventy-five (75) percent of the front yard area shall remain pervious and be landscaped.
5. *Maximum impermeable surface for all structures.* The maximum impermeable surface shall be:
- A. Sixty-five (65) percent for lots up to four thousand nine hundred ninety-nine (4,999) square feet;
  - B. Sixty (60) percent for lots between five thousand (5,000) square feet and seven thousand four hundred ninety-nine (7,499) square feet; and
  - C. Fifty-five (55) percent for lots seven thousand five hundred (7,500) square feet and greater.
6. *Floor area ratio (FAR) limitations.* Maximum FAR is 1.50. The FAR shall be:
- A. 1.00 for lots up to four thousand nine hundred ninety-nine (4,999) square feet;
  - B. 0.95 for lots between five thousand (5,000) square feet and seven thousand four hundred ninety-nine (7,499) square feet; and
  - C. 0.90 for lots seven thousand five hundred (7,500) square feet and greater.
  - D. An additional 0.50 of FAR shall be granted under the Sustainable Bonus Incentive Program.
7. *Accessory structures.* All accessory structures shall not exceed forty (40) percent of the gross floor area of the principal structure, excluding approved prefabricated metal storage buildings totaling no more than one hundred forty-four (144) square feet.
8. *Location of accessory buildings, pools, etc.* Accessory buildings, pools and similar structures shall be allowed within the rear or side yards of a double front or corner lot between the main structure and a public street, provided that minimum setbacks are maintained.
9. *Required street trees.* Street trees shall be installed at a maximum of every twenty-five (25) feet of frontage. Approved native species shall be used.
10. *Major thoroughfare design guidelines.* Additional developmental regulations are applicable to certain locations in this district pursuant to the major thoroughfare guidelines adopted by Ord. No. 2001-27. The design guidelines for major thoroughfares are contained in pages 33 through 58 inclusive of the booklet "Design Guidelines for Old Town Historic District and Major

Thoroughfares" prepared by Abell Garcia Architects, dated May, 2001, as amended. See also section 23.2-31.

- e) *Locational and development regulations for uses permitted as either administrative or conditional uses*. Uses permitted as conditional uses shall be regulated pursuant to the requirements of sections 23.2-28 and 23.2-29 Article 4, Development Standards.

(Ord. No. 2014-22, § 12(Exh. K), 9-9-14; Ord. No. 2018-10, § 8(Exh. G), 7-17-18)

**Sec. 23.3-14. - DT—Downtown.**

- a) *Intent.* The "downtown (DT) district" is designed for the commercial core of Lake Worth, primarily along Lake and Lucerne Avenues from Golfview to the Florida East Coast Railroad right-of-way. The DT district is intended to provide the establishment and expansion of a broad range of office and commercial uses, including higher density residential use. Certain commercial uses are not permitted in the district because they will be detrimental to the shopping or office functions of the area. The establishment of certain uses is subject to conditional use review to ensure they will not have a negative impact on nearby residential uses or on the commercial viability of their neighbors. The district implements in part the downtown mixed use land use category of the Lake Worth Comprehensive Plan.
- b) *Use restrictions and development regulations for residential uses in the DT district.* For projects that are all residential, see section 23.3-13(b). Multiple-family residential uses may be established and expanded in the DT district subject to the provisions of section 23.3-12.
- c) *Use restrictions for nonresidential uses in the DT district.* Refer to the permitted use table at section 23.3-6 for a complete list of uses.
  1. *Principal nonresidential uses permitted by right.*
    - A. Commercial - low intensity.
    - B. Office - low intensity.
    - C. Retail - low intensity.
    - D. Personal services - low intensity.
    - E. Cultural and artisanal arts - low intensity.
    - F. Institutional - low intensity.
    - G. Open air retail sales only on private property and not on any sidewalk along Lake Avenue or Lucerne Avenue (see definition).
    - H. Essential services.
    - I. Hotels and motels, subject to the following requirement:

Each guest room and bath unit shall have a minimum area of one hundred seventy (170) square feet measured from the interior face of the exterior walls and from the interior face of the demising walls of the unit.
  2. *Principal uses permitted as either administrative or conditional uses.*
    - A. Commercial - medium to high intensity.
      - i. Commercial drive-through (excluding all restaurant uses) west of Dixie Highway.
    - B. Office - medium to high intensity.
    - C. Retail - medium to high intensity.
    - D. Personal services - medium to high intensity.
    - E. Cultural and artisanal arts - medium to high intensity.
    - F. Institutional - medium to high intensity.
    - G. Parking facilities including temporary.
    - H. Places of worship.
    - I. Hotels and motels, subject to the following requirement:

Each guest room and bath unit shall have a minimum area of one hundred seventy (170) square feet measured from the interior face of the exterior walls and from the interior face of the demising walls of the unit.

- 3. *Accessory uses permitted by right.*
    - A. Home occupations.
    - B. Any use accessory to and customarily incidental to a principal use permitted by right.
  - 4. *Accessory uses permitted as either administrative or conditional uses.*
    - A. Day care centers and nursery school uses accessory to places of worship.
    - B. Residential apartments as related uses in structures with office or retail uses as primary use on the ground floor located in the "Core Area" as defined in section 23.1-5. Minimum living area shall be as follows:
      - (1) Efficiency units: Four hundred (400) square feet.
      - (2) One-bedroom units: Six hundred (600) square feet.
      - (3) Two-bedroom units: Seven hundred fifty (750) square feet.
      - (4) Three-bedroom units: Nine hundred (900) square feet.
      - (5) Four-bedroom units: One thousand three hundred fifty (1,350) square feet.
    - C. Any use accessory to and customarily incidental to a principal use permitted as either an administrative or conditional use.
- d) *Development regulations for uses permitted by right .*

Lot Area	6,500 square feet with max density 1 du per each 1,085 square feet net lot area	
	Max density 40 dwelling units per gross acre of 43,560 square feet, minimum of 1,085 square feet per unit	
Lot Width	25 ft. on Lake Avenue and Lucerne Avenue	
	50 ft. on Dixie Highway and Federal Highway	
	50 ft. in general	
Height	Primary	30 ft. (not to exceed 2 stories) *Additional 15 ft. of height under Sustainable Bonus Incentive Program (not to exceed 4 stories). *Additional 35 ft. of height under Sustainable Bonus Incentive Program (not to exceed 6 stories) east of Federal Highway with the provision of a hotel or mixed use hotel project of at least 50 rooms, requires conditional land use.
	Accessory	24 ft. (not to exceed 2 stories)
Setback	Front	10 ft. minimum not to exceed 22 ft.

	Rear	15 ft. or 10% of lot depth when next to residential zoning district. 10 ft. in general. 5 ft. for accessory structure
	Side	10 ft. on street and 0 ft. on interior lot.
		Roof overhangs shall not exceed more than 2 feet.
	Bonus Height and Stories	For all stories above the second story, both the front façade and rear façade must be set back an additional distance beyond the minimum.
A.		Front façade for third story and above must have front setback of eight (8) to twelve (12) feet in addition to minimum.
B.		Rear façade for third floor and above must have rear setback of eight (8) to twelve (12) feet in addition to minimum.
C.		Façades facing major thoroughfares must have setbacks of eight (8) to twelve (12) feet in addition to minimum for third story and above.
Living Area	Single- Family	800 square feet first dwelling
		400 square feet second dwelling
	Multiple-Family	400 square feet Eff.
		600 square feet 1 BR
		750 square feet 2 BR
		900 square feet 3 BR
		1,350 square feet 4 BR
Accessory Structure Limitations	The total area for accessory structures is limited to 40% of the principal structure area or 1,000 square feet, whichever is less.	
Impermeable Surface Total	A. Small lot - 90%	
	B. Medium lot -85%	

	C. Large lot - 80%
Maximum Lot Coverage for all Buildings	A. Lots up to 4,999 square feet (small lot) - 70%
	B. Lots 5,000 square feet to 7,499 square feet (medium lot) - 65%
	C. Lots over 7,500 square feet (large lot) - 60%
Maximum Wall Heights at Side Setback	30'-0" wall height at setback.
	45'-0" wall height with sustainable incentive
	65'-0" for additional stories with sustainable incentive for hotel.
Floor Area Ratio (FAR) Limitation	Maximum FAR is 1.7. Maximum FAR is 2.2 east of Federal Highway with provision of hotel or mixed use hotel project, conditional land use required.
	The FAR shall be 1.20 for lots up to 4,999 square feet; 1.15 for lots between 5,000 square feet and 7,499 square feet; and 1.10 for lots 7,500 square feet and greater.
	An additional 0.50 of FAR shall be granted under the Sustainable Bonus Incentive Program and an additional 0.50 of FAR for hotel or mixed use hotel project east of Federal Highway, conditional land use required.

1. *Minimum lot dimension.*
  - A. Minimum lot area: Six thousand five hundred (6,500) square feet.
  - B. Minimum lot width: Fifty (50) feet; twenty-five (25) feet on Lake Avenue and Lucerne Avenue.
2. *Maximum height of buildings.*
  - A. Principal building: Thirty (30) feet in height and not to exceed two (2) stories.
  - B. Additional fifteen (15) feet in height shall be granted under the Sustainable Bonus Incentive Program (not to exceed four (4) stories).
  - C. Additional thirty-five (35) feet in height shall be granted under the Sustainable Bonus Incentive Program (not to exceed six (6) stories) east of Federal Highway with the provision of a hotel with fifty (50) or more rooms or a mixed use hotel project inclusive of fifty (50) or more rooms and requires a conditional land use.
  - D. Garages and other accessory buildings: Twenty-four (24) feet.
  - E. Garages are not allowed at the street level facing Lake Avenue and Lucerne Avenue.
3. *Minimum height of buildings.* Throughout the DT district the minimum height of buildings shall be twenty-four (24) feet.
4. *Minimum setbacks for buildings.*

- A. Front setback shall be:
  - (1) From Dixie Highway (SR 805) right-of-way lines: Ten (10) feet.
  - (2) From Lake Avenue and Lucerne Avenue east of the Florida East Coast right-of-way: Five (5) feet.
  - (3) From all other thoroughfare right-of-way lines: Ten (10) feet.
  - (4) Required front setback can be increased by eight (8), ten (10) or twelve (12) feet if the building provides an open arcade or public plaza.
- B. Minimum side setback:
  - (1) From street side lot line: Shall be ten (10) feet.
  - (2) From interior side lot line: None.
  - (3) Street side setback can be increased by eight (8), ten (10) or twelve (12) feet if the building provides an open arcade or public plaza.
- C. Minimum rear setback:
  - (1) For lots platted on Blocks G through L of the Townsite Subdivision: Ten (10) feet.
  - (2) For all other lots: Five (5) feet.
  - (3) For lots next to residential zoning districts: Fifteen (15) feet or ten (10) percent of lot depth, whichever is greater.
  - (4) For accessory structures: Five (5) feet.
- D. Additional height and stories setback: Buildings in excess of thirty (30) feet in height shall provide an additional front and rear setback of between eight (8) and twelve (12) feet to the minimum required front and rear setbacks.
- E. Additional height and stories setback along major thoroughfares: Buildings in excess of thirty (30) feet in height shall provide an additional setback of between eight (8) and twelve (12) feet for façades facing a major thoroughfare.
- F. Awnings shall be exempt from the front and side street setback regulations. Awnings may project over public property to a point of not more than two (2) feet back from the face of the curb. Second story awning(s) installations shall project no more than three (3) feet from the building. If awnings overhang Federal Highway, Dixie Highway, Lake Avenue or Lucerne Avenue rights-of-way, the owner will need to acquire a State of Florida Department of Transportation approval.
- 5. *Build-to line.* All buildings fronting on Lake or Lucerne Avenues shall be situated between five (5) feet from the property line to afford a consistent building line along the avenues. If public arcade or public open space is provided the build-to-line may be adjusted in increments of eight (8), ten (10) and twelve (12) feet.
- 6. *Ground floor regulations.* Ground floor uses must be habitable. Retail stores in excess of ten thousand (10,000) square feet are prohibited on the ground floor. Only retail, service, or office uses are permitted on the ground floor fronting Lake or Lucerne Avenues. Downtown ground floor entrances must use transparent elements. The transparent elements on the ground floor shall be maximized to include a minimum of seventy-five (75) percent of the ground floor being windows, doors and other openings. Ground floor building frontage must have an architectural break every twenty-five (25) feet.
- 7. *Maximum impermeable surface.* The maximum impermeable surface shall be:
  - A. Ninety (90) percent of the lots up to four thousand nine hundred ninety-nine (4,999) square feet;
  - B. Eighty-five (85) percent for lots between five thousand (5,000) square feet and seven thousand four hundred ninety-nine (7,499) square feet; and
  - C. Eighty (80) percent for lots seven thousand five hundred (7,500) square feet and greater.



8. *Maximum impermeable surface for all structures:* The maximum impermeable surface shall be:
    - A. Seventy (70) percent for lots up to four thousand nine hundred ninety-nine (4,999) square feet;
    - B. Sixty-five (65) percent for lots between five thousand (5,000) square feet and seven thousand four hundred ninety-nine (7,499) square feet; and
    - C. Sixty (60) percent for lots seven thousand five hundred (7,500) square feet and greater.
  9. *Floor area ratio (FAR) limitations.* Maximum FAR is 1.70. Maximum FAR is 2.2 east of Federal Highway and inclusive of hotel requirement. The FAR shall be:
    - A. 1.20 for lots up to four thousand nine hundred ninety-nine (4,999) square feet;
    - B. 1.15 for lots between five thousand (5,000) square feet and seven thousand four hundred ninety-nine (7,499) square feet; and
    - C. 1.10 for lots seven thousand five hundred (7,500) square feet and greater.
    - D. An additional 0.50 of FAR shall be granted under the Sustainable Bonus Incentive Program.
    - E. An additional 0.50 of FAR shall be granted under a conditional land use for a hotel project of fifty (50) rooms or more or a mixed use hotel project of fifty (50) rooms or more.
  10. *Accessory structures.* All accessory structures shall not exceed forty (40) percent of the gross floor area of the principal structure, excluding approved prefabricated metal storage buildings totaling no more than one hundred forty-four (144) square feet.
  11. *Location of accessory buildings, pools, etc.* Accessory buildings, pools and similar structures shall be allowed within the rear or side yards of a double front or corner lot between the main structure and a public street, provided that minimum setbacks are maintained.
  12. *Required garbage storage rooms.* Buildings shall have garbage storage rooms which are integral to the building, but are directly accessible through outside doors to municipal garbage and trash collection crews.
  13. *Required street trees.* Street trees shall be installed at a maximum of every twenty-five (25) feet of frontage. Approved native species shall be used.
  14. *Major thoroughfare design guidelines.* Additional developmental regulations are applicable to certain locations in this district pursuant to the major thoroughfare guidelines adopted by Ord. No. 2001-27. The design guidelines for major thoroughfares are contained in pages 33 through 58 inclusive of the booklet "Design Guidelines for Old Town Historic District and Major Thoroughfares" prepared by Abell Garcia Architects, dated May, 2001, as amended. See also section 23.2-31.
- e) *Locational and development regulations for uses permitted as either administrative or conditional uses .* Uses permitted as conditional uses shall be regulated pursuant to the requirements of sections 23.2-28 and 23.2-29 Article 4, Development Standards.

(Ord. No. 2016-15, § 4(Exh. C), 5-17-16; Ord. No. 2018-10, § 8(Exh. G), 7-17-18)

**CITY OF LAKE WORTH BEACH**  
**COMPREHENSIVE PLAN AMENDMENTS (Future Land Use Excerpts)**  
**& Potential Development Incentives**  
<https://lakeworthbeachfl.gov/community-sustainability/incentives/>

- **Sustainable Density Bonus Incentive Program**
- **Transfer Development Rights Program**

**Objective 1.1.1: Future Land Use Designations:** The City shall adopt future land use designations to provide for an efficient distribution and compatible pattern of land uses and to maintain and enhance the character of the community.

*Policy 1.1.1.7: Downtown Mixed Use (DMU) maximum 40du/acre.* The Downtown Mixed Use land use category is intended to provide for the establishment and expansion of a broad range of office, retail and commercial uses, including higher intensity commercial, and some residential within the traditional downtown core of the City. Diversity of retail uses is encouraged; however, certain commercial uses are not permitted in the Downtown Mixed Use category because they would be detrimental to the shopping or office functions of the area. The maximum density of permitted residential development is 40 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. The implementing zoning districts are DT, MU-E, MF-20 and MF-30.

Principal drive-through facilities shall not be permitted. Accessory drive-through facilities, if determined to be integral to the function of an otherwise permitted use, may be permitted. Approval for drive-through facilities must be obtained from the appropriate regulatory Board.

All buildings are required to provide transitional buffering and design features to mitigate impact of the DMU sites adjacent to residential zoning districts. Physical constraints on Downtown parcels require innovative, yet sensitive site design features. Openness of street corners to incorporate public plazas, landscaping, etc. shall be encouraged. All ground floor uses within the Downtown Mixed Use area shall be habitable. Ground floors facing Lake and Lucerne Avenues shall be retail/office/personal service-based uses. No surface parking lots or parking garages are allowed on Lake Avenue or Lucerne Avenue without a conditional use permit.

Zoning regulations implementing the DMU category shall not exempt downtown mixed uses from parking space requirements, but may establish lower downtown mixed use parking requirements, incentives and other parking management strategies in recognition of municipal parking provided in the downtown mixed use area and in order to encourage an intensive concentration of retail, office and commercial uses in the central area.

**Objective 1.2.1:** To promote the location of high quality retail, office and mixed use projects in the Downtown Mixed Use (DMU) and Mixed Use East (MU-E) designations as the prime retail and commercial areas of the City.

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**Objective 1.2.3:** The City shall establish incentives to help support the creation of a compact, sustainable, community oriented development by implementing a **Sustainable Bonus Incentive Program**.

*Policy 1.2.3.1:* The City shall continue to implement the Sustainable Bonus Incentive Program described in Policy 1.2.3.4 below, to provide for increased density, intensity and height allowances in return for specific project or public components that would create or increase quality of life measures for a larger segment of the population. The Sustainable Bonus Incentive Program will be more fully developed and implemented through the City's Land Development Regulations.

*Policy 1.2.3.2:* The Sustainable Bonus Incentive Program shall include a trust account to be used solely for the accumulation of funds received as part of the development incentive program. Such funds shall only be expended on projects identified within the Community Benefits program.

*Policy 1.2.3.3:* The Sustainable Bonus Incentive Program shall be reviewed and ratified by the City Commission on an annual basis, including project priorities for the annual expenditure of trust funds.

*Policy 1.2.3.4:* The Sustainable Bonus Incentive Program shall consist of the following criteria:

1. Incorporation of Sustainable features is required for developments over two stories, which allows for increases in density, height and intensity over base line maximums. Annually, the City Commission shall establish base line sustainable bonus values required to participate in the program.
2. For each project requesting an additional bonus above the maximum base threshold as shown in Table 1, twice the base line sustainable bonus value shall apply to each square foot of the additional bonus.
3. For a planned development, mixed use planned development, residential planned development or urban planned development, a project may obtain a 25% bonus on density, intensity and height over the base line as outlined in Table 1.
4. For mixed use urban planned developments located west of Dixie Highway, which include at least three (3) use categories, one being residential, an additional 50% bonus in density, intensity and height over the base line as outlined in Table 1 may be obtained.
5. For mixed use planned developments located west of Interstate 95, which include at least three (3) use categories, one being residential, an additional 50% bonus in density, intensity and height over the base line as outlined in Table 1 may be obtained.
6. For a mixed use planned development with a Tri-Rail Station component located within the Transit Oriented Development West future land use designation, which includes at least three (3) use categories, one being residential, an additional 100% bonus in density and intensity and 50% increase in height over the base line as outlined in Table 1 may be obtained.

*Policy 1.2.3.5:* Promote the arts community by maintaining and preserving the Cultural Arts Overlay District and by working to expand the Arts as both a viable commercial opportunity as well as appropriate housing by allowing for artisan live/work units within this overlay district.

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**Objective 1.2.4:** The City shall establish incentives to encourage the redevelopment of the City’s stressed and blighted areas west of Dixie Highway through a formal **Transfer Development Rights (TDR) Program**.

*Policy 1.2.4.1:* The City shall implement a Transfer Development (TDR) Rights program as described in Policy 1.2.4.4 to provide for increased density, intensity and height allowances through the purchase of development potential from the City’s properties with a Public Future Land Use Designation.

*Policy 1.2.4.2:* The City’s Transfer Development Rights (TDR) Program shall include a trust account to be used solely for the accumulation of funds received as part of the transfer of development rights program. Such funds shall only be expended on city projects related to parks, public facilities and infrastructure.

*Policy 1.2.4.3:* The City’s Transfer Development Rights (TDR) Program shall be reviewed and ratified by the City Commission on an annual basis, including project priorities for the annual expenditure of trust funds and the value of the transfer development rights available under the program.

*Policy 1.2.4.4:* The Transfer Development Rights (TDR) Program shall consist of the following criteria:

1. Incorporation of transferred developed rights from City-owned properties with a future land use designation of Public (P) shall be required in order to obtain the following:
  - a. One (1) additional story of no more than fifteen feet (15’ -0”) in overall height.
  - b. An increase in overall density of ten (10) units per acre.
  - c. An increase in overall floor area ratio (FAR) of ten percent (10%).
2. The additional story, height, density and/or floor area ratio available under the TDR Program will be in addition to any maximums allowed under the City’s Sustainable Bonus Incentive Program.
3. Projects incorporating transfer development rights may be located anywhere in the City predicated on the following:
  - a. For projects east of Dixie Highway transfer development rights may increase density by up to ten (10) units per acre.
  - b. For projects west of Dixie Highway transfer development rights may increase density by up to ten (10) units per acre, provide for one (1) additional story of not more than fifteen feet (15’ - 0”) in height, and/or increase overall floor area ratio (FAR) by up to ten percent (10%).
4. Projects incorporating transfer development rights must be an urban planned development, planned development, mixed use planned development or residential planned development.

5. Projects must have incorporated all of the density, height and intensity bonuses available under the Sustainable Bonus Program prior to being eligible for the Transfer Development Rights Program.
6. The City shall maintain a bank of development rights available for transfer from City owned sites with a future land use designation of Public.
7. The City shall establish on an annual basis the value of each square foot available for transfer under the TDR Program.
8. The City's TDR Program shall be further developed and clarified through the adoption of appropriate and supportive amendments to the City's Land Development Regulations (LDRs).