

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-08

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR A MORATORIUM UNTIL MAY 31, 2015, ON THE PROCESSING AND REVIEW OF APPLICATIONS FOR AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS AND TEXT AMENDMENTS, RELATING TO COMMERCIAL LAND USES ON PROPERTIES FRONTING ON OKEECHOBEE BOULEVARD WITHIN THE CORPORATE BOUNDARIES OF THE TOWN AS OF DECEMBER 2, 2014; PROVIDING FOR EXEMPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the requirements of Chapter 2006-328, Laws of Florida the Town Charter of the Town of Loxahatchee Groves, on October 10, 2006, the voters within the area of unincorporated Palm Beach County known as Loxahatchee Groves voted to incorporate as the Town of Loxahatchee Groves (the "Town"); and,

WHEREAS, one of the primary motivations of incorporation was to preserve the rural nature of the area in which the Town is located; and,

WHEREAS, the Town initially adopted its Comprehensive Plan in 2009; and,

WHEREAS, after an administrative challenge to the Town's Comprehensive Plan was dismissed, the Town's Comprehensive Plan became effective in August, 2011; and,

WHEREAS, since 2012, Palm Beach County has approved several significant projects in unincorporated areas of the County near the Town that could affect Okeechobee Boulevard; and,

WHEREAS, since the Town's Comprehensive Plan has come into effect, the Town has received and considered several applications for Land Use Amendments, as well as Text Amendments, to the Town's Comprehensive Plan, including for property fronting along

Okeechobee Boulevard; and,

WHEREAS, during the review of the Land Use Amendments and Text Amendments received and reviewed by the Town since the Town's Comprehensive Plan came into effect, issues relating to consistency between language in the Comprehensive Plan and the preservation of the Town's rural character were identified by the Town Council and the Town's Planning and Zoning Board during the above referenced review; and,

WHEREAS, the Town expects continuing pressure to develop commercial uses along Okeechobee Boulevard within the Town which may threaten the Town's historical rural character and lifestyle; and,

WHEREAS, the Town's Planning Consultant has proposed text amendments for the Town's Comprehensive Plan, which has been reviewed by the Town's Planning and Zoning Board and Town Council, but which have not been approved and require additional time to develop and adopt; and,

WHEREAS, the adoption of a moratorium on the receipt and processing of applications for Land Use Applications and Text Amendments to the Town's Comprehensive Plan relating to commercial land uses on property fronting Okeechobee Boulevard will provide the Town with time to complete its review of the Comprehensive Plan, and adopt same; and,

WHEREAS, the Town Council believes that it is in the best interest of the Town, and its residents, to review the Town's Comprehensive Plan given the issues that have arisen, and to consider the need for amendments to the Town's Comprehensive Plan that will enhance the Comprehensive Plan's consistency with the Town's historical conditions and vision of remaining a rural area; and,

WHEREAS, the Town's Planning and Zoning Board considered this Ordinance at its

December 18, 2014 , meeting and recommended that the Town Council approve the moratorium.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, 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. Moratorium Imposed. The Town Council of the Town of Loxahatchee Groves hereby declares a moratorium as of December 2, 2014, for the time period specified in Section 4, on the processing and review of Land Use Amendments and Text Amendments to the Town's Comprehensive Plan relating to commercial land uses on property fronting Okeechobee Boulevard.

Section 3. Exceptions to Moratorium. The Town Council hereby declares that Amendments to the Town's Comprehensive Plan initiated by the Town shall be exempt from the Moratorium.

Section 4. Period of Moratorium. The Town Council of the Town of Loxahatchee Groves hereby declares that the moratorium shall be effective for the period through May 31, 2015, unless otherwise modified by the Town Council by ordinance.

Section 5. All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of such conflict.

Section 6. If any Section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 7. This Ordinance shall become effective immediately upon its passage and adoption.

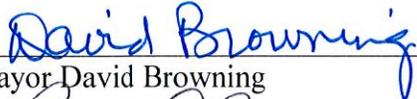
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 2nd DAY OF December, 2015.

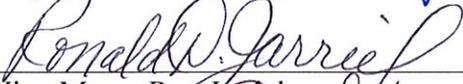
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 3rd DAY OF February, 2015.

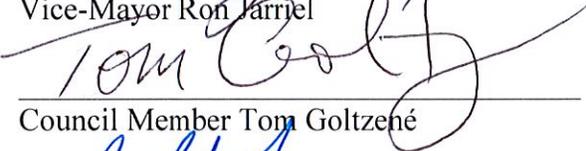
TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

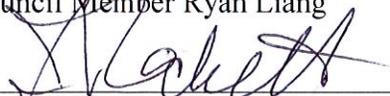

Janet K. Whipple, Town Clerk


Mayor David Browning


Vice-Mayor Ron Jarriel


Council Member Tom Goltzené


Council Member Ryan Liang


Council Member Jim Rockett

APPROVED AS TO LEGAL FORM:


Office of the Town Attorney