

TO: Mayor and Councilmembers

FROM: Jim Fleischmann, Town Planning Consultant

DATE: February 28, 2023

SUBJECT: Pre-Council Workshop Update of Comprehensive Plan Elements

Background

Current Goals, Objectives & Policies for the individual elements of the Town's Comp Plan were distributed in a 3-ring binder at the November 15, 2022 Council meeting. The binder will be used as the basis for future discussions.

The following information is provided for Council's review:

1. Summary of Council action/direction at the February 13, 2023 Workshop.
2. Revised schedule of Comp Plan Amendment activities (attached).

Recommendation:

Staff seeks Council input and direction with respect to the current language in the Future Land Use Element, as well as other major issues to be included.

Summary of Council Revisions/Direction at the February 12, 2023 Workshop:

A. Transportation Element (starting at Objective 2.6)

1. Move Objective 1.1.A from Future Land Use to Transportation 2.5.3 and 2.7, as appropriate. Express desire to be classified a Rural Minor Collector. Include traffic calming devices as roundabouts, traffic signals and/or stop signs.
2. Add Policy 2.6.4 to prohibit connectivity between Town unincorporated area. Cite existing ordinance.
3. Revise Policy 2.7.8 to read:

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.~~

B. Capital Improvements Element

1. Move Policy 9.1.1 (a) to the Infrastructure Element if necessary

2. Revise Policy 9.1.3 to read:

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.

3. Revise Policy 9.1.4 to read:

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

4. Revise Policy 9.1.6 to read:

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 plans.
- 5) Plans of local, county, state agencies including the Town and Loxahatchee Groves Water Control District.
- 6) Accommodation of new development and redevelopment.
- 7) Financial feasibility.

5. Revise Objective 9.2 to read:

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.~~

6. Revise Policy 9.2.1 to read:

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 on an annual CIP ~~updates~~ basis.

7. Delete Policies 9.2.16 - 9.2.18, including all references to public school concurrency.

8. Revise Objective 9.6 to read:

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~~ of the Five Year Schedule of Capital Improvements shall be made by Town Council Ordinance and not subject to the comprehensive plan amendment process.

9. Delete Objective 9.7 and Tables 9-1 to 9-3.

REVISED EAR-BASED AMENDMENTS SCHEDULE (4)
Commencing February 28, 2023

Month	Date	Comp Plan Element(s)	Task
January	9	Conservation and Recreation/Open Space	1. Discussion and Staff Direction
January	23	Housing and Intergovernmental Coordination	1. Review of January 9th 2. Discussion and Staff Direction
January	30	Infrastructure and Transportation (part)	1. Review of January 23rd 2. Discussion and Staff Direction
February	13	Transportation (balance), Capital Improvements and Property Rights	1. Review of January 30th 2. Discussion and Staff Direction
February	28	Future Land Use #1	1. Review of February 13th 2. Discussion and Staff Direction
To be determined(TBD)	TBD	Future Land Use #2, Introduction Element and Comp Plan graphics	1. Review of February 28th 2. Discussion and Staff Direction
To be determined(TBD)	TBD	Summary and discussion of changes to date and additional revisions	1. Review of TBD 2. Discussion and Staff Direction
To be determined(TBD)	TBD	Council Workshop #1 All Elements	1. Review of TBD 2. Discussion and Staff Direction
To be determined(TBD)	TBD	Council Workshop #2 All Elements	1. Review of TBD 2. Discussion and Staff Direction
To be determined(TBD)	TBD	Public Hearing - All Elements	Local Planning Agency Hearing and recommendation to Council
To be determined(TBD)	TBD	Public Hearing - All Elements	Second Local Planning Agency Public Hearing – If necessary
To be determined(TBD)	TBD	Public Hearing - All Elements – Revised Comprehensive Plan	Council Public Hearing and Consideration of Adoption Ordinance on First Reading
To be determined(TBD)	TBD	All Elements – Revised Comprehensive Plan	Transmittal to FDEO and Other Agencies for Review and Comment
To be determined(TBD)	TBD	All Elements – Revised Comprehensive Plan	Council Public Hearing and Consideration of Adoption Ordinance on Second Reading
To be determined(TBD)	TBD	All Elements – Revised Comprehensive Plan	Submittal of Adopted Plan to FDEO

FUTURE LAND USE

GOALS, OBJECTIVES, AND POLICIES (Rev: Ord. 2012-04; 2012-05; 2014-06; 2016-03; 2016-08; 2016-09; 2017-01; 2017-02; 2018-01)

Underlined text is an addition to existing text **~~deleted~~** text is a deletion of existing text.

GOAL I Loxahatchee Groves will continue to protect its natural environment and rural character in the midst of an urbanizing region. The Town will continue to be a rural residential and agricultural community that has a great respect for lifestyle choices balanced with historical community needs.

1.1A *Objective:*
The Town shall protect its rural character by maintaining Okeechobee Boulevard as a two-lane section.

Policy 1.1A.1:

In order to maintain the two-lane section, the Town shall support implementation of the following Okeechobee Boulevard improvements:

~~a) Expansion to a two-lane divided median enhanced rural parkway with properly-spaced left-turn lanes.~~

a) Coordinate with Palm Beach County to designate the section of Okeechobee Boulevard within Loxahatchee Groves a Rural Parkway; specifically expansion to a two-lane divided median enhanced rural parkway with properly-spaced left-turn lanes.

b) Traffic calming features, to include but not limited to roundabouts at Folsom Road and the Letter Road intersections with Okeechobee Boulevard.

c) Implementation and enforcement of reduced speed limits.

1.1A.2. Policy: On an annual basis, work with Palm Beach County to incorporate future roadway improvements that implement the Town's Okeechobee Boulevard planning policy within the Five-Year Transportation Improvement Program (TIP). In this regard, the Town Council shall be represented at Metropolitan Planning Organization (MPO) meetings in preparation of the TIP.

1.1A.3. Policy:

To provide a center of accessible shopping, recreation, and employment opportunities for Loxahatchee Groves' residents, the

Town shall create a rural-style commercial center along the Southern Boulevard corridor

1.1B Objective:

The Town shall designate future land uses with appropriate uses, densities and intensities that will protect residential and agricultural land uses and encourage limited economic development.

1.1B.1 Policy:

Land use shall be determined by a Future Land Use Map.

1.1B.2 Policy:

The Town shall regulate density and intensity of land uses as noted in Table 1-8.

1.1B.3 Policy:

The Town shall ensure that future land use designations are compatible with adjacent land uses within and outside of the Town boundary.

1.1B.4 Policy

The Town shall encourage the use of Residential Enterprise and Home Office approvals as a tool to promote limited economic development while preserving its rural character.

1.1.B.4 Policy:

Land development regulations will, at a minimum:

- a) Regulate the subdivision of land;
- b) Regulate the use of land and water consistent with this Comprehensive Plan and ensure the compatibility of adjacent land uses and provide for open space;
- c) Regulate areas subject to seasonal and periodic flooding and provide for drainage and storm water management;
- d) Protect potable water wellfields and aquifer recharge areas;
- e) Regulate the placement, size and design of signs in the zoning code in order to enhance local businesses and prevent sign pollution;
- f) Ensure safe and convenient on-site traffic flow and vehicle parking needs; and
- g) Provide that development orders and permits shall not be issued which result in a reduction of the level of services for the affected public facilities below the level of service standards adopted in this Comprehensive Plan.
- h) Create codes allowing diverse low impact home-based businesses.

- i) Establish codes to regulate uses that create large scale places of assembly.
- j) Buffer residential uses from non-residential uses using mechanisms to promote and enhance the rural natural environment.
- k) Direct future commercial low and commercial low office development to the Southern Boulevard corridor.

1.1B.5 Policy:

In reviewing applications for development permits, the Town shall consider all relevant factors, including but not limited to, consistency and compatibility with the Future Land Use Element of the Comprehensive Plan, together with all other Comprehensive Plan elements. The Town shall also consider compatibility with adjacent zoning, approved plats and existing land uses, including occupied residential areas.

1.1.B.6 Policy:

The Town shall encourage the use of innovative land development regulations that enhance the rural atmosphere, reduce energy usage, reduce greenhouse gas emissions. .

1.1.B.7 Policy:

The Town will discourage and assess potential for urban sprawl in formal review of development proposals utilizing criteria in Rule 9J-5.006(5)(g). F.A.C.

1.1.B.8 Policy:

The Town shall continue to maintain the rural zoning regulations for areas designated Rural Residential in order to protect and preserve the rural communities of present and future residents of these areas. The regulations shall, at a minimum:

1. Retain an agricultural/residential zoning category and the agricultural uses permitted by the land development code;
2. Provide for zoning districts, which appropriately accommodate residential and/or agricultural uses, which are consistent with the Rural Residential Future Land Use designation;
3. Provide assurances that allowed agricultural uses shall be compatible with a rural residential neighborhood in the land development code;
4. Guarantee the keeping of livestock;
5. Maintain specific regulations to restrict the types of non-residential and nonagricultural uses allowed and promote the rural character through design,
6. Allow home occupation uses that will not degrade the rural character of the area;

7. Include provisions for legal non-conforming agricultural uses consistent with this Plan, while not violating the Right-to-Farm Act; and
8. Include provisions that: encourage maximizing the preservation of open space and protection of native vegetation and tree canopy in front, rear, and side yards; preserve environmental systems; protect wildlife; and, retain the rural character.

1.1B.9 Policy:

Define accessory uses while recognizing the protections provided in the Right to Farm Act and minimize adverse impacts on neighboring properties including the use of Best Management Practices where available.

1.1B.10 Policy:

The Town shall investigate a special tax valuation for properties that have a Conservation land use and when the land is dedicated to natural resource protection by December 2010.

1.1B.11 Policy:

The Town shall regulate in the land development code accessory dwelling units, caretaker quarters, and groom's quarters.

- a. The Town shall allow accessory dwelling units limited to one bedroom and one bathroom.
- b. Caretaker quarters shall be allowed on parcels with bona fide agricultural uses.
- c. Groom's quarters shall be allowed on parcels where there are equestrian uses.

1.1B.12 Policy:

The Town shall base all future land use decisions upon and consistent with the adopted Comprehensive Plan.

1.1B.13 Policy:

Town will adopt and enforce a set of land development regulations that are consistent with and implement the Town's Comprehensive Plan within one year of adoption of the Comprehensive Plan and submit them to DCA for review.

1.1B.14: Policy:

The Multiple Land Use (MLU) land use designation may be assigned to parcels which are planned to incorporate more than one land use category within a unified plan of development in order to implement Comprehensive Plan directives, including: promotion of sustainable living concepts, preservation of the natural environment, joint traffic impacts assessment; encouragement of alternative transportation modes and economic growth, and mitigation of potential adverse impacts to surrounding areas. In order to be approved by the Town for an MLU designation, a parcel of land shall meet the following criteria:

- a. Minimum Parcel Size: 50 acres.
- b. Road Frontage and Primary Access: A minimum of 1,000 linear feet on an arterial roadway, as defined on Map TRN – 2.3 of the Comprehensive Plan.
- c. Maximum Parcel Depth from Road Frontage: 2,000 linear feet.
- d. Mix of Land Uses: Each parcel assigned an MLU land use designation shall contain a combination of three (3) or more land uses from those listed in Table 1-8.
- e. Development Intensity: The maximum aggregate development potential for an MLU-designated parcel shall be determined by multiplying the acreage of each included land use category by its intensity, as defined in Table 1-8, and summing the result. However, based upon the infrastructure impact assessments performed during the approval process, or voluntarily by an applicant, development potential may be limited by the Town Council.
- f. Conditions of Approval: Any conditions of approval limiting development intensity of an MLU, or other conditions deemed necessary to implement Comprehensive Plan directives shall be stated in the form of Special Policies under Objective 1.15 of the Future Land Use Element of the Comprehensive Plan.
- g. Future Land Use Map: Each parcel of land with an approved MLU land use designation shall be so indicated on the Future Land Use Map, along with notes referring to conditions of approval enacted by special policy under Objective 1.15 of the Future Land Use Element.

1.2 *Objective:*

Development of a rural style commercial center shall be limited to the Southern Boulevard Corridor.

1.2.1 Policy:

The Town shall limit new commercial development to areas south of East Citrus Road border to border.

1.2.2 Policy

The Town shall examine a special taxing district for non-residential uses south East Citrus Road East border to border by December 2010.

1.2.3 Policy:

The Town shall endorse a substantial equestrian facility along the Southern Boulevard Corridor.

Table 1-8 Future Land Uses

<i>Land Use Category</i>	<i>Density</i>	<i>Intensity (Maximum Floor Area Ratio)</i>	<i>Uses</i>
RESIDENTIAL			
Rural Residential 5 (RR-5)	1 du/5 acres	0.15 (non-residential uses only)	Single-family dwelling units and agricultural uses. Agricultural uses shall be compatible with a rural residential neighborhood.
COMMERCIAL			
Commercial Low Uses (CL)		0.10-0.15 Exception: Refer to Policy 1.2.6	A limited range of neighborhood-oriented commercial activities designed primarily to provide services to adjacent residential areas. Limited institutional and public facilities allowed.
Commercial Office Uses - Commercial Low (CL-O)		0.20	Offices for administrative, professional and business purposes; banking and financial institutions; membership organizations; and, uses that are accessory to the office use including restaurants. Limited institutional and public facilities allowed.
INSTITUTIONAL			
Institutional and Public Facilities (INST)		0.10	Uses permitted in the Institutional and Public Facilities future land use designation include a full range of regional and community uses such as educational; childcare facilities and adult day care facilities; congregate living facilities; medical and accessory offices; hospitals, public health clinics, emergency shelters; governmental, religious, cemetery, civic, cultural, judicial and caretakers' quarters.

<i>PARKS AND RECREATION</i>			
Parks and Recreation (PARK)		0.10	Developed or planned sites owned by a governmental entity that provide the public an opportunity to partake in a variety of recreational activities that may be active, passive, or special in nature in a safe and convenient manner that is compatible with its environs.
<i>CONSERVATION</i>			
Conservation (CON)		0.05	Natural areas for the purpose of conserving or protecting natural resources or environmental quality. These areas may be used for wildlife management, passive recreation, and environmental restoration/ preservation. The Town shall designate lands which contain natural resources that are to be protected, restored, enhanced, and managed, as appropriate, to sustain viable ecosystems and wildlife habitat and natural resources. These natural areas may include site improvements to support uses which are deemed appropriate and consistent with the function of the designated area.
<i>MULTIPLE LAND USE</i>			
Multiple Land Use (MLU)	Ref: Policy 1.1B.14	Ref: Policy 1.1.B.14	Parcels planned to incorporate multiple Town land use categories, as defined herein, within a unified development concept. Uses may vary from parcel to parcel, depending upon the approved mix of Town land use categories incorporated therein, consistent with Policy 1.1.14 and site specific policies, per Objective 1.15.

Notes: 1. The density calculation for a property is based on the property's gross acreage. 2. That portion of a property dedicated for right-of-way in exchange for compensation may not subsequently be included with the parent property or another property for the purpose of a density or intensity calculation

- 1.2.4 Policy:
The Town shall consider extension of Tangerine Drive from the equivalent of 161st Terrace to E Road.

1.2.5 Policy:

The following uses: are prohibited: additional big box; gas station; vehicle/car dealerships; and large industrial complexes.

1.2.6 Policy:

The maximum Floor-Area-Ratio of a self-storage facility may be increased above 0.15 provided that parking, loading, landscape, building height, setback and buffer requirements are satisfied.

- 1.3 *Objective:*
The Town shall strive to encourage a rural community design and look.

- 1.3.1 Policy:
The Town shall adopt an ordinance for non-residential development that reflects and updates the Rural Vista Guidelines by January 2010.

- 1.4 *Objective:*
The Town shall effectively manage and monitor development and redevelopment to assure that facilities and services meet adopted levels of service.

- 1.4.1 Policy:
Development orders and permits will be conditioned on the availability of the facilities and services necessary to serve the proposed development.

- 1.4.2 Policy:
Land use regulations shall require that facilities and services meet the established level of service standards and are available concurrent with the impacts of development.

- 1.4.3 Policy:
Providers of public facilities must be able to authorize service to the various land uses at the same time as the land uses are permitted.

- 1.4.4 Policy:
Ensure that new development bears a proportionate fair share of the cost for public facility improvements needed to accommodate the impacts of new development by utilizing a variety of mechanisms to access and collect impact fees, dedications and/or contributions from private development.

- 1.4.5 Policy:

Ensure the availability of suitable land for utility facilities necessary to support proposed developments.

- 1.5 *Objective:*
The Town shall specify the land use categories in which public schools are an allowable use.
- 1.5.1 Policy:
The Town shall allow public schools as a permitted use subject to special exception approval by the Town Council in the Institutional and Public Facilities (INST) future land use category. In any event, Special Policy 1.15.4 of the Future Land Use Element shall be interpreted as the Palm Beach State College property remaining a lawful use and not transformed to a nonconforming use by virtue of any amendment to the permitted uses in the Rural Residential 5 (RR 5) Land Use Category or the Town's Unified Land Development Code (ULDC).
- 1.5.2 Policy:
To the extent possible, the Town shall support the collocation of school sites with public facilities such as parks, libraries, and community centers.
- 1.6 *Objective:*
The Town shall maintain an emergency management plan to reduce or eliminate the exposure of human life and public and private property to natural hazards.
- 1.6.1 Policy:
The Town shall prepare a Comprehensive Emergency Management Plan to ensure that actions needed to protect the public health and safety shall receive first priority in emergency permitting decisions by March 2009.
- 1.6.2 Policy:
The Town shall coordinate their Comprehensive Emergency Management Plan with the County Emergency Management Office for compliance with the County Emergency Management Plan.
- 1.6.3 Policy:
The Town shall ensure level of service standards for public facilities are returned to pre-storm levels as soon as possible after a storm event.
- 1.6.4 Policy:
The Town shall prepare a post-disaster redevelopment plan by December 2010.
- 1.7 *Objective:*
Provide identification, protection and awareness of historic resources in order to preserve the Town's unique history.

- 1.7.1 Policy:
The Town of Loxahatchee Groves shall identify opportunities to exhibit Town history in future Town facilities, greenways and equestrian trails, and within parks located within the Town.
- 1.7.2 Policy:
The Town shall coordinate historic resource protection activities, procedures and programs with applicable state and federal laws, policies and guidelines.
- 1.7.3 Policy:
The Town shall undertake a survey of historic properties by 2011.
- 1.8 *Objective:*
The Town shall monitor and protect natural resources in accord with the goals, objectives and policies in the Conservation Element.
- 1.8.1 Policy:
The Town shall require approval from all applicable external agencies regarding the protection of environmentally sensitive habitats.
- 1.9 *Objective:*
Protect the quality and quantity of the Town's potable water supply by limiting activities and land uses within the wellfield areas.
- 1.9.1 Policy:
New septic tank systems shall meet applicable state standards for permitting.
- 1.10 *Objective:*
Minimize flooding problems by coordinating future land uses with topographic, drainage and stormwater management systems and appropriate development codes and regulations.
- 1.10.1 Policy:
Town development codes shall contain floodplain protection provisions consistent with the criteria and mapping of the Federal Emergency Management Administration.
- 1.10.2 Policy:
Through the land development code, public roads and parking lots shall be designed consistent with the criteria of the Loxahatchee Groves Water Control District and the South Florida Water Management District.
- 1.10.3 Policy:
New development shall coordinate with the South Florida Water Management District, the Loxahatchee Groves Water Control District and appropriate agencies in Palm Beach County to provide consistency with water management regulations.

1.11 *Objective: The Town shall work towards the elimination of existing land uses which are inconsistent with the Town's development pattern and not compatible with the proposed future land uses.*

1.11.1 Policy:

Inconsistent uses are hereby defined as any uses which are located on a site where they would not be permitted by this comprehensive plan.

1.11.2 Policy:

The Town shall adopt and maintain land development regulations which protect the rights of property owners to continue non-conforming uses, but which, at a minimum, provide for the termination of such rights upon the abandonment of a non-conforming use for an extended period of time.

1.11.3 Policy:

Uses that Are Non-Conforming Due to Density. Existing legally permitted and constructed structures as of the date of adoption of the comprehensive plan may remain. If the legally permitted structure is damaged, destroyed or redeveloped so as to require substantial improvement, it may be repaired, replaced or restored to the same density, provided that the development is brought into compliance with all other applicable codes and regulations.

1.11.4 Policy:

Owners of non-conforming lots of record that were legally established prior to the date of incorporation may construct one single family home on their lot.

1.11.5 Policy:

Existing naturist recreational vehicle park which includes private club and accessory recreational facilities legally established prior to the date of incorporation may remain.

1.12 *Objective: The Town shall consider changes to the future land use plan based upon energy-efficient land use patterns and discouragement of sprawl accounting for existing and future energy electric power generation and transmission systems.*

1.12.1 Policy:

The Town shall ensure the Town's comprehensive plan and land development code does not prevent the construction of electric substations within the Town.

1.12.2 Policy:

The land development code shall allow for use of alternate, renewable sources of energy including the use of solar panels.

1.12.3. Policy: Reserved
1.12.4 Policy:
The Town shall continue to allow home based businesses to the extent that impacts are compatible with an agricultural/residential community.

1.12.5 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.

1.12.6 Policy:
The Town shall ensure development and redevelopment is transit-ready along major transportation corridors.

1.13 *Objective: The Town shall implement greenhouse gas reduction strategies.*

1.13.1 Policy:
The Town shall educate residents on home energy reduction strategies.

1.13.2 Policy:
The Town shall educate residents, business owners and farmworkers on the cost and environmental effects of automobile idling.

1.13.3 Policy:
The Town shall encourage and educate the public in the planting and maintenance of trees and provide public education on the placement of canopy trees and other landscape materials to strategically provide shade and reduce energy consumption.

1.13.4 Policy:
The Town shall continue to reduce the heat island effect by supporting sustainable agricultural uses and practices within the Town such as Department of Agriculture Best Management Practices.

1.13.5 Policy:
The Town shall continue to require open space and pervious surface areas in development and redevelopment.

1.13.6 Policy:
The Town shall amend the land development regulations to adopt specific standards and strategies that address greenhouse gas emissions, energy efficient housing, and overall energy conservation within one year of adoption of the Comprehensive Plan.

1.14 *Objective: The Town shall encourage the redevelopment and renewal of blighted areas in order to ensure stability of the community as needed.*

Policy 1.14.1:

Establish administrative procedures to require rehabilitation and/or demolition of housing, if necessary, following a natural disaster or if a dwelling unit is damaged by fire beyond repair.

Policy 1.14.2:

At the time of each required Evaluation and Appraisal Report, evaluate the need to designate any housing structures as locally historically significant and in need of special consideration under the provisions and criteria cited in the Standard Housing Code.

1.15 Objective: Special land use policies may be adopted by Loxahatchee Groves when necessary to address site-specific issues related to implementing the Loxahatchee Groves Comprehensive Plan and its special planning studies.

1.15.1 Special Policy 1.15.1: Reserved.

1.15.2 Special Policy:

(1) Land use and density/intensity of development on the property delineated as "Special Policy 1.15.2" on the Future Land Use Map, Map # FLU -1.10, shall be regulated by the application of the Multiple Land Use (MLU) land use category, and the following criteria: Commercial Low (CL) – Maximum of 34.34 acres/ 103,000 sq. ft. of retail commercial space; Commercial Low Office - Maximum of 16.0 acres/44,000 sq. ft. of professional and medical office commercial space; and Institutional – Minimum of 40.0 acres/Maximum of 128 congregate living beds.

(2) A 300 foot wide buffer shall be incorporated in the master plan along that portion of the MLU adjacent to the Collecting Canal.

1.15.3 Special Policy:

Land use and intensity of development on the property delineated "Special Policy 1.15.3" on the Future Land Use Map, Map # FLU -1.10, shall be regulated by the application of the following: (a) The applicant shall record a Deed Restriction which shall provide that the Intensity of development shall not exceed a floor-area- ratio (F.A.R.) of 0.074 in order to accommodate a maximum of 30,000 sq. ft. of commercial low intensity uses; and (b) this restriction shall automatically increase to whatever F.A.R. may be subsequently granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.

(1). A Conceptual Site Plan reflecting the 0.074 F.A.R. shall be approved as part of the initial rezoning approval. Subject to potential future F.A.R. increases permitted by Special Policy 1.15.3(b), development uses, access and intensity shall be consistent with the Conceptual Site Plan.

2). Any increase in development intensity above a 0.074 F.A.R., as permitted in Special Policy 1.15.3(b), shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

1.15.4 Special Policy:

Development on the Palm Beach State College Property delineated as "Special Policy 1.15.4" on the Future Land Use Map, Map # FLU-1.10, shall be regulated by the following criteria:

(1) Policy 1.15.4-a: Development of the property shall be governed only by the following regulations:

- a. SREF- State Requirements for Educational Facilities as adopted in Rule 6A-2.0010
- b. Florida Building Code
- c. Florida Fire Prevention Code
- d. South Florida Water Management District
- e. Loxahatchee Groves Water Control District

(2) Policy 1.15.4-b: A "Master Site Development Plan" providing the following information for the overall site shall be submitted to the Town for approval prior to issuance of the first building permit:

- a. Site Acreage
- b. Site boundaries clearly identified, and ties to section corners.
- c. Existing and proposed land uses and existing uses on adjacent land.
- d. Generalized location of development areas and uses.
- e. Indication of vehicular connections to public rights-of-way.
- f. A valid Conceptual Driveway Permit approval from the Florida Department of Transportation issued pursuant to the "State Highway System Access Management Classification System and Standards", as amended.
- g. Design Guidelines to be consistent with the intentions of the Town's Rural Vista Guidelines as can be applied to a college campus.
- h. All adjacent public and private rights-of-way and easements, indication of ultimate right-of-way line, centerline, width, pavement width, existing and proposed median cuts and intersections, street light poles and other utility facilities and easements.
- i. Indication of existing native vegetation that will be preserved.
- j. A detail of the proposed buffer for screening along the northern boundary, including addressing removal of invasive vegetation and replanting.

- k. Site Data, including the maximum intensity permitted on site.
 - (3) Policy 1.15.4-c: A copy of the “Campus Master Plan” prepared pursuant to State Requirements for Educational Facilities as adopted in Rule 6A- 2.0010 and all future 5-year updates shall be submitted to the Town of Loxahatchee Groves for informational purposes. The 5 - year updates to the “Campus Master Plan” shall be submitted to the Town of Loxahatchee Groves for informational purposes prior to submission of the Plan to the Department of Education. During the development of the Educational Plant Survey and the Campus Master Plan, the Town shall be given the opportunity to raise any issues or concerns with the Plan for consideration by the College.

1.15.5 Special Policy: RESERVED

1.15.6 Special Policy:

The existing veterinary clinic use for the treatment of small and large animals on the property delineated as “Special Policy 1.15.6” on the Future Land Use Map, Map #FLU-1.10, is determined to be legal and conforming to the Loxahatchee Groves Unified Land Development Code (ULDC) and may expand subject to the land development regulations therein, provided that the on-site care and treatment of Class I and Class II wildlife, as defined in Florida Administrative Code Section 68A-6.002(1), is prohibited.

1.15.7: Special Policy:

Properties within the area defined by the following features, where a planned mixture of non-residential land use designations currently predominates, may apply for a change in land use to a MLU, CL, CLO, INST or CON Future Land Use designation: Collecting Canal (north), Southern Boulevard (south), “C” Road (east), and “B” Road (west).

1.15.8: Special Policy

(1) Current uses that were in existence as of December 31, 2020, that are not contained in the table of permitted uses in the Agricultural Residential (AR) zoning district may be allowed to continue to exist, subject to the following:

(a) The property owner/operator shall apply for a Category A Special Exception and Site Plan approvals pursuant to ULDC Sections 170-010(B) and 155-005;

(b) The use does not present a threat to public health or safety.

(c) If the property is currently the subject of a Town code enforcement action, the code violation shall be resolved during the Special Exception and Site Plan approval processes.

(d) The property owner shall submit an affidavit: (1) limiting the continued operation of the existing business to the current owner/operator; (2) agreeing not to diversify or expand the existing business; (3) agreeing to maintain an active annual Town local business tax receipt; (4) acknowledging that, in the event of the transfer of the property to a new owner the right to operate the use shall cease; and (5) agreeing to Site Plan Conditions of Approval approved by Town Council including, but not limited to, landscaping and buffering, access, parking, hours of operation, noise generation, location of the business activities upon the property, number of on-site employees, clients or customers allowed, deliveries, waste disposal, proof of insurance, etc.

(e) Uses determined by the Town Council to be non-compliant with Articles 45: Property Maintenance and/or Article 50: Public Nuisances shall not be eligible for designation under this Special Policy unless and until such maintenance and nuisance issues are resolved to the satisfaction of the Town Council.