

**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2007-009**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE 2007 COMPREHENSIVE PLAN AS ADOPTED BY CHAPTER 2006-328, LAWS OF FLORIDA; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR TOWN INITIATED AMENDMENT: (RURAL FLUA REVISIONS, LOXAHATCHEE GROVES), MODIFYING THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR PORTIONS OF LOXAHATCHEE GROVES, TOTALING APPROXIMATELY 5,750 ACRES, BORDERED BY INCORPORATED PALM BEACH COUNTY TO THE WEST A CONSERVATION AREA TO THE NORTH, BY SOUTHERN BOULEVARD ON THE SOUTH, AND BY "E" ROAD TO THE EAST, FROM RURAL RESIDENTIAL, 1 UNIT PER 10 ACRES (RR-10) TO RURAL RESIDENTIAL, 1 UNIT PER 5 ACRES (RR-5); PROVIDING FOR INCLUSION IN THE 2007 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on October 10, 2006, the voters within Loxahatchee Groves voted to incorporate into the Town of Loxahatchee Groves; and

**WHEREAS**, Chapter 2006-328, Laws of Florida, the Charter of the Town of Loxahatchee Groves provided for the adoption of the Palm Beach County Comprehensive Plan as of October 12, 2006; and

**WHEREAS**, the Town of Loxahatchee Groves Town Council has initiated an amendment to the Comprehensive Plan in order to promote the health, safety and welfare of the public of Loxahatchee Groves; and

**WHEREAS**, the Town of Loxahatchee Groves Local Planning Agency conducted its public hearing on November 20, 2007 to review the proposed amendment to the Town of Loxahatchee Groves Comprehensive Plan and made a recommendation regarding the proposed amendment to the Town Council of the Town of Loxahatchee Groves pursuant to Chapter 163, Part II, Florida Statutes; and

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**WHEREAS**, the Town Council of Town of Loxahatchee Groves, as the governing body of the Town of Loxahatchee Groves conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on November 20, 2007 to review the recommendation of the Local Planning Agency, whereupon the Town Council authorized transmittal of proposed amendment to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Town Council of the Town of Loxahatchee Groves has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:**

Section 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Amendment to the Future Land Use Atlas of the Land Use Element of the Town Comprehensive Plan

The following amendment to the Land Use Element’s Future Land Atlas is hereby adopted and attached to this Ordinance:

A. **Future Land Use Atlas page 54, 55, 61, & 62** is amended as follows:

**Application No.: 01- 54, 55, 61, 62 RR 1 (Rural FLUA Revisions-  
Loxahatchee Groves)**

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**Amendment:** From Rural Residential, 1 unit per 10 acres (RR-10) to Rural Residential, 1 unit per 5 acres (RR-5);

**General Location:** Bordered by unincorporated Palm Beach County to the west, a conservation area to the north, by Southern Blvd. on the south, by “E” Road to the east;

**Size:** Approximately 5,750 acres

**Section 3. Repeal of Laws in Conflict**

All local laws and ordinances applying to the Town of Loxahatchee Groves in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability**

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

**Section 5. Inclusion in the Town Comprehensive Plan**

The provision of this Ordinance shall become and be made a part of the Town’s Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word “ordinance” may be changed to “section”, “article”, or any other appropriate word.

**Section 6. Effective Date**

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No

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development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS \_\_\_ DAY OF \_\_\_\_\_, 2007.**

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS \_\_\_ DAY OF \_\_\_\_\_, 200\_.**

\_\_\_\_\_  
DAVID BROWNING, MAYOR

ATTEST:

\_\_\_\_\_  
MATTHEW LIPPMAN, INTERIM TOWN CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
OFFICE OF THE TOWN ATTORNEY

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