

Mayor David Browning, Seat 4
Vice Mayor Ronald D. Jarriel, Seat 1
Councilman Tom Goltzené, Seat 5
Councilman Jim Rockett, Seat 2
Councilman Ryan Liang, Seat 3



Town of Loxahatchee Groves
Planning & Zoning Board/LPA Meeting
Thursday, September 12, 2013 at 7:00 p.m.

**TENTATIVE -
SUBJECT TO
REVISION**

Central Palm Beach County Chamber of Commerce – West Office
13901 Southern Boulevard, Loxahatchee Groves, FL 33470

Chair Dennis Lipp
Vice Chair Robin Crawford
Board Member Lawrence Corning
Board Member Keith Harris
Board Member Grace Joyce
Alternate Member #1 Veronica Close
Alternate Member #2 Byrnes Guillaume

Town Manager Mark Kutney
Town Clerk Susan Eichhorn
Town Planner Jim Fleishmann

The Planning & Zoning Board meets on the 2nd Thursday of each month subject to the filing of applications. It also acts as the Local Planning Agency (LPA). Items for each body are noted on the agenda.

PUBLIC NOTICE/AGENDA

1. OPENING

- a. Call to Order & Roll Call
- b. Approval of Agenda

2. MINUTES

- a. Planning and Zoning Board Minutes for Approval - June 13, 2013

3. OLD BUSINESS - None

4. NEW BUSINESS – None

5. LOCAL PLANNING AGENCY

Old Business – None

New Business

- a. ULDC Text Amendment 2013-03 – Special Exception Uses
- b. ULDC Text Amendment: Section 80-20 – Residential Enterprise
- c. Comprehensive Plan Amendment: 2013-01

6. COMMENTS FROM THE BOARD

7. ADJOURNMENT

*The next Planning and Zoning Board meeting is
Tentatively scheduled for October 10, 2013 at 7:00 p.m.*

Comments Cards: Anyone from the public wishing to address the P&Z Board must complete a Comment Card before speaking. This must be filled out completely with your full name and address and given to the Town Clerk. During the meeting, before public comments, you may only address the item on the agenda in which is being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comment. Any person who decides to appeal any decision of the P&Z Board with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which included testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.



PLANNING AND ZONING BOARD

Item 2.a. Minutes for Approval: June 13, 2013



Town of Loxahatchee Groves
Planning & Zoning Board/LPA Meeting
Thursday, June 13, 2013 at 7:00 p.m.

Central Palm Beach County Chamber of Commerce – West Office
13901 Southern Boulevard, Loxahatchee Groves, FL33470

Chair Dennis Lipp
Vice Chair Robin Crawford
Board Member Lawrence Corning
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Town Manager Mark Kutney
Town Clerk Susan Eichhorn
Town Planner Jim Fleishmann

MINUTES

1. OPENING

a. Call to Order & Roll Call

Chair Dennis Lipp called the meeting to order at 7:00 pm. Upon roll call, the following members of the Planning and Zoning Board were present: Chair Lipp, Vice Chair Crawford and Board Member Harris. Board Member Lawrence Corning, Grace Joyce and Alternate Members Veronica Close and Byrnes Guillaume were not in attendance. Alternate Member Byrnes Guillaume arrived at 8:05 p.m. Also in attendance were Town Manager Mark Kutney, Town Planning Consultant Jim Fleischmann, and Office Coordinator Dennise Rodriguez.

b. Approval of Agenda

Motion made by Board Member Harris, to approve the agenda, seconded by Vice Chair Crawford. The motion passed unanimously 3/0

2. MINUTES

a. Planning and Zoning Board Minutes for Approval - May 23, 2013

Member Harris made a brief statement regarding the minutes.

Motion made by Board Member Harris, seconded by Vice Chair Crawford to approve the minutes of May 23, 2013. The motion passed 3/0.

Town Manager Kutney advised that the Board had deferred Application Number REZ 2013-01, which resulted in a very long deferral and he suggested that the Board would need to take the application off the table make a motion to consider the application this evening.

Motion: Board Member Harris made a motion to reconsider Application Number REZ 2013-01, as set forth on the Agenda. The motion was seconded by Vice Chair Crawford. The motion passed 3/0.

3. OLD BUSINESS - None

4. NEW BUSINESS - None

5. LOCAL PLANNING AGENCY

Old Business

- a. Number: REZ 2013-01 (Loxahatchee Groves Commons) Proposed Change in Zoning: Agricultural Residential (AR) to Commercial Low Planned Unit Development (CL/PUD) for a 21.73 acre property located at the northwest corner of Southern Boulevard and “B” Road.

Town Planning Consultant Jim Fleishman addressed the Board and provided an update on the application, and the staff report and recommendation. He presented a revised site plan that had taken the previous recommendation of the Planning and Zoning Board into consideration. The site plan had also been presented to the Roadways, Equestrian Trails and Greenway Advisory Committee (RETGAC), and they also had several recommendations for improvement to the site plan. A meeting had been held with RETGAC and Palm Beach State College and the applicant since that time, and it was determined that there would need to be cooperation between the applicant and Palm Beach State College. Both had indicated that they were willing to do that.

The applicant was present to review the revised site plan. Bob Bentz of Land Design South, and Joe Lelonek of Atlantic Land Companies, on behalf of the Applicant, addressed the Board and provided an overall view of the project and the revised site plan.

Discussion took place regarding the Florida Department of Transportation (FDOT) ponding program, concerns related to parking and traffic circulation.

Town Planning Consultant Fleischmann reviewed the recommendations of RETGAC. Discussion took place.

Motion: Board Member Harris made a motion to recommend approval of REZ 2013-01 subject to the following conditions:

- 1. In areas where parking spaces are 12' x 20', drive aisles shall be 28' wide**
- 2. Bars are to be prohibited**
- 3. The applicant shall consider of relocating buildings F and G for better traffic flow**
- 4. A package liquor store shall be granted a separation distance waiver**
- 5. All conditions of approval as presented in staff recommendation in Attachment B.**

The motion was seconded by Vice Chair Crawford. The motion passed 3/0.

New Business

- a. APPLICATION NUMBER: Site Plan Amendment Application - SPA 2013-01
APPLICATION NAME: Valley Crest (Magic Properties) Site Plan Amendment

SITE PLAN APPROVAL: Approval of a proposed site plan amendment on 5.0 acres located at 13710 Okeechobee Boulevard; south side of Okeechobee Boulevard, 0.25 miles west of "F" Road.

Town Planning Consultant Jim Fleischmann reported that this application had been before the Board previously. He explained that the property owner had submitted a Site Plan Approval application to the Town for approval of a “Wholesale Nursery Principal Use/Landscape Service Accessory Use” business. The proposed site plan was approved by the Town Council on March 5, 2013, through Resolution 2012-02, which included the condition that the applicant file a site plan amendment application within 6 months requesting that the wholesale Nursery Principal Use and the Landscape Nursery Accessory Use be deleted and replaced by a Landscape Service Principal Use.

Attorney David Coviello, Shutts & Bowen LLP, addressed the Board, on behalf of the applicant, reviewing the history of the application and some of the actions that the applicant had taken to date. He explained that amended site plan eliminated the nursery areas, and the dumpster was relocated to the rear of the property; in addition a landscape berm had been introduced in front of the yard waste storage area to shield that from the right of way. The Council had reduced the height of the pile from 20 feet to 10 feet, and that was now shown on the site plan. He requested a recommendation of approval of the amended site plan from the Planning and Zoning Board.

Board Member Harris suggested that the material sitting in piles be chipped and turned into a mulch to be spread around the property on a more frequent basis than 4 times per year, perhaps twice per month, because leaving that pile set could create an adverse effect on the community, such as ground water quality, etc.

Chair Lipp commented that an agriculture use is permitted by right in the AR zoning district, where landscape services are not.

Town Planning Consultant Fleischmann responded that this was being reviewed under the County code that was in existence at the time of the original code violation and the county code allowed this use in the AR district. There was no other property along Okeechobee could get approved in the same manner as this one. Anything in the future would need to be done by the Town’s code. Mr. Fleischmann noted that an approval would run with the land. Staff recommended approval of this amended site plan subject to conditions of approval as set forth by staff. Mr. Fleischmann reviewed some of those conditions.

Mr. Fleischmann explained that a process had been established in the Code for approval of site plans and amended site plans. Staff was following that procedure.

Town Manager Kutney indicated that the Town Council needs to hear what the Planning and Zoning Board recommended so that they could consider it in all of their land use actions.

Attorney Coviello explained that the Town Council had approved the site plan for a principal nursery, secondary landscape. The amended site plan was for a principal landscape.

Mr. Fleischmann explained that the Town Council approval was based on a whole set of conditions, and if the Planning and Zoning Board believed that there should be additional conditions, it could so recommend.

Motion: Vice Chair Crawford made a motion to recommend approval of the amended site plan, SPA 2013- 01, subject to all conditions related by staff, with the exception that the use limitation in Item 1.d., under Use Limitations, that outdoor storage of unprocessed vegetative waste material shall be limited to 30 days, rather than 90 days, and under Item 1.f , under Use Limitations, that the vertical grinder is to be used on an as needed basis not to exceed a maximum of 12 times per year. The motion was seconded by Alternate Board Member Guillaume. The motion passed 4/0.

6. COMMENTS FROM THE TOWN MANAGER:

Town Manager Kutney commented that there were several amendments being worked on and those items, along with some text amendments recommended by the Unified Land Development Code Review Committee (ULDCRC) would be coming to the Planning and Zoning board at one of its next meetings.

7. PUBLIC COMMENTS

Tracey Smith, on behalf of students from Barry University advised that students were in attendance this evening to observe and attend a Planning and Zoning Board meeting as part of their class requirements

8. ADJOURNMENT

There being no further business, the Planning and Zoning Board meeting of May 23, 2013, was adjourned at 9:15 p.m.

Susan Eichhorn, Town Clerk

Dennis Lipp, Chair

(SEAL)

These minutes were approved by the Planning and Zoning Board at the September 12, 2013, Planning and Zoning Board Meeting.



PLANNING AND ZONING BOARD

Item 5. LOCAL PLANNING AGENCY

New Business

a. ULDC Text Amendment 2013-03 – Special Exception Uses

TO: Mark Kutney, Town Manager
FROM: Jim Fleischmann, Town Planning Consultant
RE: Proposed ULDC text amendments; Article 170 – Special Exception Uses.
DATE: August 15, 2013.

I. BACKGROUND INFORMATION

Per Section 05-070, the Town Council may amend the Unified Land Development Code (ULDC) for the purposes of public necessity, convenience, general welfare, or good planning and zoning practice. Any amendment to the ULDC requires a super majority of the Council.

Due to its potentially time consuming and costly approval process, the Town Council has requested staff and the Unified Land Development Code (ULDC) Review Committee to prepare corrective amendments to Article 170. Special Exception Uses of the ULDC that will result in a more “user friendly” process.

II. GENERAL INFORMATION

A. APPLICANT: Town of Loxahatchee Groves.

B. PURPOSE: Staff, in conjunction with the ULDC Review Committee, has prepared the following land development code amendments in order to address Town Council’s direction to create a more “user friendly” special exception process:

1. Creation of special exception use categories based upon the degree of potential impacts upon neighboring properties, including traffic generation, environmental concerns, hours of operation, compatibility, etc.
2. Simplification of the application and approval process, particularly for those special exception uses with minimal potential impacts.
3. Revision of public notice requirements in order to reduce special exception costs.

III. REQUESTED ULDC TEXT AMENDMENTS

Staff proposes revisions to Article 170. *Special Exception Uses* of the ULDC. In order to insure consistency throughout the ULDC, staff proposes to incorporate revisions to the following additional code sections:

1. Section 10-015. *Definitions*.
2. Section 20-015. *Permitted uses* (Agricultural Residential District).
3. Section 25-015. *Permitted uses* (Commercial Low and Commercial Low Office District).
4. Section 30-015. *Permitted uses* (Institutional and Public Facilities District).
5. Section 115-01. *Table of public notice requirements*.

Copies of the proposed ULDC amendments are included in Attachment A.

IV. STAFF ANALYSIS

The proposed text amendments will allow special exception uses with potentially minimal impacts to be processed in an expedited, cost-efficient manner, while insuring that uses with greater potential impacts continue to receive a thorough review by the Town.

A. REASON AND/OR NEED FOR THE PROPOSED TEXT CHANGE:

The basic purpose of the proposed text amendments is to streamline the special exception application and approval process for uses that do not require a complete review under the Town's current process. However, safeguards remain in place to require a thorough review should site-specific circumstances dictate.

B. REASON THE PRESENT TEXT IS INVALID OR INAPPROPRIATE:

The current text of the ULDC is not necessarily invalid or inappropriate; however, current code requirements can impose a serious and potentially unnecessary financial burden upon property owners, in terms of application, processing and advertising costs. Proposed amendments will relieve an applicant of this burden, if it is demonstrated that a more relaxed approval process is warranted.

C. HOW DOES THE PROPOSED TEXT AMENDMENT FURTHER THE PURPOSES OF THE COMPREHENSIVE PLAN OR OTHER TOWN CODES, REGULATIONS OR PLANS DESIGNED TO IMPLEMENT THE COMPREHENSIVE PLAN:

The proposed text amendments are revisions to six sections of the ULDC oriented to streamlining the special exception approval process in circumstances where such action is warranted. The following general Future Land Use Element Comprehensive Plan directives are supportive of the proposed amendments:

1. Policies 1.1.4(b) and (j) direct the Town to adopt land development regulations to assure that development is compatible with adjacent land uses, provide for open spaces, and buffer residential from non-residential uses.
2. Policy 1.1.5 requires the Town, when reviewing development permit applications, to consider compatibility with adjacent uses and zoning districts.
3. Policy 1.1.8.5 directs the Town to maintain specific regulations that restrict the types on non-residential and nonagricultural uses allowed and promote the rural character through design.
4. Policy 1.1.9 directs the Town to define accessory uses and to minimize the potential adverse impacts upon neighboring properties.

D. IS THERE AN ERROR OR AMBIGUITY TO BE CORRECTED: There is no error or ambiguity in the ULDC to be corrected by the proposed amendment. Rather, the amendment will streamline the current process for special exception approval for projects with minimal impacts.

V. ULDC COMMITTEE ACTION:

The ULDC Review Committee reviewed the proposed text amendments at its meeting on June 20, 2013. The following motions were made and passed unanimously by the Committee:

1. Approve Article 170. *Special Exception Uses*, subject to the following changes:
 - a. Indicate that private and/or persona events are Category B special exceptions or exempt from the process.

- b. Private events less than 24 hours in duration are exempt from the process.
 - c. In Section 170-015(C) clarify that the "layout" drawing is to be prepared by the applicant and the zoning confirmation letter is to be prepared by staff.
 - d. Section 170-020(B) – last line: "... notification of Town Council" should be changed to "... notification to Town Council."
 - e. Section 170-040(C) change two year waiting period to one year waiting period.
2. Approval of Section 115-010. *Table of Public Notice Requirements*, as presented by staff and subject to any other changes that may need to be made by the Town's Attorney.
 3. Approve the proposed special exception category assignments proposed by staff (Ref: Table 1), with the exception that commercial equestrian operations are not required to obtain special exception approval. Rather, commercial exception operations are to be listed in the AR District as permitted principal uses.
 4. The issue of whether or not mobile homes should be special exception, conditional, or permitted principal uses is delayed until the AR District is reviewed by the Committee.

VI. PLANNING AND ZONING BOARD ACTION: To be included upon Planning and Zoning Board consideration.

VII. STAFF FINDINGS: Planning staff finds the text amendments proposed by staff, as amended by the ULDC Review Committee, to be consistent with: (1) The directive of the Town Council; (2) The intent and direction of the Loxahatchee Groves Comprehensive Plan; and (3) appropriate review criteria for a zoning change listed in Section 160-020 of the ULDC.

VIII. STAFF RECOMMENDATION: Staff recommends approval of the proposed ULDC text amendments, as presented in Attachment A:

IX. TOWN COUNCIL ACTION:

TABLE 1

Recommended Special Exception Categories by Zoning District

Zoning District	Special Exception Use	Special Exception
Agricultural Residential (ULDC Section 20-015)	Non-Profit Community Recreational Facility (Principal Use)	<u>Category A</u>
	Commercial Equestrian Operations (Principal Use)	Category A
	Retail Nursery (Principal Use)	<u>Category A</u>
	Wireless Communication Facilities (Principal Use)	<u>Category A</u>
	Rescued Animal Care (Principal Use)	<u>Category A</u>
	Retail Nursery (Accessory Use)	<u>Category B</u>
	Mobile Home (Principal Use)	<u>Category B</u>
	U-Pick Farms (Accessory Use)	<u>Category B</u>
	Outdoor Events (Principal Use)	<u>Category B</u>
	<u>Temporary Events</u> (Accessory Use)	<u>Category C</u>
	Commercial Low (ULDC Section 25-015)	Day Labor Hiring Center (Permitted Use)
Outdoor Events (Subject to Section 80-025)		<u>Category B</u>
Commercial Low Office (ULDC Section 25-015)	Outdoor Events (Subject to Section 80-025)	<u>Category B</u>
Institutional and Public Facilities (ULDC Section 25-015)	Private Service Club or Lodge (Permitted Use)	<u>Category A</u>
	Wireless Communication Facilities (Permitted Use)	<u>Category A</u>
	Day Labor Hiring Center (Accessory Use)	<u>Category B</u>
Parks and Recreation	NA	NA
Conservation	NA	NA

ATTACHMENT A

Proposed ULDC Text Amendments (Ref: Following Pages)

(Underlined text is to be added and struck through text is to be deleted):

1. Article 170. *Special Exception Uses*
2. Section 10-015. *Definitions*
3. Section 20-015. *Permitted uses* (Agricultural Residential District).
4. Section 25-015. *Permitted uses* (Commercial Low and Commercial Low Office District).
5. Section 30-015. *Permitted uses* (Institutional and Public Facilities District).
6. Section 115-01. *Table of public notice requirements.*

Article 170. SPECIAL EXCEPTION USES

Section 170-005. – Purposes.

Special exception uses may be compatible with the other land uses permitted in a zoning district but, because of their unique characteristics and potential impacts on the surrounding neighborhood and the Town as a whole, require individual review of their location, design, configuration, and/or operation in order to ensure that the use is appropriate at a particular location.

Section 170-010. - Applicability.

This Article specifies the procedure processing and disposition of applications for special exception uses as set forth in the schedule of district regulations, and categorized as follows:

(A) Category A – Full Review.

(B) Category B – Modified Special Exception Review. The Town Manager, based upon his initial assessment of potential impacts, may determine that a potential Category B Special Exception is most appropriately processed as a Category A Special Exception.

(C) Category C – Temporary Events Review. An outdoor event may qualify for Category C special exception approval as a temporary event provided that applicants shall certify that none of the following activities or facilities will occur on-site for a period exceeding twenty-four (24) consecutive hours. An outdoor event that cannot certify to the above shall be processed as a Category B special exception:

(1) Signage advertising the event.

(2) Temporary buildings, tents or similar structures erected for the event.

(3) Electrical, plumbing or similar utility connections to be used during the event.

(4) Portable sanitary facilities imported for use during the event.

(5) Parking for event participants.

A Category C temporary event holder shall further certify that trash and garbage shall be policed and removed daily.

(D) Private temporary events held for family and friends of the property owner that occur for a period not to exceed twenty-four (24) hours shall not be required to obtain special exception approval under this article.

Section 170-015. - Supplemental application requirements.

In addition to the general application requirements, the applicant shall provide the following materials:

- (A) The existing and proposed use of the property
- (B) For Category A special exceptions, The the existing use, zoning and land use designations of lands within fifteen hundred feet (1,500) of the subject property. For Category B special exceptions, the existing use, zoning and land use designations of lands abutting the subject property.
- (C) A For Category A special exceptions, a site plan meeting the requirements of Article 155, "Site Plans." For Category B special exceptions, a zoning confirmation letter from the Town Manager stating that all applicable provisions of the code are satisfied. The Category B zoning confirmation letter shall include a property/building layout with dimensions provided by the applicant. For Category C special exceptions, a zoning confirmation letter from the Town Manager stating that the proposed event is granted a Category C special exception. In order to be granted a Category C special exception an affidavit shall be provided by the applicant certifying that the conditions of Section 170-010(C) shall be complied with.
- (D) Any other information as may be required for a determination of the nature of the proposed use and its consistency with the criteria for the approval of a special exception use.

Section 170-020. - Special exception use procedures.

- (A) Public notice shall be made in accordance with Article 115, "Public Hearing Notices."
- (B) All Category A special exception uses and their related accessory uses including enlargement or modification of an existing special exception use require the authorization of the Town Council. ~~The paragraphs will automatically re-letter once B is deleted.~~ Category B special exception uses and their related accessory uses including enlargement or modification of an existing special exception use require the authorization of the Town Manager and notification to the Town Council. Category C special exception uses require the authorization of the Town Manager.

- (C) Category A Special special exception uses are matters that are quasi-judicial in nature as defined by Section 120-020: "Ex parte communications on quasi-judicial proceedings prohibited". All matters that are defined as quasi-judicial in nature shall utilize the quasi-judicial hearing procedures set forth therein. The petitioner shall bear the burden of providing competent substantial evidence that the special exception use should be granted.

Section 170-025. - Special exception use review standards; Town Council action.

- (A) The Town Council shall review the ~~application~~ Category A special exception applications to determine whether the special exception use complies with the following standards. The Town Manager shall review Category B applications to determine whether the special exception use complies with the following standards:

- (1) That the use will not cause a detrimental impact to the value of existing contiguous uses, uses in the general area, and to the zoning district where it is to be located.
- (2) That the use will be compatible with the existing uses on contiguous property, with uses in the general area and zoning district where the use is to be located and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values and existing similar uses or zoning.
- (3) That adequate landscaping and screening are provided to buffer adjacent uses from potential incompatibilities.
- (4) That adequate parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.
- (5) That the use will not have a detrimental environmental impact upon contiguous properties and upon properties located in the general area or an environmental impact inconsistent with the health, safety and welfare of the community.
- (6) That the use will not have a detrimental effect on vehicular, pedestrian or equestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community.

- (7) That the use will not utilize turning movements in relation to its access to public roads or intersections, or its location in relation to other structures or proposed structures on or near the site that would be hazardous or a nuisance.
- (8) That the use will not have a detrimental effect on the future development of contiguous properties or the general area, according to the Comprehensive Plan.
- (9) That the use will not result in the creation of incompatible noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses, uses located on contiguous properties, uses in the general area and the zoning in the vicinity due to its nature, duration, direction or character.
- (10) That the use will not overburden existing public services and facilities.

(B) The Town Council may deny ~~the~~ a Category A special exception application, approve it, or approve it with conditions. In issuing its decision to grant a Category A special exception, the Town Council may place more restrictive requirements and conditions on applicants than are provided in the code when the conditions are based upon site considerations and its use, and the potentially resulting impacts upon the surrounding area or zoning district where the subject property is located. The Town Manager may deny a Category B application, approve it, or approve it with conditions.

Section 170-030. - Modification of special exceptions.

If the applicant wishes to amend a special exception use proposal, the proposed amendment shall be processed and reviewed in accordance with the procedures set forth in this article for new special exception uses.

Section 170-035. - Expiration of special exceptions.

(A) The Town Council, in the case of a Category A special exception, and the Town Manager, in the case of a Category B or Category C special exception, may prescribe a reasonable time limit within which the action for which the special exception is required shall be begun or completed or both; provided, that in the absence of such time limit, a special exception approval shall expire unless:

- (1) The applicant submits all development permit applications and construction drawings (if applicable) that are necessary to establish the special exception use within 12 months of Town Council approval, or Town Manager approval, as applicable; and
 - (2) The applicant obtains all necessary development permits (including payment of all fees) within 18 months of Town Council approval, or Town Manager approval, as applicable; and
 - (3) The development permits remain valid until the project is complete; and
 - (4) The conditions and limitations of the special exception are satisfied.
- (B) It shall be the responsibility of the property owner to ensure that a special exception approval does not expire.
- (C) The Town Council, in the case of a Category A special exception, and the Town Manager, in the case of a Category B special exception, may grant an extension if the applicant submits the extension request within 13 months of the date of Town Council or Town Manager approval and the applicant can demonstrate good cause for the delay. Good cause may include, but shall not be limited to, delay caused by governmental action or inaction or other factors beyond the control of the applicant.

Section 170-040. - Effect of approval or denial.

- (A) The use for which a special exception has been granted by the Town Council or Town Manager shall not be commenced by the owner, his or her agent or lessee until such time as the decision is deemed to be final (i.e., all appeal times have expired) and all of the improvements and/or documentation stipulated in the grant of special exception necessary for the orderly use of the property have been accomplished.
- (B) Approval of a special exception use shall run with the use once established (i.e., not expired or revoked) unless otherwise stipulated as a condition of approval.
- (C) Upon denial of an application for a special exception use, there shall be a ~~two~~ one year waiting period before any applicant may submit an application for the same or substantially similar application and for the same property as that which was initially denied.

(D) Whenever the Town Council has taken action to approve a special exception use, the commission shall not consider any application to modify the conditions of approval for a period of 12 months from the date of such action, unless the commission waives the time period in order to prevent injustice.

Section 10-015. Definitions.

(A) Any term not defined in this section shall have the meaning given by the most recent edition of Webster's Unabridged Dictionary.

Temporary event. An outdoor event, such as a fund raising, sporting, holiday, religious, fraternal or civic event where none of the following activities or facilities will occur on-site for a period exceeding twenty-four (24) consecutive hours: (1) Signage; (2) buildings, tents or similar structures; (3) electrical, plumbing or similar utility connections; and/or (3) portable sanitary facilities.

Section 20-015. Permitted uses.

Plots located in the Agricultural Residential (AR) zoning districts may be used for the following specified uses.

Principal Uses	Agricultural Residential (AR)
Single Family Dwelling	Permitted
Mobile Home	Permitted w/Special Exception <u>Category B</u>
Public Schools	Permitted
Congregate Living Facility, Type I	Permitted
Non-Profit Community Recreational Facilities	Permitted w/Special Exception <u>Category A</u>
Essential Services	Permitted
Commercial Equestrian Operations	Permitted w/Special Exception
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception <u>Category A</u>
Aviculture	Permitted subject to Article 80
Commercial Kennels	Not Permitted
Chipping and Mulching	Permitted subject to Article 80
Feed Lots	Not Permitted
Commercial Animal Manure Management	Not Permitted
Commercial Chipping and Mulching	Permitted subject to Article 80
Rescued Animal Care	Permitted w/Special Exception <u>Category A</u>
Outdoor Events	Permitted w/Special Exception <u>Category B</u>
Agriculture	Permitted
Bona Fide Agriculture	Permitted
Wireless Communication Facilities	Permitted w/Special Exception <u>Category A</u>

Accessory Uses	Agricultural Residential (AR)
Accessory Dwelling	Permitted
Groom's Quarter	Permitted
Caretaker's Quarter	Permitted
Home Offices	Permitted subject to Article 80
Residential Enterprise	Permitted subject to Article 80
Wholesale Nursery	Permitted
Retail Nursery	Permitted w/Special Exception <u>Category B</u>
U-Pick Farms	Permitted w/Special Exception <u>Category B</u>
Private Kennels	Permitted
Private Stables	Permitted
Yard Sales	Permitted subject to Article 80
Veterinarian Services	Permitted
Dog Boarding	Permitted
Temporary Events	Permitted w/Special Exception <u>Category C</u>

Section 25-015. Permitted uses.

Plots located in the Commercial Low and Commercial Low Office zoning districts may be used for one or more the following uses.

Principal Uses	Commercial Low (CL)	Commercial Low Office (CLO)
Adult Entertainment	Permitted subject to Article 20	Not Permitted
Arcade, Video	Permitted	Not Permitted
Automobile Repair Garage	Permitted	Not Permitted
Bank or Financial Institution	Permitted	Permitted
Bar, Lounge, Tavern or Pub	Permitted	Not Permitted
Barber Shop, Beauty or Nail Salon	Permitted	Not Permitted
Pool Hall	Permitted	Not Permitted
Car Wash, Self-Service or Automated	Permitted	Not Permitted
Catering or Food Service Delivery	Permitted	Not Permitted
Child Care Center	Permitted	Not Permitted
Commercial Animal Manure Management	Not Permitted	Not Permitted
Commercial Chipping and Mulching	Permitted subject to Article 80	Not Permitted
Convenience Store	Permitted	Not Permitted
Dance/Night Club	Permitted	Not Permitted
Day Labor Hiring Center	Permitted w/Special Exception <u>Category A</u>	Not Permitted
Delicatessen	Permitted	Not Permitted
Theater or Auditorium	Permitted	Not Permitted
Dry Cleaning or Laundry Service	Permitted	Not Permitted
Employment Agency	Not Permitted	Not Permitted
Essential Services and Utilities	Permitted	Permitted
Exhibition of Wildlife Pets	Permitted subject to Article 80	Not Permitted
Gasoline Station	Permitted	Not Permitted
Shooting Range, Indoor	Permitted subject to Article 80	Not Permitted
Hotel	Permitted	Not Permitted
Holiday Wayside Stand	Permitted subject to Article 80	Permitted subject to Article 80

Principal Uses (continued)	Commercial Low (CL)	Commercial Low Office (CLO)
Laboratory (e.g., medical, dental, research)	Permitted	Permitted
Offices (e.g. business, professional, medical)	Permitted	Permitted
Package Liquor, Beer or Wine Store	Permitted	Not Permitted
Outdoor Events	Permitted subject to Article 80 and to a Special Exception <u>Category B</u>	Permitted subject to Article 80 and to a Special Exception <u>Category B</u>
Retail Plant or Produce Sales	Permitted	Not Permitted
Restaurant, Fast Food	Permitted	Not Permitted
Restaurant, Full Service	Permitted	Permitted
Restaurant, Take Out	Permitted	Permitted
Retail Services	Permitted	Not Permitted
Retail Store	Permitted	Not Permitted
Commercial Recreation (e.g. batting cages, rink)	Permitted	Not Permitted
Veterinary Clinic or Hospital	Permitted	Not Permitted
Warehouse, Self Storage	Permitted	Not Permitted
Wireless Communication Facilities	Permitted	Permitted
Adult Day Care	Permitted	Permitted
Schools, Public or Private	Permitted	Not Permitted
Gym or Fitness Center	Permitted	Permitted

Section 30-015. Permitted uses.

Plots located in the Institutional and Public Facilities zoning district may be used for one or more the following uses.

Principal Uses	Institutional and Public Facilities
Cemetery	Not Permitted
Congregate Living Facility	Permitted
Churches, Place of Worship	Permitted
Day Care, Preschool	Permitted
Essential Services	Permitted
Government Facilities and Services	Permitted
Holiday Wayside Stand	Permitted Subject to Article 80
Outdoor Events	Conditional-Permitted subject to Article 80 and to a Special Exception <u>Category B</u>
Private Service Club or Lodge	Permitted w/Special Exception <u>Category A</u>
Public Parks and Outdoor Events	Permitted
School, Public and Private	Permitted
Wireless Communication Facilities	Permitted w/Special Exception <u>Category A</u>

Accessory Uses	Institutional and Public Facilities
Cemetery	Not Permitted
Day Labor Hiring Center	Permitted w/Special Exception <u>Category B</u>
Child Care, Preschool, Adult Day Care	Permitted
Swimming Pool	Permitted

Section 115-010: Table of public notice requirements

Application Type	Required Public Hearings	Timing of Notice (number of days prior to public hearing that notice must be given)	Newspaper Notice Format	Mail Notice Radius	Sign Posting Required	Other Notice
Administrative Appeal	Town Council	10 days	Standard Ad	Applicant Only	No	Posting at Town Hall
Variance	Town Council	10 days	Standard Ad	Within 1,000 feet	Yes	Posting at Town Hall
Special Exception A	Town Council	10 days	Standard Ad	Within 1,000 feet	Yes	Posting at Town Hall
Special Exception B	<u>Not Required</u>	<u>Not Required</u>	<u>Not Required</u>	<u>Abutting Properties</u>	<u>Not Required</u>	<u>Posting at Town Hall</u>
Special Exception C	<u>Not Required</u>	<u>Not Required</u>	<u>Not Required</u>	<u>Not Required</u>	<u>Not Required</u>	<u>Not Required</u>
Site Plan	Town Council	10 days	Standard Ad	Within 1,000 feet	Yes	Posting at Town Hall
Plat	Town Council	10 days	Standard Ad	Within 1,000 feet	No	Posting at Town Hall
Rezoning initiated by the property owner	Local Planning Agency	10 days	Not Required	Not Required	Yes	Posting at Town Hall
	Town Council (first reading)	10 days	Not Required	Not Required	Yes	Posting at Town Hall
	Town Council (second reading)	10 days	Standard Ad	Within 1,000 feet	Yes	Posting at Town Hall
Rezoning initiated by the City for fewer than 10 contiguous acres	Local Planning Agency	10 days	Not Required	Not Required	No	Posting at Town Hall
	Town Council	30 days	Standard Ad	All owners of property proposed for rezoning shall be notified	No	Posting at Town Hall

Application Type	Required Public Hearings	Timing of Notice (number of days prior to public hearing that notice must be given)	Newspaper Notice Format	Mail Notice Radius	Sign Posting Required	Other Notice
Rezoning initiated by the City for more than 10 contiguous acres	Local Planning Agency	10 days	Not Required	Not Required	No	Posting at Town Hall
	Town Council (first reading)	See Sec. 166.041(3)9(c)2	See Sec. 166.041(3)9(c)2	No	No	Posting at Town Hall
	Town Council (second reading)				No	Posting at Town Hall
Amendments to the Unified Land Development Code (ULDC)	Local Planning Agency	10 days	No	Not Required	No	Posting at Town Hall
	Town Council (first reading)	See Sec. 166.041(3)9(c)2	See Sec. 166.041(3)9(c)2	No	No	Posting at Town Hall
	Town Council (second reading)				No	Posting at Town Hall
Land use map amendment (small scale per Section 163.3187(1)(c) F.S.)	Local Planning Agency	See Sec. 166.041(3)9(c)2	See Sec. 166.041(3)9(c)2	Yes	Yes	Posting at Town Hall
	Town Council (first reading)				Posting at Town Hall	Posting at Town Hall
	Town Council (second reading)				Posting at Town Hall	Posting at Town Hall
Land use plan amendment (not small scale)	Local Planning Agency	See Sec. 166.041(3)9(c)2	See Sec. 166.041(3)9(c)2	Yes	Yes	Posting at Town Hall
	Town Council (first reading)				Posting at Town Hall	Posting at Town Hall
	Town Council (second reading)				Posting at Town Hall	Posting at Town Hall



PLANNING AND ZONING BOARD

Item 5. LOCAL PLANNING AGENCY

New Business

- b. ULDC Text Amendment: Section 80-20 – Residential Enterprise**

TO: Mark Kutney, Town Manager
FROM: Jim Fleischmann, Town Planning Consultant
RE: Proposed ULDC text amendments; Conditional Uses Section 80-20. *Residential enterprise*
DATE: September 3, 2013.

I. BACKGROUND INFORMATION

Per Section 05-070, the Town Council may amend the Unified Land Development Code (ULDC) for the purposes of public necessity, convenience, general welfare, or good planning and zoning practice. Any amendment to the ULDC requires a super majority of the Council.

The Town Council has directed staff to prepare corrective amendments to Section 80-20. *Residential enterprise* of the ULDC that will result in a more opportunities for homesteaded properties to include small business operations.

II. GENERAL INFORMATION

A. APPLICANT: Town of Loxahatchee Groves.

B. PURPOSE: Staff, based upon Town Council direction, has prepared a ULDC amendment in order to create additional small business opportunities for homesteaded properties:

III. REQUESTED ULDC TEXT AMENDMENTS

Staff proposes revisions to Section 80-20. *Residential enterprise* of the ULDC. The amendment will allow up to three customers of a residential enterprise to be present on-site at any given time.

Copies of the proposed ULDC amendments are included in Attachment A.

IV. STAFF ANALYSIS

The proposed text amendment will allow a minimal number of Residential Enterprise customers or clients to transact business on the premises.

A. REASON AND/OR NEED FOR THE PROPOSED TEXT CHANGE:

The basic purpose of the proposed text amendment is to create additional small business opportunities for the residents of homesteaded properties.

B. REASON THE PRESENT TEXT IS INVALID OR INAPPROPRIATE:

The current text of the ULDC is not necessarily invalid or inappropriate; however, the proposed amendments will increase potential Residential Enterprise business opportunities for Town residents.

C. HOW DOES THE PROPOSED TEXT AMENDMENT FURTHER THE PURPOSES OF THE COMPREHENSIVE PLAN OR OTHER TOWN CODES, REGULATIONS OR PLANS DESIGNED TO IMPLEMENT THE COMPREHENSIVE PLAN:

The proposed text amendment is a revision to one section of the ULDC oriented to increasing Residential Enterprise opportunities by allowing a minimal number of customers or clients to transact business on the premises.

The following Future Land Use Element Comprehensive Plan directives are supportive of the proposed amendment:

1. Policy 1.1.4(h) directs the Town to create codes allowing diverse low impact home-based businesses.
2. Policy 1.1.6 directs the Town to utilize creative land development regulations that enhance the rural atmosphere, reduce energy useage and reduce greenhouse gas emissions.
3. Policy 1.1.8.6 directs the Town to allow home occupation uses that will not degrade the rural character of the area.
4. Policy 1.12.4 directs the Town to allow home-based businesses to the extent that impacts are compatible with an agricultural/residential community.

In addition, the following Housing Element Comprehensive Plan directive supportive of the proposed amendment:

1. Policy 6.2.8 directs the Town to encourage job creation at locations permitted by the Town's ULDC as a means of assisting very-low, low and moderate income residents in finding employment proximate to their homes.

D. IS THERE AN ERROR OR AMBIGUITY TO BE CORECTED: There is no error or ambiguity in the ULDC to be corrected by the proposed amendment.

VI. PLANNING AND ZONING BOARD ACTION: To be included upon Planning and Zoning Board consideration.

VII. STAFF FINDINGS: Planning staff finds the text amendment proposed by staff to be consistent with: (1) The directive of the Town Council; (2) The intent and direction of the Loxahatchee Groves Comprehensive Plan; and (3) appropriate review criteria for a zoning change listed in Section 160-020 of the ULDC.

VIII. STAFF RECOMMENDATION: Staff recommends approval of the proposed ULDC text amendments, as presented in Attachment A:

IX. TOWN COUNCIL ACTION: To be included upon Town Council consideration.

ATTACHMENT A

Proposed ULDC Text Amendments (Ref: Following Pages)

(Underlined text is to be added and struck through text is to be deleted):

1. Section 80 – 20. Residential enterprise.

Section 80-020 Residential Enterprise.

Residential enterprises as defined in Article 10, "Definitions, Abbreviations, and Construction of Terms" shall be permitted in all residential zoning districts as a use accessory to a principal residential use and subject to the following limitations:

(A) Resident of property. The plot on which a residential enterprise is located shall be occupied by the owner who shall provide proof of a homestead exemption within one year of establishing the residential enterprise.

(B) Size of property. Residential enterprises shall be permitted on properties of five acres or more in size.

(C) Location of residential enterprise. A residential enterprise shall be conducted only within an accessory building on the property where the main dwelling is located, and not within the dwelling.

(D) Number of accessory buildings. There shall be a maximum of two accessory buildings used for a residential enterprise.

(E) Size of accessory buildings. The total floor area ratio (F.A.R.) of all accessory buildings used for a residential enterprise shall not exceed 0.01.

(F) Appearance of accessory buildings. The accessory buildings used for a residential enterprise shall be in the same style and have the same architectural appearance as the principal residential use.

(G) Employees or contractors. In addition to any person(s) who are the residents of the property, there shall be a maximum of two outside employees or contractors who assist with the residential enterprise.

(H) Clients or customers. ~~No client or customer shall be allowed on the premises to transact business of any nature.~~ Up to three (3) clients or customers may be present at the same time to transact business on the premises.

(I) Delivery. Merchandise or goods shall be shipped by way of the U.S. Postal Service, United Parcel Service, Federal Express or similar small package carrier. If other commercial carriers are required, the residential enterprise shall be deemed to require a Special Exception pursuant to Article 170.

(J) Commercial vehicles. Commercial vehicles associated with the residential enterprise shall be subject to Section 20-010(G).

(K) [Adult entertainment.] Adult entertainment or the production of adult entertainment materials is prohibited.

Exceptions to the foregoing limitations shall be subject to approval by the Town Council, and such requests shall be considered in conjunction with the criteria set forth in Section 170-025(A) for Special Exceptions.



PLANNING AND ZONING BOARD

Item 5. LOCAL PLANNING AGENCY

New Business

c. Comprehensive Plan Amendment: 2013-01

To: LOCAL PLANNING AGENCY (LPA)
Through: MARK KUTNEY, TOWN MANAGER
From: JIM FLEISCHMANN, TOWN PLANNING CONSULTANT
Re: STAFF REPORT – COMPREHENSIVE PLAN AMENDMENT (CPA) 13-1:
CAPITAL IMPROVEMENTS TEXT AMENDMENTS
Date: August 14, 2013

Previously, Town Management Staff identified deficiencies of the Comprehensive Plan as it related to planning for capital improvements. Of immediate concern was fact that the Town's Capital Improvements Element (CIE), as adopted in 2009, indicated no scheduled capital projects for the ensuing five-year planning period.

To address this concern, the Town Council adopted Ordinance 2013-04 which incorporated an updated Five-Year Schedule of Capital Improvements within the Capital Improvements Element of the Comprehensive Plan. By adopting Ordinance 2013-04, the Town is now compliant with F.S. Section 163.3177(3)(b) which requires the Five-Year Schedule of Capital Improvements to be reviewed and updated on an annual basis.

While the Five-Year Schedule of Capital Improvements has been updated, Comprehensive Plan text establishing the Town's policy regarding capital improvements programming has not been updated since the initial Comprehensive Plan was adopted in 2009.

Proposed Amendment 13-1 represents an update of the following Comprehensive Plan elements, as they relate to establishing Town capital improvements planning policy: Transportation; Drainage Sub-element; Recreation and Open Space; and Capital Improvements.

I. GENERAL INFORMATION

A. APPLICANT: Town of Loxahatchee Groves.

B. OWNER: Not applicable, as the amendment does not pertain to a specific property or properties. Rather, the proposed amendment is a general text amendment.

C. LOCATION: Not applicable.

D. LEGAL DESCRIPTION: Not applicable.

E. PARCEL SIZE: Not applicable.

F. EXISTING FUTURE LAND USE (FLU) DESIGNATION: Not applicable.

G. EXISTING ZONING: Not applicable.

H. EXISTING USE: Not applicable.

I. ADJACENT USES: Not applicable

II. REQUESTED COMPREHENSIVE PLAN AMENDMENT

A. FUTURE LAND USE MAP (FLUM) AMENDMENT: None

B. TEXT AMENDMENT: Text amendments are proposed for the following four Comprehensive Plan elements: Transportation; Drainage Sub-element; Recreation and Open Space; and Capital Improvements. The following is a summary of the principal amendments, by Comprehensive Plan element:

- 1. Transportation Element amendments:** Incorporates language oriented to establishing the role of the Roadway, Equestrian Trails and Greenways (RETAG) Committee in developing the Town's greenways and trails system and establishes interim project priorities until such time that a master plan is completed.

Additional language is incorporated: (a) establishing a local roads classification system that can be used as a basis to allocate annual capital improvements projects funds; and (b) establishing general roadway improvement programs.

- 2. Drainage Sub-Element amendments:** Incorporates language requiring that Loxahatchee Groves Water Control District (LGWCD) capital projects be incorporated within the Town's annual update of the Five-Year Schedule of Capital Improvements.
- 3. Recreation and Open Space Element amendments:** Incorporates language further defining the role of the Roadway, Equestrian Trails and Greenways (RETAG) Committee in developing the Town's greenways and trails system.

4. **Capital Improvements Element amendments:** Incorporates language coordinating the Town's Capital Improvements Program, on an annual basis, with the required Five-Year Schedule of Capital Improvements update.

In addition, a new objective is added defining the term "capital improvement" and establishing a system of priorities for the allocation of capital improvements funds.

Full texts of the proposed amendments are presented in Attachment A.

III. PROPOSED DEVELOPMENT PROGRAM: None

IV. INFRASTRUCTURE IMPACTS: There are no specific infrastructure impacts associated with proposed Amendment 13-1 as it is a "text only" amendment which establishes current Town policy regarding capital improvements expenditures.

V. ENVIRONMENTAL IMPACTS: There are no environmental or historical resources impacts associated with proposed Amendment 13-1 as it is a "text only" amendment and does not involve a Future Land Use Atlas amendment.

VI. COMPATIBILITY AND CONSISTENCY ANALYSIS

A. ADJACENT LAND USES: There are no issues related to compatibility with adjacent land uses, as proposed Amendment 13-1 is a "text only" amendment and does not involve a Future Land Use Atlas amendment.

B. TOWN PLANNING DIRECTIVES: The following Comprehensive Plan language is supportive of proposed Amendment 13-1.

Objective 2.1 of the Transportation Element directs the Town to ensure that adequate public facilities are available concurrent with the impacts of development, and shall monitor impacts resulting from new development.

Objective 2.2 of the Transportation Element directs the Town to participate in cooperative intergovernmental plans and programs to improve safety, efficiency and convenience of the transportation system.

Objective 2.3 of the Transportation Element directs the Town to develop a greenway and equestrian trail system to meet the needs and interests of its residents. **Objective 2.4** directs that the greenways and trail system be financially feasible.

Objective 2.7 of the Transportation Element directs the Town to maintain a safe local roadway network.

Objective 3A.1 of the Infrastructure Element directs the Town to optimize water resources by providing storm water management which reduces damage and inconvenience from flooding, promotes aquifer recharge, minimizes water quality degradation and protects the functions of wetlands.

Objective 5A.1 of the Recreation and Open Space Element directs the Town to provide a sufficient supply of park, recreation, and open space facilities.

Objective 5B.1 of the Recreation and Open Space Element directs the Town to provide a greenway and equestrian trail system to meet the needs and interests of its residents. **Objective 5B.2** directs that the system be financially feasible.

Objective 9.1 of the Capital Improvements Element directs the Town to maximize its fiscal resources for public facility improvements necessary to accommodate existing development, redevelopment, and planned future growth, and to replace obsolete or deteriorated facilities.

VII. STAFF ANALYSIS

A. APPROPRIATENESS OF THE CURRENT FUTURE LAND USE (FLU) MAP DESIGNATION: Not applicable.

B. APPROPRIATENESS OF THE PROPOSED AMENDMENT: The proposed amendment consists of revisions to the text of the Transportation, Infrastructure, Recreation and Open Space Elements necessary to further establish Town capital improvements planning policy:

Based upon the review completed in Sections VI above, it is concluded that the proposed amendment is consistent with the goals, objectives and policies of the Town's Comprehensive Plan.

C. URBAN SPRAWL ASSESSMENT: Not applicable.

VIII. STAFF FINDINGS AND PRELIMINARY RECOMMENDATION

Planning staff finds Comprehensive Plan Amendment 13-1 to be consistent with the intent and direction of the Loxahatchee Groves Comprehensive Plan.

Staff recommends approval of the proposed text amendments to the Transportation, Infrastructure, Recreation and Open Space and Capital Improvements Elements. Proposed Amendment 13-1 is included in Attachment A. Staff further recommends that proposed Amendment 13-1 be transmitted to the Florida Department of Economic Opportunity (DOE) for review and processing.

IX. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION: To be included.

X. TOWN COUNCIL TRANSMITTAL: To be included.

XI. REGIONAL AND STATE AGENCY REVIEW

To be included at a later date upon receipt of any state and regional agency comments.

XII. FINAL STAFF RECOMMENDATION

To be included following receipt of review process comments from the Florida Department of Economic Opportunity, state or regional agencies, or local governments.

XIII. TOWN COUNCIL ADOPTION: To be included.

ATTACHMENT A
COMPREHENSIVE PLAN AMENDMENT (CPA) 13-1
(Ref: Following Pages)

Words underlined are additions and words ~~struck through~~ are deletions to the current text of the Comprehensive Plan

1. Revision of the Transportation Element Goals, Objectives and Policies.
2. Revision of the Infrastructure Element Drainage Sub-Element Goals, Objectives and Policies.
3. Revision of the Revision of the Recreation and Open Space Element Goals, Objectives and Policies.
4. Revision of the Capital Improvements Element Goals, Objectives and Policies.

TRANSPORTATION ELEMENT GOALS, OBJECTIVES, AND POLICIES

GOAL 1

The Town of Loxahatchee Groves shall provide, maintain and improve a safe, convenient and energy efficient multi-modal transportation system that is consistent with growth management principles, and is coordinated with a regional network which balances the needs of all current and future users so as to ensure the economic vitality of the Town and the enhancement of the quality of life.

Concurrency Management

2.1 *Objective*

The Town shall ensure that adequate public facilities are available concurrent with the impacts of development, and shall monitor impacts resulting from new development.

2.1.1 Policy:

The Town of Loxahatchee Groves shall adopt the generalized two-way peak hour volumes for Florida's Urbanized Areas for all County urban collector roadways such as Okeechobee Boulevard at the Level of Service (LOS) "D" standard.

2.1.2 Policy:

The Town of Loxahatchee Groves shall adopt the generalized two-way peak hour volumes at the Level of Service standards established by the Florida Department of Transportation for all roadways on the State Highway System, Florida Intrastate Highway System (FIHS), and/or Strategic Intermodal System (SIS).

2.1.3 Policy:

The transportation network should be kept at the adopted Levels of Service by means of implementation of improvements to correct projected deficiencies. Projects should be listed in the Five-Year Schedule of Capital Improvements ~~or adopted by private parties to rectify deficiencies.~~

2.1.4 Policy:

The Town shall coordinate with Palm Beach County and the Florida Department of Transportation to address the deficiencies of roadways, as identified in the existing and future level of service analysis.

- 2.1.5 Policy:
Prior to the granting of a building permit, an applicant shall obtain transportation concurrency approval from Palm Beach County and the Town. No building permit will be issued unless documentation of the corresponding transportation concurrency approval certificate has been presented.

Intergovernmental Coordination

- 2.2 *Objective*
The Town of Loxahatchee Groves shall participate in cooperative intergovernmental plans and programs to improve the safety, efficiency and convenience of the transportation system.

- 2.2.1 Policy:
The Town of Loxahatchee Groves shall coordinate with Palm Beach County—Transit Tran and the Palm Beach County MPO to identify programs and policies that will assist in the provision of a convenient, public transit network that will provide both local and regional connections and that will accommodate the physically disabled.

- 2.2.2 Policy:
The Town of Loxahatchee Groves shall participate in cooperative intergovernmental plans and programs that will improve safety for users of all modes of transportation including pedestrian, bicycle, equestrian, motor vehicle and transit.

- 2.2.3 Policy:
The Town of Loxahatchee Groves shall provide a convenient roadway network through coordination with all affected local governments, special districts, the Loxahatchee Groves Water Control District, Florida Department of Transportation, Palm Beach County, Palm Beach County MPO and other public agencies. The Town shall accordingly protect right-of-way for future roadway projects and shall include right of way requirements in the Land Development Regulations by December 2010.

- 2.2.4 Policy:
The Town of Loxahatchee Groves will coordinate with all affected local governments, special districts, the Loxahatchee Groves Water Control District, Florida Department of Transportation, Palm Beach County, Palm Beach County MPO and other public agencies to provide input and advocate for the Town's interests regarding future roadway plans for Okeechobee Boulevard, ~~E-Road/140th~~, SR-80 and other roadways as necessary.

Greenways and Equestrian Trails

2.3 Objective

The Town of Loxahatchee Groves shall develop a greenway and equestrian trail system to meet the needs and interests of the residents of Loxahatchee Groves.

2.3.1 Policy:

The Town shall create a map of existing equestrian riding trails.

2.3.2 Policy:

The Town shall work toward establishing equestrian trails and greenways within the existing canal maintenance easements on all Letter Roads. In addition, the Town shall identify new connections to existing trails, which if acquired would greatly enhance pedestrian, and bicycle, and equestrian circulation throughout the Town.

2.3.3 Policy:

A master plan for a cohesive trail system shall be completed, under the direction of the Roadway, Equestrian Trails and Greenways (RETAG) Committee, within one year of the adoption of this element. Further, the RETAG shall work cooperatively with the Loxahatchee Groves Water Control District to develop trail design documents.

2.3.4: Policy

Annually, the Town (RETAG) Committee shall assess whether the greenway and equestrian trail system is sufficient for the needs of the residents. As part of its annual assessment, RETAG shall recommend projects to be included in the Five-Year Schedule of Improvements.

2.3.5 Policy:

The greenway and equestrian trails system, wherever feasible, shall provide connections between residential homes, parks, recreational facilities, open spaces, and commercial facilities throughout the Town.

2.3.6 Policy:

All vehicular parking for land uses which are adjacent to the greenway and equestrian trail system should provide the parking on a side away from the trail.

2.3.7 Policy:

The Town, in cooperation with LGWCD, will shall develop minimum design standards for greenway and equestrian trails for inclusion in its Land Development Regulations. The Town shall coordinate the application of its minimum design standards with the LGWCD whenever a proposed greenway or equestrian trail falls within an LGWCD right-of-way.

2.3.8 Policy:
The greenway and equestrian trail system shall be maintained and improved to be consistent with the Town's Minimum Design Standards adopted design documents.

2.3.9 Policy:
The Town shall use landscaping and signs to visually identify crossings and trail access points. Safe and controlled crossings shall be provided.

2.3.10 Policy:
The Town shall ensure sufficient right-of-way is preserved to construct and maintain the multiuse trails.

2.3.11 Policy:
The Town shall coordinate the provision of greenway and equestrian trail connections among adjoining or abutting properties during the site plan review process.

2.4 *Objective:*
The Town of Loxahatchee Groves' greenway and equestrian trail system shall be financially feasible.

2.4.1 Policy:
The Town shall determine which trails should be considered for public ownership.

2.4.2 Policy:
The Town shall explore the possibility of obtaining grants, gifts, contributions, funding assistance, and other financial resources for the development of equestrian riding trails.

2.4.3 Policy:
The Town should pursue joint efforts with all affected local governments, special districts, and other public agencies with respect to the acquisition, development and maintenance of trails as a means for reducing costs and pooling resources.

2.4.4 The following equestrian trails and greenways projects shall be pursued by the Town until such time that a master plan pursuant to Policy 2.3.3 is completed:

1. North/south Town-wide trail connectivity along B Road and F Road by pursuing trail crossings of Okeechobee Boulevard at these intersections.
2. East-west Town-wide trail connectivity along 6th Court North and North Road.

3. Equestrian trail/greenway easements within future non-residential developments along Southern Boulevard.
4. Equestrian Trail easements to provide connectivity between Loxahatchee Groves Park and the existing trail on F Road.
5. Installation of fencing adjacent to canal maintenance easements along the Letter Roads to insure the safety of riders, animals and residents.

Land Use/Transportation Coordination

2.5 *Objective*

The Town shall coordinate the transportation system with the future land use map and ensure land uses are consistent with transportation modes and services proposed to serve those areas.

2.5.1 Policy:

The Town shall encourage connectivity among all new development and redevelopment projects so as to minimize impacts on the roadway network.

2.5.2 Policy:

The Town shall collocate where possible primary civic facilities, thereby reducing the number of vehicle trips.

2.5.3 Policy:

The Town shall coordinate the transportation system with land uses through implementation of, but not limited to, the following programs, activities or actions:

1. Transportation facilities and services shall be planned and located in a manner which minimizes the potential impacts on adjacent land uses with consideration given specially to existing residential areas.
2. Intermodal facilities shall be located so as to maximize the efficiency of the transportation system.
3. All opportunities to provide adequate bus shelters will be explored.

Right of Way Protection

2.6 *Objective*

The Town of Loxahatchee Groves shall ensure that future development does not encroach upon existing rights of-way.

2.6.1 Policy:

The Town shall ensure that future development does not encroach upon existing rights-of-way.

2.6.2 Policy:

Future Right-of-Way requirements for State and County roads shall be established in conformance with FDOT, the Loxahatchee Groves Water Control District and Palm Beach County Standards to meet the future needs.

2.6.3 Policy:

The Town shall continue to obtain additional survey data on the Letter Roads as the basis for implementing future road improvements.

Safety, and Maintenance and Improvement of Roadways

2.7 *Objective*

The Town shall maintain a safe local roadway network.

2.7.1 Policy:

The Town shall continue to coordinate with LGWCD for proper maintenance of the roadways. For the purpose of allocating maintenance and capital improvements projects funds, the Town's local roads shall be classified as follows:

1. Category 1 – Surfaced local public roads under the jurisdiction of the Town.

1.A. – Paved local public roads.

1.B. – OGEM-surfaced local public roads.

2. Category 2 – Unsurfaced local public roads.

2.A. - Loxahatchee Groves Water Control District roads.

2.B. – Town of Loxahatchee Groves roads

3. Category 3 – Private local roads (public access).

4. Category 4 – Private local roads (no public access).

Construction of new Town local roads, reconstruction or resurfacing of existing paved Town local roads, or paving or surfacing of existing graded Town local roads shall be deemed to maintain or increase existing Town local road capacity.

2.7.2 Policy:

The Town shall continue to encourage joint use of driveways and cross access agreements among adjoining property owners to allow circulation between sites and reduce the number of vehicular trips along roadways.

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- 2.7.3 Policy:
The Town shall ensure that proper traffic signage is provided on local roads including speed limit, warning, guide, and street name signs.
- 2.7.4 Policy:
The Town shall investigate and implement strategies with all affected governments, special districts, and other public agencies, including the LGWCD, to discourage cut-through traffic on local roads throughout the Town.
- 2.7.5 Policy:
The Town shall review roadways and intersections with frequent speeding occurrences, operational deficiencies, and/or high crash frequencies, and Specifically, the Town shall investigate strategies to minimize crashes, coordinate with the Florida Department of Transportation and Palm Beach County to:
1. Address traffic operational deficiencies at Southern Boulevard intersections.
 2. Reduce speeding on Okeechobee Boulevard.
- 2.7.6 Policy:
The Town shall coordinate with law enforcement agencies to reduce crashes and enforce traffic codes and regulations.
- 2.7.7 Policy:
~~Within one year of adoption of the comprehensive plan, the~~ The Town shall ~~adopt and implement a~~ utilize the Road, Greenway, and Equestrian Trail Master Plan. ~~Through coordination with all affected governments, special districts, and other public agencies, the Town Road and Equestrian Trail Master Plan will identify and evaluate existing public easements, rights-of-way, roadway characteristics, roadway deficiencies, and traffic volumes and patterns so that potential road improvements and roadway safety recommendations can be identified. The Master Plan will review the local road network comprehensively to provide recommendations that consider not only the localized traffic impacts, but area-wide traffic impacts as well. In addition, public input regarding the Master Plan will be gathered through workshops and/or media outlets to help form a plan that the Town can collectively use to guide future roadway maintenance and safety improvements.~~
- 2.7.8 Policy:
The Town will strive to reduce greenhouse gas emissions by reducing traffic congestion and air pollution. The Town will promote alternative forms of transportation by solidifying a greenways/equestrian trail plan and cooperating with Palm Beach County for new and improved transit. The Town will also plan internal roadways and cross access between parcels that will allow for more efficient travel.

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2.7.9 Policy:

The Town shall continue to coordinate with LGWCD for proper maintenance of the roadways.

2.7.10 The following general roadway programs, determined to be necessary for attaining or maintaining desired service levels, shall be pursued by the Town. Specific projects shall be included as part of the annual review and update of the Five-Year Schedule of Capital Improvements:

1. Intersection control improvements at Okeechobee Boulevard intersections with "D" Road and "F" Road.
2. Installation of OGEM surface treatment and/or pavement at appropriate locations on the Letter Roads.
3. Installation of OGEM surface treatment on non-Letter Roads provided that public right-of-way dedications from all affected property owners are procured.
4. Construction of new Town local roads, reconstruction or resurfacing of existing paved Town local roads, or paving or surfacing of existing graded Town local roads.

Transit

2.8 *Objective*

The Town of Loxahatchee Groves shall support and coordinate with Palm Beach County to provide safe, efficient, and convenient accessibility and availability to Transit for all users.

2.8.1 Policy:

The Town shall coordinate with Palm Beach County Transit Tran and the MPO to provide convenient service and access to intermodal terminals and facilities, including Palm Beach International Airport and other generators and attractors.

2.8.2 Policy:

The Town of Loxahatchee Groves shall coordinate with Palm Beach County Transit Tran, and the MPO to identify programs and policies that will assist in the provision of a convenient, public transit network that will provide both local and regional connections and that will accommodate the physically disabled.

2.8.3 Require all applicants for site plan approval of a non-residential development on a property fronting Okeechobee Boulevard or Southern Boulevard to coordinate with Palm Tran to determine the need for a Bus Stop Boarding and Alighting Area (BSBAA).

Greenhouse Gas Reduction

2.9 Objective

The Town of Loxahatchee Groves shall support and coordinate with Palm Beach County to reduce greenhouse gas emission by promoting alternative modes of transportation.

2.9.1 Policy:

The Town will strive to reduce greenhouse gas emissions by reducing traffic congestion and air pollution. The Town will promote alternative forms of transportation by solidifying a greenways/equestrian trail plan and cooperating with Palm Beach County for new and improved transit. The Town will also plan internal roadways and cross access between parcels that will allow for more efficient travel.

2.9.2 Policy:

The Town shall ensure redevelopment is transit-ready along major transportation corridors.

**INFRASTRUCTURE
GOALS, OBJECTIVES, AND POLICIES**

Ensure the provision of high quality, healthful, effective, reliable, efficient, environmentally sound and necessary services for coordinated sanitary sewer, solid waste, drainage, potable water and natural ground water aquifer recharge to town residents and visitors.

DRAINAGE GOAL 3A

Provide high quality, healthful, effective, reliable, efficient, environmentally sound and necessary services for coordinated drainage.

3A.1. Objective:

To optimize the utilization of water resources through provision of stormwater management for the Town which reduces damage and inconvenience from flooding, promotes aquifer recharge, minimizes degradation of water quality in surface and groundwater and protects the functions of wetlands in urban areas.

3A.1.1. Policy:

Storm water management facilities shall be designed in accordance with South Florida Water Management District (SFWMD) criteria and, when applicable, with Loxahatchee Groves Water Control District (LGWCD) criteria.

3A.1.2. Policy:

The Town of Loxahatchee Groves shall implement land development regulations which implement the minimum design criteria for stormwater management, as shown below, as the level of service standard to assess adequacy of service and concurrency during the development review process:

- a. Minimum roadway and parking lot elevations shall be at least at the highest elevation that may occur at the peak of the 10-year-one-day storm event;
- b. Minimum site perimeter elevations shall be at least the 25-year-3-day stage. Site runoff up to such stage level may not overflow into any adjacent property, unless a permanent drainage easement is obtained;

- c. Dry or wet retention/detention, stage versus storage, stage versus discharge and flood routing calculations for the 10-year-one day, 25-year-3-day and 100-year-3-day storm events for the site shall be submitted with the site development plans;
- d. Building floor elevations shall be at or above the 100-year flood elevation, as determined from the Federal Flood Insurance Rate Maps or calculations following the latest SFWMD methodology, whichever is greater;
- e. Off-site discharge shall be limited to pre-development runoff based on the 25-year-3-day storm event calculated by SFWMD methods;
- f. All roof runoff shall be detained on site.
- g. Storm sewers shall be designed to convey the 5 year – 1 day storm event.
- h. Prior to discharge to surface or groundwater, BMP's of SFWMD shall be used to reduce pollutant loading from storm water runoff from non-agricultural uses.
- i. Prior to discharge to surface or groundwater, BMP's of the DEP and USDA shall be used to reduce pollutant loading from storm water run-off from agricultural uses.

3A.1.3. Policy:

The Town shall support the LGWCD in considering the impact of the construction and operation of stormwater management facilities and support services on adjacent natural resources in accordance with SFWMD regulations during the installation of new stormwater management facilities and the expansion of, or increase in capacity of stormwater management facilities.

3A.1.4. Policy:

Coordinate with the SFWMD and the LGWCD to implement applicable portions of the SFWMD regional water resource projects, which intend to reduce losses of excess stormwater to tide, recharge the Surficial aquifer and Water Preserve Areas or provide additional storage surface waters.

3A.1.5. Policy:

The Town shall support the LGWCD in addressing stormwater management issues on a watershed (basin) basis in accordance with SFWMD permits as a means of providing cost effective water quality and water quantity solutions to specific watershed problems.

3A.1.6 Policy:

The Town shall support the LGWCD in managing the construction and operation of its facilities which dam, divert or otherwise alter the flow of surface waters to minimize damage from flooding, soil erosion or excessive drainage.

3A.1.7. Policy:

The Town shall support the SFWMD in maintaining and protect ground water recharge of the Surficial Aquifer system so as to maintain all of the functions of the Aquifer, including the reduction of saltwater intrusion. LGWCD capital projects shall be incorporated within the Town's Five-Year Schedule of Capital Improvements on an annual basis.

3A.1.8. Policy:

The Town shall support the LGWCD in requiring that new drainage facilities shall be designed to provide pollution control sufficient to meet criteria of all local, state and federal regulatory requirements, including but not limited to the following when applicable:

- a. Retention of stormwater
- b. Flow of stormwater over grassed and vegetated areas
- c. Sumps
- d. Grease separation baffles
- e. Mosquito control
- f. Infiltration and percolation prior to overflow or outfall discharge

3A.1.9. Policy:

Use Best Management Practices (BMPs) in accordance with its regulations and those of the South Florida Water Management District and the Florida Department of Environmental Protection.

3A.1.10. Policy:

The Town shall support the Lower East Coast Regional Water Supply Plan and operating procedures to increase recharge water to the Surficial Aquifer.

- 3A.1.11. Policy:
Utilize, preserve, restore and enhance natural water bodies and functions by encouraging non-structural and structural erosion control devices and discourage the canalization, installation of seawalls or other alteration of natural rivers, streams and lakes.
- 3A.1.12. Policy:
Protect the water storage and water quality enhancement functions of wetlands, floodplains and aquifer recharge areas through acquisition, enforcement of rules and the application of land and water management practices which provide for compatible uses.
- 3A.1.13. Policy:
Coordinate with the LGWCD, Palm Beach County and SFWMD to protect aquifers from depletion through water conservation and preservation of the functions of high recharge areas including but not limited to the water conservation areas and water preserve areas.
- 3A.1.14. Policy:
The Town of Loxahatchee Groves shall investigate acquiring the need to acquire a National Pollution Discharge Elimination System - Municipal Separate Storm Sewer System (NPDES-MS4) and the implementation of the permit conditions including monitoring of outfalls and improving stormwater management practices. ~~by December 2009.~~
- 3A.1.15. Policy:
The Town of Loxahatchee Groves shall investigate the creation of grading and drainage standards for residential properties.

**RECREATION AND OPEN SPACE ELEMENT
GOAL, OBJECTIVES, AND POLICIES**

Goal 5A **To provide safe and adequate open space and recreation facilities accessible to all Loxahatchee Groves residents.**

5A.1. *Objective:*

Provide a sufficient supply of park, recreation, and open space facilities to satisfy established level of service (LOS) standards.

5A.1.1. Policy:

The Town shall make available six (6) acres of park, recreation, and open space per one thousand (1,000) population.

5A.1.2. Policy:

The Town shall encourage development of a public equestrian facility at Loxahatchee Groves Park.

5A.1.3. Policy:

The Town shall continue to lobby the County to develop the Loxahatchee Groves County Park according to the intent of the original Master Plan and the Plan as amended in January 1991.

5A.1.4. Policy:

The Town shall explore the possibility of obtaining grants, gifts, contributions, funding assistance, and other financial resources for the purchase of land contiguous to the Park, so that the acreage of the park may be increased to its original size.

5A.2. *Objective:*

Maximize the utility and function of recreation facilities and open space resources. Establish strategies to effectively coordinate the retention of recreation and open space opportunities, as well as the development of future opportunities to meet public demands.

5A.2.1. Policy:

Require that all land dedicated to the public for parks and recreation purposes, with the exceptions of equestrian trails and greenways, be located adjacent to arterial and/or collector roadways, pedestrian walkways and bicycle routes or be provided for in future development plans

5A.2.2. Policy:

All existing and future parks and recreation facilities shall comply with provisions of the Americans with Disabilities Act.

5A.3. Objective:

Establish effective methods of coordinating public and private resources to meet public demands.

5A.3.1. Policy:

Maintain cooperative relationships with agencies, groups, individuals and organizations currently providing leisure programs to the residents.

5A.3.2. Policy:

Pursue appropriate joint public and private ventures to obtain lands and/or financing necessary to provide recreation areas, including equestrian trails and greenways, facilities and programs.

5A.4. Objective:

Require the provision of open space in redevelopment and new development.

5A.4.1. Policy:

The provision of open space such as natural areas, vistas, land buffers, or trails, shall be required in residential and non-residential development as per the Unified Land Development Code (ULDC).

5A.4.2. Policy:

The Town emphasizes that open space is needed in order to create vista, to provide shade, and to create and enhance the rural image and flavor of the Town.

Goal 5B The Town of Loxahatchee Groves will strive to provide a town-wide greenway and equestrian trail system which preserves the town's rural lifestyle.

5B.1. Objective:

The Town of Loxahatchee Groves shall develop a greenway and equestrian trail system to meet the needs and interests of the residents of Loxahatchee Groves.

5B.1.1. Policy:

The Town shall create a map of existing greenway and equestrian riding trails.

5B.1.2. Policy:

The Town, based upon recommendations of the Roadways, Equestrian Trails and Greenways (RETAG) Committee, shall identify new connections to existing trails, which if acquired would greatly enhance pedestrian, bicycle, and equestrian circulation throughout the Town.

5B.1.3. Policy:

A master plan for a cohesive trail system shall be completed within two (2) years of the adoption of this element. The Roadways Equestrian Trails and Greenways Master Plan shall be updated every Five (5) years to insure consistency with current Town policy.

5B.1.4. Policy:

Annually, the Town RETAG shall assess whether the greenway and equestrian trail system is sufficient for to meet the needs of the residents, and recommend needed improvements.

5B.1.5. Policy:

The greenway and equestrian trails system, wherever feasible, shall provide linkages between residential homes, parks, recreational facilities, open spaces, and commercial facilities throughout the Town.

5B.1.6. Policy:

All vehicular parking for land uses which are adjacent to the greenway and equestrian trail system should provide the parking on a side away from the trail.

5B.1.7. Policy:

The greenway and equestrian trail system shall be consistent with the Town's Minimum Design Standards, design documents adopted by the Town and based upon RETAG and LGWCD recommendations.

5B.1.8. Policy:

The Town shall use landscaping and signs to visually identify street crossings and trail access points. Safe and controlled greenway and equestrian crossings shall be constructed.

5B.1.9. Policy:

The Town shall coordinate the construction of proposed multiuse trails with the LGWCD whenever they fall within the LGWCD rights-of-way. Doing so shall ensure that sufficient right-of-way is preserved to construct and maintain the Town's multiuse trails.

5B.1.10. Policy:

The Town shall coordinate the provision of greenway and equestrian trail connections among adjoining or abutting properties during the site plan review process.

5B.2. Objective:

The Town of Loxahatchee Groves' greenway and equestrian trail system shall be financially feasible.

5B.2.1. Policy:

The Town shall determine which trails should be considered for public ownership.

5B.2.2. Policy:

The Town shall explore the possibility of obtaining grants, gifts, contributions, funding assistance, and other financial resources for the development of greenways and equestrian riding trails.

5B.2.3. Policy:

The Town should pursue joint efforts with all affected local jurisdictions, including local governments, special districts, and other public agencies in the acquisition, development and maintenance of greenways and equestrian trails as a means for reducing costs and pooling resources.

5B.3. Objective:

The Town of Loxahatchee Groves' equestrian trail system shall provide access to abutting county parks, open space, and neighboring municipalities.

5B.3.1. Policy:

The Town shall pursue direct connections and access between the Town's equestrian trail(s) and the Loxahatchee Groves County Park and the Royal Palm Beach Pines Nature Area.

5B.3.2. Policy:

The Town shall pursue direct connections and access between the Town's equestrian trails and the Village of Wellington's equestrian preserves and public trails.

5B.3.3. Policy:

The Town shall coordinate with Loxahatchee Groves Water Control District for development of greenways and equestrian trails.

**CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES, AND POLICIES**

Goal 9: The Town shall ensure adequate and timely public facilities and infrastructure capacity to accommodate existing and future residents and businesses maximizing the use and value of existing facilities, and effectively managing future growth consistent with the level-of-service standards established in the Comprehensive Plan.

9.1 Objective:

Maximize fiscal resources available to the Town for public facility improvements necessary to accommodate existing development, redevelopment, and planned future growth, and to replace obsolete or deteriorated facilities.

9.1.1 Policy:

Ensure capital revenues and/or secured developer commitments are in place to maintain all public facilities at acceptable level of service standards prior to the issuance of new development orders.

The Town shall follow the following timing requirements to ensure that adequate public facilities are available to meet level of service standards with the impact of development.

(a) Sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalent, the Town shall determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the Town of a certificate of occupancy or its functional equivalent.

(b) Parks and recreation facilities to serve new development shall be in place or under actual construction no later than 1 year after issuance by the local government of a certificate of occupancy or its functional equivalent. However, the acreage for such facilities shall be dedicated or be acquired by the Town prior to issuance of a certificate of occupancy or its functional equivalent, or funds in the amount of the developer's fair share shall be committed no later than the local government's approval to commence construction.

(c) Transportation facilities needed to serve new development shall be in place or under actual construction within 3 years after the Town approves a building permit that results in traffic generation.

(d) The Town shall continue to obtain additional public roadways as a means of increasing its gas tax revenues.

9.1.2: Policy:

Utilize a variety of funding sources to implement capital improvements, within the limitation of existing law. These methods may include ad valorem taxes, general revenues, enterprise revenues, assessments, tax increment, grants, and private contributions, including dedications and/or funds.

9.1.3: Policy:

Ensure that new development bears a proportionate cost for public facility improvements by utilizing a variety of mechanisms to assess and collect impact fees, dedications and/or contributions from private development.

9.1.4: Policy:

Aggressively seek all realistic grant opportunities to fund projects in the Five-Year Schedule of Capital Improvements.

9.1.5 Policy:

Land development regulations established by the Town shall provide for the timely completion and maintenance of the capital improvements required by the Comprehensive Plan.

9.1.6 Policy:

Each review of the Capital Improvements Element shall include a review of the assumptions, projections, needs, and consideration for appropriate and timely renewal of existing facilities according to the following criteria:

- 1) Emergency and post-disaster mitigation.
- 2) Deficiency determination by a Concurrency Management System.
- 3) Public involvement in Capital Improvement Program and Budget.
- 4) Existing land development and Town master plans.
- 5) Plans of local, county, state agencies including the Loxahatchee Groves Water Control District.
- 6) Accommodation of new development and redevelopment.
- 7) Financial feasibility.

- 9.2 *Objective:*
Provide the necessary capital improvements to replace worn-out or obsolete public facilities, correct service deficiencies and accommodate planned future growth consistent with the adopted level-of-service standards.
- 9.2.1 Policy:
 Prepare and adopt a Five-Year Capital Improvement Program (CIP) as part of the Town's annual budgeting process. Amend the Five-Year Schedule of Capital Improvements Capital Improvement Element annually to reflect these changes annual CIP updates.
- 9.2.2 Policy:
 Annual The annual update of the Capital Improvement Element Five-Year Schedule of Capital Improvements shall reflect proportionate fair-share and other developer contributions.
- 9.2.3 Policy:
 The Five-Year Schedule of Capital Improvements shall be financially feasible. ~~Sufficient revenues shall be available for the first three years or will be available from committed or planned funding sources for years 4 and 5 of a 5-year capital improvement schedule.~~
- 9.2.4 Policy:
 The Five-Year Schedule of Capital Improvements shall be based ~~upon the Future Land Use Element~~ and consistent with all other objectives and policies of Comprehensive Plan elements.
- 9.2.5 Policy:
 Coordinate proportionate fair share mitigation procedures and payments with Palm Beach County, the Florida Department of Transportation, and the Palm Beach County School District.
- 9.2.6 Policy:
 Coordinate planning for the Town improvements with the plans of state agencies, the South Florida Water Management District (SFWMD), Palm Beach County, the Loxahatchee Groves Water Control District and adjacent municipalities when applicable.
- 9.2.7 Policy:
 All capital improvements in the Five-Year Schedule of Capital Improvements for which the Town is responsible will be included in the ~~Five-Year Capital Improvements Program (CIP) and Town's Annual Capital Budget~~ and Capital Improvement Fund.

9.2.8 Policy: Reserved

~~Evaluate and rank the proposed capital improvement projects listed in the Five-Year Schedule of Capital Improvements, prioritizing them according to the following guidelines:~~

- ~~• Protection of public health, safety and welfare;~~
- ~~• Fulfills the Town's legal commitment to provide facilities and services;~~
- ~~• Corrects existing deficiencies;~~
- ~~• Maintains adopted levels of service;~~
- ~~• Provides for the most efficient and effective use of existing and/or future facilities;~~
- ~~• Provides new capacity to accommodate future growth consistent with this Plan;~~
- ~~• Prevents or reduces future improvement costs; and~~
- ~~• Promotes cost-effective use of time and revenue.~~
- ~~• Financial feasibility;~~
- ~~• The plans of local, county and state agencies providing public facilities.~~

9.2.9 Policy:

Use the Town's Unified Land Development Code (ULDC) to ensure that all decisions regarding land use planning and the issuance of development orders and permits consider the availability of public facilities and services necessary to support such development at the adopted LOS standards concurrent with the associated impacts.

9.2.10 Policy:

Coordinate with road, utility and infrastructure service providers within the Town to ensure that necessary capital improvements are implemented to support new construction and redevelopment.

9.2.11 Policy:

Repair, rehabilitate, and replace the Town's capital facilities according to generally accepted engineering principles and guidelines and ensure that facilities and services provided by other agencies are held to the same standard.

9.2.12 Policy:

Assess new development a proportionate fair-share of the public facility costs necessary to accommodate the impacts of new development at the adopted levels-of-service through the enforcement of existing public facility funding mechanisms, conditions of development approval, and impact fees. Public facilities include potable water, sanitary sewer, solid waste, drainage, parks, including equestrian trails and greenways, schools and roadways.

- 9.2.13 Policy:
 Capital improvements associated with the construction of educational facilities are not addressed in the Town's Capital Improvement Fund CIP or Five-Year Schedule of Capital Improvements, but rather are the responsibility of the Palm Beach County School District. ~~To address financial feasibility associated with school concurrency, the School District Five Year Plan and Capital Budget for educational facilities will be incorporated by reference into the CIE.~~
- 9.2.14 Policy:
 The Town, in conjunction with ~~Palm Beach County and the Palm Beach County School District~~, has the responsibility for providing implementing the public school concurrency program within Loxahatchee Groves. ~~related to capital improvements and should continually seek to expand funding sources available to meet those requirements.~~
- 9.2.15 Policy:
 For public school facilities, a proportionate share mitigation agreement is subject to approval by Palm Beach County School District and the Town. ~~and must be identified in the adopted School District Five Year Plan and Capital Budget.~~
- 9.2.16 Policy: Reserved
~~The Town shall update its Capital Improvements Element and Program annually, to include the annual update of the School District Five Year Plan and Capital Budget.~~
- 9.2.17 Policy: Reserved
~~The FY2009-2013 Plan & Capital Budget adopted by the School District of Palm Beach County on September 10, 2008 shall be incorporated into the Capital Improvement Element by reference.~~
- 9.2.18 Policy:
 The public school LOS standard is the school's utilization, expressed as a percentage, which is the result of comparing the number of students with the satisfactory Florida Inventory of School Houses (FISH) capacity at a given location, e.g. an elementary facility with 1,000 students and a FISH capacity of 970, has an LOS of 103%. Also referred to as the utilization of a facility which is defined as the enrollment as a percentage of school student capacity based upon the Florida Inventory of School Houses (FISH). ~~The level of service (LOS) standard shall be established for all schools of each type within the School District as 110 percent utilization, measured as the average for all schools of each type within each Concurrency Service Area. No~~

~~individual school shall be allowed to operate in excess of 110% utilization, unless the school is the subject of a School Capacity Study (SCS) undertaken by the School District, working with the Technical Advisory Group (TAG) which determines that the school can operate in excess of 110% utilization. The SCS shall be required if a school in the first student count of the second semester reaches 108 % or higher Capacity. As a result of an SCS, an individual school may operate at up to 120% utilization.~~

9.3 *Objective*

Develop and implement a debt management program to assist the Town in providing adequate and timely revenues for scheduled capital improvements.

9.3.1 Policy:

~~Incur~~ Provided the Town Charter allows such an activity, Loxahatchee Groves may incur debt within generally accepted municipal finance principles and guidelines, and only in relation to the Town's ability to pay for a new capital asset or to significantly extend the life expectancy of a capital asset.

9.3.2 Policy:

Ensure that any increase in operating costs for a new or additional facility is also considered when evaluating the debt to be incurred for a facility.

9.3.3 Policy:

The Town will not provide a public facility, nor accept the provision of a public facility by others, if it is unable to pay for the subsequent annual operation and maintenance costs of the facility.

9.3.4 Policy:

The Town shall adopt standards for debt management ~~by 2009~~ prior to incurring any public debt.

9.3.5 Policy:

Debt payment shall not exceed the anticipated useful life of a capital improvement and, in no case, shall exceed thirty years.

9.4 *Objective:*

Land use decisions shall be made based upon available or projected fiscal resources in coordination with ~~a schedule of capital improvements~~ the Five-Year Schedule of Capital Improvements which maintains adopted level of service standards and meets existing and future facility needs.

9.4.1 Policy:
The Town shall determine whether projects in the Five-Year Schedule of Capital Improvements will allow level of service standard to be maintained with a proposed land use change.

9.4.2 Policy:
The Town shall provide for the availability of public facilities and services needed to support development concurrent with the impacts of such development, ~~subsequent to the adoption of the local comprehensive plan.~~

9.4.3 Policy:
In order to coordinate land uses with available and projected fiscal resources ~~and a financially feasible schedule of capital improvements for water supply and facility projects,~~ the Town shall include in its annual update of its financially feasible five (5) year ~~capital improvements~~ the Five-Year Schedule of Capital Improvements, any appropriate projects listed in listing the first five (5) years of the (10) year Water Supply Facility Work Plan (WSFWP), ~~to ensure consistency between the Potable Water Sub-Element of the Infrastructure Element and the Capital Improvements Element.~~

9.5 Objective:
The Town shall include all projects identified in the policies of the various elements of this Comprehensive Plan that are the responsibility of Loxahatchee Groves and determined to be of relatively large scale and high cost as capital improvements projects for inclusion within the Five-Year Schedule of Capital Improvements.

9.5.1 Policy:
Capital improvements shall be provided to: (1) correct existing deficiencies and extend the life expectancy; (2) accommodate desired future growth; and/or (3) replace worn-out or obsolete facilities, as indicated in the Five-Year Schedule of Capital Improvements of this element.

9.5.2 Policy:
The Town defines a capital improvements project or program as a major, not often-recurring, expenditure that costs or commits at least \$25,000, which has an expected life of at least five (5) years, and which falls into one of the following categories:

a. Acquisition or lease of land or interests in land for public purposes.

b. Accommodation of Town growth and improvement of infrastructure services delivery by means of the purchase, lease, construction, rehabilitation, or replacement of:

1. A public building or physical facility;
2. Public infrastructure such as roads, drainage canals, parks, trails, or similar projects;
3. Equipment supporting the maintenance of infrastructure.

c. Projects designed to bring the community into immediate compliance with state or federal law or court order. Such projects are not subject to the above cost or life expectancy limits.

A capital improvements project or program is further defined to include any planning, engineering, feasibility or appraisal studies related thereto if the total cost is at least \$10,000. This shall include any studies oriented to defining the initial need for land and/or facilities.

9.5.3 Policy:
Normal maintenance activities are not included in the Five-Year Schedule of Capital Improvements.

9.5.4 Policy:
The Town shall, as a matter of priority, schedule for funding any capital improvement projects in the Five-Year Schedule of Capital Improvements which are designed to correct existing public facility deficiencies.

9.5.5 Policy:
Proposed capital improvements projects shall be evaluated and ranked in order of priority according to the following guidelines:

a. Whether the proposed project is financially feasible, in terms of its impact upon Town budget potential;

b. Whether the project is needed to protect public health and safety, to fulfill the Town's legal commitment to provide facilities and services, or to preserve, achieve full use of, or increase the efficiency of existing facilities;

c. Whether the project prevents or reduces future improvement costs or provides service to areas currently lacking such service;

d. Whether the project represents a logical extension of facilities and services within the Town; and

e. Whether or not the proposed project is consistent with plans of State agencies, Palm Beach County agencies and the Loxahatchee Groves Water Control District.

9.6 Objective:

The Five-Year Schedule of Capital Improvements shall be reviewed by the FAAC on an annual basis as part of the Town budget process. Any revisions and/or amendments to the Five-Year Schedule of Capital Improvements shall be made by the Town Council at that time. Annual updates to Tables 9-1 to 9-3 shall be made by Town Council Ordinance and not subject to the comprehensive plan amendment process.

9.6.1 Policy:

The annual update process shall include a review to determine that proposed Five-Year Schedule of Capital Improvements revisions are internally consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

9.6.2 Policy:

All items to address an imminent danger or threat to the public health or safety shall be submitted to the Town Council for decision and appropriate action through the Town Manager. If the obligation duration exceeds one budget year, the item shall be included in the Five-Year Schedule of Capital Improvements.

9.7 Objective:

The Five-Year Schedule of Capital Improvements consists of Tables 9-1 to 9-3.

Table 9-1 - Summary of FY 2014 – 2018 Capital Improvements Projects

A. Necessary to Maintain LOS Standards: Loxahatchee Groves

Comprehensive Plan Element	Project No. and Description	Comprehensive Plan Consistency (Objective/Policy Citation)
Transportation	TRAN-1: Non-District Town Road Survey (1)	Objective 2.6 and Policies 2.2.4, 2.7.1 and 2.7.9 Transportation Element
Transportation	TRAN-2: Collecting Canal Road OGEM surface Improvements (1,2)	Policy 2.1.3 Transportation Element
Transportation	TRAN-3: Okeechobee Traffic Signal @ "D" Rd. (1)	Policies 2.1.4 and 2.2.2, Transportation Element
Transportation	TRAN-4: Town Road OGEM Projects –Specific Future Projects To Be Identified (1,2)	Policy 2.1.3 Transportation Element
Transportation	TRAN-5: Pave/OGEM Surface "D" Road from Southern Blvd. to Collecting Canal	Policy 2.1.3 Transportation Element
Transportation	TRAN-6: LGWCD to Town road transfer costs - Specific Future Projects To Be Identified	Policy 2.1.3 Transportation Element
Drainage Sub-Element	DR-1: Drainage Canal Refurbishment Program (sub to LGWCD)	Policies 3A.1.5 and 3A.1.6 Drainage Sub-Element

Key: TRAN – Transportation; DR – Drainage; LGWCD – Loxahatchee Groves Water Control District.

(1) – Existing Deficiency ; (2) – Replacement Project; (3) – To Meet Future Need

B. FY 2014 to 2018 Improvements Necessary to Maintain LOS Standards: Outside Agencies

Agency	Project No. and Description	Comprehensive Plan Consistency (Objective/Policy Citation)
Lox Groves Water Control Dist	DR-2: 40-foot Long Front Backhoe lease purchase (1,3)	Objective 3.A.1 Drainage Sub-Element
Lox Groves Water Control Dist	DR-3: Long-Reach Mower lease purchase (1,3)	Objective 3.A.1 Drainage Sub-Element
Palm Beach County School District	PSF-1 Palm Beach County School District 5-Year Capital Budget (FY 2013 – 2017) By Reference (3)	Policy 8A.3-A Public School Facilities Element
Florida Department of Transportation	FDOT-1: #4282391 Bridge #930402 repair and rehab. West of "D" Road (1)*	Policy 2.2.4 Transportation Element; Policy 9.2.10 Capital Improvements Element
Florida Department of Transportation	FDOT-2: #4193452 Add lanes and reconstruct Southern Boulevard (3)*	Policies 2.2.4 and 2.6.2 Transportation Element; Policy 9.2.10 Capital Improvements Element

* - Project included in the FY 2011 – 2015 Transportation Improvement Program (TIP) of the MPO.

Key: DR -- Drainage; PSF -- Public School Facility; FDOT -- Florida Department of Transportation

(1) – Existing Deficiency; (2) – Replacement Project; (3) – To Meet Future Need

**C. FY 2014 to 2018 Non-LOS Comprehensive Plan-Directed Improvements:
Loxahatchee Groves**

Comprehensive Plan Element	Project No. and Description	Comprehensive Plan Consistency (Objective/Policy Citation)
Recreation and Open Space	ROS-1: Equestrian Trails – Linear Park from "A" Road to Folsom Road (1,3)	Objective 2.3 Transportation Element
Recreation and Open Space	ROS-2: Equestrian Trails – Future Projects To Be Identified (1,3)	Objective 2.3 Transportation Element

Key: ROS – Recreation and Open Space

(1) – Existing Deficiency; (2) – Replacement Project; (3) – To Meet Future Need

D. FY 2014 to 2018 Other Infrastructure Improvements: Outside Agencies/Private Parties

Project No. and Description	Public Agency/Private Party	Comprehensive Plan Consistency (Objective/Policy Citation)
TRAN-7 "F" Road Pavement and OGEM Improvements: Southern Blvd. to Collecting Canal(1,3)	Grove Medical Plaza Site Plan Approval Condition	Policy 2.1.4 Transportation Element

Key: TRAN – Transportation.

(1) – Existing Deficiency ;(2) – Replacement Project; (3) – To Meet Future Need

Table 9-2 – FY 2014 – 2018

Schedule and Cost of Capital Improvements Projects

A. Necessary to Maintain LOS Standards

Project Number*	Fiscal Year Cost (\$ 000's)					Total Cost (Dollars)
	2013/14	2014/15	2015/16	2016/17	2017/18	
TRAN-1	100	100	0	0	0	200,000
TRAN-2	944	0	0	0	0	944,000
TRAN-3	250	0	0	0	0	250,000
TRAN-4	100	0	0	0	0	100,000
TRAN 5	300	0	0	0	0	300,000
TRAN-6	29	29	29	29	29	145,000
TRAN-7	106	0	0	0	0	106,000
DR-1	150	150	150	150	150	750,000
DR-2	62	62	62	62	62	310,000
DR-3	34	34	34	34	34	170,000
FDOT #4282391	119	0	0	0	0	119,000
FDOT##4193452**	5,200	0	0	0	34,500	39,700,000
Totals	7,394	375	275	275	34,775	43,094,000

**Cost includes entire project length (Lion Country Safari to west of Crestwood Blvd).

* - Refer to Table 9-1A , 9-1B and 9-1D.

B. Non-LOS Comprehensive Plan-Directed Improvements

Project Number*	Fiscal Year Cost (\$ 000's)					Total Cost (Dollars)
	2013/14	2014/15	2015/16	2016/17	2017/18	
ROS-1	80	0	0	0	0	80,000
ROS-2	0	100	100	0	0	200,000
Totals	80	100	100	0	0	280,000
PBC School Dist.	5-Year Capital Budget (FY 2013 – 2017) Incorporated By Reference					

* - Refer to Table 9-1C.

Table 9-3 – Revenue Sources for Town Directed Capital Improvements Projects

Project Number*	Revenue Source	Fiscal Year Budget (\$000)					Total Cost (Dollars)
		2013/14	2014/15	2015/16	2016/17	2017/18	
TRAN-1	GF/GT	100,000	100,000	0	0	0	200,000
TRAN-2	GF/GT	944,000	0	0	0	0	944,000
TRAN-3	GF/GT	250,000	0	0	0	0	250,000
TRAN-4	GF	100,000	0	0	0	0	100,000
TRAN-5	GF	300,000	0	0	0	0	300,000
TRAN-6	GT	29,000	29,000	29,000	29,000	29,000	145,000
TRAN-7	P	106,000	0	0	0	0	106,000
DR-1	GT	150,000	150,000	150,000	150,000	150,000	750,000
ROS-1	GF	80,000	0	0	0	0	80,000
ROS-2	GF	0	100,000	100,000	0	0	200,000
Town Totals	GF/GT/P	2,059,000	379,000	279,000	179,000	179,000	3,075,000

* - Refer to Tables 9-1A, 9-1C and 9-1D.

Revenue Sources: GF-General Fund; GT-Gas Tax; G-Grant; P –Private Source

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2013-04

1 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
2 LOXAHATCHEE GROVES, FLORIDA, UPDATING THE FIVE-YEAR
3 SCHEDULE OF IMPROVEMENTS FOR THE CAPITAL
4 IMPROVEMENTS ELEMENT OF THE TOWN OF LOXAHATCHEE
5 GROVES COMPREHENSIVE PLAN PURSUANT TO STATE STATUTE;
6 PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;
7 AND PROVIDING FOR AN EFFECTIVE DATE.

8
9 WHEREAS, Section 163.3167, Florida Statutes, requires that each local government
10 prepare a Comprehensive Plan in compliance with the Local Government Comprehensive
11 Planning and Development Act, as amended; and

12 WHEREAS, Section 163.3177(3)(b), Florida Statutes, requires the Town to prepare an
13 annual update to the Five Year Schedule of Improvements set forth in the Capital Improvements
14 Element of the Comprehensive Plan; and

15 WHEREAS, updates to the Five Year Schedule of Improvements may be accomplished
16 by ordinance and may not be deemed to be amendments to the Town's Comprehensive Plan; and

17 WHEREAS, the Town Council wishes to update the Five Year Schedule of
18 Improvements in the Capital Improvements Element of the Town's Comprehensive Plan as set
19 forth on Exhibit "A" hereto; and

20 WHEREAS, the Town Council determines that the adoption of this Ordinance is in the
21 interests of the health, safety and welfare of the residents and citizens of the Town of
22 Loxahatchee Groves.

23 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN
24 OF LOXAHATCHEE GROVES, FLORIDA:

25
26 Section 1: Recitals. The foregoing recitals are hereby ratified as true and correct and
27 incorporated herein.

28

TOWN OF LOXAHATACHEE GROVES

ORDINANCE NO. 2013-04

1 **Section 2: Five-Year Schedule for Capital Improvement Element.** In accordance
2 with the requirements of Section 163.3177(3)(b), Florida Statutes, the Town Council hereby
3 adopts the Five Year Schedule of Improvements pursuant to the Capital Improvements Element
4 of its Comprehensive Plan, as set forth in Exhibit "A," which is attached hereto and incorporated
5 herein by reference.

6 **Section 3: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts of
7 Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such
8 conflict.

9 **Section 4: Severability.** If any section, paragraph, sentence, clause, phrase, or word of
10 this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void,
11 such holding shall not affect the remainder of this Ordinance.

12 **Section 5: Effective Date.** This ordinance shall take effect immediately upon adoption.

13
14 **PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF**
15 **LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 16th DAY OF**
16 **JULY, 2013.**

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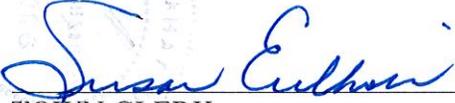
TOWN OF LOXAHATACHEE GROVES

ORDINANCE NO. 2013-04

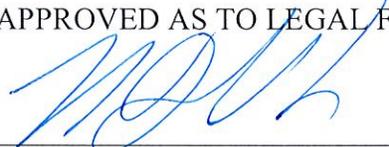
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PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 6th DAY OF AUGUST, 2013.

ATTEST:


TOWN CLERK

APPROVED AS TO LEGAL FORM:

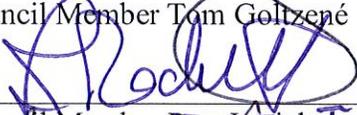

Office of the Town Attorney

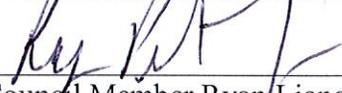
TOWN OF LOXAHATCHEE GROVES,
FLORIDA


Mayor David Browning


Vice Mayor Ron Jarril


Council Member Tom Goltzené


Council Member ~~Ron Jarril~~  Tim Rockett


Council Member Ryan Liang

TOWN OF LOXAHATACHEE GROVES

ORDINANCE NO. 2013-04

EXHIBIT A

**Revised Loxahatchee Groves
Five-Year Schedule of Capital Improvements: FY 2014 – FY 2018**

(Underlined text is an update of the Five-Year Schedule of Capital Improvements)

TOWN OF LOXAHATACHEE GROVES

ORDINANCE NO. 2013-04

Table 9-1 - Summary of FY 2014 – 2018 Capital Improvements Projects

A. Necessary to Maintain LOS Standards: Loxahatchee Groves

<u>Comprehensive Plan Element</u>	<u>Project No. and Description</u>	<u>Comprehensive Plan Consistency (Objective/Policy Citation)</u>
Transportation	TRAN-1: Non-District Town Road Survey (1)	Objective 2.6 and Policies 2.2.4, 2.7.1 and 2.7.9 Transportation Element
Transportation	TRAN-2: Collecting Canal Road OGEM surface Improvements (1,2)	Policy 2.1.3 Transportation Element
Transportation	TRAN-3: Okeechobee Traffic Signal @ "D" Rd. (1)	Policies 2.1.4 and 2.2.2, Transportation Element
Transportation	TRAN-4: Town Road OGEM Projects –Specific Future Projects To Be Identified (1,2)	Policy 2.1.3 Transportation Element
Transportation	TRAN-5: Pave/OGEM Surface "D" Road from Southern Blvd. to Collecting Canal	Policy 2.1.3 Transportation Element
Transportation	TRAN-6: LGWCD to Town road transfer costs - Specific Future Projects To Be Identified	Policy 2.1.3 Transportation Element
Drainage Sub-Element	DR-1: Drainage Canal Refurbishment Program (sub to LGWCD)	Policies 3A.1.5 and 3A.1.6 Drainage Sub-Element

Key: TRAN – Transportation; DR – Drainage; LGWCD – Loxahatchee Groves Water Control District.

(1) – Existing Deficiency; (2) – Replacement Project; (3) – To Meet Future Need

B. FY 2014 to 2018 Improvements Necessary to Maintain LOS Standards: Outside Agencies

<u>Agency</u>	<u>Project No. and Description</u>	<u>Comprehensive Plan Consistency (Objective/Policy Citation)</u>
Lox Groves Water Control Dist	DR-2: 40-foot Long Front Backhoe lease purchase (1,3)	Objective 3.A.1 Drainage Sub-Element
Lox Groves Water Control Dist	DR-3: Long-Reach Mower lease purchase (1,3)	Objective 3.A.1 Drainage Sub-Element
Palm Beach County School District	PSF-1 Palm Beach County School District 5-Year Capital Budget (FY 2013 – 2017) By Reference (3)	Policy 8A.3-A Public School Facilities Element
Florida Department of Transportation	FDOT-1: #4282391 Bridge #930402 repair and rehab. West of "D" Road (1)*	Policy 2.2.4 Transportation Element; Policy 9.2.10 Capital Improvements Element
Florida Department of Transportation	FDOT-2: #4193452 Add lanes and reconstruct Southern Boulevard (3)*	Policies 2.2.4 and 2.6.2 Transportation Element; Policy 9.2.10 Capital Improvements Element

* - Project included in the FY 2011 – 2015 Transportation Improvement Program (TIP) of the MPO.

Key: DR – Drainage; PSF – Public School Facility; FDOT – Florida Department of Transportation

(1) – Existing Deficiency; (2) – Replacement Project; (3) – To Meet Future Need

TOWN OF LOXAHATACHEE GROVES

ORDINANCE NO. 2013-04

**C. FY 2014 to 2018 Non-LOS Comprehensive Plan-Directed Improvements:
Loxahatchee Groves**

<u>Comprehensive Plan Element</u>	<u>Project No. and Description</u>	<u>Comprehensive Plan Consistency (Objective/Policy Citation)</u>
Recreation and Open Space	ROS-1: Equestrian Trails – Linear Park from “A” Road to Folsom Road (1,3)	Objective 2.3 Transportation Element
Recreation and Open Space	ROS-2: Equestrian Trails – Future Projects To Be Identified (1,3)	Objective 2.3 Transportation Element

Key: ROS – Recreation and Open Space

(1) – Existing Deficiency; (2) – Replacement Project; (3) – To Meet Future Need

D. FY 2014 to 2018 Other Infrastructure Improvements: Outside Agencies/Private Parties

<u>Project No. and Description</u>	<u>Public Agency/Private Party</u>	<u>Comprehensive Plan Consistency (Objective/Policy Citation)</u>
TRAN-7 "F" Road Pavement and OGEM Improvements: Southern Blvd. to Collecting Canal(1,3)	Grove Medical Plaza Site Plan Approval Condition	Policy 2.1.4 Transportation Element

Key: TRAN – Transportation.

(1) – Existing Deficiency ;(2) – Replacement Project; (3) – To Meet Future Need

Table 9-2 – FY 2014 – 2018

Schedule and Cost of Capital Improvements Projects

A. Necessary to Maintain LOS Standards

<u>Project Number*</u>	<u>Fiscal Year Cost (\$ 000's)</u>					<u>Total Cost (Dollars)</u>
	<u>2013/14</u>	<u>2014/15</u>	<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>	
TRAN-1	100	100	0	0	0	200,000
TRAN-2	944	0	0	0	0	944,000
TRAN-3	250	0	0	0	0	250,000
TRAN-4	100	0	0	0	0	100,000
TRAN 5	300	0	0	0	0	300,000
TRAN-6	29	29	29	29	29	145,000
TRAN-7	106	0	0	0	0	106,000
DR-1	150	150	150	150	150	750,000
DR-2	62	62	62	62	62	310,000
DR-3	34	34	34	34	34	170,000
FDOT #4282391	119	0	0	0	0	119,000
FDOT##4193452**	5,200	0	0	0	34,500	39,700,000
Totals	7,394	375	275	275	34,775	43,094,000

**Cost includes entire project length (Lion Country Safari to west of Crestwood Blvd).

* - Refer to Table 9-1A , 9-1B and 9-1D.

**Town of Loxahatchee Groves Comprehensive Plan
Adoption – February 2009; Rev.: August 2013**

**Capital Improvement Element
9 -17**

TOWN OF LOXAHATACHEE GROVES

ORDINANCE NO. 2013-04

B. Non-LOS Comprehensive Plan-Directed Improvements

Project Number*	Fiscal Year Cost (\$ 000's)					Total Cost (Dollars)
	2013/14	2014/15	2015/16	2016/17	2017/18	
ROS-1	80	0	0	0	0	80,000
ROS-2	0	100	100	0	0	200,000
Totals	80	100	100	0	0	280,000
PBC School Dist.	5-Year Capital Budget (FY 2013 – 2017) Incorporated By Reference					

* - Refer to Table 9-1C.

Table 9-3 – Revenue Sources for Town Directed Capital Improvements Projects

Project Number*	Revenue Source	Fiscal Year Budget (\$000)					Total Cost (Dollars)
		2013/14	2014/15	2015/16	2016/17	2017/18	
TRAN-1	GF/GT	100,000	100,000	0	0	0	200,000
TRAN-2	GF/GT	944,000	0	0	0	0	944,000
TRAN-3	GF/GT	250,000	0	0	0	0	250,000
TRAN-4	GF	100,000	0	0	0	0	100,000
TRAN-5	GF	300,000	0	0	0	0	300,000
TRAN-6	GT	29,000	29,000	29,000	29,000	29,000	145,000
TRAN-7	P	106,000	0	0	0	0	106,000
DR-1	GT	150,000	150,000	150,000	150,000	150,000	750,000
ROS-1	GF	80,000	0	0	0	0	80,000
ROS-2	GF	0	100,000	100,000	0	0	200,000
Town Totals	GF/GT/P	2,059,000	379,000	279,000	179,000	179,000	3,075,000

* - Refer to Tables 9-1A, 9-1C and 9-1D.

Revenue Sources: GF-General Fund; GT-Gas Tax; G-Grant; P –Private Source

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

FLORIDA DEPARTMENT *of*
ECONOMIC OPPORTUNITY

August 9, 2013

Ms. Susan Eichhorn, Town Clerk
Town of Loxahatchee Groves
14579 Southern Boulevard, Suite 2
Loxahatchee Groves, Florida 33470

Re: Town of Loxahatchee Groves 13-CIE1

Dear Ms. Eichhorn:

Thank you for submitting copies of the Town of Loxahatchee Groves 5-year Capital Improvement Schedule adopted by **Ordinance No. 2013-04** on **August 6, 2013**, for our records.

The reference number for this amendment package is DEO# 13-CIE1.

The State Land Planning Agency **will not** conduct a compliance review or issue a Notice of Intent regarding the adopted 5-year capital improvement schedule in accordance with procedures contained in Section 163.3177(3)(b), Florida Statutes.

If you have any questions, please contact me for the DRI and Plan Processing Section at (850) 717-8483.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/ts

cc: Mr. Mark Kutney, Town Manager, Town of Loxahatchee Groves

