To: Council Members

From: Staff

Date: December 12, 2008 Council Meeting

Subject: Local Government Comprehensive Plan Review
Town of Loxahatchee Groves Comprehensive Plan

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, requires that Council review local government comprehensive plans prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed plan only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then Council must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed plan within 30 days of its receipt.

Background

The Town of Loxahatchee Groves, incorporated in 2006, has submitted its first proposed comprehensive plan. The Town has requested a formal review of the plan.

The Town of Loxahatchee Groves encompasses 12.5 square miles (7,800 acres). It is located in Palm Beach County about 15 miles west of I-95 to the north of Southern Boulevard (US-441/SR-80). The Village of Royal Palm Beach lies to the east, the Village of Wellington is to the south, and areas of unincorporated Palm Beach County referred to as “The Acreage” lie to the north and west. The population of the Town was estimated at 3,261 in 2008.

Loxahatchee Groves (sometimes referred to as “The Groves”) had its origins in 1917 and was primarily oriented around large homes sites for those that desired a rural setting. Loxahatchee Groves is characterized by its rural, agricultural and residential nature. Residents of the Town voted to incorporate in 2006 with the objective of having more control over their future.
A Strategic Planning and Visioning process was undertaken in the Spring of 2008. This led to the preparation of a Strategic Plan (see Attachment A) and the establishment of a vision for the future of the community that is to “protect its natural environmental and rural characteristics in the midst of an urbanizing region” and “continue to be a rural residential and agricultural community”. To carry out the Strategic Plan, the Town developed an implementation schedule or “Business Plan” (see Attachment B). Many of the comprehensive plan policies reflect action statements from the Business Plan.

A Neighborhood Plan for Loxahatchee Groves was prepared during the 1992-96 period. In addition, a set of Rural Vista Guidelines (for non-residential projects) were completed by volunteers from the Loxahatchee Groves Landowner Association.

The existing land use in the Town is primarily agricultural (49.0%) and single-family residential (33.1%), with 11.3% of the land vacant. Under the County Comprehensive Plan, 98.7% of the land was designated Rural Residential (minimum five-acre lot size). The existing transportation system consists of roadways and equestrian trails. The two major roadways are Southern Boulevard and Okeechobee Boulevard. Most of the roadways in the Town are unpaved, and run parallel to the canals of the Loxahatchee Groves Water Control District (LGWCD).

New commercial development is restricted to Southern Boulevard. Most of the Town residents utilize individual wells and on-lot sewer systems. Some central services are provided by the Palm Beach County Water Utility Department along SR-80 and Okeechobee Boulevard. There is only one park in Town, the 30.1 acre Loxahatchee Groves County Park located near the northern boundary of the Town. A strong focus that appears throughout the amendments is the Town’s plan to do extensive roadway and greenway/equestrian trail planning after adoption of the comprehensive plan.

**Evaluation**

1. Future Land Use Element

   - The focus of the objectives/policies in this element are on retaining rural character, including rural residential and agricultural uses.
   - Policy 1.1.7 encourages mixed use development where appropriate.
   - Several policies focus on energy efficient land use patterns, reduction of greenhouse gases and green building standards.
   - Policy 1.1.16 includes the conditions under which accessory dwelling units, caretaker quarters, and groom quarters will be allowed.
   - Table 1-8 sets forth the Future Land Use Map (FLUM) categories, and the maximum density, intensity, and permitted uses within each category.
   - Objective 1.2 indicates the Town may consider limited new residential and non-residential development along Southern Boulevard in areas south of Citrus Boulevard.
   - Policy 1.3 is to update the Rural Vista Guidelines by January 2010.
Policy 1.2.3 is to endorse a substantial equestrian facility in the Southern Boulevard Corridor.
Policy 1.5.1 allows Public Schools only in the Institutional and Public Facilities FLUM category.
Policy 1.5.2 indicates the Town supports co-location of school facilities with other uses.

2. Transportation Element

- The element was developed in coordination with Palm Beach County, the Palm Beach Metropolitan Planning Organization, and the Florida Department of Transportation.
- There is a strong focus on the expansion of greenways/equestrian trails in the element.
- Objective 2.3 is to develop a greenway and equestrian trail for residents of Loxahatchee Groves.
- Policy 2.2.3 is to prepare a master plan for a cohesive trail system to be completed within one year of adoption; Policy 2.7.7 is similar but goes into more detail regarding components of the master plan.
- Policy 2.3.5 indicates the greenways and equestrian trails system should connect to houses, parks, recreation facilities, open space and commercial facilities in the Town.
- Objective 2.4 indicates that the greenway and equestrian trail system shall be financially feasible.
- Policy 2.5.1 is to “encourage connectivity of all new development and redevelopment projects so as to minimize impacts on the roadway network.
- Objective 2.8 indicates the Town will support and coordinate with Palm Beach County on the provision of transit.

3. Infrastructure Element

- The LGWCD canals are the primary source of water for irrigation and fire protection of the Town.
- Policy 3A.1.10 is to support the Lower East Coast Regional Water Supply Plan and procedures to increase recharge to the surficial aquifer.
- Policy 3B.1.2 is to support Palm Beach County to implement a year-round public information and education program promoting water conservation.
- Policy 3B.2.2 is to investigate utilization of alternative potable water sources in order to protect and conserve the surficial aquifer.
- Several policies support conservation and protection of water supply and reference the Town’s 10-Year Water Supply Plan of July 3, 2008.
- Policies 3D.4.1 and 3D.4.2 encourage use of reclaimed water and increased wastewater reuse.
4. Conservation Element

- The Town does not have jurisdiction over any large or regionally significant natural areas, waterbodies, or wetlands. The only natural areas remaining in the Town are relatively small remnant patches of historic native upland and wetland systems.
- The Conservation Element includes one main goal, Goal 4: To conserve, manage, appropriately use, and protect the natural resources of the Town ensuring continued resource availability and environmental quality.
- Under Goal 4 are eight objectives addressing the following issues: air quality, water resources, waste, natural systems, wildlife, landscaping, wetlands, and mining.
- The Element includes numerous policies to protect natural resources and coordinate and cooperate with Palm Beach County, local, regional, state, and federal agencies in addressing conservation issues.

5. Recreation and Open Space Element

- Policy 5A.1.1 establishes the level of service of 6 acres of park, recreation and open space per 1,000 population. This level of service is satisfied, according to the Town, by the 30.1 acre Loxahatchee Groves County Park.
- Policy 5A.1.3 is to continue to lobby the County to develop the County Park in accordance with the intent of the original master plan and the amended master plan of January 1991.
- Policy 5A.1.4 is to purchase land contiguous to County Park so that the Park may be increased to its original size.
- Goal 5B is to provide a town-wide greenway and equestrian trail system which preserves the Town’s rural lifestyle.
- Policy 5B.1.3 indicates that a master plan for a cohesive trail system is to be completed within two years of the adoption of the element.
- Policy 5B.3.1 is to provide direct connection and access between the Town’s equestrian trails, the County Park and the Royal Palm Beach Pines Natural Area; Policy 5B.3.2 is to pursue connection and access to the Village of Wellington Equestrian preserves and public trails.

6. Housing Element

- The Town indicates it is relying on Census 2000 data and Traffic Analysis Zone data from Palm Beach County as a basis for their assessment of existing housing conditions. Additionally, since the Shimberg Center for Affordable Housing has not yet compiled any data for the Town, the Town indicates it cannot fully complete an affordable housing assessment. It does acknowledge an updated affordable housing needs assessment should be completed at the time the Town’s initial Evaluation and Appraisal Report is prepared.
- Policy 6.1.2 is to designate a Town housing official within one year of the adoption of the Comprehensive Plan.
• Policy 6.2.8 is to encourage job creation at locations to balance the jobs-housing mix.

7. Intergovernmental Coordination Element

• Policy 7.1.6 is to participate in the Treasure Coast Regional Planning Council informal mediation process.

8. Public School Facilities Element

• The Element incorporates the standard policy language recommended as part of the public schools interlocal agreement (ILA) in Palm Beach County. Accordingly, the proposed policies rely on agreed-upon level-of-service standards for various types of school facilities, analyzed on the basis of Concurrency Service Areas as defined in the ILA. The Element also contains goals, objectives, and policies that address coordinated efforts for school facility siting and development. While there are proposed policies encouraging the location of schools “proximate to urban residential areas”, there are no references to neighborhood schools, pedestrian/bicycle access, or compact development patterns integrating schools into common public nodes. The co-location of schools with parks, libraries, and other appropriate public facilities are encouraged. From a procedural standpoint, the proposed policies adequately address intergovernmental coordination, the sharing of data (e.g., population projections), participation on a technical advisory group, and capital improvements programming.

Extrajurisdictional Impacts

The Town provided a copy of the proposed plan to Palm Beach County, the Village of Royal Palm Beach and the Village of Wellington. Council sent a memo to each of these local governments on October 10, 2008, seeking comments on the proposed amendments. As of the date of the preparation of this report, no comments were received. Council has received copies of letters dated September 15, 2008 and October 15, 2008 (see Attachment C) from the Loxahatchee Groves Water Control District regarding objections to the proposed Comprehensive Plan for the Town of Loxahatchee Groves.

Effects on Significant Regional Resources or Facilities

Analysis of the proposed plan indicates that it would not have adverse effects on significant regional resources or facilities.
Analysis of Consistency with Strategic Regional Policy Plan

Context of Review by TCRPC

The Vision (Future of the Region) Element of the SRPP suggests that future growth should: 1) preserve the environment; 2) revitalize existing urban areas; 3) create new towns; and 4) prevent sprawl. The SRPP advises that a balanced, well-planned region designed to accomplish the vision includes a variety of land uses, but those uses are all contained in two general areas defined as Countryside and Urban Areas. The SRPP recommends urban areas as the preferred form or pattern of development for the region and defines them as compact, connected and complete towns, cities and villages composed of neighborhoods and districts that form a clear and distinct edge between themselves and the countryside.

According to the SRPP (Policy 4.1.1.1), a Town is defined by the following fundamental principles:

1. New towns have a center and an edge;
2. The center is usually defined by a public square or plaza with mixed-use buildings around it; the edge is defined by countryside;
3. New towns are separated by countryside;
4. New towns are composed of one or several neighborhoods and one or several districts;
5. Neighborhoods and districts have a center and an edge;
6. Neighborhoods and districts include a variety of uses and building types. Residential uses occur in all neighborhoods and districts; and
7. Neighborhoods may be primarily residential and districts may be primarily specialized in other uses.

Although incorporated as a Town under the Florida Statutes, Loxahatchee Groves meets none of these fundamental planning principles. It sprawls across the countryside, and is made up almost exclusively (99%) of large lot (minimum 5 acre) residential and agricultural uses. The “Town” is not compact, connected, or complete. It does not contain a balanced, well-planned, compatible mix of land use. It cannot be efficiently served by a variety of transportation modes. It does not contain a range of housing types and affordabilities in proximity to employment and services.

In its Strategic Vision and Plan (Attachment A), Loxahatchee Groves indicates that its vision is as a rural residential and agricultural community. It strives to be different than surrounding areas of the “urbanizing” region.

If Loxahatchee Groves, as it exists today, were proposed as a new town, it would not be considered consistent with the SRPP. Council acknowledges that the Town provides an alternative living environment for those seeking some rural attributes, as well as providing limited opportunities for agricultural pursuits such as small-scale nursery
operations. There are some opportunities for the Town to achieve its vision while improving the character, function, and connectivity of the Town. The Town acknowledges in proposed Policy 1.1.7 that mixed use land development techniques shall be encouraged “where appropriate”. In Objective 1.2, the Town indicates it will “consider” limited new residential and non-residential development along the Southern Boulevard corridor, although activity is to be limited to the area south of Citrus Road. Proposed Policy 2.2.3 of the Transportation Element calls for a “convenient” roadway network. “Convenient”, however, apparently does not mean “connected”, as recent Town support for the deletion of the E Road/140th Corridor from the County Thoroughfare Plan would suggest. The Town is encouraged to pursue opportunities to improve the mix of uses, variety of housing types, and connectivity of the street system.

In the comments that follow, Council will focus on the appropriateness of the proposed goals, objectives, and policies in the Town Comprehensive Plan, rather than the lack of consistency with the Town’s form and function with the SRPP.

Comments/Recommendations for Modification

1. Section 163.3177(6)(a) Florida Statutes, indicates that when delineating the land use categories on which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools. Each local government is to include lands contiguous to existing school sites with the land use categories in which public schools are an allowable use. In Policy 1.5.1 of the Future Land Use Element, the Town limits public school location to the Institutional and Public Facilities land use category. According to the Town FLUM, there are a number of sites designated as Institutional and Public Facilities, but they total only 31 acres. It is not clear how many of these sites are vacant. The restriction of public school sites to land designated as Institutional and Public Facilities may not be consistent with the statutory requirements, and is clearly not consistent with the spirit of the law which is to allow adequate lands “by right” for the location of public schools.

Recommendation for Modification: Allow public schools to be located in areas designated for residential use, consistent with the recommendation in the letter from the School District of Palm Beach County dated October 20, 2008 (see Attachment D).

2. Objective 2.3 in the Transportation Element indicates that a greenway and trail system will be developed to meet the needs and intents of the residents of Loxahatchee Groves. However, Policies 5B.3.1 and 5B.3.2 in the Recreation and Open Space Element are to preserve direct connections and access to the trail systems of Royal Palm Beach and Wellington.

Recommendation for Modification: Objective 2.3 should be revised to indicate the trail system should meet the needs of the residents of the Town and adjacent communities.
3. Many of the plan policies in several elements address the development of a greenway and equestrian trail system. Objective 2.4 in the Transportation Element indicates that the trail system should be financially feasible. The Town intends to complete a trail master plan within a year and presumably move forward with the development of the trail system. However, the Town has allocated no funds in the Five Year Capital Improvements Schedule in the Capital Improvements Element to help fund this trail system.

Recommendation for Modification: The Town indicates it will explore the possibility of obtaining grants, gifts, contributions, and other financial resources for the acquisition, development, and maintenance of trails. The Town should make a local financial commitment to this high priority capital improvement.

4. Policy 2.5.1 of the Transportation Element is to “encourage” connectivity among new development and redevelopment to minimize impacts on the roadway network. The Town should require connectivity for all new development and redevelopment.

5. The Town’s level of service for recreation in Policy 5A.1.1 of the Recreation and Open Space Element should be revised to indicate the Town will provide public parks, recreation and open space land to meet its adopted level of service.

6. Policy 7.1.3 of the Intergovernmental Coordination Element indicates the Town will initiate public meetings with surrounding communities to discuss growth management and upcoming development. The Town is encouraged to execute the interlocal agreement to participate in the Issues Forum and IPARC.

7. Policy 6.1.2 of the Housing Element designating a Town housing official should be revised to include a more specific role for this office. At a minimum, the Town housing official should be responsible for: 1) evaluating the Town’s housing stock and living conditions both in terms of habitability and building code requirements; 2) preparing both a housing needs projection and an affordable housing assessment on an as-needed basis; and 3) monitoring the delivery of housing by the private sector to determine whether alternative housing programs should be implemented and/or alternative delivery mechanisms should be considered.

8. Policy 6.2.8 of the Housing Element does not specifically identify what locations or land use designations should be utilized on the FLUM to encourage job creation. The policy should be revised to cite Town locations (nodes, perhaps) and/or appropriate FLUM designations that would support the development of job centers to employ very-low, low and moderate income Town residents proximate to their residences.

9. The Town should consider adopting a new policy that commits to the preparation of an analysis of existing housing conditions and needs using best available data.
This analysis should not wait for the initial EAR as suggested by the Town (7 years), but should be completed as soon as it is practical.

10. While the policies in the Public School Facility Element encourage the location of schools “proximate to urban residential areas”, the plan is silent regarding the promotion of neighborhood schools or development patterns to promote increased pedestrian/bicycle access to school facilities. Inclusion of additional policies addressing these issues would improve the plan, enable the Town to play a proactive role in school siting, and make the plan more consistent with the SRPP.

11. The Town should address the concerns raised in the letters from the Loxahatchee Groves Water Control District.

Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. The Town is encouraged to consider modifications to the plan in response to the comments and recommendations contained in this report. Council finds the proposed goals, objectives, and policies of the plan to be CONSISTENT with the SRPP.

Recommendation

Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments
List of Attachments

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2008

Town of Loxahatchee Groves

Dr. Herbert A. Marlowe, Jr

[STRATEGIC VISION & PLAN]

July 1, 2008
Strategic Plan
Town of Loxahatchee Groves

Vision for the Future of the Community

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 great respect for lifestyle choices balanced with historical community needs. This is reflected in a cost effective, minimal government structure that strives to protect the environment and our quality of unique lifestyles.

Positioning Loxahatchee Groves to Achieve the Vision

Loxahatchee Groves is a unique community in the South Florida region. The core vision for its future is preservation of those features that make it a distinctive place to live, work, and play. How can the essence of the Groves be preserved as the surrounding areas change and as residents change?

For distinctive communities that do not want to be like the surrounding areas, what can it mean to suggest that the vision is to “preserve” the community? There are three possible overlapping definitions.

1. Definition 1: “Preserve” means keeping it just as it is. Colonial Williamsburg or other historical sites where the goal is to maintain the physical structures and lifestyles at a period in history best exemplify preservation in this sense. In this case to “preserve” is to keep something we have and to intentionally disallow substantive change.

2. Definition 2: “Preserve” means keeping certain distinctive community assets or uses as the community changes. This approach is shown by communities that have historic districts, waterfronts, or other features or uses that the community seeks to keep. Preserve in this sense also means keeping social features of a community such as community ties.
Strategic Plan
Town of Loxahatchee Groves

events that draw the community together or exhibit a special heritage or maintaining the sense of personal and friendliness that are equated to a “small town” character.

3. Definition 3: “Preserve” means maintaining quality of experience. These often include safety, recreation, education, economic opportunity, and social interchange. Preserve in this case requires continuous change and improvement because quality is a changing standard. In this case in order to keep something we have to change.

All three definitions are applicable to Loxahatchee Groves. To preserve it in the future the basic land uses and density must be preserved as it is today as stated in definition one. To keep and improve the quality of experience, new features such as trails or nature preserves may need to be added so change will be required as stated in definition three. Finally as stated in definition two, some changes in past practice may be needed. This will include community-appropriate enforcement of environmental protection measures in order to maintain the natural setting everyone values.

The residents of Loxahatchee Groves clearly want to preserve the Groves as a rural residential/agricultural community in a beautiful natural setting. Such a community offers residents the freedom and privacy to pursue their business and personal interests while still having ready access to the economic and recreational opportunities of the greater region. By positioning itself as a rural oasis, the Groves is able to have the best of both worlds – a small town rural lifestyle with ready access to urban and regional amenities when desired.
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Values

The Town seeks to practice these values in its policy decisions and operational practices.

- **Limited government.**
  Town government will be limited in terms of costs and services to the taxpayer while protecting individual rights.

- **Cooperation and respect for each other.**
  By working together and seeking to avoid undue intrusion into each other’s lives, we aim to keep the distinctive nature of the Groves.

- **Respect for history.**
  Understanding the history of the Groves and the features that have drawn residents to the community will help continue its distinctive character into the future.

- **Respect for nature.**
  By understanding the native ecosystem and how our actions can either protect or degrade it, we will work together to maintain and enhance our native landscapes.

- **Citizen involvement and volunteerism.**
  To keep the above values, citizens must continue to be involved in the life of the community and volunteer to do the work that will keep and enhance the community.
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Town of Loxahatchee Groves

Goals

This plan seeks to achieve the following goals.

- Preserve historical features and rural nature
  - It is the intent of this plan that the rural residential nature of the Groves be preserved into the future by retaining Ag/Res zoning and the other features of the community that make it distinctive from the suburban development pattern common to South Florida.

- Protect individual freedoms
  - Historically Loxahatchee Groves has attracted persons desiring to pursue their unique interests and lifestyle. It is the intent of this plan to protect this tradition by balancing individual rights with respect for the rights of others through minimal governmental intervention.

- Encourage citizenship and personal accountability.
  - This plan recognizes that the distinctive nature of Loxahatchee Groves can only be maintained through the efforts of its citizens. Involving citizens in all phases of the Town’s work will be a characteristic of the Town’s government.

- Preserve and enhance natural environment.
  - The Groves has been able to maintain a tree canopy and other natural ecosystems that have been lost in other communities. It is the intent of this plan to promote the preservation, restoration and conservation of this ecosystem.

- Deflect and minimize pass through traffic.
  - The intent of this plan is to minimize pass through traffic by supporting the development of transportation corridors on the peripheries of the Groves and other communities so that no community is harmed by disruptive traffic.

- Practice cost effective, minimal government

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- It is the intent of this plan that Town government remains minimal, operating in a cost effective manner so as to prevent excessive growth of both ad valorem and non-advalorem taxes.
- Provide greater outdoor recreational opportunities
  - This Plan recognizes that many residents value the outdoors and want to be able to move about the community. Therefore this plan will seek to provide residents with greater opportunities to engage in outdoor recreation and enjoy linked Greenways and Trail ways.
- Allow for limited non-residential development along Southern Boulevard.
  - To minimize traffic impacts, non-residential uses will be considered south of Citrus Road East.
Strategic Plan
Town of Loxahatchee Groves

To achieve the above goals, the Town will use the following strategies.

- Traffic control and diversion.
  To enable residents to move safely about the community, the Town shall work with other entities as needed, and will
  o Utilize a variety of traffic control and diversion actions such as lower speed limits and greater traffic enforcement,
  o Make access to Okeechobee and other major roads easier and safer,
  o Discourage cut-through traffic.

- Environmental protection and preservation.
  To protect the natural ecosystems of the community, the Town will engage in a variety of incentive and protection actions as well as create public-private partnerships to permanently protect the overall environment.

- Lifestyle protection.
  A prime goal and strategy of this Plan is to protect the distinctive lifestyle that drew and continues to draw residents to Loxahatchee Groves. The Town will consider non-residential uses south of Collecting Canal with a buffer.

- Communication, regional cooperation and leadership.
  The Town recognizes that achieving the goals of this plan will require communicating and working cooperatively with its residents and other stakeholders who can influence the success of the Plan.

- Cost Effective, minimal Government.
  It is the intent of this Plan to achieve these goals through a minimal government operated in a highly cost effective manner. The core policies to fulfill this strategy are low taxes, reliance on cost recovery for services or for additional public amenities, contracted services and use of county agencies instead of building a Town work force. Another key element of this strategy is fostering a cooperative, cost-effective working relationship with other government entities.

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Principles that Preserve the Loxahatchee Groves’ Lifestyle

Operating principles are guidelines for future decisions of the Town and provide a framework for action.

Principles

1. The Town’s basic approach to code enforcement will be driven by complaints and not actively seek violations.
2. The first step of response to a code violation will be educational.
3. The Town will ensure there is a buffer between the non-residential uses and Citrus Road East.
4. The Town will seek to minimize traffic impacts on interior roads that are created by non-residential development (high priority).
5. The Town will design transitional zoning from greater to lesser residential density from Southern Boulevard to Citrus Road East.
6. Applicants for commercial uses will be encouraged to locate in areas South of the Citrus Road East buffer except for any already approved uses.
7. Non-residential uses on Southern Boulevard should have connectivity between the uses where feasible.
8. The Town will encourage the establishment of riding trails within the buffer area along the southern side of Citrus Road East.
9. Rural Vista standards will establish the Town’s commercial architectural guidelines.
10. The Town will manage the cost of government in order to keep ad valorem and non-ad valorem taxes low and limit the role of government (high priority).
11. Proposed additional services are to be provided on a fee basis.
12. The Town will maintain the practice of providing services through contracted management as long as it is financially advantageous to the Town to do so.

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Principles defined the Loxahatchee Groves lifestyle can be understood by referencing the proclamation found in the Loxahatchee Groves Neighborhood Plan

"It might be said, in idealistic fashion, that government should be all good things to all good people. In the quest to achieve this most noble goal, the forefathers of this nation, listed certain "unalienable rights" in their Declaration of Independence. These included the rights of "LIFE, LIBERTY and the pursuit of HAPPINESS". These rights are considered by those of wisdom, to be one of the main foundation blocks of our society. It was also decided, that in certain circumstances, our individual rights must be curtailed when they unduly infringe upon the rights of others. For better or worse, it has been the trend in modern times, to define when, how and to what extent our individual rights should be curtailed in order to keep us from "infringing" on the rights of others.

As our society grows more complex and congested, regulations restricting personal freedoms continue to grow. We have now reached a point in time when those who wish to enjoy the freedoms of our forefathers must find special places to go to if they are to enjoy these rights. Historically, in Palm Beach County, those who found the need or had the desire to live with these freedoms have found such a special place in Loxahatchee Groves.

In this rare and endangered place known as Loxahatchee Groves, we are free to pursue our dreams without worry that our actions will infringe upon our neighbors' rights. In this odd and precious niche, we pass the days with our doors unlocked, our keys in our cars and our children playing and fishing on our road sides. If due to an unexpected rainstorm, You must roll up your car windows in the middle of the night, you can run outside as you are without an intolerant neighbor reporting you for lewd and lascivious behavior. Most of us have raised families here, without ever giving a thought to the cautions that come hand in hand with urban sprawl. In these modern times, this is a condition that should be guarded; protected like any good thing that is in danger of extinction. Freedom is the heartbeat of our community. This is a heritage that should be protected for future generations.

Unfortunately, highly developed surrounding communities do not enjoy the same status. They, for better or worse, are headed in the direction of becoming "megasuburbs". Although they have the land mass that is necessary to support this,

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they do not have the road systems that would permit the boards of people to enter and exit their development. In order to alleviate this problem, they demand that highways be carved through the heart of our community. They have no consideration for the fact that our dirt roads are what preserve our community’s unique lifestyle. Destroying this community would destroy one of the lifestyles that Palm Beach County and the State of Florida were founded upon.

Whether it is our children or yours who choose to enjoy these freedoms, we must protect this last community that affords them. Historical significance should be considered in striving to protect the last “Florida Frontier Community”. The old one-room school house that educated the children of the pioneers of this community has been moved to the Fair Grounds and turned into an exhibit. An exhibit that is intended to show future generations what life was like in “Old Florida”. It is a remembrance of an extinct way of life. We pray that the wisdom of the Board of County Commissioners do not allow those who would over run us seal a similar fate for our community.”

Loxahatchee Groves Neighborhood Plan
June 4, 1996
Business Plan
Town of Loxahatchee Groves
May 31, 2008

To implement the strategic plan, the Town will develop an implementation schedule for the specific actions and will adhere to stated principles as delineated below.

Strategic Focus Area: Land Uses, Codes and Code Enforcement

Actions

The Town will:

1. Review Agriculture/Residential category during the creation of the Unified Land Development Code to further 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.
2. Protect native ecosystems.
3. Use codes and regulations to prevent clear cutting of native canopy trees.
4. Use codes and regulations to protect water quality and address point pollution sources.
5. Adopt existing and then modify codes and policies from Palm Beach County’s Department of Environmental Resource Management.
6. Develop codes to reduce or prevent photic (light) pollution.
7. Develop codes to control impacts from and prevent the proliferation of cell towers.
8. Create codes allowing diverse low impact home-based businesses.
9. Establish codes to regulate uses that create large scale places of assembly.
10. Develop land development codes that define, regulate and/or offset expenses associated with “industrial agriculture”.
11. Update codes to address signage.
Strategic Focus Area: Roadways

Actions

The Town will:

1. Actively support the development of traffic corridors such as Southern Boulevard; Seminole/Pratt-Whitney Road, Northlake Boulevard and Reebuck Road that would divert traffic from Okeechobee Boulevard;
2. Formulate a master transportation plan that would offer some form of traffic control on Okeechobee Boulevard;
3. Seek a lower speed limit and arrange for reasonable enforcement on Okeechobee Boulevard;
4. In collaboration with the Loxahatchee Groves Water Control District, develop a master plan for all town road improvements that would analyze impacts of paving/OGEM stabilization before other roads are completed;
5. Lower the speed limits on alphabet roads to 25 mph;
6. Arrange for stronger enforcement of speed limits on all roads within the Town;
7. Investigate additional mechanisms to limit cut-through traffic;
8. Take all necessary steps to remove the extension of Okeechobee Blvd to “Twenty-Mile Bend” on Southern Boulevard from the Palm Beach County Thoroughfare Identification Map.
Strategic Focus Area: Development South of Collecting Canal

Actions

The Town will:

1. Examine a special taxing district for non-residential uses south of Collecting Canal;
2. Design transitional zoning moving from greater to lesser residential density from Southern Boulevard to Collecting Canal;
3. Endorse a substantial equestrian facility along the Southern Boulevard Corridor;
4. Consider extension of Tangerine from the equivalent of 161st to E Road.

Strategic Focus Area: Community design and look

Actions

The Town will:

1. Require substantive landscaping in non-residential areas appropriate to the locale;
2. Support development of a volunteer cleanup effort.
Business Plan
Town of Loxahatchee Groves
May 31, 2008

Strategic Focus Area: Protecting the natural environment

Actions

The Town will:

1. Investigate a land use category to recognize land dedicated to conservation and provide a tax valuation appropriate to that use;
2. Encourage use of Best Management Practices (BMPs) where available;
3. Encourage buffering mechanisms to promote and enhance the rural natural environment;
4. Coordinate with private sector leadership for the creation of a conservation land trust that benefits the public;
5. Create mechanisms to assist property owners in environmental pollution education, prevention and, if needed, mechanisms to assist with clean up;
6. Assist with the creation of a tree planting/replanting program;
7. Examine feasibility of tree planting programs along canals in accordance with Transportation Master Plan to be developed;
8. Institute a policy directing environmental mitigation to benefit the Town with a preference for on-site restoration.

Strategic Focus Areas: Developing community amenities

Actions

The Town will:

1. Produce a plan for greenways (high priority);
2. Support development of public and private equestrian facilities.
Strategic Focus Area: Governmental functions

Actions

The Town will:

1. Hold joint workshop(s) no later July 31st, 2008 with the Loxahatchee Groves Water Control District to discuss and clarify roles and authorities, how to work collaboratively on projects and how to minimize costs to the citizens;
2. Determine if a fee can be placed on heavy trucks for use of roadways;
3. Work with the Loxahatchee Groves Water Control District on developing a storm water management strategy.
September 15, 2008

VIA HAND-DELIVERY AND ELECTRONIC MAIL

Honorable David Browning, Mayor
Town Council Members
Town of Loxahatchee Groves
14579 Southern Boulevard, Suite 2
Loxahatchee, Florida 33470


Dear Mayor Browning & Council:

Pursuant to §163.3184, F.S., the Loxahatchee Groves Water Control District offers the following comments, recommendations and objections regarding the proposed Town of Loxahatchee Groves ("TOLG") Comprehensive Plan (Ordinance 2007-006). My comments relate to the "Public Review Draft", dated September 5, 2008.

1. Page 1.5: Correct fact statement regarding TOLG's current road maintenance responsibilities. Revise last paragraph, entitled "Existing Roadway System", to more accurately reflect current governmental responsibilities for road and canal maintenance, as follows:

"Most of the roadways in the Town are unpaved roadways. The major east-west roadways are paved, including SR-80/Southern Boulevard and Okeechobee Boulevard. The north-south unpaved roadways are numbered alphabetically from A Road to G Road, North Road, Collecting Canal Road, and Popcorn Road. These unpaved roads and adjacent canals are maintained by the Town of Loxahatchee Groves and the Loxahatchee Groves Water Control District (LGWCD). Roads within the Town primarily run parallel to adjacent canals, as many were originally created to maintain the canal system."

2. Page 1.6: Reference to TOLG's "major roadway plan". Revise the last sentence of Paragraph 3 (Existing Roadway Needs), to add LGWCD as a party with whom coordination is needed to maintain roads that do not meet LOS standards, as follows:

POST OFFICE BOX 407 • 101 WEST D ROAD • Loxahatchee, Florida 33470-0407
PHONE (561) 793-0804 • FAX (561) 795-6157

C-1
"...The Town should coordinate with FDOT, LGWCD, and Palm Beach County for acceptable improvements to address the deficient roadways."

3. **Page 1-7**: Revise Table 1-4 to reflect South Florida Water Management District as the service provider for Ground Water Aquifer Recharge, not LGWCD.

4. **Page 1-7, Paragraph 4 (Drainage Analysis)**: Revise third sentence to read as follows:
   
   "The LGWCD canal system was designed to remove 2.63 inches of runoff in 24 hours from one square mile is designed to achieve its permitted drainage capacity to remove 3.0 inches of stormwater runoff per day per square mile of land area." 

5. **Page 2-1**: Revise Paragraph 4 regarding TOLG's current road maintenance responsibilities (see also p. 1-5, above), as follows:

   "The Town is situated in the Loxahatchee Groves Water Control District (LGWCD), a special district created in 1917, which maintains most of the roadways in conjunction with the Town of Loxahatchee Groves within the Town limits. Most of the roadways within the Town are unpaved dirt roadways consistent with the rural lifestyle of the residents."

6. **Page 2-2**: Revise the First Paragraph of the Section entitled "Existing Roadway Systems" to read as follows:

   "Most of the roadways in the Town are unpaved roadways. The major east-west roadways are paved, including SR-80/Southern Boulevard and Okeechobee Boulevard. The north-south unpaved roadways are named alphabetically from A Road to G Road, North Road, Collecting Canal Road, and Folsom Road. These unpaved roads and adjacent canals are maintained by the Town of Loxahatchee Groves and the Loxahatchee Groves Water Control District (LGWCD). Roads within the Town primarily run parallel to adjacent canals, as many were originally created to maintain the canal system."

7. **Page 2-9**: Revise the last paragraph, as follows:

   "A Town Road, Greenway, and Equestrian Trail Master Plan will be developed by the Town over the next year. The Master Plan will identify and evaluate existing public easements, rights-of-way, roadway characteristics, roadway deficiencies, and
traffic volumes and patterns so that potential road improvements and safety recommendations can be identified. Coordination of this information with the Loxahatchee Groves Water Control District along with substantial public input will help to form a plan that the Town can use to guide future roadway maintenance and safety improvements. The Master Plan will review the local… etc.

8. Pages 2-11 – 2-12: Revise the first sentence of the last paragraph, as follows:

"Coordination of this information with the Loxahatchee Groves Water Control District along with public input will help form a plan that the Town can use to implement new trails and trail connections through Town funded projects and/or future development requirements." 

9. Page 2-16: Revise the first sentence of Policy 2.2.3, as follows:

"The Town of Loxahatchee Groves shall provide a convenient roadway network through coordination with the Loxahatchee Groves Water Control District, Palm Beach County, the Florida Department of Transportation and the Palm Beach County MPO…"

10. Page 2.16: Revise Policy 2.2.4 as follows:

"The Town of Loxahatchee Groves in cooperation with the Loxahatchee Groves Water Control District shall work with Palm Beach County, the Florida Department of Transportation and the Palm Beach County MPO to provide input and advocate for the Town’s interests regarding future roadway plans for Okeechobee Boulevard, E Road/140th, SR-80 and other roadways as necessary."

11. Page 2-17: Revise Policy 2.3.7 as follows:

"The Town will coordinate with the Loxahatchee Groves Water Control District to develop minimum design standards for greenway and equestrian trails for inclusion in its Land Development Regulations.

JUSTIFICATION: Since the majority of these trails will most likely be situated in or adjacent to the District’s rights-of-way and as such be maintained by the District, and Section 2.3.8 states: "The greenway and equestrian trail system shall be maintained and improved to be consistent with the Town’s Minimum Design Standards", the District should be directly involved in developing these standards."
12. **Page 2-18: Revise Policy 2.3.10, as follows:**

   "The Town shall coordinate with the Loxahatchee Groves Water Control District as required to ensure sufficient right-of-way is preserved to construct and maintain the multiuse trails."

13. **Page 2-18: Revise Policy 2.4.3, as follows:**

   "The Town should pursue joint efforts with other jurisdictions, including the Loxahatchee Groves Water Control District, in the acquisition, development and maintenance of trails as a means for reducing costs and pooling resources."

14. **Page 2-19: Revise Section 2.6.1, as follows:**

   "Existing rights-of-way will be identified and the Town shall ensure that future development does not encroach upon existing rights-of-way."

15. **Page 2-19: Revise Policy 2.7.4, as follows:**

   "The Town shall investigate and implement strategies with the Loxahatchee Groves Water Control District to discourage cut-through traffic on local roads throughout the Town."

16. **Page 2-20: Revise Policy 2.7.7, as follows:**

   "Within one year of adoption of the comprehensive plan, the Town shall adopt and implement a Road, Greenway, and Equestrian Trail Master Plan. Through coordination with the Loxahatchee Groves Water Control District, the Town Road and Equestrian Trail Master Plan will identify...”.

17. **Page 3-1: Revise Table 3-1 to show South Florida Water Management District (SFWMD), not Loxahatchee Groves Water Control District, as the service provider for groundwater recharge."

18. **Page 3-1: In the paragraph entitled “Drainage Analysis”, revise the third sentence as follows:**

   "The LGWCD canal system was designed to remove 2.63 inches of runoff in 24 hours from one square mile. It is designed to achieve its permitted drainage capacity to remove 30 inches of stormwater runoff per day per square mile of land area.”
19. Page 3.4: Revise the first sentence in the first full paragraph, as follows:

"The LGWCD's canals are the primary source of irrigation and fire protection for the Town."

20. Page 3-7: Revise Policy 3A.1.1, as follows

"Stormwater management facilities shall be designed in accordance with South Florida Water Management District (SFWMD) and Loxahatchee Groves Water Control District (LGWCD) criteria.


22. Page 3-12: Revise Policy 3B.1.6 as follows:

"The Town shall support the LGWCD in the maintenance of sufficient water levels in the canals system for irrigation and fire protection purposes by exploring partnering with Palm Beach County in its investigation of stormwater reservoirs."

23. Page 4-5: Revise the first sentence of the second paragraph of the section entitled "Water Resources", as follows

"The LGWCD's canals are the primary source of irrigation and fire protection for the Town."

24. Page 5-6. Revise Policy 5B.1.9, as follows:

"The Town shall coordinate with the Loxahatchee Groves Water Control District as required to ensure sufficient right-of-way is preserved to construct and maintain the multiuse trails."

25. Page 5-6: Revise Policy 5B.2.3, as follows:

"The Town should pursue joint efforts with other jurisdictions, including the Loxahatchee Groves Water Control District, in the acquisition, development and maintenance of trails as a means for reducing costs and pooling resources."

26. Page 7-3: Revise the second paragraph under Joint Planning Areas, as follows:
"Arguably the most important intergovernmental coordination efforts are with the Loxahatchee Groves Water Control District (LGWCD) which provides stormwater management and road maintenance services within the Town’s municipal boundaries. The LGWCD provides road maintenance services in conjunction with the Town of Loxahatchee Groves."

27. Page 7-4: Revise the paragraph entitled "Transportation", as follows:

"The Town will coordinate with FDOT and the County on right-of-way widening issues for Southern Boulevard (State Road 80). Additionally, continued traffic control coordination with the County on Okeechobee Boulevard is required to ensure improvements are minimally invasive to the Town’s businesses and residents, and to ensure a reduced speed. The Town will coordinate with the Loxahatchee Groves Water Control District whenever improvements to Southern Boulevard and Okeechobee Boulevard affect intersecting local roads within the Town’s municipal boundaries."

28. Page 7-9: Revise Table 7-1, regarding Loxahatchee Groves Water Control District, as follows:

Under column heading "Subject Coordination", add at the end: "and unincorporated Palm Beach County."

29. Page 9-5: The Capital Improvement Element ("CIE") does not specifically include a Capital Improvement Program ("CIP") — i.e., a schedule of identified capital improvements. This section sets out policies to identify priority improvements that may affect the adopted Levels of Service of TOLG facilities. LGWCD should be identified in the CIE as a necessary party in the process of identifying annual & long term capital improvements in any CIP.

30. Page 9-10: Revise Policy 9.2.6 as follows:

"Coordinate planning for the Town improvements with the plans of state agencies, the South Florida Water Management District (SFWMD), Palm Beach County, the Loxahatchee Groves Water Control District (LGWCD), and adjacent municipalities when applicable."
Honorable David Browning, Mayor  
Town Council Members  
September 15, 2008  
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Thank you for considering these suggested changes in the Comprehensive Plan. Please feel free  
to call me if you have any questions.

Sincerely yours, 

LOXAHATCHEE GROVES WATER CONTROL DISTRICT

Clote J. Santor, P.E.  
District Administrator  

CJS/lrb  

cc: Board of Supervisors, LGWCD  
Dr. Irving Rosenbaum, Town Manager  
Matthew Lipman, Town Clerk  
Mary M. Villar, Esquire
October 15, 2008

VIA E-MAIL & U.S. MAIL

Mr. Bob Dennis
South Community Planning Team
Office Comprehensive Planning
Division of Community Planning
Florida Department of Community Affairs
2556 Shumard Oak Boulevard
Tallahassee, Florida 32309-2100

Re: Comments of the Loxahatchee Groves Water Control District on the Comprehensive Plan of the Town of Loxahatchee Groves, Florida

Dear Mr. Dennis:

On behalf of the Board of Supervisors of the Loxahatchee Groves Water Control District (the "District"), I respectfully submit the following comments on the proposed initial Comprehensive Plan (the "Plan") of the Town of Loxahatchee Groves (the "Town"), which was submitted to your office for review on September 22, 2008. Many of these comments were submitted to the Town in writing at its transmittal hearing on September 16, 2008. It is our understanding, however, that our concerns were neither incorporated into the draft Plan nor forwarded to your office as part of the Town’s transmittal package. We believe that our comments are pertinent and relevant to your review and their deletion from the public record creates a serious deficiency in the Town’s submittal.

I would first like to provide you with some background information about the District and its responsibilities. Loxahatchee Groves Water Control District is an independent special district of the State of Florida established pursuant to Chapter 59-425, as revised by Chapter 2004-410, Laws of Florida and the provisions of Chapter 298, Florida Statutes. While its jurisdictional area (see attached Exhibit "A") extends beyond the boundaries of the Town (which was created by Act of the Legislature and a subsequent referendum only in October 2006), many of the District's facilities are now located within the Town's boundaries.
The District has, however, been providing drainage and roadway services to its residents and taxpayers for more than 90 years. It currently owns and maintains 30 miles of public drainage canals (including control structures and related capital facilities) and 29 miles of improved and unimproved rural public roadways (including bridges and related capital facilities). The District is governed by a 5-person Board of Supervisors, elected for staggered three-year terms on the basis of ownership of acreage within the District. The District requested to be and was recognized by the Town as an affected unit of local government pursuant to Section 163.3184(3)(a), F.S. The District also constitutes an "affected person" within the meaning of Section 163.3184(1)(a), F.S.

District representatives have participated throughout in the Town's comprehensive planning process. They appeared and testified at the Transmittal Hearing on September 16, 2008. At that time, detailed written comments were submitted, a copy of which is attached for your consideration (see Exhibit "B").

In addition to those comments included in the attached letter, we wish to point out that Level of Service ("LOS") standards for each category of public service have not been included in the Capital Improvement Element, as required by Rule 9J-5(3)(c)4, F.A.C. It should also be pointed out for the record that half of the local roads identified in the Town's Transportation Element are owned by and are the exclusive maintenance responsibility of the District, and not of the Town (see, especially, Maps 2-1, 2-2, and 2-3).

Based upon these comments, I respectfully request that the Department find the Towns' Comprehensive Plan to be not in compliance with Ch. 163, Part II, F.S. and Rule 9J-5, F.A.C.

We would appreciate an opportunity to discuss these and other concerns with you at your earliest convenience.

Sincerely yours,

[Signature]

Frank S. Palen, AICP
Attorney at Law

Enclosures

cc: Mr. Ray Eubanks, Plan Processing Administrator, DCA
Clete Saunier, P.E., District Administrator, LGWCD
Mary M. Viator, Esq., District Legal Counsel
October 20, 2008

Ms. Kim Delaney, Ph.D.
Growth Management Coordinator
Treasure Coast Regional Planning Council
421 SW Camden Avenue
Stuart, FL 34994

SUBJECT: LOXAHATCHEE GROVES PUBLIC SCHOOL FACILITIES ELEMENT

Dear Kim:

I reviewed the Town of Loxahatchee Groves’s Public School Facilities Element. For the most part, the element accurately addresses the requirements for school concurrency in Palm Beach County.

The following are issues/language that need to be clarified or addressed:

• The reference to F.S. 235 should be changed to F.S. 1013.
• Under 4. School Capacity Availability: The data they provided with a range of level of service for elementary, middle and high is no longer in effect. The adopted LOS is fixed at 110% with a possibility of a school operating at 120% with a school capacity study approved by the Technical Advisory Group.
• Policy BB.3a has something missing; it is not clear.
• Schools are permitted in Public and Institutional Land Use categories only, even though they did say schools should be proximate to residential. The School District would like if the Town would allow schools in residential land use also.
• Policy BA.1 states that the Town of Loxahatchee may not deny a development if there is adequate capacity or capacity planned in the first 3 years of the School Board’s budget. The Town has the right to deny any application even if school concurrency is in place. I believe it should say, the School District should not deny a school concurrency application if there is capacity available or planned in the first 3 years of the capital plan and not the Town.
• The policies are written in the future; which is confusing. For example, the Technical Advisory Group is already formed and is in operation.
• The suspension and termination provisions will no longer be effective once we make changes to comply with SB 360. The changes are not yet done.

Thank you for the opportunity to comment on the Town’s Public School facilities Element. I will also provide the Town with my comments.

Sincerely,

[Signature]

Intergovernmental Relations Manager

[Attachment D]

Palm Beach County Schools - Rated "A" by the Florida Department of Education 2005-2008
Equal Opportunity Employer
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D-1
## List of Exhibits

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Exhibit 1
General Location Map
Town of Loxahatchee Groves
Exhibit 2
Aerial
Exhibit 3
Existing Land Use
Including Adjacent Land Use

Legend

Source: Palm Beach County Planning and Zoning Department, 2004
Print Date: June, 2006
Map #: FLU - 1.2

(C) 2004 Palm Beach County
Provided by: Ocean, Coast & Community
Printed: June, 2006

3.000
1/4 Mile

40
Exhibit 4
Vacant Land with
Future Land Use

Legend
- Parks
- Municipal Boundary
- Vacant Land with Future Land Use
  - High Density 1-mixed
  - Commercial Land RR-10
  - Commercial Land - Office/R:R-10

Source: Palm Beach County
Date: April 2004

Print Date: June, 2008
Map #: FLU - 1.3

1,000 Feet

41