

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2010-009

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE; APPROVING A ZONING MAP FOR THE TOWN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND 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, provides that the Code of Ordinances for Palm Beach County in effect at the time of incorporation shall apply within the Town until such time as the Town adopts its own ordinance on a subject matter; and,

WHEREAS, the Town of Loxahatchee Groves, Florida, pursuant to the Local Government Comprehensive Planning Act, and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan which has been submitted to, and found to be "in compliance" by the State Department of Community Affairs (DCA); and;

WHEREAS, as a result of a pending administrative challenge to the Town's adopted comprehensive plan, the Town's adopted comprehensive plan has not yet become effective, and the currently effective plan is the Palm Beach County Comprehensive Plan; and,

WHEREAS, the Town Council retained the services of a consultant to work with the Town on the development of the Town's Unified Land Development Code (ULDC), and conducted several workshops and public forums with the community to complete the proposed regulations; and,

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WHEREAS, the Town Council, sitting in its capacity as the Town of Loxahatchee Groves Local Planning Agency, conducted its public hearing on October 5, 2010 to review the proposed ULDC, attached hereto as Exhibit "A", and made a recommendation regarding the proposed regulations to the Town Council, pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Town Council of Town of Loxahatchee Groves, as the governing body of the Town of Loxahatchee Groves, finds that the adoption of the proposed ULDC is consistent with the effective comprehensive plan and the adopted comprehensive plan, and in the best health and welfare interests of the Town, its property owners and residents.

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. Adoption of the Town of Loxahatchee Groves Unified Land Development Code. The Town Council hereby adopts the Loxahatchee Groves Unified Land Development Code, which is attached hereto as **Exhibit "A"**, and incorporated herein by reference.

Section 3. Adoption of initial Zoning Map for the Town. The Town Council hereby adopts the initial Zoning Map of the Town, which is attached hereto as Exhibit "B", and incorporated herein. Should any zoning designations be inconsistent with land use, such inconsistency shall be resolved prior to redevelopment as provided in the Town's effective or

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adopted comprehensive plan whichever is in existence at the time, and consistent with Florida Law.

Section 4. 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 5. 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 6. Codification. It is the intent of the Town Council that at such time as the Town proceeds with codification of the Town's ordinances into a Town of Loxahatchee Groves Code of Ordinances, the Unified Land Development Code adopted herein shall be codified, and that the articles, sections and paragraphs of the Land development code may be renumbered, re-lettered and headings changed in order to accomplish such intention.

Section 7. Effective Date. This ordinance shall become effective as provided by law.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 5th DAY OF October, 2010.

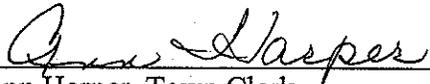
TOWN OF LOXAHATCHEE GROVES

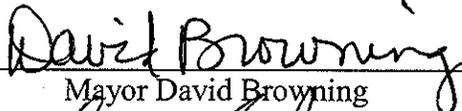
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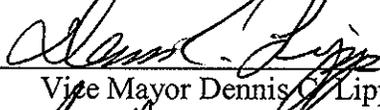
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN
LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS
16th DAY OF November, 2010.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:


Ann Harper, Town Clerk


Mayor David Browning

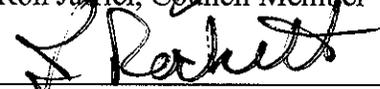

Vice Mayor Dennis Lipp

APPROVED AS TO LEGAL FORM:


Michael D. Cirullo, Town Attorney


Ryan Liang, Council Member


Ron Jarriel, Council Member


Jim Rockett, Council Member