

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2008-006

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING THE TOWN OF LOXAHATCHEE GROVES COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Chapter 2006-328, Laws of Florida, the Charter of the Town of Loxahatchee Groves provided for the adoption of the Palm Beach County Comprehensive Plan as of October 12, 2006, until such time as the Town adopted its own Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3167(4), the Town of Loxahatchee Groves Town Council, sitting as the Local Planning Agency, has recommended adoption of the Town's Comprehensive Plan, a copy of which is attached hereto as **Exhibit "A"**, and incorporated herein by reference, in order to promote the health, safety and welfare of the public of the Town of Loxahatchee Groves; and

WHEREAS, the Town of Loxahatchee Groves Local Planning Agency conducted its public hearing on September 16, 2008 to review the proposed Town of Loxahatchee Groves Comprehensive Plan, and made a recommendation regarding the proposed Comprehensive Plan of the Town of Loxahatchee Groves pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Town Council of Town of Loxahatchee Groves, as the governing body of the Town of Loxahatchee Groves conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on September 16, 2008 to review the recommendation of the Local Planning Agency, whereupon the Town Council authorized transmittal of proposed Comprehensive Plan

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to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

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

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

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

Section 2. Adoption of the Town of Loxahatchee Groves Comprehensive Plan.

The Town Council, in conformance with the relevant provisions of Chapter 163, Part II, Florida Statutes, including Section 163.3167(4), Florida Statutes, hereby adopts the Comprehensive Plan of the Town of Loxahatchee Groves which is attached hereto as **Exhibit “A”**, and incorporated herein by reference as the Comprehensive Plan for the Town of Loxahatchee Groves.

Section 3. Repeal of Laws in Conflict. All local laws and ordinances applying to the Town of Loxahatchee Groves in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

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

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Section 5. Effective Date. The effective date of the Town of Loxahatchee Groves Comprehensive Plan shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the Comprehensive Plan in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier, or as otherwise provided by law. No development orders, development permits, or land uses dependent on the Comprehensive Plan may be issued or commence before it has become effective.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 16th DAY OF September, 2008.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 17th DAY OF February, 2009.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

Matthew Lyman
TOWN CLERK or Authorized Representative

David Browning
Mayor David Browning

Muse Herzog
Vice Mayor

[Signature]
Council Member

APPROVED AS TO LEGAL FORM:

DGC
Office of the Town Attorney

[Signature]
Council Member

[Signature]
Council Member