

ORDINANCE NO. 2024-09

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE TEXT OF ADOPTED COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT, SPECIAL POLICY 1.15.2, TO REVISE THE PERMITTED USES, ESTABLISH INTENSITY MEASUREMENTS FOR THE PROPOSED HOTEL USE, AND PERMIT A NON-RESIDENTIAL USE NORTH OF EAST CITRUS DRIVE; PROVIDING FOR TRANSMITTAL, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the property owner for The Groves at Town Center Planned Unit Development, shown in Exhibit A – “Location Map”, submitted an application to amend Special Policy 1.15.2 of the adopted comprehensive plan; and

WHEREAS, Special Policy 1.15.2 applies to, and regulates, the Groves at Town Center Planned Unit Development subject property, as shown in Exhibit A; and

WHEREAS, Special Policy 1.15.2 specifically regulates the permitted uses and intensity of said uses; and

WHEREAS, concurrent applications within the Groves at Town Center were submitted to amend the approved conceptual master plan and to approve two site plans for a public park and hotel; and

WHEREAS, approval of the aforementioned applications require modification to Special Policy 1.15.2 as shown in Exhibit B; and

WHEREAS, the Town Council, as the governing body of the Town of Loxahatchee Groves, Florida (“Town”), pursuant to the authority vested in Chapters 163 and 166, Florida Statutes, is authorized and empowered to amend the adopted comprehensive plan; and

WHEREAS, the notice and hearing requirements for adoption of ordinances contained in the Florida Statutes and the Town’s Code of Ordinances have been satisfied; and

WHEREAS, the Planning and Zoning Board as the Local Planning Agency has conducted a public hearing of the proposed amendments on July 22, 2024 and August 29, 2024 and recommended denial; and

WHEREAS, the Town Council of the Town of Loxahatchee Groves has satisfied the applicable public hearing requirements for the proposed amendments; and

WHEREAS, the Town Council of Town of Loxahatchee Groves finds that the adoption of this ordinance amending Special Policy 1.15.2 of the adopted comprehensive plan is consistent with the vision for the Town Center development.

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

Section 1. The foregoing recitals are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

Section 2. The Town of Loxahatchee Groves hereby amends Special Policy 1.15.2 of the adopted comprehensive plan to read as shown in the attached and incorporated Exhibit B and Exhibit C.

Section 3. Transmittal. The Town of Loxahatchee Groves hereby directs the Planning Department to transmit the proposed text amendment to the State of Florida and all required review agencies as required by Florida State Statutes.

Section 4. Conflict. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 5. Severability. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 6. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

Councilmember _____ offered the foregoing ordinance. Councilmember _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
MAYOR ANITA KANE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PASSED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS __ DAY OF _____, 20__.

Councilmember _____ offered the foregoing ordinance. Councilmember _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
MAYOR ANITA KANE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON SECOND READING, THIS __ DAY OF _____, 20__.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Valerie Oakes, Town Clerk

Mayor Anita Kane

Vice Mayor Margaret Herzog

APPROVED AS TO LEGAL FORM:

Councilmember Laura Danowski

Office of the Town Attorney

Councilmember Phillis Maniglia

Councilmember Robert Shorr

Exhibit A to Ordinance 2024-09

Location Map

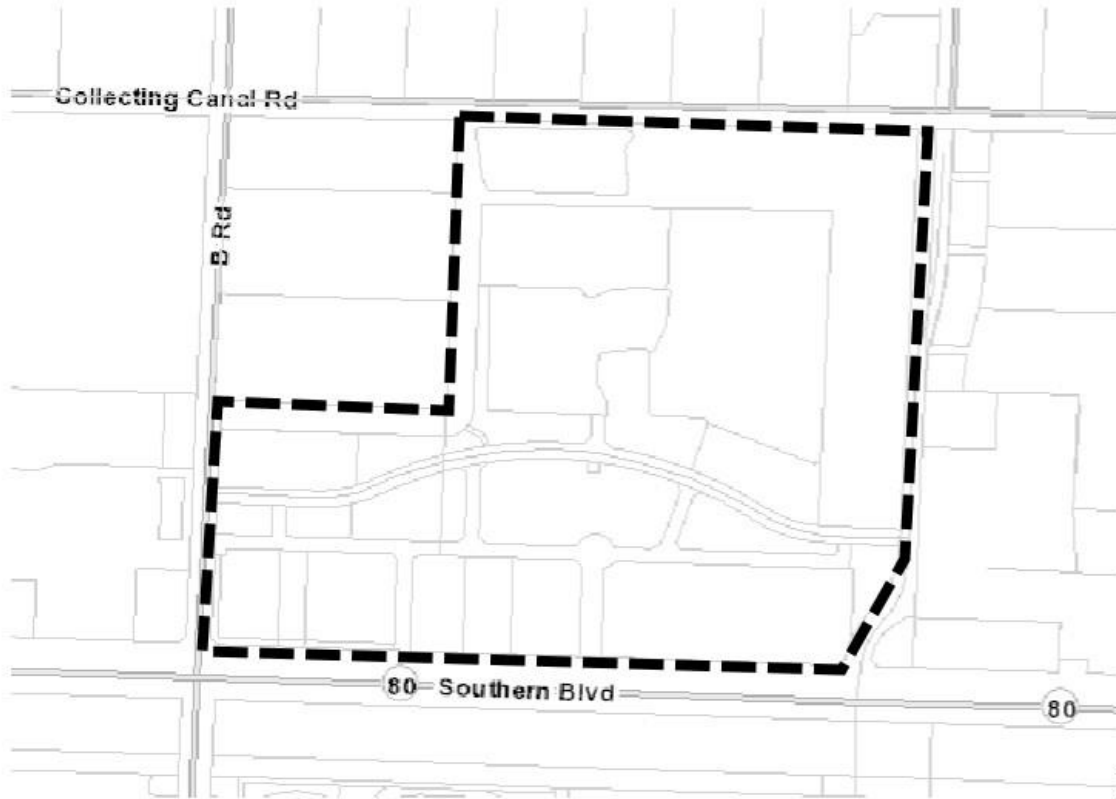


Exhibit B to Ordinance 2024-09
Proposed Text Amendment

Proposed Text Amendment to Special Policy 1.15.2

Changes are in strikethrough and underline format.

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 and up to 95 lodging units; 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~~ Public Park (Town Commons). Development intensity of lodging uses to be regulated by combination of number of rooms, building height, and lot coverage rather than FAR.

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

- ~~(2)~~(3) For the property delineated as "Special Policy 1.15.2" on the Future Land Use Map, Map # FLU – 1.10, Commercial Low and Commercial Low Office uses are restricted to being located on Parcel 1 and/or Parcel 2 and Commercial Low and Commercial Low Office uses are prohibited on Parcel 3. The aforementioned parcels are as shown on the Conceptual Master Plan dated October 12, 2023.

Exhibit C to Ordinance 2024-09

Conceptual Master Plan – Depicting Parcels 1, 2, and 3

