

RESOLUTION NO. 2007-003

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA OPPOSING THE PROPOSED CALLERY-JUDGE GROVE DEVELOPMENT OF REGIONAL IMPACT (“CALLERY-JUDGE DRI”) AND RELATED COMPREHENSIVE PLAN AND ZONING AMENDMENTS DUE TO THE ENORMOUS ADVERSE IMPACTS SUCH PROJECT WOULD HAVE ON THE CITIZENS OF THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the proposed Callery-Judge DRI necessitates a density three (3) times greater than that of the Palm Beach County’s (“County”) adopted sector plan and 2,500 percent greater than existing land use designations allow; and

WHEREAS, Callery-Judge is requesting an exemption from the County’s Future Land Use Element policy 3.5-d which currently prohibits the County from approving a comprehensive plan amendment which results in an increase in density or intensity of development that generates additional traffic significantly impacting any roadway segment projected to operate below the adopted level of service (“LOS”) standard “D”; and

WHEREAS, such exemptions from the County’s own requirements are contrary to the manner in which other applicants have been treated and would have a devastating effect on the citizens of the Town who have already been burdened by significant volumes of traffic from other development which has been allowed; and

WHEREAS, there is no over-riding public purpose which could possibly justify such an increase in density nor such an exemption, especially given the location of the proposed project in the rural tier where the current land use on the property is RR-10 and the current zoning is AR - Agricultural Residential which would allow only one (1) dwelling unit per ten (10) acres; and

WHEREAS, the County’s Comprehensive Plan amendment has been submitted to Department of Community Affairs (“DCA”) and has received numerous objections through the Objections, Recommendations and Comments (“ORC”) report; and

WHEREAS, the Town Council of the Town of Loxahatchee Groves hereby finds that the proposed Callery Judge DRI, Comprehensive Plan Amendments and Zoning Amendments are adverse to the health, safety and welfare of the residents of the Town of Loxahatchee Groves as presented; and

WHEREAS, with the appropriate data, analysis and mitigation, the Town of Loxahatchee

Groves could support a land use and zoning change which would allow a maximum of 0.2 units per acre as set forth in the County's adopted sector plan which is currently in litigation since such density would be more compatible with the unique nature of the western area.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AS FOLLOWS:

Section 1: The foregoing WHEREAS clauses are confirmed and ratified as being true and correct and are hereby incorporated herein.

Section 2: The Town Council of the Town of Loxahatchee Groves hereby expresses its opposition to the Callery Judge DRI, Comprehensive Plan Amendments and Zoning Amendments as currently presented to Palm Beach County in view of the enormous adverse impacts such development would have on the citizens of the Town of Loxahatchee Groves and requests that the County deny the proposal as presented.

Section 3: The Town Council of the Town of Loxahatchee Groves expresses its support for a global solution which would apply equally to those situated in the Rural Tier and which would provide for a maximum density of 0.2 units per acre. The 0.2 units per acre shall apply to gross acreage so as to allow clustering in order to provide for 50% **true** open space. In addition, should any property within the Callery Judge DRI be sold for governmental, industrial, commercial, public, or institutional purposes, the residential units that would have otherwise been constructed on the parcel that was sold shall not be transferred to other portions of the Callery Judge DRI.

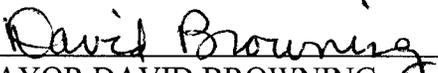
Section 4: The Town Clerk, or authorized representative is directed to send copies of this Resolution to other nearby municipalities and to the Board of County Commissioners.

Section 5: This Resolution shall take effect immediately upon passage and adoption.

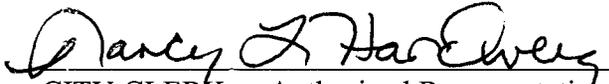
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PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF
LOXAHATCHEE GROVES, FLORIDA THIS ____ DAY OF APRIL, 2007.

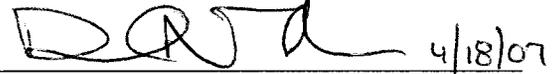
TOWN OF LOXAHATCHEE GROVES,
FLORIDA


MAYOR DAVID BROWNING

ATTEST:


CITY CLERK or Authorized Representative

APPROVED AS TO LEGAL FORM:

 4/18/07
DAVID N. TOLCES, Town Attorney

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