

**TOWN OF LOXAHATCHEE GROVES**  
TOWN HALL COUNCIL CHAMBERS  
**TOWN COUNCIL WORKSHOP/SPECIAL MEETING**

**Community Discussion Meeting 6:00-6:30 PM (Non-Agenda Items Workshop)**

**AMENDED AGENDA**  
**FEBRUARY 21, 6:30 -9:30 P.M.**



**Robert Shorr, Mayor (Seat 4)**

**Phillis Maniglia, Councilmember (Seat 1)**

**Laura Danowski, Vice Mayor (Seat 2)**

**Marianne Miles, Councilmember (Seat 3)**

**Margaret Herzog, Councilmember (Seat 5)**

**Administration**

Town Manager, Francine L. Ramaglia

Town Attorney, Elizabeth Lenihan, Esq.

Town Clerk, Lakisha Q. Burch

Public Works Director, Larry A. Peters, P.E.

**Civility:** Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That is why we say "Character Counts" in Town of Loxahatchee. Civility is practiced at all Town meetings.

**Special Needs:** In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, contact the Town Clerk's Office, 155 F Road, Loxahatchee Groves, Florida, (561) 793-2418.

**Quasi-Judicial Hearings:** Some of the matters on the agenda may be "quasi-judicial" in nature. Town Council Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire (a preliminary examination of a witness or a juror by a judge or council) by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. Unsworn comment will be given its appropriate weight by the Town Council.

**Appeal of Decision:** If a person decides to appeal any decision made by the Town Council with respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

**Consent Calendar:** Those matters included under the Consent Calendar are typically self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any Town Council Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a Town Council Member, or by any member of the public desiring it to be heard, without a motion.

## **TOWN COUNCIL AGENDA ITEMS**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **MOMENT OF SILENCE**

### **ROLL CALL**

### **ADDITIONS, DELETIONS AND MODIFICATIONS**

### **COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

Public Comments for all meetings may be received by email, or in writing to the Town Clerk's Office until 6:00 PM day of the meeting. Comments received will be "received and filed" to be acknowledged as part of the official public record for the meeting. The Town Council meeting will be live-streamed and close-captioned for the general public via our website, instructions are posted [there](#).

### **CONSENT AGENDA**

1. Consideration of Resolution No. 2023-18 Acknowledgement and Release by James Titcomb.
2. Consideration of Resolution No 2023-19 Amending Fee Schedule for Tree Removal Exempt Activities.
3. Consideration of Resolution No. 2023-20 Regarding Nomination of a Councilmember to the Florida Municipal Insurance Trust Board.
4. Consideration of Resolution No. 2023-21 Cancelling Work Order with Ranger Construction, Inc.

### **PUBLIC HEARING (QUASI-JUDICIAL)**

5. Consideration of **Resolution No. 2023-11** approving of the proposed Palm Beach Orthopedic Institute site plan for land owned by Loxahatchee Equestrian Partners, LLC. and Solar Sportsystems, Inc., consisting of 1.964 acres more or less located on the North side of Southern Blvd. East of "B" Road at the Intersection of Tangerine Drive and Mango Street, Loxahatchee Groves. (**Quasi-Judicial**)

### **REGULAR AGENDA**

6. Cybersecurity Update
7. Quarterly Reports:
  - a. PBSO
  - b. Building
  - c. Code Enforcement
  - d. Public Works
  - e. Planning
8. Review and Discussion of Priority List

### **WORKSHOP DISCUSSION**

09. Discuss Annexation and De-annexation.

**TOWN STAFF COMMENTS**

**Town Manager**

**Town Attorney**

**Public Works Director**

**Town Clerk**

**TOWN COUNCILMEMBER COMMENTS**

**Marianne Miles (Seat 3)**

**Margaret Herzog (Seat 5)**

**Phillis Maniglia (Seat 1)**

**Vice Mayor Laura Danowski (Seat 2)**

**Mayor Robert Shorr (Seat 4)**

**ADJOURNMENT**

**Comment Cards**

Anyone from the public wishing to address the Town Council, it is requested that you complete a Comment Card before speaking. Please fill out completely with your full name and address so that your comments can be entered correctly in the minutes and give to the Town Clerk. During the agenda item portion of the meeting, you may only address the item on the agenda being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comment. Any person who decides to appeal any decision of the Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which included testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.

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**Agenda Item #1**

**TO:** Town Council of Town of Loxahatchee Groves  
**FROM:** Lara Donolon, City Attorney's office  
**DATE:** February 09, 2023  
**SUBJECT:** Resolution No. 2023-18 Acknowledgement and Release by James Titcomb

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**Background:**

The purpose of this Acknowledgement and Release is to finalize payment of funds allocated to prior Town Manager James S. Titcomb pursuant to the terms of his prior employment agreement.

The agreement provided for contributions to a deferred compensation account or retirement plan chosen by Mr. Titcomb in an amount equal to 9% per year of his annual salary. The Town reserved funds in accordance with the applicable provisions but a deferred compensation account or retirement plan but not selected during his active employment.

Mr. Titcomb and the Town have negotiated the proposed Acknowledgement and Release to make payment of the reserved gross amount of \$36,519.29, less required tax withholdings, as reflected in the most recent Form W-4 submitted by Mr. Titcomb. The Acknowledgment and Release provides for payment within 14 calendar days of approval by the Town.

The Acknowledgment and Release includes a release of claims from Mr. Titcomb relating to the satisfaction of this specific contract provision and is not a general release of all claims.

**Recommendations:**

Move Town Council adopt Resolution No. 2023-18 approving the Acknowledgement and Release.

**TOWN OF LOXAHATCHEE GROVES**

**RESOLUTION NO. 2023-18**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
LOXAHATCHEE GROVES, FLORIDA AUTHORIZING AN  
ACKNOWLEDGEMENT AND RELEASE AND PAYMENT**

**WHEREAS**, the Town and the prior Town Manager, James S. Titcomb, entered into successive Employment Agreements providing for contributions to a deferred compensation account or retirement plan chosen by the prior Town Manager in an amount equal to 9% per year of his annual salary; and

**WHEREAS**, the Town reserved funds in accordance with these provisions during the Term of the agreements for these purposes and at all times during his employment was ready willing and able to make payment during the Term upon selection of an IRS compliant, deferred compensation account or retirement plan but not selected during his active employment; and

**WHEREAS**, the parties have determined entering into an Acknowledgment and Release to fully and finally fulfill this obligation is in the best interest of both parties; and

**WHEREAS**, Mr. Titcomb has agreed to the terms of the Acknowledgment and Release.

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

**Section 1.** The above recitals are hereby adopted as if fully set forth herein.

**Section 2.** The Town Council of the Town of Loxahatchee Groves, Florida hereby approves the Acknowledgement and Release, attached to this Resolution as Exhibit “A”.

**Section 3.** The Town Council specifically authorizes payment in accordance with said Acknowledgement and Release.

**Section 4.** This Resolution shall take effect immediately upon adoption.

Council Member \_\_\_\_\_ offered the foregoing resolution. Council Member  
\_\_\_\_\_ seconded the motion, and upon being put to a vote, the vote was as follows:

|                                  | <u>Aye</u>               | <u>Nay</u>               | <u>Absent</u>            |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| Robert Shorr, MAYOR              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Laura Danowski, VICE MAYOR       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Margaret Herzog, COUNCIL MEMBER  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marianne Miles, COUNCIL MEMBER   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Phillis Maniglia, COUNCIL MEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES,  
FLORIDA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

**TOWN OF LOXAHATCHEE GROVES  
FLORIDA**

ATTEST:

\_\_\_\_\_  
Robert Shorr, Mayor

\_\_\_\_\_  
Lakisha Burch, Town Clerk

\_\_\_\_\_  
Laura Danowski, Vice Mayor

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Margaret Herzog, Council Member

\_\_\_\_\_  
Marianne Miles, Council Member

\_\_\_\_\_  
Office of the Town Attorney

\_\_\_\_\_  
Phillis Maniglia, Council Member

**ACKNOWLEDGMENT AND RELEASE**  
**JAMES S. TITCOMB**

This Acknowledgment is made and entered into this 21<sup>st</sup> day of February, 2023, by JAMES S. TITCOMB ("TITCOMB") in favor of the TOWN OF LOXAHATCHEE GROVES, a Florida Municipal Corporation, (hereinafter referred to as "TOWN").

On February 5, 2019, TITCOMB entered into a Town Manager Employment Agreement (2019 Agreement) upon initial appointment of TOWN MANAGER to begin a Term effective March 18, 2019;

On February 4, 2020, the parties entered into an Employment Agreement (Agreement) as a successor agreement replacing the terms and conditions of employment set forth in the 2019 Agreement; and,

TITCOMB submitted notice of his voluntary resignation in accordance with the terms of the Agreement with a final date of employment on June 9, 2022.

The 2019 Agreement provided in Paragraph 11 for "contributions to a deferred compensation account or retirement plan chosen by [TITCOMB] in an amount equal to 9% per year of [TITCOMB's] annual salary." The Agreement, restructured in 2020, included the same provision in a different location (Paragraph VII,B,4). TITCOMB and the TOWN acknowledge the TOWN reserved funds in accordance with these provisions during the Term of the 2019 Agreement and the Agreement for these purposes and at all times during his employment was ready, willing and able to make payment during the Term upon selection of an IRS compliant, deferred compensation account or retirement plan but not selected during his active employment.

TITCOMB notified the Town after his resignation from employment of his intent to seek performance of this provision.

After ongoing discussions with TOWN staff, TITCOMB recognized the constraints placed upon the TOWN relating to such payments in his preferred format after employment ended and has determined that payment by check as follows will fully and finally fulfill the TOWN's obligations relating to same:

1. TITCOMB may submit an updated W-4 to the TOWN simultaneously with the execution of this Acknowledgement and Release and prior to payment;
2. TOWN and TITCOMB agree that the amount paid to TITCOMB shall be \$36,519.29 less applicable withholding and taxes and shall be classified as wages for tax year 2023;
3. TOWN agrees to issue such payment in one lump sum within 14 calendar days of approval of this Acknowledgment and Release by the Town Council; and
4. The check shall be payable to James S. Titcomb and mailed to the home address on file with the TOWN.

Upon payment of the foregoing, TITCOMB acknowledges that he has accurately reported all hours worked and has been paid in full for all time worked in accordance with the law and is owed no wages, whether in the form of straight time, overtime, or liquidated damages.

TITCOMB represents that he is not aware of any liens, additional taxes, and/or pending legal claims applicable to the foregoing payment and agrees to defend, indemnify and hold harmless the TOWN, its agents, insurers, attorneys, or representatives, against any lien, claim or action asserted against the payment and that TITCOMB will be solely responsible to satisfy any liens, taxes or pending legal claims asserted against TITCOMB, or the TOWN, its agents, insurers, attorneys, or representatives, as against the payment.

TITCOMB further represents that he has not filed any complaints or initiated any legal proceedings against the TOWN prior to signing this Acknowledgement and Release.



In consideration of the foregoing payment, TITCOMB hereby releases and discharges the TOWN and its elected officials, employees, attorneys and agents, from and against any and all liability to Employee upon claims, causes of action or obligations relating to the 2019 Agreement's Paragraph 11 or the Agreement's Paragraph VII,B,4, including but not limited to claims or causes of actions for unpaid wages, breach of contract, express and implied contracts, federal, state or local statutes and ordinances, waivable rights under the state Constitution, or administrative rule, regulations or codes, and every other source of legal rights and obligations which may be validly waived or released relating to the referenced paragraphs from the 2019 Agreement and the Agreement.

IN WITNESS WHEREOF, the parties have caused this Acknowledgement and Release to be executed by their duly authorized officials.

TOWN OF LOXAHATCHEE GROVES

TITCOMB

BY: \_\_\_\_\_

ROBERT SHORR, MAYOR



JAMES S. TITCOMB

ATTEST:

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Lakisha Q. Burch, Town Clerk

\_\_\_\_\_  
Office of the Town Attorney

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**Agenda Item #2**

**TO:** Town Council of Town of Loxahatchee Groves  
**FROM:** Francine Ramaglia, Town Manager  
**DATE:** February 21, 2023  
**SUBJECT:** Resolution 2023-19 Revising the Town of Loxahatchee Groves Fee Schedule

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**Background:**

The Town's Fee Schedule is being revised pursuant to previous Council direction to waive or eliminate the charge for a land clearing exemption application and reduce the cost of right of way permit for a driveway connection to the right of way line from \$500 to \$100.

**Recommendation:**

Staff recommends that Town Council approves Resolution No. 2023-19 amending the Town's fee schedule..

**TOWN OF LOXAHATCHEE GROVES**  
**RESOLUTION NO. 2023-19**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE ADOPTED SCHEDULE OF RATES, FEES, AND CHARGES FOR PLANNING AND ZONING, PERMITTING, CODE ENFORCEMENT, AND OTHER SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Resolution No. 2013-01 set forth fees and charges for limited zoning and planning services; zoning review and zoning confirmation letters and interpretations; and

**WHEREAS**, Resolution No. 2016-14 amended and incorporated all fees and charges assessed into one comprehensive fee schedule, which was amended by Resolutions 2017-16, 2017-81, 2018-28, 2018-62, and 2021-70; and

**WHEREAS**, Town Council of the Town of Loxahatchee Groves, Florida, desires to amend the schedule of rates, fees and charges relating to planning and zoning, building, code enforcement, and other services rendered by Town Government for the citizens of the Town of Loxahatchee Groves and the public; and

**WHEREAS**, the Town Council desires to make certain the schedule of rates, fees, and charges is available to the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, THAT:**

**Section 1:** The Town Council of the Town of Loxahatchee Groves hereby amends the schedule of rates, fees and charges to delete the fee for Land Clearing Exemption Application.

**Section 2:** The Town Manager is authorized to further amend and update the adopted schedule of rates, fees and charges from time to time to reduce rates, fees and charges. Any such amendments shall be presented to Town Council for ratification at least annually.

**Section 3:** This duly adopted schedule of rates, fees and charges shall be available at the Town Hall during normal business hours.

**Section 4:** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5:** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.



**Section 6:** This Resolution shall take effect on upon adoption by the Town Council.

Councilmember \_\_\_\_\_ offered the foregoing Resolution. 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>            |
|---------------------------------|--------------------------|--------------------------|--------------------------|
| ROBERT SHORR, MAYOR             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LAURA DANOWSKI, VICE MAYOR      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| MARGARET HERZOG, COUNCILMEMBER  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| MARIANNE MILES, COUNCILMEMBER   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| PHILLIS MANIGLIA, COUNCILMEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2023.**

TOWN OF LOXAHATCHEE GROVES,  
FLORIDA

ATTEST:

\_\_\_\_\_  
Mayor Robert Shorr

\_\_\_\_\_  
Lakisha Burch, Town Clerk

\_\_\_\_\_  
Vice-Mayor Laura Danowski

\_\_\_\_\_  
Councilmember Margaret Herzog

APPROVED AS TO LEGAL  
FORM:

\_\_\_\_\_  
Councilmember Marianne Miles

\_\_\_\_\_  
Office of the Town Attorney

\_\_\_\_\_  
Councilmember Phillis Maniglia

| LAND DEVELOPMENT, INFRASTRUCTURE & SPECIAL PERMIT FEES *   |                                     |
|--|-------------------------------------|
| Site Plan Approval Application   | \$ 5,100.00                         |
| Site Plan Amendment Application  | \$ 2,000.00                         |
| Administrative Site Plan Amendment   | \$ 250.00                           |
| Preliminary Plat Application   | \$ 1,000.00                         |
| Plat Amendment Application   | \$ 1,000.00                         |
| MOT Application  | \$ 500.00                           |
| Variance Application   | \$ 3,100.00                         |
| Future Land Use Amendment Application  | \$ 5,100.00                         |
| Rezoning Application   | \$ 5,000.00                         |
| Zoning Confirmation Request Application  | \$ 250.00                           |
| Vested Rights Determination Application  | \$ 250.00                           |
| Special Exception Application - Category A   | \$ 5,100.00                         |
| Special Exception Application - Category B   | \$ 500.00                           |
| Special Exception Application - Category C   | \$ 250.00                           |
| Certificate of Conformity - General Request Application  | \$ 250.00                           |
| Certificate of Conformity - Lot Splits/Combinations Request Application  | \$ 250.00                           |
| Land Clearing Exemption Application  | N/A-no fee                          |
| Land Clearing Waiver Application   | \$ 250.00                           |
| Land clearing site visit   | \$ 125 / hour                       |
| Site Development:  |                                     |
| Site Development - Floodplain Development Application Fee  | \$ 250.00                           |
| Right-of-Way - General   | 2% of Construction Cost / \$500 min |
| Right-of-Way - Drainage Connection to R/W line   | \$ 500.00                           |
| Right-of-Way - Drainage through R/W  | \$ 500.00                           |
| Right-of-Way - Existing Driveway Connection to R/W line  | \$ 100.00                           |
| Right-of-Way - Driveway Connection to R/W line   | \$ 500.00                           |
| Right-of-Way - Driveway through R/W or over canal  | \$ 1,000.00                         |
| Right-of-Way – Utility   | \$ 500.00                           |
| Vegetative Removal/Land Clearing Permit Application (Residential & Non-Residential, including vacant properties)   | \$ 2,000.00                         |
| Tree Mitigation-Native and Specimen Trees:   |                                     |
| Fee-in-lieu equivalent to three times retail value of each tree, plus installation costs   | On value                            |
| Ag - based on acreage assigned Ag use code and percentage of mitigation fee  | On acreage                          |
| ≤ 5 acres  | 2%                                  |
| 5.01-20 acres  | 5%                                  |
| > 20.01 acres  | 10%                                 |
| Restoration plan application fee   |                                     |
| Infrastructure:  |                                     |
| Residential  | \$ 250.00                           |
| Non-residential  | \$ 500.00                           |
| Communications & Utility   | 2% of Construction Cost / \$500 min |
| Survey Review (per survey including updates & corrections)   | \$ 125 / hour                       |
| Address Assignment or Change   | \$ 500.00                           |
| Sign (including temporary) Permit Application  | \$ 500.00                           |
| Conditional Use / Special Use  | \$ 1,000.00                         |
| Annexation Application Fee   | \$ 1,250.00                         |
| PUD Approval &/or Amendment  | \$ 2,000.00                         |
| Comp Plan/ULDC Text Amendment  | \$ 2,000.00                         |
| Zoning Amendment   | \$ 2,000.00                         |
| Development Approval Extension   | \$ 500.00                           |
| Temporary Construction Trailer   | \$ 100.00                           |
| Temporary Use/Special Event Permit   |                                     |
| Large Events (Parade, Concert, Carnival, Sidewalk Sale, Food Truck Events, etc.)   | \$ 300.00                           |
| Mid-Sized Events (more than 50 – 100 ppl)  | \$ 150.00                           |
| Small Events   | \$ 50.00                            |
| Garage Sale permit   | \$ 25.00                            |
| Expedited or out of sequence application review (in addition to regular fees & charges)  | 3X permit fee                       |
| Retroactive permit   | 4X permit fee                       |
| * All above fees are application or submittal fees and are subject to additional cost recovery fees for professional time and materials plus 10% administrative costs as noted below |                                     |

| PLAN REVIEW FEES   |   |
|--|---|
| Pre-application meeting  | \$550/hour                                    |
| Revision (per resubmittal plus additional per sheet/attachment)  | \$100 / resubmittal + \$20 / additional sheet |
| Application Sufficiency review   | \$ 100.00                                     |
| Each review after third review   | 4X permit fee                                 |
| Alternate methods / Material processing  | \$ 900.00                                     |
| Verification on LOMR or mitigation affidavits (in addition to FEMA)  |   |
| FEMA community acknowledgement on LOMR, per building/lot   | \$ 100.00                                     |
| Mitigation affidavit, per system, each building  | \$ 75.00                                      |
| Expedited or out of sequence plan review   |   |
| Residential - regular plan review fees   | \$ 430.00                                     |
| Commercial < 5,000Sf - regular plan review fees plus   | \$ 875.00                                     |
| Commercial > 5,000Sf - regular plan review fees plus   | \$ 1,875.00                                   |
|  |   |
| BASE BUILDING PERMIT FEES  |   |
| Valuation Range Fees (includes plan review + inspection)   |   |
| up to \$10,000   | \$ 250.00                                     |
| \$10,001 - \$100,000   | 2%  |
| 100,001 - 500,000  | 1%  |
| 500,001 - 1,500,000  | 1%  |
| 1,500,001 and up   | 1%  |
| Submittal Fees (due with application for detached single family homes. Credited towards permit fees above. Forfeited if not permitted) |   |
| 0—800 square feet  | \$ 500.00                                     |
| 801—1,399 square feet  | \$ 750.00                                     |
| 1,400—1,999 square feet  | \$ 1,000.00                                   |
| 2,000—3,599 square feet  | \$ 1,500.00                                   |
| 3,600 and larger square feet   | \$ 2,500.00                                   |
| Retroactive permit after start of construction   | 4X permit fee                                 |
|  |   |
| ADDITIONAL BUILDING PERMIT FEES  |   |
| AC Change outs   |   |
| Residential per unit   | \$ 100.00                                     |
| Commercial per unit  | \$ 150.00                                     |
| Accessory buildings  |   |
| Prefab 50SF - 120SF  | \$ 50.00                                      |
| Prefab 121 SF - 400 SF   | \$ 100.00                                     |
| Site Built 50SF - 120SF  | \$ 100.00                                     |
| Site Built 121SF - 400 Sf  | \$ 200.00                                     |
| 401SF and over   | On valuation                                  |
| AG exemption processing (includes but not limited to Non-Residential Farm Buildings)   | \$ 200.00                                     |
| Awnings/canopies/tents/membrane structures per 2000SF. Excludes electrical   | \$ 100.00                                     |
| Concrete Slabs   |   |
| Per 20,000SF or less (no inspection)   | \$ 50.00                                      |
| Per 20,000SF or less (with inspection)   | \$ 100.00                                     |
| Demolition permits   | 1% of value                                   |
| Door and window replacements:  |   |
| Windows and/or entry doors, per 20 openings or increment   | \$ 100.00                                     |
| Windows and/or entry doors with shutters, per 20 openings or increment   | \$ 200.00                                     |
| Shutters, per 20 openings or increment   | \$ 150.00                                     |
| Garage doors, per 3 openings or increment  | \$ 100.00                                     |
| Excavation with 1 & 2 family dwelling (w/inspections)  | \$ 150.00                                     |
| Roofing:   |   |
| New roofs  | On valuation                                  |
| 1 & 2 family residential:  |   |
| Pre-approved flat roofs (less than 4 squares)  | \$ 150.00                                     |
| With individual plan review  | \$ 100.00                                     |
| Repairs (less than 2 squares and under \$2,500 )   | \$ 75.00                                      |
| Fences, barriers, railings, & site walls:  |   |
| Residential fence (no inspection)  | \$ 75.00                                      |
| Residential fence w/inspection required  | \$ 125.00                                     |

|   |              |
|---|--------------|
| Pool barrier (with plan review and inspection)  | \$ 100.00    |
| Commercial fences, with inspection, per 500 L.F. or portion   | \$ 100.00    |
| Site walls, per 500L.F. or increment  | \$ 150.00    |
| Screen/aluminum construction:   |              |
| Carport or porch (open wall or screened)  | \$ 150.00    |
| Pool enclosures   | \$ 200.00    |
| Wall screen, doors (non-structural):  |              |
| With individual plan review   | \$ 100.00    |
| Repairs to existing construction  | \$ 75.00     |
| Walls infill: (under existing roof, including electric)   | \$ 150.00    |
| Swimming pool & spa heaters: New, w/supply lines (w/plan review & inspections)  | \$ 150.00    |
| Water or pool heater replacements 1&2 family  | \$ 100.00    |
| Landscape irrigation systems:   |              |
| 1&2 family dwellings, (if scope of work is not in a primary permit)   | \$ 100.00    |
| Other than 1 & 2 family dwellings   | On valuation |
| Electric:   |              |
| Temporary poles (no plan review)  | \$ 100.00    |
| Service change: (includes service disconnect and/or meter can and/or panel)   |              |
| 1 & 2 family (with plan review & one inspection)  | \$ 100.00    |
| Commercial, per 400 amps or part (With plan review & one inspection)  | \$ 100.00    |
| Site lights, per 5 poles or parts   | \$ 100.00    |
| Low voltage:  |              |
| Dwelling unit, each   | \$ 75.00     |
| Commercial systems  | On valuation |
| Fire protection systems   | \$ 75.00     |
| Fire alarms:  |              |
| Sub-permit  | \$ 75.00     |
| Primary   | On valuation |
| Hood, Commercial (excludes suppression system), each  | \$ 100.00    |
| Phone/CATV service (or prepay per II.E.2.b, if master plan)   | \$ 75.00     |
| Repairs, & other work:  |              |
| ≤ \$2,500.00 value  | \$ 75.00     |
| > \$2,500.00 value  | On valuation |
| Standby generators:   |              |
| Generator electric only, 1 & 2 family dwelling  | \$ 150.00    |
| Generator and/or tank and/or lines, 1 & 2 family dwelling   | \$ 250.00    |
| Other than 1 & 2 family dwellings   | On valuation |
| Gas or fuel tank and lines:   |              |
| Below 501 gal, per new tank, and/or lines only and/or remove  | \$ 100.00    |
| Larger capacities, per tank   | \$ 150.00    |
| Replacements  | \$ 100.00    |
| Utility connections:  |              |
| Water or sewer line, house & main connection  | \$ 75.00     |
| Water meters (if not set by utility):   |              |
| Each 1 or 2 family dwellings  | \$ 75.00     |
| Others  | On valuation |
|   |              |
| <b>BUILDING INSPECTION FEES</b>   |              |
| Unproductive Inspection - Inspection (defined as not ready for inspection, no building access, no plans, no permit or no Notice of Commencement (NOC) on site, no site access, or site / building too dangerous to inspect.   | \$ 50.00     |
| Unscheduled Inspection - Unscheduled inspection shall be performed at a fee of \$50.00 per request, and contingent upon the availability of inspectors  | \$ 50.00     |
| After hours Inspections (weekdays / two-hour minimum) Upon written request three (3) days in advance, payment of appropriate fees, contingent upon the availability of inspectors. Inspections outside normal work hours shall be charged as follows: On weekdays, a two-hour minimum at \$75 per hour is charged. On weekends, a two-hour minimum at \$75 per hour is charged. | \$ 75.00     |
| Re-inspection:  |              |
| 1st re-inspection   | \$ 50.00     |
| 2nd re-inspection without "correction" done   | \$ 100.00    |
| 3rd and subsequent re-inspection without "correction" done  | \$ 300.00    |
| General or special inspections:   |              |
| Advisory, first on site hour or part  | \$ 100.00    |
| Plus, each additional hour or part  | \$ 75.00     |

|  |    |  |
|--|----|--|
| Electrical waiver power release inspection (1 meter)   | \$ | 150.00   |
| Plus, each additional meter (same trip)  | \$ | 20.00  |
| Sectioning building for incremental/partial inspections, per section   | \$ | 250.00   |
| Final inspections by affidavit   | \$ | 100.00   |
| C/O or C/C inspections:  |    |  |
| CO or CC <24 hour notice   | \$ | 250.00   |
| CO or CC more 24 hour notice   |    | no charge                                      |
| Temporary C/O or C/C. Each for a 30 day period.  |    |  |
| On residential dwelling units, each unit and each condition  | \$ | 150.00   |
| On commercial work, each building and each condition   | \$ | 500.00   |
| Partial C/O or C/C   |    |  |
| On residential dwelling units, each  | \$ | 300.00   |
| On commercial work, each building  | \$ | 1,000.00                                       |
|  |    |  |
| <b>CODE ENFORCEMENT FINES &amp; FEES *</b>   |    |  |
| Hourly Rates:  |    |  |
| Nonsupervisory   |    |  |
| Code Officer   | \$ | 80.00  |
| Building Inspector   | \$ | 110.00   |
| Fire Inspector   | \$ | 110.00   |
| Permit Technician  | \$ | 50.00  |
| Code Enforcement Clerk   | \$ | 50.00  |
| Supervisory  | \$ | 100.00   |
| Consultant   | \$ | 125.00   |
| Services/Subpoena  | \$ | 150.00   |
| Recording fees & cost  | \$ | 25 + actual cost                               |
| Code Enforcement Stipulation Agreement   | \$ | 100.00   |
| Code violation verification letter   | \$ | 75.00  |
| Tree mitigation violations:  |    |  |
| Fine for removing trees  |    | 2x mitigation rate + restoration plan approval |
| After the fact site inspection (per hour per visit)  | \$ | 500.00   |
| Irreparable & irreplaceable damage   | \$ | 5,000 per tree per day                         |
| Manure/bedding dumping:  |    |  |
| 1st offence (existing fee section 30-47)   | \$ | 250.00   |
| 2nd offence (existing fee section 30-47)   | \$ | 500.00   |
| Unpermitted hauler   | \$ | 2,000 per occurrence                           |
| Improper disposal of waste (existing fee Section 38-25)  |    |  |
| First offense  | \$ | 100 / load / day                               |
| Second offense   | \$ | 250 / load / day                               |
| Third Offense  | \$ | 400 / load / day                               |
| Each additional offense  | \$ | 500 / load / day                               |
| Yard sale signs > 3 days (Existing Section 80-035)   | \$ | 100.00   |
| General Violations per violation day unless otherwise specified  | \$ | 500.00   |
| Irreparable & irreplaceable damage   | \$ | 5,000 per occurrence                           |
| <i>* Certain fees above will also be subject to additional cost recovery fees for professional time and materials plus 10% administrative costs as noted below</i> |    |  |
| <b>ADMINISTRATIVE FEES</b>   |    |  |
| Records requests, customer request for files, investigation or research, etc (requires deposit)  |    |  |
| Nonsupervisory   |    | \$50 /hr (\$80/hr licensed)                    |
| Supervisory  |    | \$75 /hr (\$100/hr licensed)                   |
| Consultant   |    | \$100 /hr (\$120/hr licensed)                  |
| Replacement/additional documents:  |    |  |
| Copies   |    | \$ 0.20 / page                                 |
| Certified Copies   |    | \$1 / page                                     |
| Color Photographs (on photo paper)   |    | \$5.00 / photo                                 |
| Reproduction of Audio CD's/Video DVD's   |    | \$10 / CD or DVD                               |
| Certified Permit duplicate   |    | \$40 / permit duplicate                        |
| Certified C/O or C/C (after initial free copy)   |    | \$40 / certified copy                          |
| Plan re-stamp or additional set, base  |    | \$60 + printing cost / set                     |
| Postage  |    | Actual Cost                                    |
| Revision of record:  |    |  |

|   |                               |
|---|-------------------------------|
| Contractor change or "to be determined"   | \$ 75.00                      |
| Owner change  | \$ 50.00                      |
| Lot change (within plat, after tech review of original plan)  | \$ 300.00                     |
| Liens   |                               |
| Lien Search Request   | \$ 25.00                      |
| Lien reduction initial application  | \$ 250.00                     |
| Release of Lien application   | \$ 250.00                     |
| Release of Lien recording fee   | \$25 + Actual cost            |
| Construction Lien law notice  | \$ 25.00                      |
| Renew or extend permit or application: (may require additional impact, building, or other fees, if increases have occurred since original application) Within 180 days of inactive status | 30% of permit fee / \$100 min |

| UNIQUE PERMITS, OTHER FEES & CHARGES   |  |
|--|--|
| Special processing of permits: Extra fee (Affidavit process with building official approval, special foundation permits, etc.) |  |
| Simple projects  | \$ 150.00  |
| Complex projects or new construction   | \$ 300.00  |
| Unique Permits & Other Requested Work:   |  |
| Administrative Staff   | \$50 /hr (\$80/hr licensed)                                    |
| Supervisor   | \$75 /hr (\$100/hr licensed)                                   |
| Licensed Professional Ch 468 F.S.  | \$100 /hr (\$120/hr licensed)                                  |
| Business Tax Receipts:   |  |
| Initial Application  | \$ 75.00   |
| Reclassification   | \$ 50.00   |
| Renewal  | \$ 25.00   |
| Manure Permit - Haulers  | \$ 600.00  |
| Manure Registration - Property Owner   | no charge  |
| RV registration  | \$ 50.00 / per RV  |
| RV rental space site availability verification   | no charge  |
| RV solid waste fee   | Contractor Fee Schedule  |
| Foreclosed / abandoned / vacant property registration  | \$ 200.00  |
| Room Rental (Council Chambers)   | \$200.00 / hr + actual costs (COVID Cleaning, staff time, etc) |
| Room Rental (Conference Room)  | \$100 / hr + actual costs (COVID Cleaning, staff time, etc)    |
| Overdue accounts   | 1.5% monthly   |
| Returned checks  | 5% or \$20   |
| Technology fee   | 1%   |
| DPBR Surcharge   | 1%   |
| DCA Surcharge  | 1%   |
| NOTES  |  |

The fees and permits included herein are in addition to any other applicable fees and permits required by other agencies.

Requirements:

72 hour minimum (3 business days) review time to initially process applications and permits.

All applications submitted must be completed properly, include all required documents and necessary fees/payments. Incomplete applications will not be processed.

Failure to obtain permits, exemption requests/waivers and/or other approvals will result in 4x fees noted above.

BTR admin charges above are for application only; fee by business category set forth by existing separate ordinance

All Land Development, Infrastructure & Special Permit Fees are subject to cost recovery plus a ten percent (10%) Administrative Fee. Cost recovery includes time and materials and may require a deposit.

Site visits, use of outside professionals, additional research, etc. related to land development, infrastructure, special permits, code enforcement, RV registration, manure hauling/registration will also be subject to cost recovery plus administrative fees noted above.

This fee schedule may not include all fees and charges where provided by separate Town resolutions, ordinances and/or state law.

**Agenda Item #3**

**TO: Town Council of Town of Loxahatchee Groves**

**FROM: Francine Ramaglia, Town Manager**

**DATE: February 21, 2023**

**SUBJECT: Resolution 2023-20 Nominating Mayor Robert Shorr and Supporting his Application for Trustee of the Florida Municipal Insurance Trust**

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**Background:**

The Florida Municipal Insurance Trust (FMIT) has an upcoming vacancy on its Board of Trustees. Mayor Shorr has expressed a willingness to serve as a Trustee on the FMIT Board.

The FMIT is a pooled self-insurance program whose membership consists of local government entities. The FMIT Board of Trustees oversees the FMIT's operations and the Florida League of Cities serves as its Administrator.

To qualify as a Trustee, a nominee at the time of their appointment and tenure on the Board must be an elected municipal official from a municipality participating in the Trust. Trustees are chosen by a majority vote of the Trust's current Board of Trustees. Nominations come from participating municipalities and should reflect the municipality's governing board endorses or otherwise approves of the nomination.

Resolution 2023-20 nominates and supports the appointment of Mayor Robert Shorr to be a Trustee on Board of Trustees of FMIT.

**Recommendation:**

Motion to approve Resolution No. 2023-20 nominating and endorsing Mayor Robert Shorr to be a Trustee for the Florida Municipal Insurance Trust.

**TOWN OF LOXAHATCHEE GROVES**

**RESOLUTION NO. 2023-20**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA NOMINATING MAYOR ROBERT SHORR FOR AND SUPPORTING HIS APPOINTMENT TO THE BOARD OF TRUSTEES OF THE FLORIDA MUNICIPAL INSURANCE TRUST; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Municipal Insurance Trust (FMIT) has solicited nominations for an upcoming vacancy on its Board of Trustees; and

**WHEREAS**, Mayor Robert Shorr has indicated an interest and willingness to serve as an FMIT Trustee; and

**WHEREAS**, the Town Council of the Town of Loxahatchee Groves is in full support of Mayor Shorr's application to be a Trustee of FMIT and believes he will be an excellent addition to the Board of Trustees.

**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 hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

**Section 2.** The Town Council of the Town of Loxahatchee Groves hereby nominates and supports the application of Mayor Shorr to be a Trustee of the Florida Municipal Insurance Trust.

**Section 3.** The Mayor and Town Manager are authorized to forward this resolution of nomination and support to the Florida Municipal Insurance Trust Board of Trustees.

**Section 4.** This Resolution shall become effective immediately upon its passage and adoption.



Councilmember \_\_\_\_\_ offered the foregoing resolution. 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>            |
|---------------------------------|--------------------------|--------------------------|--------------------------|
| Robert Shorr, MAYOR             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Laura Danowski, VICE MAYOR      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Margaret Herzog, COUNCILMEMBER  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marianne Miles, COUNCILMEMBER   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Phillis Maniglia, COUNCILMEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS \_\_\_\_ DAY OF FEBRUARY 2023.**

TOWN OF LOXAHATCHEE GROVES,  
FLORIDA

ATTEST:

\_\_\_\_\_  
Mayor Robert Shorr

\_\_\_\_\_  
Lakisha Burch, Town Clerk

\_\_\_\_\_  
Vice Mayor Laura Danowski

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Councilmember Margaret Herzog

\_\_\_\_\_  
Office of the Town Attorney

\_\_\_\_\_  
Councilmember Marianne Miles

\_\_\_\_\_  
Councilmember Phillis Maniglia

**Date:** 2/7/2023

**To:** Participating Municipalities of the Florida Municipal Insurance Trust

**From:** The Florida League of Cities, as Administrator

**RE:** Nomination of Trustee(s)

The Florida Municipal Insurance Trust (FMIT) is a pooled self-insurance program whose membership consists of local government entities. The FMIT's Board of Trustees oversees the FMIT's operations, and the Florida League of Cities serves as its Administrator. The purpose of this letter is to solicit nominations for election to the FMIT Board of Trustees.

To qualify as a Trustee, a nominee at the time of appointment and throughout their tenure must be an elected municipal official from a municipality participating in the Trust. Trustee vacancies are filled by the Trust's current Board of Trustees, by majority vote, from the nominees offered by participating municipalities. A nominee may be appointed to fill either a current unexpired term or a full three-year term. Trustees are limited to serving two consecutive three-year terms. (Service in an unexpired term is not counted.)

New Trustees will receive an orientation from the Administrator. The Trust typically meets four times a year, once each quarter; however, special meetings may be scheduled as needed. Trustees are reimbursed for travel, meal and accommodation expenses incurred in attending Trust meetings and also receive a meeting fee.

No Trustee may be selected or continue to serve as a Trustee after becoming an owner, officer, employee or agent of a business entity having a contractual relationship or otherwise doing business with the Trust. A Trustee must relinquish their office or may be removed when they no longer serve as an elected official of the member from which they were selected or when the municipality from which they were selected ceases to participate as a member of the Trust.

The election of Trustees requires a formal nomination process. ***As nominations must come from participating municipalities of the Trust, your nomination should reflect that your municipality's governing body (Council, Commission, etc.) has endorsed or otherwise approved the nominee as a prospective Trustee. In addition, please include a resume or a biographical sketch reflecting the nominee's background and qualifications to serve.***

Should you wish to submit a nomination to the Board of Trustees, please complete the enclosed nomination form and return it, along with a resume or biographical sketch, to Melissa Solis, Insurance Member Services Manager, no later than **Tuesday, March 7, 2023**. Thank you.

## FLORIDA MUNICIPAL INSURANCE TRUST TRUSTEE NOMINATION FORM

Please indicate the name, title and municipality of your nominee below, along with your name, title and municipality. Nominations should be emailed to [msolis@flcities.com](mailto:msolis@flcities.com).

**NOTE: NOMINATIONS MUST BE RECEIVED NO LATER THAN TUESDAY, MARCH 7, 2023.**

Nominee Name: \_\_\_\_\_  
(Nominee must be an elected official of the municipality participating in the Trust)

Nominee's Title: \_\_\_\_\_

Municipality: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Has the nominee (above) been informed of this nomination?**    ☐ Yes    ☐ No

**Has the nominee's municipal governing body (Council, Commission, etc.) endorsed or otherwise approved the nominee as a prospective Trustee?**    ☐ Yes    ☐ No

Nominated by: \_\_\_\_\_

Title: \_\_\_\_\_

Municipality: \_\_\_\_\_

Date: \_\_\_\_\_

**PLEASE EMAIL THIS NOMINATION FORM AND A RESUME OR BIOGRAPHICAL SKETCH  
BY TUESDAY, MARCH 7, 2023 TO:**

Melissa Solis  
Insurance Member Services Manager  
[msolis@flcities.com](mailto:msolis@flcities.com)

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**Agenda Item #4**

**TO:** Town Council of Town of Loxahatchee Groves  
**FROM:** Larry A. Peters, P.E. Director of Public Works  
**VIA:** Francine L. Ramaglia, Town Manager  
**SUBJECT:** Approval of Resolution No. 2023-21 Rescinding Resolution No. 2022-78  
Authorizing Work Order for Town's Capital Improvement Plan for FY 2023

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**Background:**

In the interest of transparency and fairness, the Council decided at its meeting on February 7th to open the paving plan up to a competitive selection process. To that end, the previous work order granted by Resolution No. 2022-78 authorizing paving for roadway segments set forth in the Town's Capital Improvement Plan for FY 2023 is rescinded by this action.

**Recommendation:**

Move that Town Council adopt ***Resolution No. 2023-21*** rescinding Resolution No. 2022-78 and the authorization to utilize its Agreement with Ranger Construction Industries, Inc. under PBC Project No. 2021050 for milling and resurfacing on roadway segments in the Town's adopted Capital Improvement Plan for FY 2023.

**TOWN OF LOXAHATCHEE GROVES**  
**RESOLUTION NO. 2023-21**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA RESCINDING RESOLUTION 2022-78 APPROVING THE SCOPE AND PRICING WITH RANGER CONSTRUCTION, INC. FOR MILLING AND RESURFACING; AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO TAKE SUCH ACTIONS AS ARE NECESSARY TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Resolution No. 2022-76, adopted by Town Council on November 1, 2022, the Town entered into an agreement with Ranger Construction Industries Inc. utilizing the Palm Beach County Annual Milling and Resurfacing Contract (PBC Project No. 2021050); and

**WHEREAS**, pursuant to Resolution No. 2022-78, adopted by Town Council on November 1, 2022, the Town approved scope of work and pricing with Ranger Construction Industries Inc. for milling and resurfacing the roadway segments contemplated by the Town's FY23 Capital Improvement Plan; and

**WHEREAS**, since the adoption of Resolution No. 2022-78, the Town has experienced staff losses resulting in a change to the scope of the overall roadway improvement work to be contracted and budgetary concerns; and

**WHEREAS**, Town Council has determined to competitively solicit for the amended scope of work in its entirety, in compliance with state and local laws.

**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 hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

**Section 2.** The Town Council of the Town of Loxahatchee Groves, Florida hereby rescinds Resolution No. 2022-78 and the authorization to utilize its Agreement with Ranger Construction Industries, Inc. under PBC Project No. 2021050 for milling and resurfacing on roadway segments in the Town's adopted Capital Improvement Plan for FY 2023.

**Section 3.** The Town manager and Town Attorney are authorized to take such actions as are necessary to implement this Resolution.

**Section 4.** This Resolution shall become effective immediately upon its passage and adoption.

Councilmember \_\_\_\_\_ offered the foregoing resolution. 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>            |
|---------------------------------|--------------------------|--------------------------|--------------------------|
| Robert Shorr, MAYOR             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Laura Danowski, VICE MAYOR      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Margaret Herzog, COUNCILMEMBER  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marianne Miles, COUNCILMEMBER   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Phillis Maniglia, COUNCILMEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE  
GROVES, FLORIDA, THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2023.**

TOWN OF LOXAHATCHEE GROVES,  
FLORIDA

ATTEST:

\_\_\_\_\_  
Mayor Robert Shorr

\_\_\_\_\_  
Lakisha Burch, Town Clerk

\_\_\_\_\_  
Vice Mayor Laura Danowski

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Councilmember Margaret Herzog

\_\_\_\_\_  
Office of the Town Attorney

\_\_\_\_\_  
Councilmember Marianne Miles

\_\_\_\_\_  
Councilmember Phillis Maniglia

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**Town of Loxahatchee Groves, Florida**  
**Town Council Agenda Item Report**  
**Palm Beach Orthopedics Institute Site Plan Application**

**PREPARED BY:** Jim Fleischmann

**Agenda Item # 5**  
**February 7, 2023**

**SUBJECT:** Approval of the proposed Loxahatchee Groves Orthopedic Institute Site Plan (Resolution 2023-11).

**1. BACKGROUND/HISTORY**

**History:** The Subject Site is located in Pod C of the Groves Town Center MLU/PUD. The proposed Loxahatchee Groves Orthopedic Institute Site Plan, consists of 20,200 sq. ft. of two-story building space; 45.9% of the 44,000 sq. ft. of approved commercial office space in the Groves Town Center MLU/PUD.

The proposed Medical Office/Surgical Center will provide out-patient surgery services and support complimentary Medical Office services. On-site physical therapy will be integrated into the use so that the facility provides a one-stop location for a multitude of cross-treatment medical services. The Surgery Center will operate up to 6 days a week with no overnight patient stays

**Issue Statement:** The Applicant has requested approval of proposed Site Plan (Loxahatchee Groves Orthopedic Institute) within the Groves Town Center MLU/PUD.

**Issue Resolution:** The Town Council should consider approval, approval with conditions, or denial of Resolution 2022-92, the subject of which is the Loxahatchee Groves Orthopedic Institute Site Plan.

**2. CURRENT ACTIVITY**

The Planning and Zoning Board (PZB) recommended approval of the Loxahatchee Groves Orthopedic Institute Site Plan Application at its December 15, 2022 meeting by a 3 – 0 vote.

Based upon a review of the Site Plan Application within the report titled “Site plan Amendment Review SP 2022-504189” (December 8, 2022), Staff finds the proposed Site Plan consistent with the Town’s Comprehensive Plan and land development regulations.

**3. ATTACHMENTS**

1. Resolution 2023-11
2. Agenda Item Staff Summary SPA 2022-504189; February 7, 2023

**4. RECOMMENDED ACTION**

Approval of Resolution 2023-11 as recommended by PZB and Staff subject to the Site Plan, Landscape Plan and Conditions of Approval included therein.

**TOWN OF LOXAHATCHEE GROVES  
TOWN COUNCIL  
February 7, 2023**

**AGENDA ITEM STAFF SUMMARY:  
Site Plan Review SP 2022-504189  
Palm Beach Orthopedic Institute (PBOI)**

**I. Site and Applicant Information**

|                               |  |
|-------------------------------|--|
| <b>Current Project Name</b>   | Groves town Center Pod C   |
| <b>Proposed Project Name</b>  | Palm Beach Orthopedic Institute  |
| <b>Project No.</b>            | Site Plan Approval SP 2022-504189  |
| <b>Agent</b>                  | Brian Chegus, iPlan & Design, LLC  |
| <b>Applicant</b>              | Palm Beach Orthopedic Institute, P.A. and Prestige Construction and Development, LLC |
| <b>Owner</b>                  | Loxahatchee Equestrian Partners, LLC and Solar Sportsystems, Inc.; Daniel Zimmer     |
| <b>Parcel Control No.</b>     | 41-41-43-31-13-000-0031 and 41-41-43-31-13-000-0032                                  |
| <b>Location</b>               | Northeast corner of Southern Boulevard and "B" Road                                  |
| <b>Size (Acreage)</b>         | 1.964 Acres  |
| <b>Zoning</b>                 | Multiple Land Use Planned Unit Development (MLU/PUD)                                 |
| <b>Future Land Use</b>        | Multiple Land Use  |
| <b>Site Area Existing Use</b> | 1.964 - Vacant   |
| <b>Site Area Proposed Use</b> | 1.964 – Medical Office Building  |

**II. Site Area Adjacent Properties (Refer to Exhibit 1)**

| <b>LAND USE</b>        | <b>NORTH</b>  | <b>SOUTH</b>  | <b>EAST</b>  | <b>WEST</b>                                      |
|------------------------|---|---|--|--|
| <b>EXISTING USE</b>    | Vacant - Groves Town Center MLU/PUD   | Avocado Avenue followed by Aldi Grocery and Vacant                                    | Vacant - Groves Town Center MLU/PUD  | Retention Pond- Groves Town Center MLU/PUD       |
| <b>APPROVED USE</b>    | Office) and Retention Pond  | Aldi Grocery and Southern Palms Car Wash  | Mango Street followed by Groves town Center Pod TC (Town Center)               | Groves Town Center Retention Pond.               |
| <b>FUTURE LAND USE</b> | Multiple Land Use (MLU)   | Multiple Land Use (MLU) Groves Town Center Pods A and B                               | Multiple Land Use (MLU) Groves Town Center TC Pod                              | Multiple Land Use (MLU) -                        |
| <b>ZONING</b>          | Multiple Land Use Planned Unit Development (MLU/PUD): Groves town Center Pod E and Retention Pond | Multiple Land Use Planned Unit Development (MLU/PUD): Groves Town Center Pods A and B | Multiple Land Use Planned Unit Development (MLU/PUD) Groves Town Center Pod TC | Multiple Land Use Planned Unit Development /PUD) |

### III. Principal Submitted Support Documents

| ITEM   | CONTENT  |
|--|--|
| Summary of Applicant's Use and Justification Statement | The proposed Medical Office/Surgical Center will provide out-patient surgery services and support complimentary Medical Office services at this location. On-site physical therapy will be integrated into the use as well so that the facility provides a one-stop location for a multitude of cross-treatment medical services. The Surgery Center will operate for up to 23 hours per day and up to 6 days a week with no overnight patient stays   |
| Site Plan  | Proposed development of Groves Town Center MLU/PUD Pod C <u>Tabular data and computations</u> , including: Proposed Uses; Building Area; CLO building standards (Required vs. Provided); Impervious and Pervious Area (Required vs. Provided); and <u>Major Graphic Depictions</u> : Location and height of structures, vehicular use areas, including drive aisles, parking spaces and circulation system including connections to public r-o-w, location; locations of parking and loading areas; locations of dumpster and generator; locations of way finding signs; and setback locations and dimensions. |
| Engineering Plans                                      | Drainage Statement; Engineering Plans (Survey, Conceptual Engineering Plan, Paving, Grading and Drainage Details, and Water and Wastewater Details); Traffic Statement.  |
| Architectural Plans                                    | North, South, East, and West elevations; and Typical floor plan, and Signage Plans pending.  |
| Service Provider Letters                               | PBC Fire Rescue; and Palm Beach County Water Utilities Request Application filed.  |
| Natural Features Inventory                             | Aerial photo submitted showing Subject Property totally cleared. Property is included within the Phase 1 Tree Removal Permit for Groves Town Center.   |
| Landscape Plans  | Landscape Plans indicating locations of tree, palm and shrub species (number and location) required and provided;; and Irrigation Plans  |
| Photometric Plan                                       | Site Lighting Fixture Locations and Distribution of Lumens throughout the property and at site boundaries.   |
| Consistency with Rural Vista Guidelines                | Submitted report entitled: "Proposed PBOI at Groves town Center Compliance with the Rural Vista Guidelines"  |

### IV. Project Description

The Loxahatchee Groves Orthopedic Institute Site Plan SP 2022-504189 consists of 20,200 sq. ft. of two-story building space; 45.9% of the 44,000 sq. ft. of approved commercial office space in the Groves Town Center MLU/PUD.

The Subject Site is located in Pod C of the Groves Town Center MLU/PUD as illustrated in Exhibit 1. A brief description of the proposed project is presented in Section III, above, while Site Plan and Landscape Plan details are presented in Exhibits 2 and 3.

## V. Staff Review Summary

### B. Infrastructure Impacts

| Infrastructure Service   | Summary  |
|--------------------------|--|
| Water/wastewater         | Utility Concurrency Request form submitted. Reply to be submitted upon receipt. Property can be served by County central water/wastewater along Southern Boulevard. A Standard Developers Agreement (SDA) with PBCWUD is required to be approved by the Town Council.  |
| Surface Water Management | Drainage statement and Engineering Plans provided. Project is within SFWMD C-51 Basin. Legal positive outfall for Subject Site to the Groves Town Center master drainage system to be permitted by the South Florida Water Management System, including conveyance, water quality and storage requirements, C-51 Basin requirements and Town requirements. |
| Solid Waste Disposal     | Solid Waste Authority annual confirmation of capacity. Applicants to execute contract with Town's private hauler for collection and disposal.  |
| Transportation           | Traffic Statement provided by PTC Transportation Consultants demonstrating that trips generated by the proposed project, previously approved site plans, and remaining development potential do not exceed the approved trip thresholds for Groves Town Center MLU/PUD. Therefore, Palm Beach County Traffic Performance Standards have been met.          |
| FIRE/EMS                 | Letter from Palm Beach County Fire/Rescue stating that the proposed project will be served by Station #20, located on Greenview Shores in Wellington, and with an average response time of 7 minutes 14 seconds.   |
| Flood Zone               | Project is located in an AE Zone (subject to flooding by the 100-year flood) at a Base Flood Elevation of 17.6 feet. A Floodplain Development Application (FDA) is to be submitted to the Town prior to approval of any building permits.  |

### D. Comprehensive Plan, Zoning, and Site Plan Approvals

The proposed Loxahatchee Groves Orthopedic Institute Site Plan SP 2022-504189 is consistent with the Comprehensive Plan and Unified Land Development Code (ULDC).

- The current Future Land Use Map designation of the property is Multiple Land Use. SP 2022-504189 is consistent with the Future Land Use designation.
- The Zoning Map designation of the property is Multiple Land Use Planned Unit Development (MLU/PUD). SP 2022-504189 is consistent with the Zoning designation.
- The proposed commercial uses (medical office and surgery center) are permitted uses within the Commercial component (i.e., CL zoning district permitted uses) of the Groves Town Center MLU/PUD.
- Per the Staff Report supporting Ordinances 2013-010, 2018-08, and 2019-08 the Groves Town Center MUPUD has met the PUD requirements.

### E. Zoning Requirements: Commercial (i.e., CL Zoning District) Regulations

| Regulation  | Standard   | Property Complies?  |
|---|--|---|
| Minimum lot size                                    | 1 acre   | Yes – 1.964 acres.  |
| Frontage and Access                                 | ULDC Section 100-35: legal access from a publically dedicated street | Yes – Access to both Tangerine Drive and Avocado Avenue within Groves Town Center   |
| Site Area Minimum lot frontage/width                | 200 feet   | Yes – 393 ft. on Avocado Avenue and 420 ft. on Tangerine Avenue   |
| Site Area Minimum lot depth                         | 200 feet   | Yes - 227 feet on Mango Street  |
| Maximum Floor-Area-Ratio                            | 0.10 in CL District and 0.20 in CLO District                         | Yes - Proposed at 0.236. F.A.R. on a given Pod can exceed the zoning district maximum provided that the total approvals of 103,000 sq. ft. of commercial and 44,000 sq. ft. of office are not exceeded. |
| Maximum building and roofed structures lot coverage | 25%  | Yes – 11,247 sq. ft.; 13.1% of Site Area  |
| Front setback                                       | 50 feet  | Yes – 68.6 feet (Site Area)   |
| Side street setback                                 | 25 feet  | Yes – 68.5 feet (East Side)   |
| Rear setback  | 50 feet  | Yes – 88.2 feet   |
| Minimum pervious area                               | 30%  | Yes – 24.5%   |
| Maximum building height                             | 35 feet  | Yes – 35 feet   |

### F. ULDC Section 155-020: Substantive Requirements (Site Plan)

| Criterion  | Compliance  |
|--|---|
| Section 150-020 (A) Conformance to the approved and/or recorded plat, if applicable            | Site Plan SP 2022-504189 is consistent with Tract Pod C of Groves Town Center PUD Amendment No. 1 Plat recorded in the Public Records of Palm Beach County.   |
| Section 150-020 (B) Consistency with the Loxahatchee Groves Comprehensive Plan                 | Yes – Refer to Section D, above.  |
| Section 150-020 (C) Conformance with the Town of Loxahatchee Groves ULDC                       | Yes – Refer to Section D, and E above and Section G, below.   |
| Section 150-020 (D) Conformity with the water control district's requirements and regulations. | Site drainage discharge to the Groves Town Center Master Drainage System. The ultimate system to serve the 90.33-acre Groves Town Center is designed to meet SFWMD conveyance, water quality and storage requirements and C-51 Basin and Town requirements. |

## G. ULDC Supplementary Requirements

### 1. ULDC Article 85: Landscape Plan Requirements

| Requirement  | Response  |
|--|---|
| Plots of 3 acres or more shall preserve or create and maintain an ecological community of at least 3% of area of the property. | N/A. Preserve area included within the Conservation Land Use portion (23.2 acres) of the 90.33-acre Groves Town Center MLU/PUD. – Meets requirement.                                  |
| A tree survey, including trees to be removed or relocated, including proposed relocation sites                                 | The inventory and tabular were included in the Clearing Permit previously issued for Pod A of the Groves Town Center MLU/PUD. Meets requirement                                       |
| The location, including height, caliper and canopy spread of all landscape materials   | Specifications provided the Landscape Plan dated July 28, 2022. Meets requirement   |
| Irrigation plan if irrigation system to be used  | Automatic underground irrigation system per Irrigation Plan dated July 28, 2022. Meets requirement  |
| Primary structures treated with shrubs @ 2.5-foot height along 40% of the structure frontage                                   | Shrubs provided on 100% of Avocado Avenue and Tangerine Drive frontages per Landscape Plan dated July 28, 2022. Meets requirement   |
| Interior open space area defined and located.  | Provided in the Site Plan dated July 28, 2022 @ 7.5% of site area (interior landscape areas). – Meets requirement.  |
| interior open space ground cover and/or hedge requirements: 1 tree and 10 shrubs per 2,000 sq. ft.                             | Provided in the Landscape Plan – Meets requirements.  |
| Dumpsters, mechanical equipment, and electrical transformers screened  | Generator pad and dumpster enclosure landscaped per Site Plan and Landscape Plan dated July 28, 2022 – Meets requirement  |
| Section 85-055 (G) Signs screened  | Provided in the Landscape Plan – Monument signs screened. Meets requirement   |
| Existing vegetation credit requested and calculated  | N/A. Not requested in the Clearing Pod A Permit.  |
| Landscape buffer along property line abutting AR District  | N/A. No AR zoned property adjacent to the Subject Site.   |
| 25-foot vehicular use area landscape strip required  | NA. No frontage on Southern Boulevard or Letter   |
| Vehicular use area landscape requirements  | N/A. No Parking Islands provided in the Site Plan - Meets requirement.  |
| Site distance requirements   | Clear Site Triangles provided at project entrances. Site Distance Triangles provided at street intersections per Site Plan and Landscape Plan dated July 28, 2022. Meets Requirement. |

## 2. ULDC Article 90 Signs

| Allowed Signs  | Response  |
|--|---|
| Permits required and Sign permit requirements  | Condition of Approval   |
| <b>Standards by sign type and zoning district (CL District shopping center or another multi-tenant center)</b>   |   |
| Mandatory attached building identification (i.e. address) sign: 1 per structure or business @ maximum sign face of 4 sq. ft.   | Condition of Approval   |
| Attached canopy sign (optional): Maximum 1 per structure or business @ maximum sign face of 4 sq. ft.  | None proposed per the Master Signage Plan dated June 16, 2022.                                |
| Shopping Center attached building wall sign(s): 1 per tenant, 2 if corner location: Anchor tenants @ maximum sign face of 60 sq. ft.; other tenants sign face @ 18 sq. ft. to 36 sq. ft. | Two proposed per the Master Signage Plan dated June 16, 2022.                                 |
| Attached canopy sign: 1 per canopy or 2 per building which ever is less @ 16 sq. ft. to 24 sq. ft.   | One proposed per the Master Signage Plan dated June 16, 2022.                                 |
| Free-standing monument or panel sign(s): Primary sign - 1 per tenant: @ maximum sign face of 72 sq. ft.  | Two proposed per the Master Signage Plan dated June 16, 2022.                                 |
| Real Estate or Project Sign (to be removed after sale or project completion) 1 per street frontage @ maximum sign face of 12 sq. ft.   | To be determined at the time of Sign Permit Application per ULDC Section 90-070 requirements. |

## 3. Article 95 Parking and Loading

| Requirement   | Response  |
|---|---|
| Minimum parking space requirements – 95 spaces required.                                      | 95 spaces provided per Site Plan dated July 28, 2022. Meets Code Requirement.                                   |
| Size of parking spaces – Standard space = 11' x 22.5". Handicap space = 14' x 22.5'           | Standard spaces @ 11' x 22.5' (meets ULDC requirement). Handicap spaces @ 14' x 22. 5' (meets ULDC requirement) |
| Minimum loading space requirements (i.e. for uses that receive materials by truck). - 1 space | One provided (meets ULDC requirement)   |
| Size of loading spaces – 12' x 45' with 14' vertical clearance                                | One space @ 25 feet x 45 feet (meets ULDC requirement)  |
| Parking Aisle requirements = 28 feet; Drive Aisle requirements (2-way)                        | Two-way Drive Aisles (28 feet widths). Meets ULDC requirement.  |
| Driveway. Minimum distance from street line to interior drive aisle = 22 feet.                | Avocado Avenue and Tangerine Drive ingress/egress driveways = 22.5 feet. Meets ULDC requirement.                |

## H. Architecture (Discussion of Rural Vista Guidelines by Applicant)

The Applicant has prepared the document entitled: "Proposed Loxahatchee Groves Orthopedic Institute at Groves Town Center Statement of Compliance with Rural Vista Design Guidelines: November 17, 2022". The document presents an overview of the architectural features as they relate to the Rural Vista Guidelines.

The Palm Beach Orthopedic Institute (PBOI) building is designed in a Florida Vernacular architectural style including the incorporation of many rural design elements. A mixed stucco (smooth and rough) finish for the building facades is proposed in order to articulate the style. Cultured stone is incorporated around the principal public entrance and on the west facade in accordance with the rural design standards.

The two-story building incorporates a large canopy and moldings breaking up the massing between the first and second floors at approximately 10 feet above grade. The project has been designed with square windows on the first floor and decorative picket railings located along each facade and squared entry columns. Horizontal and vertical articulation of the facades has been achieved with bump outs.

### **Compatibility**

The following Groves Town Center internal roads are directly adjacent to the proposed Loxahatchee Groves Orthopedic Institute on its North (Tangerine Drive); South (Avocado Avenue); and East (Mango Street). A Lake Tract is directly adjacent to Orthopedic Center on its West.

An inventory of Groves Town Center Development Pods following the adjacent road network is presented in Section B of this analysis. Following properties are designated Office and Lake (North and West); Commercial (South); and Town Center TC (East).

Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety, or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions.

The Conceptual Master Plan associated with the MLU/PUD and Pod-specific Site Plans will insure internal compatibility of the proposed Loxahatchee Groves Orthopedic Institute with Groves Town Center Development Pods.

## **V. Staff Finding and Recommendation**

Staff finds proposed Site Plan SP 2022-504189 (Loxahatchee Groves Orthopedic Institute) consistent with the Town's Comprehensive Plan and land development regulations, including the Groves Town Center MLU/PUD (i.e., Town Ordinance 2013-10, as amended by Ordinances 2018-08 and 2019-08) subject to the Conditions of Approval presented in Exhibit 4.

## **VI. Planning and Zoning Board Recommendation**

The Planning and Zoning Board (PZB), at its December 15, 2022, meeting recommended approval of SP 2022-504189 by a 3 – 0 vote.



**EXHIBIT 1**  
**Groves Town Center Plat Amendment 1 (Portion)**

**EXHIBIT 2**  
**Loxahatchee Groves Orthopedic Institute Site Plan**  
**(Refer to the Following Page)**

**EXHIBIT 3**  
**Loxahatchee Groves Orthopedic Institute Landscape Plan**  
**(Refer to the Following Page)**

**EXHIBIT 4**  
**PROPOSED CONDITIONS OF APPROVAL**  
**Loxahatchee Groves Orthopedic Institute**

**A. GENERAL**

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.

2. The Final Conditions of Approval in Town Ordinances 2018-08 and 2019-08 are adopted and incorporated herein by reference. The Ordinances assigned a Multiple Land Use Planned Unit Development (MLU/PUD) zoning designation to the site.

3. Development of the site is limited to the uses depicted and stated in Exhibit 2, hereto (Loxahatchee Groves Orthopedic Institute Site Plan). The Site Plan is dated July 28, 2022. All modifications to the Site Plan shall be approved by the Town Council with the following exceptions which may be approved by the Town Manager:

- (a) Administrative amendments permitted under Section 155-005 of the ULDC.
- (b) Amendments required to conform to the Conceptual Master Plan.
- (c) Amendments necessary to comply with Site Plan Conditions of Approval; and
- (d) Infrastructure and utility improvements which are in accordance with the ULDC required during the Development Permit review process.

4. Prior to submittal of any building permit applications for processing by Loxahatchee Groves, the Town Manager and his designated agents shall review and approve the following plans for consistency with these Conditions of Approval, Site Plan, Landscape Plan, Floor Plans, and Elevations.

5. Prior to submittal of any building permit applications for processing by Loxahatchee Groves, the Town Manager, Town Public Works Director, and Town Engineer shall review and approve all land development plans.

6. Consistent with the Palm Beach County Mandatory Traffic Performance Standards criteria in place at the time of this approval, as extended by Governor's Executive Orders, no building permits for the site shall be issued after October 28, 2025. Additional time extensions for this condition may be approved by the Palm Beach

County Engineer based upon an approved traffic study which complies with Mandatory Traffic Performance Standards in place at the time of the request, or additional States of Emergency declared by the Governor of Florida.

7. All parking and loading shall occur on site as indicated on the approved Site Plan dated July 28, 2022.

## **B. LAND USE AND SITE PLANNING**

1. Development of the site shall be limited to a maximum of 20,200 sq. ft. of commercial low office uses consistent with the Site Plan dated July 28, 2022.

2. Bars and night clubs are prohibited.

3. Potentially objectionable features (e.g., mechanical equipment, loading/delivery areas, storage areas, dumpsters, compactors, and generators etc.) shall be indicated on project site plans and screened from public view.

4. All on-site deliveries during construction shall be made the Groves Town Center internal road system with entrances off of Southern Boulevard.

## **C. ENGINEERING**

1 Prior to the issuance of any Site Development Permit or an initial Building Permit for any of the project uses, the applicant shall provide itemized cost estimates and surety for the affected portion of Pod C of the Groves town Center Conceptual Master Plan per Town Code Section 100-060.

2. Prior to the commencement of construction of any of the project uses the Applicant shall:

a. Provide the Town Engineer and Building Official with copies of all permits, permit applications, and requests for additional information to and from regulatory agencies regarding issues on all permit applications, certification, and approvals for this project including, but not limited to, the South Florida Water Management District, Palm Beach County Water Utilities Department, Palm Beach County Fire Rescue, and Palm Beach County Health Department, etc.

b. Schedule a pre-construction meeting with the Town. Inspections related to the Site Development Permit for this project will not be performed until the pre-construction meeting has occurred. Failure to comply with this condition could result in a Stop Work Order for all work and construction activity related to this project.

3. The applicant shall comply with all Federal EPA and State of Florida Department of Environmental Protection NPDES requirements including, but not limited to, preparation of a stormwater pollution prevention plan and identification of appropriate Best Management Practices, as generally accepted by the Environmental Protection

Agency (EPA) and local regulatory agencies, for construction activities, implementation of the approved plans, inspection, and maintenance of controls during construction, including a Notice of Intent prior to the start of construction and a Notice of Termination prior to the certification of the Site Development Permit.

4. The construction, operation, and maintenance of any elements of this project shall not have any negative impacts on the existing drainage of the surrounding areas. If at any time during the project development, it is determined by the Town that any of the surrounding areas are experiencing negative drainage impacts caused by this project, it shall be the applicant's responsibility to resolve said impacts in a period of time and a manner that is acceptable to the Town prior to additional construction activities. The Town may issue a Stop Work Order or cease issuance of any related Building Permits until all drainage concerns are resolved.

5. Prior to the issuance of the Certificate of Completion for the Site Development Permit, the application shall:

- a. Provide copies of the required test results as provided for on the plans and specifications for review by the Town Engineer.
- b. Submit to the Town all required recorded easements and easement modifications.
- c. Provide electronic certified civil design as-built drawings in both PDF and AutoCAD formats for review and approval by the Town Engineer.

#### **D. LAND CLEARING AND LANDSCAPING**

1. Project landscaping shall comply with the Landscape Plan dated July 28, 2022.

2. Clearing of the west portion of the site was approved as part of the Groves Town Center Pod B Clearing Permit issued in 2021.

#### **E. EXTERIOR LIGHTING**

1. Exterior lighting shall comply with the Photometric Plan dated June 10, 2022.

2. All exterior lighting shall be directed downward and contain shields to contain lighting within the property boundaries.

3. Open air parking lighting shall be controlled by automatic devices that extinguish the lighting between 11:00 p.m. and dawn.

#### **F. PARKING AND LOADING**

1. All parking and loading shall occur on site, as indicated on the approved Site Plan dated July 28, 2022.

#### **G. ARCHITECTURAL**

Architectural elevations shall be designed to be consistent with the Town's Rural Vista Guidelines, as described in Section H of the SP 2022-504189 application. Elevations shall be reviewed and approved for consistency with approved plans by the Town Manager with applications for building permit approval. The Town Manager may refer subsequent building elevations to the Town Council for approval if she determines that an inconsistency with approved plans is proposed.

## **H. SIGNAGE**

The initial Sign Permit application submittal shall include a master sign program detailing the location, number, colors and size of proposed monument and wall signage. All signage shall be reviewed during the sign permit review process.

1. Per Sections 05-040 and 90-070 of the ULDC, permits for all wall signs shall be obtained prior to building permit application.

2. Attached building identification signs shall be provided for each business with a maximum sign face of 4 sq. ft.

3. The number of monument signs shall be limited to the following:

(a) One monument sign at the entrance on Tangerine Boulevard, and one monument sign at the entrance on Avocado Avenue per the Site Plan dated July 28, 2022, with a maximum sign face of 72 sq. ft. each.

4. Internal directional signs may be provided, as needed without obtaining a sign permit(s).

## **I. UTILITIES AND SERVICES**

1. A Developer's Agreement shall be executed by the Property Owner and the Palm Beach County Water Utility Department and approved by the Town Council of the Town of Loxahatchee Groves for the provision of central potable water and wastewater service to the project prior to the issuance of the first building permit.

2. Solid waste collection and disposal shall be accomplished by contract between the Property Owner and the Town's third-party hauler prior to issuance of the initial certificate of occupancy.

## **J. ULDC WAIVERS**

Per Ordinance 2018-08, the Property Owner has been granted the right to request the following two waivers: (1) Relief from ULDC Section 50-303(D) (5) "*Glare*"; and (2) ULDC Section 95-100(E) "*Wheelstops and curbing*".

The following waiver is granted:

1. A waiver to ULDC Section 95-100(E) *"Wheelstops and curbing"*, which states: "Parking stalls which abut sidewalks or structures shall be designed with wheel stops or contiguous curbing to help prevent accidental human injury or property damage. The required wheel stops shall be located at least two and one-half feet from any sidewalk or structure." A waiver is granted in order to provide bollards in lieu of wheel stops or curbing.



## **TOWN OF LOXAHATCHEE GROVES**

### **RESOLUTION 2023-11**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE PALM BEACH ORTHOPEDIC INSTITUTE SITE PLAN FOR LAND OWNED BY LOXAHATCHEE EQUESTRIAN PARTNERS, LLC. AND SOLAR SPORTSYSTEMS, INC., CONSISTING OF 1.964 ACRES MORE OR LESS, LOCATED ON THE NORTH SIDE OF SOUTHERN BOULEVARD EAST OF “B” ROAD AT THE INTERSECTION OF TANGERINE DRIVE AND MANGO STREET LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT “A” TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council, as the governing body of the Town of Loxahatchee Groves, Florida (“Town”), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider applications relating to site plans for development on property within the Town; and

**WHEREAS**, the Council, pursuant to Article 2 (Development Review Process) of the Town of Loxahatchee Groves Unified Land Development Code is authorized and empowered to consider, approve, approve with conditions, or deny site plans, including site plans; and

**WHEREAS**, the notice and hearing requirements, as provided for in Article 2 of the Town of Loxahatchee Groves Unified Land Development Code have been satisfied; and

**WHEREAS**, the Town Planning and Zoning Board (P&Z Board), at its meeting on December 15, 2022, recommended approval of the Site Plan Application SP-2022-504189; and

**WHEREAS**, the Loxahatchee Groves Orthopedic Institute Site Plan Application SP-2022-504189 was presented to the Town Council at a quasi-judicial public hearing conducted on February 7, 2023; and

**WHEREAS**, the Town Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of Town staff and Town P&Z Board; and

**WHEREAS**, this approval is subject to Article 2.E (Monitoring) of the Town of Loxahatchee Groves Unified Land Development Code (Town ULDC) and other provisions requiring that development commence in a timely manner.

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Loxahatchee Groves as follows:

**Section 1.** Each “WHEREAS” clause set forth above is true and correct and herein incorporated by this reference.

**Section 2.** The Town Council has considered the findings in the staff report dated February 7, 2023 and the Town Planning and Zoning Board recommendation and makes the following findings of fact:

1. The Site Plan is consistent with the purposes, goals, objectives and policies of the Town of Loxahatchee Groves Comprehensive Plan, including standards for building and structural intensities and intensities of use.
2. This Site Plan, as presented in Exhibit B hereto, complies with relevant and appropriate portions of applicable Town of Loxahatchee Groves land development regulations, including Section 25-015 "*Permitted uses*" and Article 155 "*Site Plans*". This Site Plan, along with the Conditions of Approval, as adopted and presented in Exhibit C hereto, complies with standards imposed on it by all other applicable provisions of the Town ULDC. The Town Council finds the Conditions, as presented in Exhibit C hereto, to be reasonable, and rationally related to the proposed development, and consistent with the Town's character.
3. This Site Plan, as presented in Exhibit B hereto, along with Conditions of Approval, as adopted and presented in Exhibit C hereto, are compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
4. The proposed design, with Conditions of Approval as adopted and presented in Exhibit C hereto, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Site Plan, as presented in Exhibit B hereto along with Conditions of Approval, as adopted and presented in Exhibit C hereto, minimize environmental impacts, including but not limited to water, air, storm water management, wildlife, vegetation, wetlands, noise and the natural functioning of the environment.
6. This Site Plan as presented in Exhibit B hereto along with Conditions of Approval, as adopted and presented in Exhibit C hereto, will result in logical, timely and orderly development patterns.

**Section 3.** The Town of Loxahatchee Groves Unified Land Development Code requires that the action of the Town Council of Loxahatchee Groves be adopted by resolution. Therefore, the Town Council of the Town of Loxahatchee Groves approves the Loxahatchee Groves Orthopedic Institute Site Plan SP-2022--504189 for the parcel of land legally described in Exhibit A, attached hereto and made a part hereof. A copy of the Site Plan, subject to the approved conditions presented in Exhibit C, is attached hereto as Exhibit B, and made a part hereof.

**Section 4.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5.** If any clause, section, other part, or application of this Resolution is held

by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**Section 6.** This Resolution shall become effective upon adoption.

Councilmember \_\_\_\_\_ offered the foregoing resolution. 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>            |
|---------------------------------|--------------------------|--------------------------|--------------------------|
| Robert Shorr, MAYOR             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Laura Danowski, VICE MAYOR      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Margaret Herzog, COUNCILMEMBER  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marianne Miles, COUNCILMEMBER   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Phillis Maniglia, COUNCILMEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**RESOLVED AND ADOPTED** by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 7<sup>th</sup> day of February 2023.

**TOWN OF LOXAHATCHEE GROVES,  
FLORIDA**

ATTEST:

\_\_\_\_\_  
Mayor Robert Shorr

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Vice Mayor Laura Danowski

\_\_\_\_\_  
Councilmember Phillis Maniglia

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Councilmember Margaret Herzog

\_\_\_\_\_  
Office of the Town Attorney

\_\_\_\_\_  
Councilmember Marianne Miles

## EXHIBIT A

### LEGAL DESCRIPTION AND LOCATION MAP

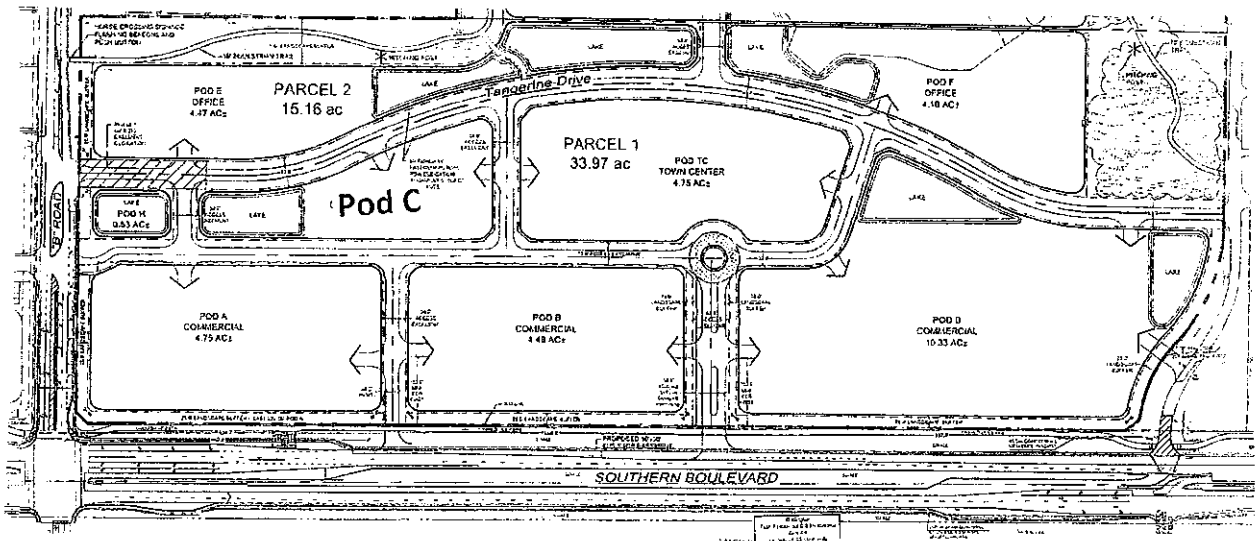
#### . LEGAL DESCRIPTION:

TRACT POD C, GROVES TOWN CENTER PUD AMENDMENT NO. 1, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 132, PAGE 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

#### PARCEL CONTROL NUMBERS:

41-41-43-31-13-000-0031 and 41-41-43-31-13-000-0032

#### LOCATION MAP



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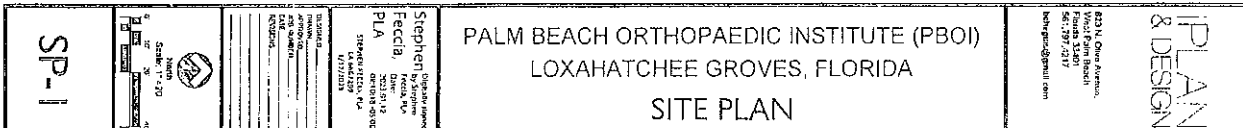
**EXHIBIT B**

**PALM BEACH ORTHOPEDIC INSTITUTE SITE PLAN**

**(Refer to the following page)**

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| PERSONAL INFORMATION |               |                 |                |       |       |                |                             |             |                       | CONTACT INFORMATION |                                  | EMPLOYMENT HISTORY                |   | EDUCATION |             | TRAINING              |           | REFERENCES  |                       |           |
|----------------------|---------------|-----------------|----------------|-------|-------|----------------|-----------------------------|-------------|-----------------------|---------------------|----------------------------------|-----------------------------------|---|-----------|-------------|-----------------------|-----------|-------------|-----------------------|-----------|
| NAME                 | DATE OF BIRTH | ADDRESS         | CITY           | STATE | ZIP   | PHONE          | EMAIL                       | EMPLOYER    | POSITION              | DATE                | SCHOOL                           | DIPLOMA                           | COURSE                                    | DATE      | NAME        | POSITION              | DATE      | NAME        | POSITION              | DATE      |
| John Doe             | 1980-01-15    | 123 Main St     | New York       | NY    | 10001 | (212) 555-1234 | john.doe@email.com          | ABC Company | Software Engineer     | 2010-2015           | University of New York           | B.S. in Computer Science          | Python, Java, JavaScript                  | 2012-2014 | Mr. Smith   | Software Engineer     | 2010-2015 | Mr. Smith   | Software Engineer     | 2010-2015 |
| Jane Smith           | 1985-03-22    | 456 Oak Ave     | Los Angeles    | CA    | 90001 | (310) 555-5678 | jane.smith@email.com        | XYZ Corp    | Marketing Manager     | 2013-2018           | University of California         | B.A. in Marketing                 | SEO, Social Media, Analytics              | 2015-2017 | Ms. Johnson | Marketing Manager     | 2013-2018 | Ms. Johnson | Marketing Manager     | 2013-2018 |
| Michael Brown        | 1978-07-10    | 789 Pine St     | Chicago        | IL    | 60601 | (312) 555-9012 | michael.brown@email.com     | DEF Inc     | Product Manager       | 2011-2016           | Northwestern University          | M.S. in Product Management        | Product Development, User Research        | 2013-2015 | Mr. Davis   | Product Manager       | 2011-2016 | Mr. Davis   | Product Manager       | 2011-2016 |
| Sarah White          | 1990-09-05    | 321 Elm St      | San Francisco  | CA    | 94101 | (415) 555-3456 | sarah.white@email.com       | GHI LLC     | UX Designer           | 2014-2019           | San Francisco State University   | B.F.A. in Graphic Design          | Sketching, Prototyping, Wireframing       | 2016-2018 | Ms. Wilson  | UX Designer           | 2014-2019 | Ms. Wilson  | UX Designer           | 2014-2019 |
| David Green          | 1982-11-18    | 654 Maple St    | Austin         | TX    | 78701 | (512) 555-7890 | david.green@email.com       | JKL Corp    | Business Development  | 2012-2017           | University of Texas              | M.B.A. in Business Administration | Sales, Negotiation, Client Relations      | 2014-2016 | Mr. Taylor  | Business Development  | 2012-2017 | Mr. Taylor  | Business Development  | 2012-2017 |
| Emily Black          | 1988-04-03    | 987 Cedar St    | Miami          | FL    | 33101 | (305) 555-2345 | emily.black@email.com       | MNO LLC     | Operations Manager    | 2015-2020           | Florida International University | B.S. in Logistics Management      | Supply Chain, Inventory Management        | 2017-2019 | Ms. Garcia  | Operations Manager    | 2015-2020 | Ms. Garcia  | Operations Manager    | 2015-2020 |
| James Lee            | 1975-06-25    | 101 Birch St    | Seattle        | WA    | 98101 | (206) 555-6789 | james.lee@email.com         | PQR Inc     | Systems Administrator | 2010-2015           | University of Washington         | B.S. in Information Systems       | Network Security, Cloud Computing         | 2012-2014 | Mr. Kim     | Systems Administrator | 2010-2015 | Mr. Kim     | Systems Administrator | 2010-2015 |
| Alice Kim            | 1992-08-12    | 202 Spruce St   | Portland       | ME    | 04101 | (207) 555-0123 | alice.kim@email.com         | STU LLC     | Human Resources       | 2016-2021           | University of Maine              | B.A. in Human Resources           | Recruitment, Training, Employee Relations | 2018-2020 | Ms. Lopez   | Human Resources       | 2016-2021 | Ms. Lopez   | Human Resources       | 2016-2021 |
| Robert Hall          | 1979-12-01    | 303 Willow St   | Denver         | CO    | 80201 | (303) 555-4567 | robert.hall@email.com       | VWX Corp    | Finance Analyst       | 2011-2016           | University of Colorado           | M.F.A. in Finance                 | Financial Modeling, Data Analysis         | 2013-2015 | Mr. Nguyen  | Finance Analyst       | 2011-2016 | Mr. Nguyen  | Finance Analyst       | 2011-2016 |
| Olivia Young         | 1987-05-14    | 404 Ash St      | Boston         | MA    | 02101 | (617) 555-8901 | olivia.young@email.com      | YZA LLC     | Project Manager       | 2014-2019           | Boston College                   | M.S. in Project Management        | Project Planning, Risk Management         | 2016-2018 | Ms. Patel   | Project Manager       | 2014-2019 | Ms. Patel   | Project Manager       | 2014-2019 |
| William King         | 1973-02-28    | 505 Hickory St  | Phoenix        | AZ    | 85001 | (602) 555-2345 | william.king@email.com      | BCD Inc     | Quality Assurance     | 2010-2015           | Arizona State University         | B.S. in Quality Management        | Statistical Analysis, Process Improvement | 2012-2014 | Mr. Singh   | Quality Assurance     | 2010-2015 | Mr. Singh   | Quality Assurance     | 2010-2015 |
| Isabella Scott       | 1991-10-07    | 606 Sycamore St | San Diego      | CA    | 92101 | (619) 555-6789 | isabella.scott@email.com    | EFG LLC     | Customer Support      | 2015-2020           | University of San Diego          | B.A. in Business Administration   | Customer Service, Problem Solving         | 2017-2019 | Ms. Clark   | Customer Support      | 2015-2020 | Ms. Clark   | Customer Support      | 2015-2020 |
| Benjamin Adams       | 1976-09-19    | 707 Redwood St  | San Jose       | CA    | 95101 | (408) 555-0123 | benjamin.adams@email.com    | HIJ Corp    | Software Tester       | 2011-2016           | Santa Clara University           | B.S. in Computer Science          | Manual Testing, Bug Reporting             | 2013-2015 | Mr. Lewis   | Software Tester       | 2011-2016 | Mr. Lewis   | Software Tester       | 2011-2016 |
| Mia Baker            | 1989-03-04    | 808 Magnolia St | Nashville      | TN    | 37201 | (615) 555-4567 | mia.baker@email.com         | KLM LLC     | Event Planning        | 2016-2021           | Vanderbilt University            | B.A. in Event Management          | Event Coordination, Vendor Management     | 2018-2020 | Ms. Walker  | Event Planning        | 2016-2021 | Ms. Walker  | Event Planning        | 2016-2021 |
| Lucas Harris         | 1974-11-23    | 909 Dogwood St  | New Orleans    | LA    | 70112 | (504) 555-8901 | lucas.harris@email.com      | NOP Inc     | Operations Manager    | 2010-2015           | Louisiana State University       | M.B.A. in Operations Management   | Process Optimization, Inventory Control   | 2012-2014 | Mr. Young   | Operations Manager    | 2010-2015 | Mr. Young   | Operations Manager    | 2010-2015 |
| Charlotte Green      | 1993-07-16    | 1010 Palm St    | Honolulu       | HI    | 96801 | (808) 555-2345 | charlotte.green@email.com   | QRS LLC     | Marketing Coordinator | 2015-2020           | University of Hawaii             | B.A. in Marketing                 | Campaign Management, Social Media         | 2017-2019 | Ms. Allen   | Marketing Coordinator | 2015-2020 | Ms. Allen   | Marketing Coordinator | 2015-2020 |
| Henry White          | 1977-04-09    | 2021 Cedar St   | Salt Lake City | UT    | 84101 | (801) 555-6789 | henry.white@email.com       | TUV Corp    | Systems Administrator | 2011-2016           | Utah State University            | B.S. in Information Systems       | Network Security, Cloud Computing         | 2013-2015 | Mr. King    | Systems Administrator | 2011-2016 | Mr. King    | Systems Administrator | 2011-2016 |
| Aria Black           | 1990-12-02    | 303 Birch St    | San Antonio    | TX    | 78201 | (214) 555-0123 | aria.black@email.com        | WXY LLC     | Human Resources       | 2016-2021           | University of Texas              | B.A. in Human Resources           | Recruitment, Training, Employee Relations | 2018-2020 | Ms. Brown   | Human Resources       | 2016-2021 | Ms. Brown   | Human Resources       | 2016-2021 |
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| Grace Kim            | 1988-06-10    | 505 Maple St    | San Francisco  | CA    | 94101 | (415) 555-8901 | grace.kim@email.com         | CDE LLC     | UX Designer           | 2014-2019           | San Francisco State University   | B.F.A. in Graphic Design          | Sketching, Prototyping, Wireframing       | 2016-2018 | Ms. White   | UX Designer           | 2014-2019 | Ms. White   | UX Designer           | 2014-2019 |
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| Samuel King          | 1976-05-27    | 808 Magnolia St | San Diego      | CA    | 92101 | (619) 555-0123 | samuel.king@email.com       | MNO Inc     | Quality Assurance     | 2010-2015           | San Diego State University       | B.S. in Quality Management        | Statistical Analysis, Process Improvement | 2012-2014 | Mr. King    | Quality Assurance     | 2010-2015 | Mr. King    | Quality Assurance     | 2010-2015 |
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| Christopher Adams    | 1974-02-03    | 1010 Palm St    | San Jose       | CA    | 95101 | (408) 555-2345 | christopher.adams@email.com | STU LLC     | Systems Administrator | 2011-2016           | Santa Clara University           | B.S. in Information Systems       | Network Security, Cloud Computing         | 2013-2015 | Mr. Adams   | Systems Administrator | 2011-2016 | Mr. Adams   | Systems Administrator | 2011-2016 |
| Isabella Baker       | 1991-10-07    | 606 Sycamore St | San Diego      | CA    | 92101 | (619) 555-6789 | isabella.baker@email.com    | VWX Corp    | Human Resources       | 2016-2021           | University of San Diego          | B.A. in Human Resources           | Recruitment, Training, Employee Relations | 2018-2020 | Ms. Baker   | Human Resources       | 2016-2021 | Ms. Baker   | Human Resources       | 2016-2021 |
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| Mia Green            | 1989-03-04    | 808 Magnolia St | Nashville      | TN    | 37201 | (615) 555-4567 | mia.green@email.com         | BCD LLC     | Event Planning        | 2016-2021           | Vanderbilt University            | B.A. in Event Management          | Event Coordination, Vendor Management     | 2018-2020 | Ms. Green   | Event Planning        | 2016-2021 | Ms. Green   | Event Planning        | 2016-2021 |
| Lucas White          | 1974-11-23    | 909 Dogwood St  | New Orleans    | LA    | 70112 | (504) 555-8901 | lucas.white@email.com       | EFG Inc     | Operations Manager    | 2010-2015           | Louisiana State University       | M.B.A. in Operations Management   | Process Optimization, Inventory Control   | 2012-2014 | Mr. White   | Operations Manager    | 2010-2015 | Mr. White   | Operations Manager    | 2010-2015 |
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| Isabella White       | 1991-10-07    | 606 Sycamore St | San Diego      | CA    | 92101 | (619) 555-6789 | isabella.white@email.com    | KLM LLC     | Human Resources       | 2016-2021           | University of San Diego          | B.A. in Human Resources           | Recruitment, Training, Employee Relations | 2018-2020 | Ms. White   | Human Resources       | 2016-2021 | Ms. White   | Human Resources       | 2016-2021 |
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| Lucas White          | 1974-11-23    | 909 Dogwood St  | New Orleans    | LA    | 70112 | (504) 555-8901 | lucas.white@email.com       | STU Inc     | Operations Manager    | 2010-2015           | Louisiana State University       | M.B.A. in Operations Management   | Process Optimization, Inventory Control   | 2012-2014 | Mr. White   | Operations Manager    | 2010-2015 | Mr. White   | Operations Manager    | 2010-2015 |
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| Henry Scott          | 1977-04-09    | 2021 Cedar St   | Salt Lake City | UT    | 84101 | (801) 555-6789 | henry.scott@email.com       | YZA Corp    | Systems Administrator | 2011-2016           | Utah State University            | B.S. in Information Systems       | Network Security, Cloud Computing         | 2013-2015 | Mr. Scott   | Systems Administrator | 2011-2016 | Mr. Scott   | Systems Administrator | 2011-2016 |
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| Chloe King           | 1992-11-18    | 707 Redwood St  | San Antonio    | TX    | 78201 | (214) 555-6789 | chloe.king@email.com        | NOP LLC     | Project Manager       | 2015-2020           | University of Texas              | M.S. in Project Management        | Project Planning, Risk Management         | 2017-2019 | Ms. King    | Project Manager       | 2015-2020 | Ms. King    | Project Manager       | 2015-2020 |
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| Mia King             | 1989-03-04    | 808 Magnolia St | Nashville      | TN    | 37201 | (615) 555-4567 | mia.king@email.com          | EFG LLC     | Event Planning        | 2016-2021           | Vanderbilt University            | B.A. in Event Management          | Event Coordination, Vendor Management     | 2018-2020 | Ms. King    | Event Planning        | 2016-202  |             |                       |           |



**EXHIBIT C**  
**LOXAHATCHEE GROVES ORTHOPEDIC INSTITUTE**  
**Site Plan Conditions of Approval**

**A. GENERAL**

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.

2. The Final Conditions of Approval in Town Ordinances 2018-08 and 2019-08 are adopted and incorporated herein by reference. The Ordinances assigned a Multiple Land Use Planned Unit Development (MLU/PUD) zoning designation to the site.

3. Development of the site is limited to the uses depicted and stated in Exhibit 2, hereto (Loxahatchee Groves Orthopedic Institute Site Plan). The Site Plan is dated January 12, 2023. All modifications to the Site Plan shall be approved by the Town Council with the following exceptions which may be approved by the Town Manager:

(a) Administrative amendments permitted under Section 155-005 of the ULDC.

(b) Amendments required to conform to the Conceptual Master Plan.

(c) Amendments necessary to comply with Site Plan Conditions of Approval;  
and

(d) Infrastructure and utility improvements which are in accordance with the ULDC required during the Development Permit review process.

4. Prior to submittal of any building permit applications for processing by Loxahatchee Groves, the Town Manager and his designated agents shall review and approve the following plans for consistency with these Conditions of Approval, Site Plan, Landscape Plan, Floor Plans, and Elevations.

5. Prior to submittal of any building permit applications for processing by Loxahatchee Groves, the Town Manager, Town Public Works Director, and Town Engineer shall review and approve all land development plans.

6. Consistent with the Palm Beach County Mandatory Traffic Performance Standards criteria in place at the time of this approval, as extended by Governor's Executive Orders, no building permits for the site shall be issued after October 28, 2025.. Additional time extensions for this condition may be approved by the Palm Beach County Engineer based upon an approved traffic study which complies with Mandatory Traffic Performance Standards in place at the time of the request, or additional States of Emergency declared by the Governor of Florida.

7. All parking and loading shall occur on site as indicated on the approved Site Plan dated January 12, 2023.

## **B. LAND USE AND SITE PLANNING**

1. Development of the site shall be limited to a maximum of 20,200 sq. ft. of commercial low office uses consistent with the Site Plan dated January 12, 2023.

2. Bars and night clubs are prohibited.

3. Potentially objectionable features (e.g., mechanical equipment, loading/delivery areas, storage areas, dumpsters, compactors, and generators etc.) shall be indicated on project site plans and screened from public view.

4. All on-site deliveries during construction shall be made through the Groves Town Center internal road system with entrances off of Southern Boulevard.

## **C. ENGINEERING**

1 Prior to the issuance of any Site Development Permit or an initial Building Permit for any of the project uses, the applicant shall provide itemized cost estimates and surety for the affected portion of Pod C of the Groves Town Center Conceptual Master Plan per Town Code Section 100-060.

2. Prior to the commencement of construction of any of the project uses the Applicant shall:

- a. Provide the Town Engineer and Building Official with copies of all permits, permit applications, and requests for additional information to and from regulatory agencies regarding issues on all permit applications, certification, and approvals for this project including, but not limited to, the South Florida Water Management District, Palm Beach County Water Utilities Department, Palm Beach County Fire Rescue, and Palm Beach County Health Department, etc.
- b. Schedule a pre-construction meeting with the Town. Inspections related to the Site Development Permit for this project will not be performed until the pre-construction meeting has occurred. Failure to comply with this condition could result in a Stop Work Order for all work and construction activity related to this project.

3. The applicant shall comply with all Federal EPA and State of Florida Department of Environmental Protection NPDES requirements including, but not limited to, preparation of a stormwater pollution prevention plan and identification of appropriate Best Management Practices, as generally accepted by the Environmental Protection Agency (EPA) and local regulatory agencies, for construction activities, implementation of the approved plans, inspection, and maintenance of controls during construction, including a Notice of Intent prior to the start of construction and a Notice of Termination prior to the certification of the Site Development Permit.

4. The construction, operation, and maintenance of any elements of this project shall not have any negative impacts on the existing drainage of the surrounding areas. If at any time during the project development, it is determined by the Town that any of the surrounding areas are experiencing negative drainage impacts caused by this project, it shall be the applicant's



responsibility to resolve said impacts in a period of time and a manner that is acceptable to the Town prior to additional construction activities. The Town may issue a Stop Work Order or cease issuance of any related Building Permits until all drainage concerns are resolved.

5. Prior to the issuance of the Certificate of Completion for the Site Development Permit, the application shall:

- a. Provide copies of the required test results as provided for on the plans and specifications for review by the Town Engineer.
- b. Submit to the Town all required recorded easements and easement modifications.
- c. Provide electronic certified civil design as-built drawings in both PDF and AutoCAD formats for review and approval by the Town Engineer.

#### **D. LAND CLEARING AND LANDSCAPING**

1. Project landscaping shall comply with the Landscape Plan dated January 12, 2023, included herein by reference.

2. Clearing of the east portion of the site was approved as part of the Groves Town Center Pod B Clearing Permit issued in 2021.

#### **E. EXTERIOR LIGHTING**

1. Exterior lighting shall comply with the Photometric Plan dated June 10, 2022.

2. All exterior lighting shall be directed downward and contain shields to contain lighting within the property boundaries.

3. Open air parking lighting shall be controlled by automatic devices that extinguish the lighting between 11:00 p.m. and dawn.

#### **F. PARKING AND LOADING**

1. All parking and loading shall occur on site, as indicated on the approved Site Plan dated January 12, 2023.

#### **G. ARCHITECTURAL**

Architectural elevations shall be designed to be consistent with the Town's Rural Vista Guidelines, as described in Section H of the SP 2022-504189 application. Elevations shall be reviewed and approved for consistency with approved plans by the Town Manager with applications for building permit approval. The Town Manager may refer subsequent building elevations to the Town Council for approval if she determines that an inconsistency with approved plans is proposed.

## **H. SIGNAGE**

The initial Sign Permit application submittal shall include a master sign program detailing the location, number, colors and size of proposed monument and wall signage. All signage shall be reviewed during the sign permit review process.

1. Per Sections 05-040 and 90-070 of the ULDC, permits for all wall signs shall be obtained prior to building permit application.

2. Attached building identification signs shall be provided for each business with a maximum sign face of 4 sq. ft.

3. The number of monument signs shall be limited to the following:

(a) One monument sign at the entrance on Tangerine Boulevard, and one monument sign at the entrance on Avocado Avenue per the Site Plan dated January 12, 2023 with a maximum sign face of 72 sq. ft. each.

4. Internal directional signs may be provided, as needed without obtaining a sign permit(s).

## **I. UTILITIES AND SERVICES**

1. A Developer's Agreement shall be executed by the Property Owner and the Palm Beach County Water Utility Department and approved by the Town Council of the Town of Loxahatchee Groves for the provision of central potable water and wastewater service to the project prior to the issuance of the first building permit.

2. Solid waste collection and disposal shall be accomplished by contract between the Property Owner and the Town's third-party hauler prior to issuance of the initial certificate of occupancy.

## **J. ULDC WAIVERS**

Per Ordinance 2018-08, the Property Owner has been granted the right to request the following two waivers: (1) Relief from ULDC Section 50-303(D) (5) "*Glare*"; and (2) ULDC Section 95-100(E) "*Wheelstops and curbing*".

The following waiver is granted:

1. A waiver to ULDC Section 95-100(E) "*Wheelstops and curbing*", which states: "Parking stalls which abut sidewalks or structures shall be designed with wheel stops or contiguous curbing to help prevent accidental human injury or property damage. The required wheel stops shall be located at least two and one-half feet from any sidewalk or structure." A waiver is granted in order to provide bollards in lieu of wheel stops or curbing.



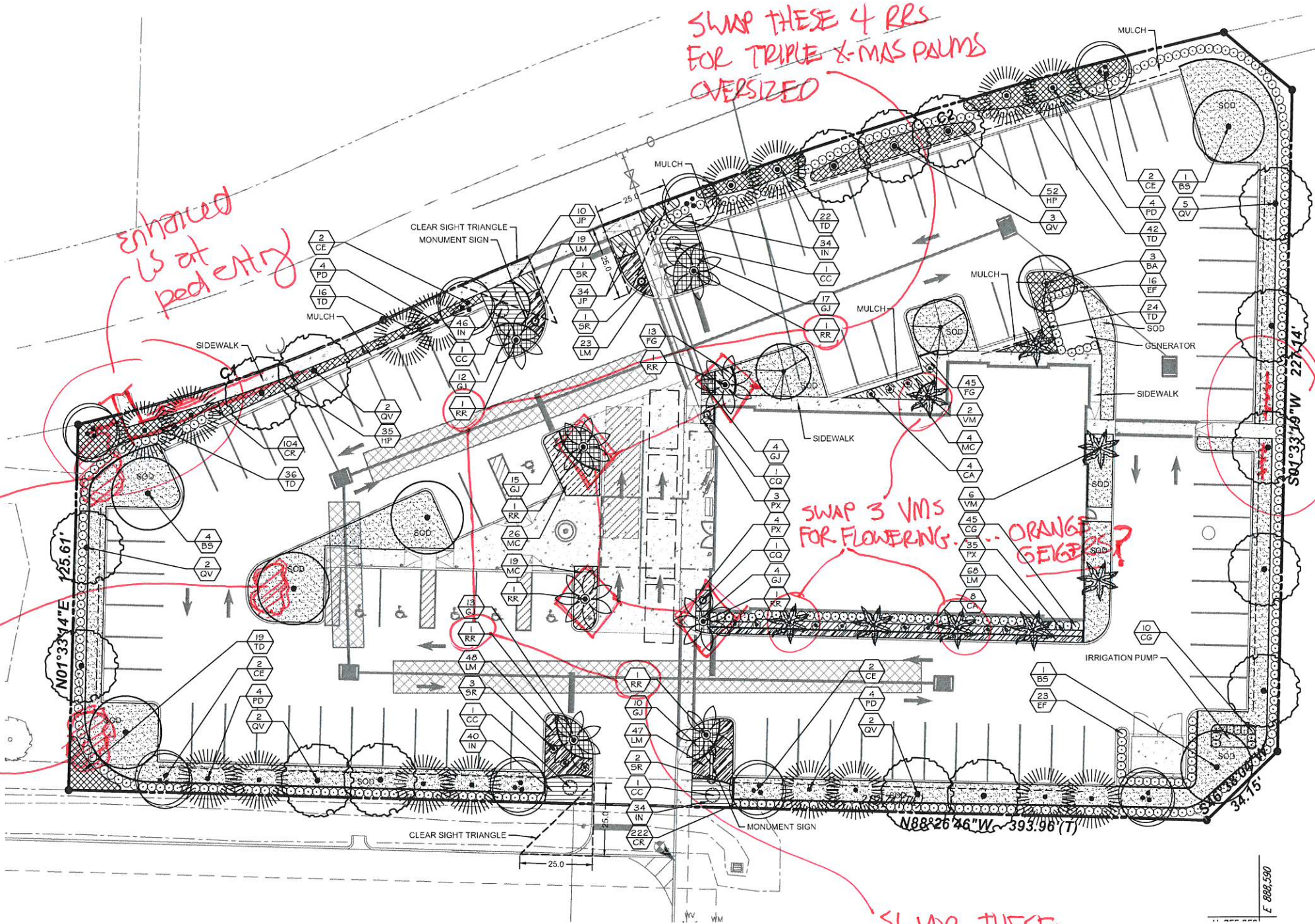




| LOXAHATCHEE GROVES LANDSCAPE CODE COMPLIANCE CHART  |   |   |
|---|---|---|
| TOTAL AREA: 85,552 SF   | REQUIRED  | PROVIDED  |
| 85-055(C)(3) - SINGLE TERMINAL ISLANDS<br>EACH SHALL CONTAIN MIN ONE TREE AND ONE SHRUB/GC PER<br>EVERY TWO LINEAL FEET<br>14 ISLANDS PROVIDED = 14 TREES                         | 14 TREES  | 14 TREES  |
| 85-055(D)(1) - VUA LANDSCAPE STRIP AREA<br>THE VUA LANDSCAPE STRIP SHALL CONTAIN ONE TREE FOR<br>EACH 20-25'.<br>NORTH: 419 LF / 25' = 17 TREES<br>SOUTH: 394 LF / 25' = 16 TREES | NORTH: 17 TREES<br>SOUTH: 16 TREES                  | NORTH: 17 TREES<br>SOUTH: 16 TREES                  |
| 85-050(G)(1) - NATIVE VEGETATION<br>50% OF ALL VEGETATION REQUIRED SHALL BE NATIVE<br>TREES/PALMS: 60 x 50% = 30<br>SHRUBS/GC: 1,318 x 50% = 659                                  | 30 NATIVE<br>TREES/PALMS<br>659 NATIVE<br>SHRUBS/GC | 49 NATIVE<br>TREES/PALMS<br>869 NATIVE<br>SHRUBS/GC |

- PLANTING NOTES
- PRIOR TO INSTALLATION OF PLANT MATERIAL, CONTRACTOR SHALL VERIFY THAT THE FINISHED GRADES IN ALL AREAS WHERE PLANT MATERIALS ARE TO BE INSTALLED CONFORMED TO THE PROPOSED GRADES NOTED ON THE GRADING PLAN.
  - PLANT MATERIAL SHALL BE IRRIGATED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM, WHICH SHALL BE INSTALLED AND OPERATIONAL PRIOR TO PLANTING. TREES MAY BE INSTALLED PRIOR TO THE INSTALLATION OF IRRIGATION, PROVIDED THAT A HAND WATERING SCHEDULE IS SUBMITTED AND APPROVED BY THE OWNERS REPRESENTATIVE.
  - CONTRACTOR SHALL CONFIRM THAT ALL ORGANICS, SOD, WEEDS, ROOTS, AND DEBRIS SHALL BE REMOVED TO A DEPTH OF 12" FROM ALL AREAS WHERE PLANT MATERIAL IS TO BE INSTALLED. CONTRACTOR SHALL PAINT THE OUTLINE OF EACH SHRUBS BED AND STAKE THE LOCATION OF ALL TREES FOR APPROVAL BY THE OWNERS REPRESENTATIVE.
  - REFER TO PLANTING DETAILS AND SPECIFICATIONS FOR ADDITIONAL INSTRUCTIONS.
  - QUANTITIES SHOWN ON THE PLANTING SCHEDULE ARE FOR CONVENIENCE ONLY. SHOULD A CONFLICT EXISTING BETWEEN THE PLAN AND SCHEDULE, THE PLAN SHALL TAKE PRECEDENCE. CONTRACTOR SHALL BRING ANY CONFLICT TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT.
  - SHOULD CONTRACTOR NOTICE AN ERROR ON THESE PLANS, THEY SHOULD IMMEDIATELY BRING IT TO THE ATTENTION OF THE OWNERS REPRESENTATIVE AND THE LANDSCAPE ARCHITECT.

3 locations for pollinator plantings/gardens



#### PLANT SCHEDULE

| TREES      | QTY | BOTANICAL NAME   | COMMON NAME            | CAL      | CONT   | SIZE            | SHRUB AREAS | QTY        | BOTANICAL NAME                     | COMMON NAME                  | CONT  | SIZE    | SPACING |
|------------|-----|--|------------------------|----------|--------|-----------------|-------------|------------|------------------------------------|------------------------------|-------|---------|---------|
| BA         | 3   | Bulnesia arborea   | Verawood               | 2.5" Cal | Cont   | 12" HT x 4" SPR | FG          | 58         | Ficus microcarpa 'Green Island'    | Green Island Ficus           | 3-gal | 12x12   | 24" OC  |
| (N) BS     | 6   | Bursera simaruba   | Gumbo Limbo            | 3" Cal   | Cont   | 14" HT x 5" SPR | GJ          | 75         | Gardenia jasminoides               | Gardenia                     | 3-gal | 24x24   | 36" OC  |
| (N) CE     | 8   | Cenocarpus erectus sericeus<br>Min 3 Trunks, 2.5" Cal total. | Silver Buttonwood      | Multi    | Cont   | 12" HT x 4" SPR | (N) HP      | 87         | Hamelia patens                     | Firebush                     | 3-gal | 24x24   | 30" OC  |
| (N) PD     | 16  | Pinus elliotii densa   | Slash Pine             | 3" Cal   | Cont   | 14" HT x 5" SPR | (N) MC      | 49         | Muhlenbergia capillaris            | Pink Muhly Grass             | 3-gal | 24" HT  | 36" OC  |
| (N) QV     | 16  | Quercus virginiana   | Southern Live Oak      | 3" Cal   | Cont   | 14" HT x 5" SPR | PX          | 42         | Philodendron x 'Xanadu'            | Xanadu Philodendron          | 3-gal | 24x24   | 36" OC  |
| PALM TREES | QTY | BOTANICAL NAME   | COMMON NAME            | CAL      | CONT   | SIZE            | (N) TD      | 159        | Tripsacum dactyloides              | Fakahatchee Grass            | 3-gal | 24" HT  | 36" OC  |
| (N) RR     | 8   | Roystonea regia  | Royal Palm             | N/A      | FG     | 12" GW          | (N) IN      | 154        | Ilex vomitoria 'Nana'              | Dwarf Yaupon Holly           | 3-gal | 8" HT   | 24" OC  |
| VM         | 8   | Veitchia montgomeryana<br>Double Trunk, Matching             | Montgomery Palm        | N/A      | FG     | 18" HT          | JP          | 44         | Juniperus chinensis 'Parsonii'     | Parsoni Juniper              | 3-gal | 12" SPR | 24" OC  |
| SHRUBS     | QTY | BOTANICAL NAME   | COMMON NAME            | CONT     | SIZE   | SPACING         | LM          | 205        | Liriope muscari 'Emerald Goddess'  | Emerald Goddess Liriope      | 1-gal | 10" HT  | 24" OC  |
| CC         | 4   | Capparis cynophallophora                                     | Jamaica Caper          | 15-gal   | 6" HT  | As Shown        | (N) NATIVE  | ± 8,925 sf | Stenotaphrum secundatum 'Floratam' | Floratam St. Augustine Grass | SOD   |         |         |
| (N) CR     | 326 | Chrysobalanus icaco 'Red Tip'                                | Red Tip Coccolupum     | 3-gal    | 24x24  | 36" OC          |             |            |                                    |                              |       |         |         |
| (N) CG     | 55  | Clusia guttifera   | Small Leaf Clusia      | 3-gal    | 24x24  | 36" OC          |             |            |                                    |                              |       |         |         |
| CA         | 12  | Cordyline fruticosa 'Auntie Lou'                             | Auntie Lou Ti Plant    | 7-gal    | 36" HT | As Shown        |             |            |                                    |                              |       |         |         |
| CQ         | 2   | Crinum augustum 'Queen Emma'                                 | Queen Emma Crinum Lily | 7-gal    | 36" HT | As Shown        |             |            |                                    |                              |       |         |         |
| (N) EF     | 39  | Eugenia foetida  | Spanish Stopper        | 7-gal    | 4" HT  | 36" OC          |             |            |                                    |                              |       |         |         |
| SR         | 7   | Sirelizia reginae  | Bird Of Paradise       | 7-gal    | 36" HT | As Shown        |             |            |                                    |                              |       |         |         |

SWAP THESE 4 RRs FOR NATIVE CANOPY TRIPLE X-MAS PALMS TREE OVER-SIZE SPECIFICATION!



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bcheguis@gmail.com

PALM BEACH ORTHOPAEDIC INSTITUTE (PBOI)

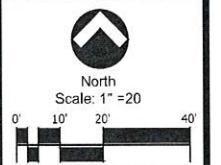
LOXAHATCHEE GROVES, FLORIDA

LANDSCAPE PLAN

Stephen Feccia, PLA

Digitally signed  
by Stephen Feccia, PLA  
Date: 2023.01.12  
08:09:31 -05'00'  
STEPHEN FECCIA, PLA  
LA 6667289  
1/12/2023

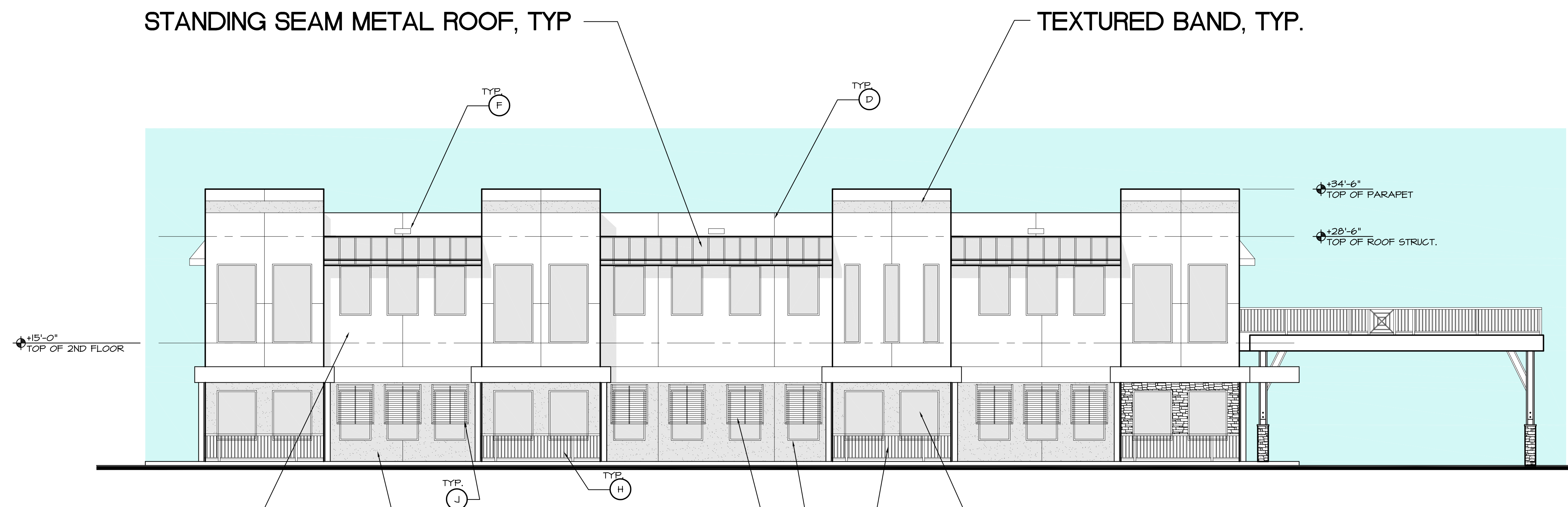
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DATE: \_\_\_\_\_  
REVISIONS: \_\_\_\_\_



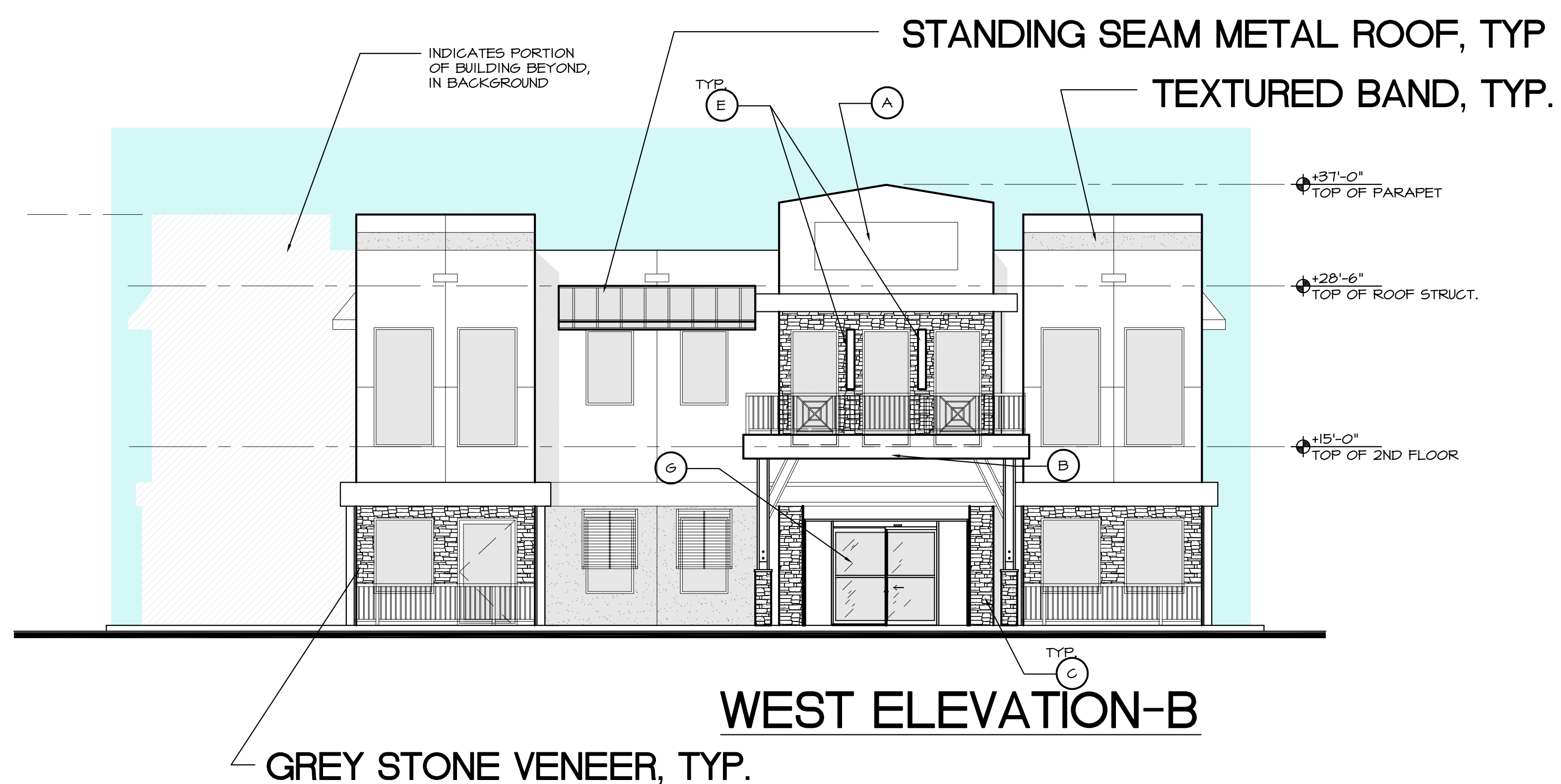
LP-1  
56



# OPTION 'A'



## NORTH ELEVATION-A



## WEST ELEVATION-B

GREY STONE VENEER, TYP.

## EXTERIOR ELEVATIONS

$$\overline{1/8'' = 1' - 0''}$$

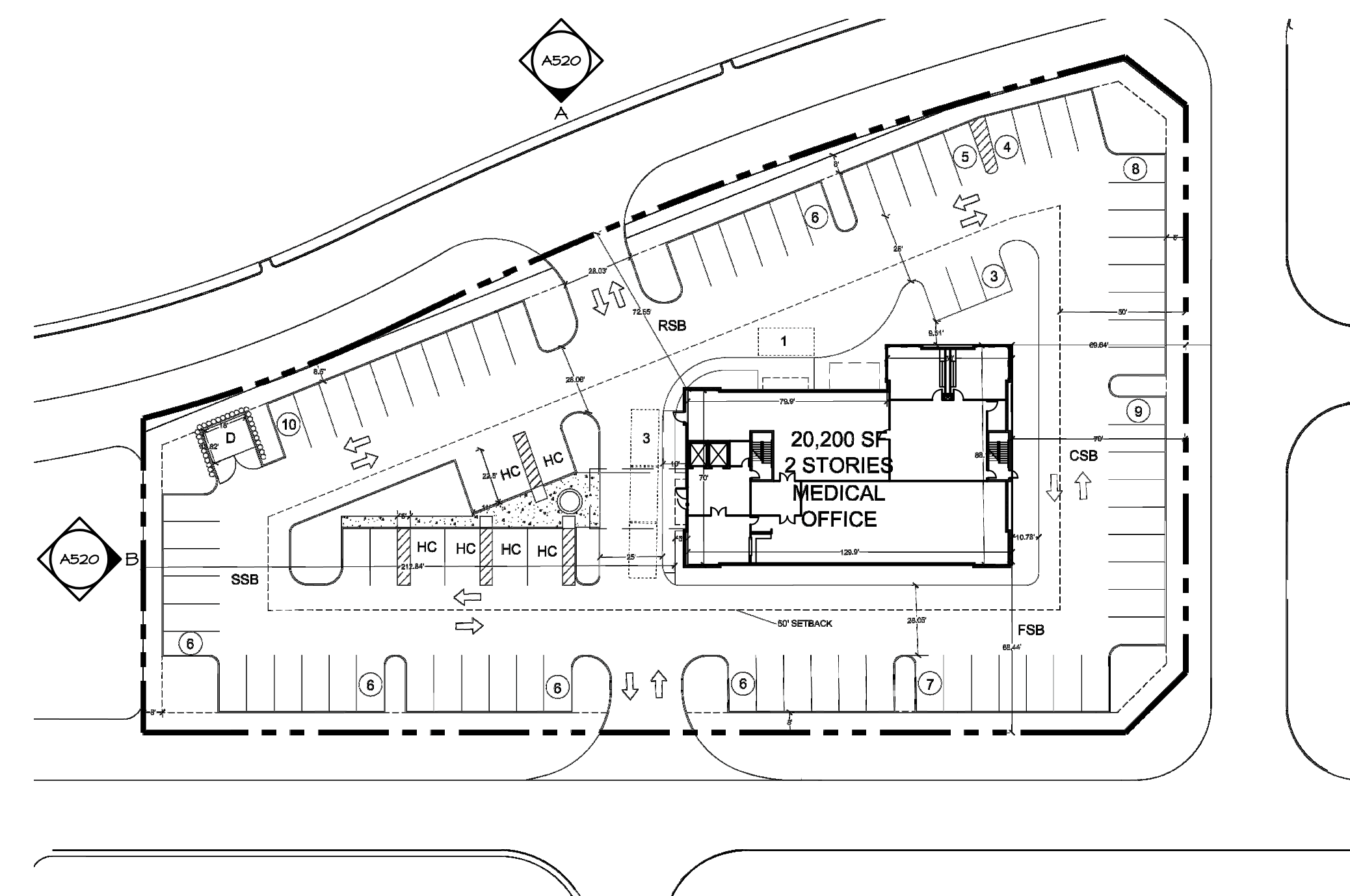
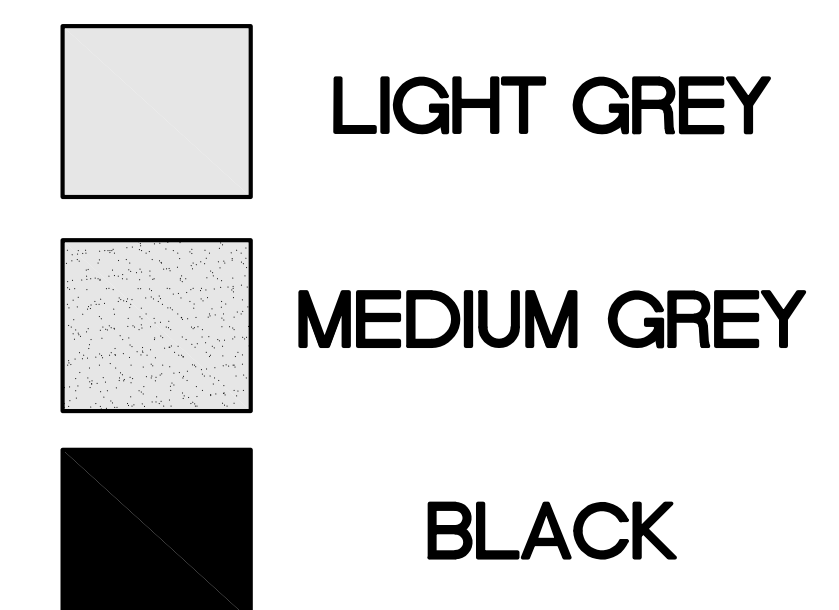
- ELEVATION SYMBOL LEGEND:**

- NEW SIGNAGE, PROVIDE JUNCTION BOXES AS REQ'D. NOTE:  
ALL SIGNAGE TO BE SUBMITTED AS A SEPARATE PERMIT -  
SHOWN FOR REFERENCE ONLY.
- (A)
- (B) DRIVE-THROUGH CANOPY
- (C) STACK STONE VENEER CORONADO GREY
- (D) STUCCO CONTROL JOINT
- (E) EXTERIOR LIGHT FIXTURE
- (F) ROOF DRAIN SCUPPER
- (G) AUTOMATIC SLIDING DOOR
- (H) DECORATIVE PICKET RAILING
- (J) ALUMINUM LOUVERED SHUTTER
- (K) STUCCO TRIM
- (L) HOLLOW METAL EXIT DOOR, PAINT TO MATCH STUCCO

**ELEVATION NOTES:**

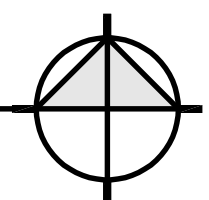
1. COLORS (T.B.D.) ARE REFERENCED FROM "BENJ. MOORE" STANDARD COLORS AND ARE TO BE MATCHED USING "BENJ. MOORE" PAINT FORMULAS, OR EQUAL
2. CHANGE IN COLOR OCCURS AT JOINTS
3. NEW WINDOW FRAMES AND STOREFRONT TO HAVE KYNAR 500 FINISH
4. LOUVERS, GRILLES, AND PIPES TO BE PAINTED TO MATCH ADJACENT MATERIAL COLOR
5. ALL EXTERIOR FLUSH DOORS AND FRAMES, AND LOUVERS TO BE PAINTED TO MATCH ADJACENT SURFACE UNLESS NOTED OTHERWISE

## LEGEND



## SITE PLAN

1" = 50'-0"





TEXTURED BAND, TYP.

TEXTURED BAND, TYP.

NEW SIGNAGE. PROVIDE JUNCTION BOXES AS REQ'D. NOTE:  
ALL SIGNAGE TO BE SUBMITTED AS A SEPARATE PERMIT -  
SHOWN FOR REFERENCE ONLY.

(A)

(B) DRIVE-THROUGH CANOPY

(C) STACK STONE VENEER CORONADO GREY

(D) STUCCO CONTROL JOINT

(E) EXTERIOR LIGHT FIXTURE

(F) ROOF DRAIN SCUPPER

(G) AUTOMATIC SLIDING DOOR

(H) DECORATIVE PICKET RAILING

(J) ALUMINUM LOUVERED SHUTTER

(K) STUCCO TRIM

(L) HOLLOW METAL EXIT DOOR, PAINT TO MATCH STUCCO

1. COLORS (T.B.D.) ARE REFERENCED FROM "BENJ. MOORE" STANDARD COLORS AND ARE TO BE MATCHED USING "BENJ. MOORE" PAINT FORMULAS, OR EQUAL
2. CHANGE IN COLOR OCCURS AT JOINTS
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5. ALL EXTERIOR FLUSH DOORS AND FRAMES, AND LOUVERS TO BE PAINTED TO MATCH ADJACENT SURFACE UNLESS NOTED OTHERWISE

LIGHT GREY

MEDIUM GREY

BLACK

— GREY TINTED WINDOWS, TYP.

— GREY TINTED WINDOWS, TYP.

— STANDING SEAM METAL  
ROOF, TYP 3:12 PITCH

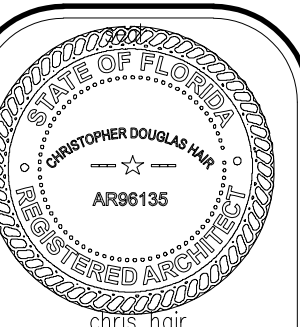
GREY STONE VENEER, TYP.

$$\overline{1/8'' = 1'-0''}$$

1" = 50'-0"

**C.D. HAIR ARCHITECT**  
8401 Lake Worth Road  
Suite 119  
Lake Worth, FL  
**AR96135**

|                                       |  |
|---------------------------------------|--|
| revision:                             |  |
| 12.09.22<br>ADD COLOR<br>DESIGNATIONS |  |
| 02.16.23<br>ELEVATION<br>REVISIONS    |  |



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Job no. 22-019  
Principal: CHRIS HAIR  
CH  
File name:  
Date: 02.14.23  
Title:

EXTERIOR  
ELEVATIONS

A550)

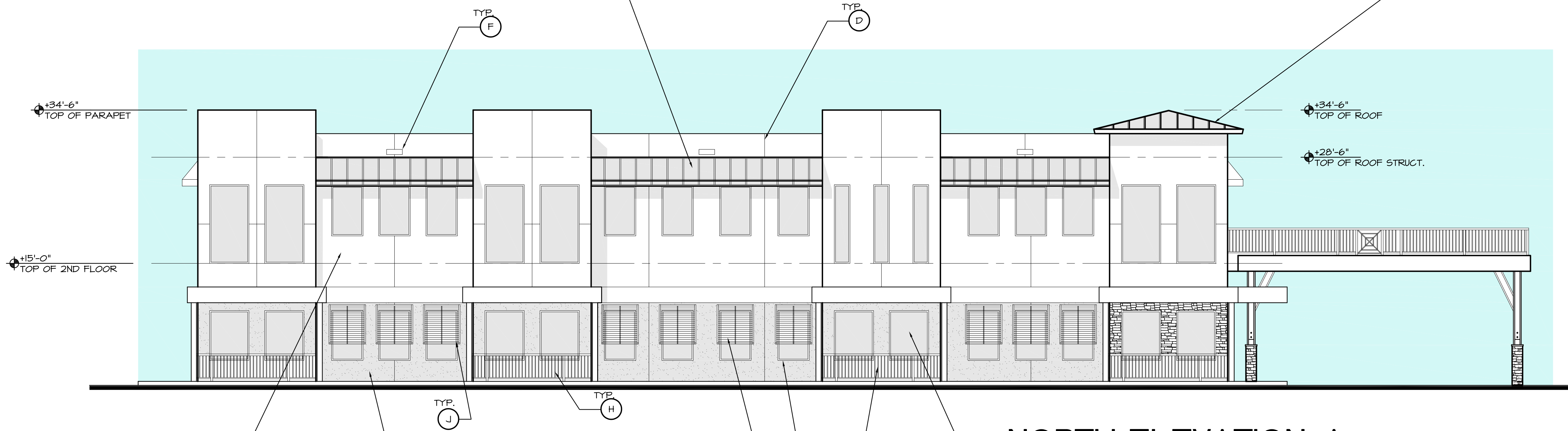
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OPTION 'C'

STANDING SEAM METAL ROOF, TYP 3:12 PITCH

STANDING SEAM METAL ROOF, TYP

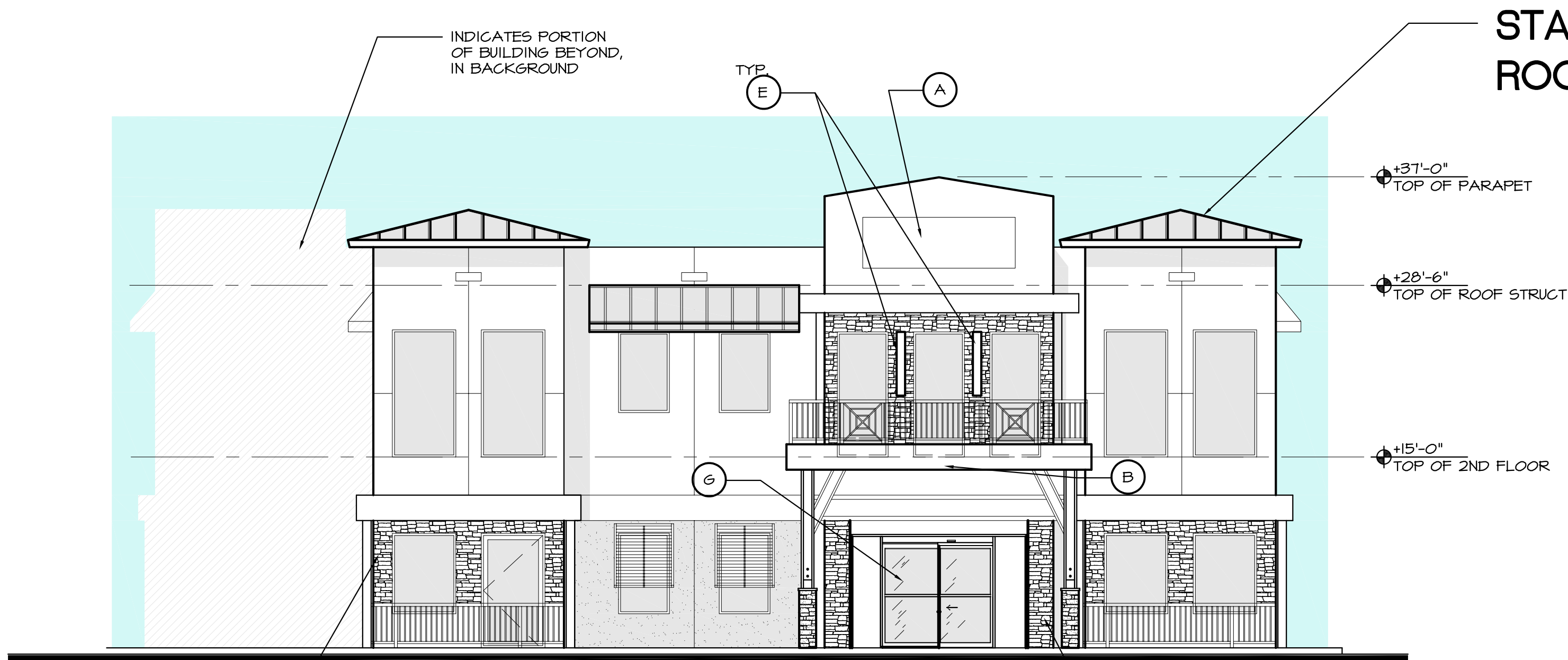


NORTH ELEVATION-A

LIGHT GREY  
MEDIUM GREY

BLACK SHUTTERS, TYP.  
DARK BRONZE FRAMES  
AND RAILING, TYP.

GREY TINTED WINDOWS, TYP.



WEST ELEVATION-B

GREY STONE VENEER, TYP.

EXTERIOR ELEVATIONS

1/8"=1'-0"

STANDING SEAM METAL  
ROOF, TYP 3:12 PITCH

ELEVATION SYMBOL LEGEND:

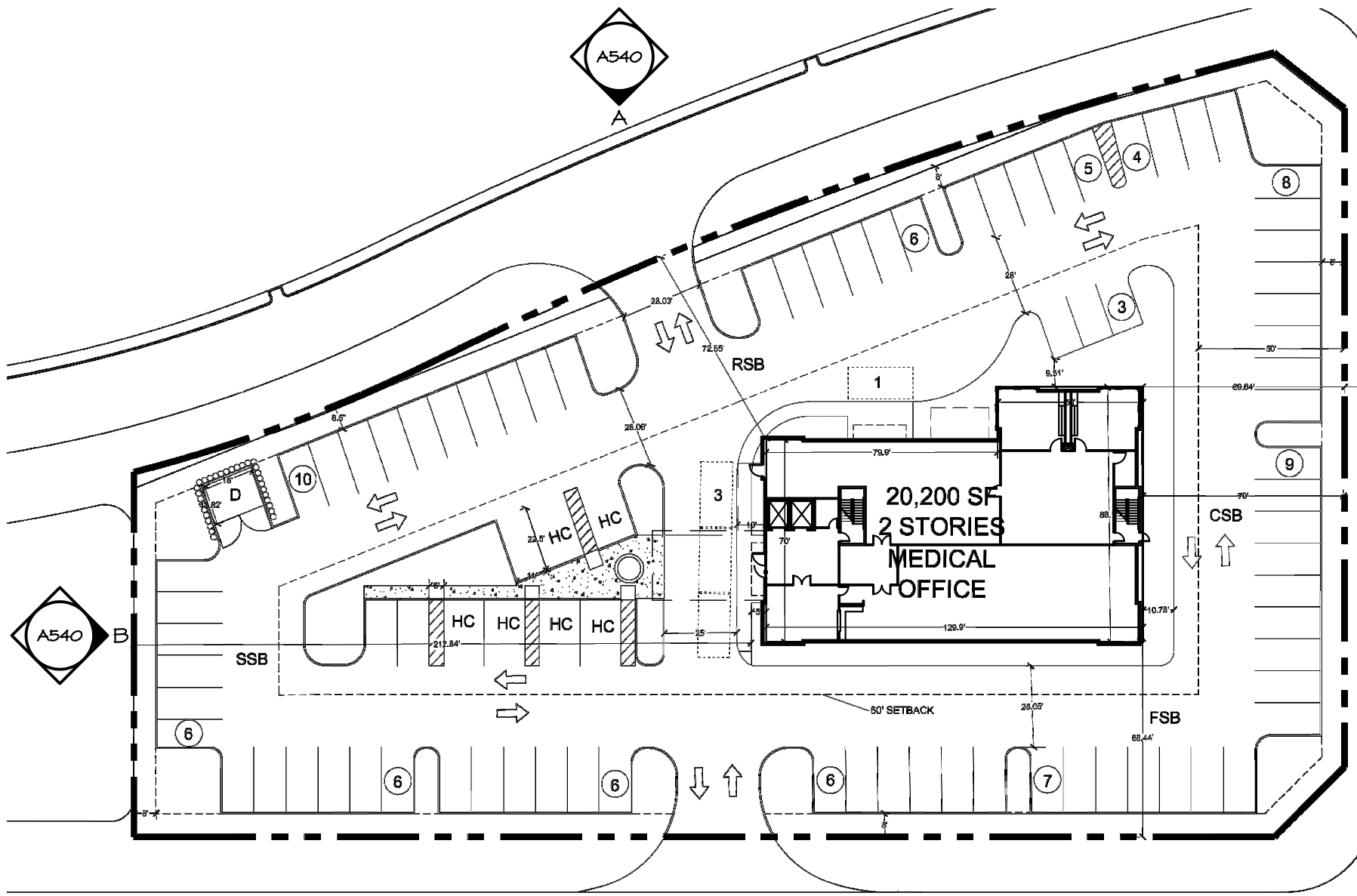
- (A) NEW SIGNAGE. PROVIDE JUNCTION BOXES AS REQ'D. NOTE: ALL SIGNAGE TO BE SUBMITTED AS A SEPARATE PERMIT - SHOWN FOR REFERENCE ONLY.
- (B) DRIVE-THROUGH CANOPY
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- (L) HOLLOW METAL EXIT DOOR, PAINT TO MATCH STUCCO

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LEGEND

- LIGHT GREY
- MEDIUM GREY
- BLACK

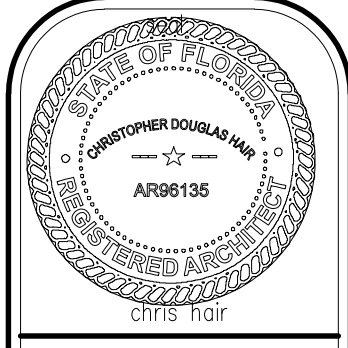


SITE PLAN

1" = 50'-0"

C.D. HAIR ARCHITECT  
8401 Lake Worth Road  
Suite 119  
Lake Worth, FL  
AR96135

|                        |          |
|------------------------|----------|
| revision:              | 12.09.22 |
| ADD COLOR DESIGNATIONS | 02.16.23 |
| ELEVATION REVISIONS    |          |
|                        |          |
|                        |          |
|                        |          |
|                        |          |
|                        |          |
|                        |          |



A new building for:  
**PALM BEACH  
ORTHOPAEDIC INSTITUTE**  
Southern Boulevard  
Loxahatchee, Florida

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|------------|------------------|
| job no.    | 22-019           |
| principal: | CHRIS HAIR<br>CH |
| file name: |                  |
| date:      | 02.14.23         |
| title:     |                  |

EXTERIOR ELEVATIONS

A540

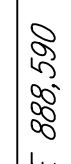
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|  |   |   |
|--|---|---|
| <b>TOTAL AREA: 85,552 SF</b>   | <b>REQUIRED</b>   | <b>PROVIDED</b>   |
| <b>85-055(C)(3) - SINGLE TERMINAL ISLANDS</b><br><b>EACH SHALL CONTAIN MIN ONE TREE AND ONE SHRUB/GC PER EVERY TWO LINEAL FEET</b><br><b>14 ISLANDS PROVIDED = 14 TREES</b>                                | <b>14 TREES</b>   | <b>14 TREES</b>   |
| <b>85-055(D)(1) - VUA LANDSCAPE STRIP AREA</b><br><b>THE VUA LANDSCAPE STRIP SHALL CONTAIN ONE TREE FOR EACH 20'-25'</b><br><b>NORTH: 419 LF / 25' = 17 TREES</b><br><b>SOUTH: 394 LF / 25' = 16 TREES</b> | <b>NORTH: 17 TREES</b><br><b>SOUTH: 16 TREES</b>                | <b>NORTH: 17 TREES</b><br><b>SOUTH: 16 TREES</b>                  |
| <b>85-050(G)(1) - NATIVE VEGETATION</b><br><b>50% OF ALL VEGETATION REQUIRED SHALL BE NATIVE</b><br><br><b>TREES/PALMS: 77 x 50% = 39</b><br><b>SHRUBS/GC: 1,848 x 50% = 924</b>                           | <b>30 NATIVE TREES/PALMS</b><br><br><b>924 NATIVE SHRUBS/GC</b> | <b>72 NATIVE TREES/PALMS</b><br><br><b>1,399 NATIVE SHRUBS/GC</b> |

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7. SHOULD CONTRACTOR NOTICE AN ERROR ON THESE PLANS, THEY SHOULD IMMEDIATELY BRING IT TO THE ATTENTION OF THE OWNERS REPRESENTATIVE AND THE LANDSCAPE ARCHITECT.

- 20% BLACK EYED SUSAN / RUDBECKIA HIRTA
- 20% CORAL HONEYSUCKLE / LONICERA SEMPERVIRENS)
- 20% INDIAN BLANKET FLOWER / GAILLARDIA PULCHELLA
- 20% PURPLE CONE FLOWER / ECHINACEA
- 20% SALVIA / SALVIA SPP.



| TREES      | QTY | BOTANICAL NAME  | COMMON NAME            | CAL      | CONT   | SIZE            |            | SHRUB AREAS   | QTY      | BOTANICAL NAME                     | COMMON NAME                  | CONT  | SIZE    | SPACING |
|------------|-----|---|------------------------|----------|--------|-----------------|------------|---------------|----------|------------------------------------|------------------------------|-------|---------|---------|
| BA         | 3   | Bulnesia arborea  | Verawood               | 2.5" Cal | Cont   | 12' HT x 4' SPR |            | FG            | 58       | Ficus microcarpa 'Green Island'    | Green Island Ficus           | 3-gal | 12x12   | 24" OC  |
| (N) BS     | 14  | Bursera simaruba  | Gumbo Limbo            | 3" Cal   | FG     | 12' HT x 5' SPR |            |               |          |                                    |                              |       |         |         |
| (N) CE     | 7   | Conocarpus erectus sericeus<br>Min 3 Trunks. 2.5" Cal total.  | Silver Buttonwood      | Multi    | Cont   | 12' HT x 4' SPR |            | GJ            | 75       | Gardenia jasminoides               | Gardenia                     | 3-gal | 24x24   | 36" OC  |
| (N) CS     | 8   | Cordia sebestena  | Orange Geiger Tree     | 2" Cal   | Cont   | 10' HT x 4' SPR | (N) HP     |               | 96       | Hamelia patens                     | Firebush                     | 3-gal | 24x24   | 30" OC  |
| (N) PD     | 16  | Pinus elliottii densa   | Slash Pine             | 3" Cal   | Cont   | 14' HT x 5' SPR | (N) MC     |               | 49       | Muhlenbergia capillaris            | Pink Muhly Grass             | 3-gal | 24" HT  | 36" OC  |
| (N) QV     | 6   | Quercus virginiana<br>Contractor to submit photographs to<br>ownership for approval prior to<br>installation. | Southern Live Oak      | 8" Cal   | Cont   | 20' HT          | (N) TD     |               | 114<br>± | Tripsacum dactyloides              | Fakahatchee Grass            | 3-gal | 24" HT  | 36" OC  |
|            |     |   |                        |          |        |                 | (N) ZP     |               | 97       | Zamia pumila                       | Coontie                      | 3-gal | 24" HT  | 30" OC  |
| (N) SM     | 6   | Swietenia mahagoni  | West Indian Mahogany   | 3" Cal   | B&B    | 12' HT x 5' SPR | (N) IN     | GROUND COVERS | QTY      | BOTANICAL NAME                     | COMMON NAME                  | CONT  | SIZE    | SPACING |
|            |     |   |                        |          |        |                 |            |               | 154      | Ilex vomitoria 'Nana'              | Dwarf Yaupon Holly           | 3-gal | 8" HT   | 24" OC  |
| PALM TREES | QTY | BOTANICAL NAME  | COMMON NAME            | CAL      | CONT   | SIZE            |            |               |          |                                    |                              |       |         |         |
| AM         | 2   | Adonidia merrillii  | Christmas Palm         | N/A      | FG     | 12' HT          |            | JP            | 44       | Juniperus chinensis 'Parsonii'     | Parsoni Juniper              | 3-gal | 12" SPR | 24" OC  |
| (N) SP     | 15  | Sabal palmetto<br>Slick trunk. Stagger heights in<br>groupings.   | Sabal Palm             | N/A      | B&B    | 18-22' CT       |            | LM            | 205      | Liriope muscari 'Emerald Goddess'  | Emerald Goddess Liriope      | 1-gal | 10" HT  | 24" OC  |
|            |     |   |                        |          |        |                 | (N) PP     |               | 606      | Pollinator Plant Mix<br>See Notes  |                              | 1-gal | 8" HT   | 12" OC  |
| SHRUBS     | QTY | BOTANICAL NAME  | COMMON NAME            | CONT     | SIZE   | SPACING         |            |               |          |                                    |                              |       |         |         |
| CC         | 4   | Capparis cynophallophora  | Jamaica Caper          | 15-gal   | 6' HT  | As Shown        |            | SOD           | 8,474 sf | Stenotaphrum secundatum 'Floratum' | Floratum St. Augustine Grass | SOD   |         |         |
| (N) CR     | 286 | Chrysobalanus icaco 'Red Tip'   | Red Tip Cocoplum       | 3-gal    | 24x24  | 36" OC          | (N) NATIVE |               |          |                                    |                              |       |         |         |
| (N) CG     | 55  | Clusia guttifera  | Small Leaf Clusia      | 3-gal    | 24x24  | 36" OC          |            |               |          |                                    |                              |       |         |         |
| CA         | 12  | Cordyline fruticosa 'Auntie Lou'  | Auntie Lou Ti Plant    | 7-gal    | 36" HT | As Shown        |            |               |          |                                    |                              |       |         |         |
| CQ         | 2   | Crinum augustum 'Queen Emma'  | Queen Emma Crinum Lily | 7-gal    | 36" HT | As Shown        |            |               |          |                                    |                              |       |         |         |
| (N) EF     | 39  | Eugenia foetida   | Spanish Stopper        | 7-gal    | 4' HT  | 36" OC          |            |               |          |                                    |                              |       |         |         |
| SR         | 7   | Strelitzia reginae  | Bird Of Paradise       | 7-gal    | 36" HT | As Shown        |            |               |          |                                    |                              |       |         |         |



JESSAMINE  
DESIGN BUILD  
5427 OAK TERRACE DRIVE  
ORLANDO, FL 32839  
(508) 736-6897



**Agenda Item #6**

**TO:** Town Council of Town of Loxahatchee Groves  
**FROM:** Francine Ramaglia, Town Manager  
**DATE:** February 21, 2023  
**SUBJECT:** Cyber Security Policy Update

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**Background:**

Attached is a copy of the Town's Cyber Security Policy. The Town's IT providers will make a brief presentation at the February 21, 2023 Town Council Meeting on the status of the Town's Implementation of the Policy

**Recommendation:**

Review and File.



## Town of Loxahatchee Groves Information Technology Policy and Procedures

Effective: December 5, 2022

Authorized:

  
Town Manager

This policy and procedural manual (PPM) is intended to provide basic orientation information for the operational activities of the Town of Loxahatchee Groves, Florida. It is not intended to be a detailed guide describing each aspect of the internal specific procedures. However, this manual is intended to provide sufficient procedural detail to enable Town departments, other governmental entities, and the contractor/ vendor community to:

- a. be fully aware of, and comply with, Town Information Technology policies, and
- b. effectively participate in the Town's Information Technology program.

This document applies to all Town of Loxahatchee Groves users regardless of the user's location (e.g., in an office, at a customer site, on an airplane, at an Information User's residence, at a shared location, etc.); this term includes all Town employees, and contractors/vendors that require access to Town information resources, authorized previously by the Town Manager's Office.

Continuous Improvement: The content of this document is subject to regular review based on input from Town of Loxahatchee Groves staff.

### Definitions

**Information Resources:** Electronic and non-electronic resources owned by the Town, including but not limited to: documentation (designs, research material, reports, specifications, contracts); electronic media (computer software, computer tapes, computer disks, computer printouts); business operations (inventions, methods, processes, work products, customer lists); business development (municipality information, operating plans, cost and financial data); and system resources (phone systems, organization-issued cellular phones, hardware, networking resources, operating systems).

**Data:** Information stored on hardware and accessed by using software.

**Software:** Programs and routines written in a symbolic language that control the functioning of the hardware.

**Hardware:** The physical, touchable, and material parts of a computer.

**Third Parties:** Vendors and business partners of the Town, bound by underpinning agreements or contracts with the Town.

**Third Party Personnel:** Representatives of vendors and business partners of the Town.

**Remote Access:** Any communication to the Town of Loxahatchee Groves systems and applications from an external (remote) location or facility through a data link.

## **Information Security Policies PROHIBITED**

### **ACTIVITIES**

Town of Loxahatchee Groves information must be used only for the business purposes expressly authorized by management. The following list of activities are a minimum subset of prohibited activities.

Town of Loxahatchee Groves expressly prohibits Town staff from:

Uploading, downloading, printing, transmitting, and viewing any information (image, sound, program, or document) that could be deemed offensive, derogatory, harassing, based on:

- Race,
- Gender,
- National Origin,
- Sexual Orientation,
- Religion,
- Political Belief,
- Disability,
- Age.

Uploading, downloading, printing, transmitting, and viewing any information (document, image, sound, or program) containing the following without Town and/or the author's authorization:

- Trade Secrets,
- Copyrighted Materials,
- Trademark Materials,
- Patented Materials,
- Other Confidential, Private or Proprietary Information or Materials, including all non-public Client material.

Using Town computers to:

- Forge (or attempt to forge) electronic mail messages,
- Obtain unauthorized access or conduct tampering of the electronic mail of others,
- Send harassing, obscene and/or other threatening e-mail to others,
- Send unsolicited junk mail, "for-profit" messages, or chain letter messages,
- Gain unauthorized access to any computer system, including remote computers or other systems in any way,
- Damage, alter, or disrupt any computer system, including remote computers or other systems in any way,
- Participate in illegal activities,
- Decrypt system or user passwords from any computer system, including remote computers or other systems in any way,
- Copy system files from any computer system, including remote computers or other systems in any way,
- Copy copyrighted materials, such as third-party software, without the expressed written permission of the owner or the proper license,
- Intentionally attempt to "crash" Network systems or programs,

- Attempt to secure a higher level of privilege on the Network,
- Willfully introduce computer programs into the organization Network or into external Networks,
- Willfully introduce computer viruses into the organization Network or into external Networks.
- Solicit business, sell products, or otherwise engage in commercial activities other than those required by their job responsibilities.
- Use anyone's code or password without authorization,
- Allow system access to non-Town personnel without supervisor's and Information Technology's permission,
- Jeopardize or breach the security of the Town computer systems in any way,
- Excessively use internet for non-Town related matters,
- Tamper with any of Town computer systems in any way.

## **INFORMATION SECURITY**

### **INFORMATION OWNERSHIP**

All information, data and documentation gathered by, generated by, or provided by Town staff, in the course of their employment and/or utilizing organization owned assets for the Town's business purposes, are the property of the Town.

The Town of Loxahatchee Groves has legal ownership of, or rights to, the contents of all files, information, and messages stored or transmitted on its computer and network systems, and reserves the right to examine all data stored in or transmitted by its computer and communications systems, without prior notice, whenever there is a business need which includes, but is not limited to, any investigation of unauthorized or inappropriate use of the systems or other investigation conducted with a business purpose. There should be no expectation of privacy associated with the information stored in or sent through Town systems.

The use of encryption, the labeling of an email or document as private, the deletion of an email or document, or any other such process or action, shall not diminish the organization's rights to examine and review such information in any manner, as stated above. Unauthorized use of passwords/encryption to prevent Town management from gaining access to a computer related resource is prohibited.

### **INFORMATION SECURITY INCIDENT REPORTING**

Town staff must immediately report all suspected information security problems, vulnerabilities, unauthorized activity, and incidents to either their immediate manager or to the Town Manager's Office. All suspected information security incidents must be reported as quickly as possible to Town management.

## **ACCESS CONTROL AND AUTHENTICATION MECHANISMS ACCESS**

### **PHILOSOPHY**

Access to Town information must be granted only when a legitimate business need has been demonstrated and access has been approved in advance by the Town staff's authorized supervisor. Network and/or system privileges of all users must be restricted based on the need for access.

### **DEFAULT FACILITIES**

Town staff that require access to network services will be granted basic information systems services such as electronic mail and word processing facilities. All other system capabilities and access to specific applications must be specifically requested and approved by the supervising manager. The existence of certain access privileges does not, in and of itself, mean that an individual is authorized to use these privileges. If Town staff have any questions about access control privileges, they must direct these questions to the Town Manager's Office.

### **DEPARTURES FROM THE TOWN OF LOXAHATCHEE GROVES**

Any change in the employment status of Town staff must be immediately reported by management to the Town Manager's Office. When a Town staff member leaves the organization, all system privileges and access to Town information must cease immediately. Departed Town staff must not be permitted to continue to maintain an electronic mail account with the Town, unless specifically authorized by the Town Manager. All Town information disclosed to Town staff must be returned or destroyed. All work done by Town staff for the Town of Loxahatchee Groves is Town property and will remain with the Town when Town staff depart.

### **UNIQUE USER IDs**

Each Town staff will be assigned a unique user ID. All user IDs on Town networks/applications must be constructed according to the Town user ID construction standard and must clearly indicate the responsible individual's name. This user ID follows an individual as they move through the organization. It must be permanently decommissioned when a user leaves the Town. Re-use of user IDs is not permitted, with the exception of re-hiring.

Users are responsible for all activity that takes place with their user ID and password or other authentication mechanisms. User IDs are linked to specific people, and are not associated with computer terminals, departments, or job titles. With the exception of internet pages, intranet pages, and other places where anonymous interaction is both generally understood and expected, anonymous and guest user IDs are not permitted unless approved in advance by the Town Manager's Office.

The system privileges granted to every employee must be reevaluated by the user's manager every 12 months to determine whether currently enabled system privileges are needed to perform the user's current job duties.

The access for contractors and temporary workers will be set to expire after three months by default. The privileges of these Town staff must be immediately revoked by the Town Manager's Office when the project is complete, or when the contractor or temporary worker stops working with the Town. The

relevant project manager must review the need for the continuing privileges of contractors and temporary workers every three months.

## **PASSWORD**

- Every workstation must have a password-protected screen saver.
- Every user is held accountable of his / her activity when using a Town workstation or when connected to the Town network.
- Every user must keep his / her password confidential; it is forbidden to share user credentials to other users. All IT activity is traced by the Town Manager's Office.
- If a user detects his/ her credentials have been compromised, the user must immediately change his/ her password, and proceed to notify the Town Manager's Office of this event.
- User passwords must comply to the requirements below:
  - a. Password minimum length: eight (8) characters.
  - b. Password usage: must not be identical to the previous ten (10) passwords.
  - c. Password validity: Ninety (90) days
  - d. Password components restrictions: Password must contain at a minimum three of the following four items: alphanumeric characters (A-Z) upper case and/or lowercase, numeric characters (0-9), non-alphanumeric characters (symbols) ~!@#\$%A&\*()\_-+= 'O\{}|;:'<,>.&?/

## **OPERATIONS MANAGEMENT COMPUTER**

### **VIRUSES**

All computers, servers, or network devices susceptible to computer virus infestation will be protected by corporate anti-virus programs. Virus screening software will be installed and enabled with real-time functionality on all Town local area network servers, and networked personal computers and will be configured to be automatically update virus definitions.

Any user who suspects infection by a virus must immediately shut-down the involved computer, disconnect from all networks, contact the Town Manager's Office, and make no attempt to eradicate the virus.

Users must not download software on any computer system property of the Town. Users must not install software on their workstation computers, network servers, or other machines without receiving advanced authorization to do so from the Town Manager's Office. Users will exercise extreme caution in downloading and executing any files attached to email.

### **CRITICAL DATA LOCATION**

Town users must not store confidential or critical business information on workstation hard disk drives. This type of information must reside on security protected server shares.

## **SYSTEM LOGON BANNER**

Logon screens for computers and/or network devices must include a special notice that must state that the system may only be accessed by authorized users, users who logons represent that they are authorized to do so, unauthorized system usage or abuse is subject to criminal prosecution, system usage will be monitored and logged, and by logging into the subject Computer and the Town of Loxahatchee Groves network, the user has read, understands, and will comply with the Town of Loxahatchee Groves Information Technology Policies and Procedure Manual.

## **AUDIT LOGS**

All production application systems that handle critical Town information must generate logs that capture user-initiated logon attempts (successful or failed), addition, modification, and deletion transactions, user session activity including user IDs, logon date and time, logoff date and time, changes to the privileges of users, and system start-ups and shut-downs if the subject application system is able to produce such audit logs.

## **DATA BACKUPS**

All critical business information and critical software resident on Town server systems must be periodically backed-up for recovery purposes. The rotation, recycling of the media used for backups, and the storage location used will be defined by the Town Manager's Office, as per the business requirements.

## **DISASTER RECOVERY PLAN**

The Town Manager's Office will assist in the preparation, periodical update, and testing of a disaster recovery plan that will permit all critical computer and communication systems to be available in the event of a major loss such as may be caused by the event of nature or a catastrophe.

## **SECURITY INCIDENT RESPONSE POLICY PURPOSE**

This document describes the Town of Loxahatchee Groves's overall plan for preparing and responding to both physical and electronic information security incidents. It defines the roles and responsibilities of participants, characterization of incidents, relationships to other policies and procedures, and reporting requirements. The goal of this Security Incident Response Plan is to prepare for, detect, and respond to security incidents. It provides a framework by which the Incident Response Team (IRT) shall determine the scope and risk of an incident, respond appropriately to that incident, communicate the results and risks to all stakeholders, and reduce the likelihood of an incident from occurring or reoccurring.

## **SCOPE**

This plan applies to all physical locations, information systems, all Criminal Justice Information (CJI) data, Protected Health Information (PHI) data, Cardholder data, Personally Identifiable Information,

any other sensitive data type stored by the Town, networks of the Town of Loxahatchee Groves, and any person or device that gains access to these systems or data.

## **MAINTAINING CURRENCY**

It is the responsibility of the Town Manager's Office to maintain and revise this policy to ensure that it is always in a ready state.

## **DEFINITIONS**

**Event:** An exception to the normal operation of infrastructure, systems, or services. Not all events become incidents.

**Incident:** An event that, as assessed by the staff, violates the policies of the Town of Loxahatchee Groves as related to Information Security, Physical Security, or Acceptable Use; other Town of Loxahatchee Groves policies, standards, or code of conduct; or threatens the confidentiality, integrity, or availability of information systems or CJI event.

Incidents will be categorized according to their potential for the exposure of protected data or the criticality of the resource, using a four (4) level system of:

- 0- Low
- 1- Medium
- 2- High
- 3- Critical

Incidents can include, but are not limited to:

- Malware/viruses
- Ransomware
- Phishing
- Unauthorized electronic access
- Account compromise
- Breach of information
- Unusual, unexplained, or repeated loss of connectivity
- Unauthorized physical access
- Loss or destruction of physical files, etc.
- Denial of Service

**Criminal Justice Information (CJI):** As defined in the Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Security Policy and by the Florida Department of Law Enforcement.



**Protected Health Information (PHI):** The HIPAA Privacy Rule that provides federal protections for personal health information held by covered entities and gives patients an array of rights with respect to that information. At the same time, the Privacy Rule is balanced so that it permits the disclosure of personal health information needed for patient care and other important purposes.

**Cardholder Data:** As defined by the PCI Security Standards Council (PCI SSC), the body that administers the PCI DSS, defines cardholder data as "At a minimum, cardholder data consists of the full PAN. Cardholder data may also appear in the form of the full PAN plus any of the following: cardholder name, expiration date and/or service code [found on the magnetic stripe]. Sensitive Authentication Data are additional data elements that may be transmitted or processed (but not stored) as part of a payment transaction."

## **EVIDENCE PRESERVATION**

The goal of any incident response is to reduce and contain the impact of an incident and ensure that information security related assets are returned to service in the timeliest manner possible. The need for a rapid response is balanced by the need to collect and preserve evidence in a manner consistent with state and federal laws, and to abide by legal and administrative requirements for documentation and chain-of-custody.

## **INCIDENT RESPONSE**

In accordance with the FBI CJIS Security Policy, based off the National Institute of Standards and Technology (NIST) Special Publication 800-61 rev. 2, the Incident Response Life Cycle consists of a series of phases-distinct sets of activities that will assist in the handling of a security incident, from start to finish.

## **PREPARATION**

Preparation includes those activities that enable the Town of Loxahatchee Groves to respond to an incident. These include a variety of policies, procedures, tools, as well as governance and communications plans.

The Town of Loxahatchee Groves utilizes several mechanisms to prevent, and prepare to respond to, an incident.

- **Security Awareness Training:** The Town of Loxahatchee Groves requires regular security awareness training provided through KnowBe4. This training covers additional ongoing threats to systems such as malware, phishing, social engineering, ransomware, and other threats as they become known. This training also performs regular phishing campaigns to evaluate the Town's security posture for this attack vector. All personnel with access to CJI data are required to take FBI CJIS Security Policy- compliant Security Awareness Training. This training must be updated at a minimum of every two years.
- **Malware/Antivirus/Spyware Protections:** All information system terminals, as well as key information flow points on the network, are protected by continuous defense against malware/antivirus/spyware and other known malicious attacks. These defense mechanisms are kept

up to date without the need for end user intervention, and end users are restricted from accessing, modifying, disabling, or making other changes to the defense mechanisms.

- Firewalls: Multiple firewalls are in place within the network to provide the necessary depth of defense. The Town Manager's Office keeps all firewalls up to date with the latest security patches and other relevant upgrades, as well as maintains an active backup of the latest security configuration.
- Personnel Security Measures: All Town staff with access to CJI or those areas in which CJI is accessed, stored, modified, transmitted, or maintained have been cleared to the required Personnel Security standards set forth in FBI CJIS Security Policy section 5.12.1 and FDLE requirements.
- Physical Security Measures: All locations within the Town of Loxahatchee Groves that house CJI or CJI-related information systems are secured to the required criteria set forth in FBI CJIS Security Policy section 5.9. Access to these secured areas and information systems is a need-to-know/need-to-share basis, requires agency authorized credentials for access, and is under the direct control and management of the Town of Loxahatchee Groves.
- Event Logs: Event logging is maintained at all applicable levels, capturing all the required events and content specified for CJI through FBI CJIS Security Policy sections 5.4.1.1 and 5.4.1.1.1, retained for the specified period, and reviewed weekly.
- Patching/Updating: Systems shall be patched and updated as new security patches and hot fixes are released. Any software or hardware product that reaches the end of the manufacturers service and support life for patching will be deemed out-of-compliance and replaced.

## **STAFFING**

The Town of Loxahatchee Groves will strive to maintain adequate staff levels and third-party support to investigate each incident to completion and communicate its status to other parties while it continues to monitor the tools that detect new events.

## **TRAINING**

No incident response capability can be effectively maintained over time without proper and ongoing training. The continuous improvement of incident handling processes implies that those processes are periodically reviewed, tested, and translated into recommendations for enhancements. All pertinent Town staff will be trained on a periodic basis in security awareness, procedures for reporting and handling incidents to ensure a consistent and appropriate response to an incident, and that post-incident findings are incorporated into policy and procedure.

## **DETECTION AND ANALYSIS**

### **DETECTION**

Detection is the discovery of an event with security tools or through notification by an inside or outside party about a suspected incident. The detection of an incident requires the immediate activation of the IRT as listed in Appendix A. The determination of a security incident can arise from one or several circumstances simultaneously.

Means by which detection can occur include:

- Trained personnel reviewing collected event data for evidence of compromise.
- Software applications analyzing events, trends, and patterns of behavior.
- Intrusion Protection/Intrusion Detection devices alerting to unusual network or port traffic.
- The observation of suspicious or anomalous activity within a Town of Loxahatchee Groves facility or on a computer system.

It is critical in this phase:

- To detect whether a security incident has occurred.
- To determine the method of attack.
- To determine the impact of the incident to the mission, systems, and personnel involved in the incident.
- To obtain or create intelligence products regarding attack modes and methods.

## ANALYSIS

Analysis of the incident indicators will be performed in a manner consistent with the type of incident. In the event of a physical incident, appropriate steps will be taken to determine weaknesses in either the physical security of the facility, its monitoring tools, or its training programs to assess areas for process improvement or change. For an electronic incident, the Town will utilize the Town Manager's Office, its tools, vendors, and contractors to perform static and dynamic analysis of malicious code within their capability, a review of information system boundary protections, determination of source code if applicable, the depth and breadth of the attack, if the attack has migrated to other systems on or off the network, and any other tasks appropriate to the type of incident experienced. These analyses can be performed either manually or by utilizing automated tools dependent upon the situation, timeliness, and availability of resources.

## INCIDENT CATEGORIES

An incident will be categorized as one of four severity levels. These severity levels are based on the impact to The Town of Loxahatchee Groves and can be expressed in terms of financial impact, impact to services and/or performance of our mission functions, impact to the Town's image, or impact to trust by the Town's customers and citizens, etc. The below table provides a listing of the severity levels and a definition of each severity level.

| Severity Level | Description   |
|----------------|---|
| 0-Low          | Incident where the impact is minimal. Examples may be e-mail SPAM, isolated virus infections, etc.  |
| 1- Medium      | Incident where the impact is significant. Examples may be a delayed or limited ability to provide services, meet the Town's mission, delayed delivery of critical electronic mail or data transfers, etc. |
| 2-High         | Incident where the impact is severe. Examples may be a disruption to the services and/or performance of our mission functions. The Town's proprietary or  |

3- **Critical**

confidential information has been compromised, a virus or worm has become widespread and is affecting over 1 percent of employees, Public Safety systems are unavailable, or the Town's Executive management has been notified.

Incident where the impact is catastrophic. Examples may be ransomware, denial of service or a shutdown of all the Town's network services due to natural or manmade causes. The Town's proprietary or confidential information has been compromised and published in/on a public venue or site. Public safety systems are unavailable. Executive management must make a public statement.

## **INCIDENT REPORTING**

If an incident involves or is suspected of involving Criminal Justice Information, the Information Security Officer (ISO) will be contacted and provided a CJS-016 "Information Security Officer (ISO) Security Incident Report" and should work with the Town's agency representatives for CJI compliance.

## **CONTAINMENT, ERADICATION, AND RECOVERY**

### **CONTAINMENT**

The Town Manager's Office is responsible for containment and will document all containment activities during an incident.

Containment activities for security incidents involve decision-making and the application of strategies to help control attacks and damage, cease attack activities, or reduce the impact or damage caused by the incident. This requires intelligence gathered by the detection and analysis phases of the incident - identification of affected hosts, identification of attacking hosts or attackers, identification of malware and its capabilities, and identification and monitoring of attacker communication channels. In most cases, it is important to introduce containment solutions all at once, as attackers may escalate their attack activity if deployment of the strategy is delayed.

### **ERADICATION**

The Town Manager's Office is responsible for eradication and will document all eradication activities during an incident.

Eradication efforts for a security incident involve removal of latent threats from systems (such as malware on the system and user accounts that may have been created), identifying and mitigating potential vulnerabilities or misconfigurations that may have been exploited, and identification of other hosts that may have been affected within the organization.

### **RECOVERY**

The Town Manager's Office is responsible for recovery and will document all recovery activities during an incident.

Recovery efforts for incidents will involve the restoration of affected systems to normal operation. This is dependent upon the type of incident experienced but may include actions such as restoring systems from backups, rebuilding systems from an agency approved baseline, replacing compromised files with clean versions, installing patches, changing passwords, and increasing network perimeter and host-based security.

## **POST-INCIDENT ACTIVITY**

The Town Manager's Office is responsible for documenting and communicating post-incident activity.

Post-incident activities will occur after the detection, analysis, containment, eradication, and recovery from a security incident. One of the most important phases of incident response, post-incident activities involve the reflection, compilation, and analysis of the activities that occurred leading to the security incident, and the actions taken by those involved in the security incident, including the incident response team. Important items to be reviewed and considered for documentation are:

- i. Exactly what happened, and at what times?
- ii. How well did staff and management perform in dealing with the incident?
- iii. What information was needed sooner?
- iv. Were any steps or actions taken that might have inhibited the recovery?
- v. What should be done differently the next time a similar incident occurs?
- vi. How could information sharing with other organizations have been improved?
- vii. What corrective actions can prevent similar actions in the future?
- viii. What precursors or indicators should be watched for in the future to detect similar incidents?
- ix. What additional tools or resources are needed to detect, analyze, and mitigate future incidents?

Post-incident activities will be incorporated into future training opportunities for all parties involved in the incident, from victims to system administration personnel to incident responders.

## **ESCALATION**

The escalation process will be initiated to involve other appropriate resources as the incident increases in scope and impact. Incidents should be handled at the lowest escalation level that can respond to the incident with as few resources as possible to reduce the total impact and maintain limits on cyber-incident knowledge. The table below defines the escalation levels with the associated team members involvement.

| Severity            | Response Team Member Involvement  | Description   |
|---------------------|---|---|
| 0-Low               | IT Technical Support Staff or vendor<br>Local Agency Security Officer<br>LASO                           | Normal Operations   |
| 1 - Medium          | IT technical support staff or vendor<br>LASO<br>Town Manager's Office                                   | The Town is aware of a potential or actual threat and is responding to that threat.   |
| 2- High             | IT technical support staff or vendor<br>LASO<br>Town Manager's Office<br>Town Management/Controller     | An obvious threat has impacted business operations. Determine course of action for containment and eradication. Message staff of required actions and operational acts if necessary.                          |
| <b>3 - Critical</b> | IT technical support staff or vendor<br>LASO<br>Town Manager's Office Finance Director<br>Legal Contact | Threat is widespread with significant impact. Determine course of action for containment, mitigation, and eradication. Message staff and officials. Prepare for legal action. Prepare for a public statement. |

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**Agenda Item #7**

**TO: Town Council of Town of Loxahatchee Groves**  
**FROM: Francine Ramaglia, Town Manager**  
**DATE: February 21, 2023**  
**SUBJECT: Fiscal Year 2023 1<sup>st</sup> Quarter Reports**

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**Background:**

Quarterly reports will be presented as follows:

- a. PBSO (document to be provided separately by PBSO)
- b. Building (document to be provided separately by Safebuilt)
- c. Code Enforcement (see attached information)
- d. Public Works (see attached information)
- e. Planning (see attached information)

**Recommendation:**

Receive and File

**Agenda Item #7a**

**TO: Town Council of Town of Loxahatchee Groves**  
**FROM: Francine Ramaglia, Town Manager**  
**DATE: February 21, 2023**  
**SUBJECT: Fiscal Year 2023 1<sup>st</sup> Quarter Reports from PBSO**

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**Background:**

Attached is the Fiscal Year 2023 1<sup>st</sup> Quarter Report from PBSO.

**Recommendation:**

Receive and File



# PBSO District 17

## The Town of Loxahatchee Groves

### Monthly Report: January 2023



| Calls for Service                             | Monthly      |
|---|--------------|
| Business / Residence Checks (Self-Initiated)  | 922          |
| Traffic Stops (Self-Initiated)                | 115          |
| Calls for Service (Excluding 1050's & 1061's) | 223          |
| <b>All CAD Calls - Total</b>                  | <b>1,260</b> |

| Traffic Summary  | Monthly    |
|------------------|------------|
| Written Warnings | 74         |
| Verbal Warnings  | 22         |
| Citations        | 44         |
| <b>Total</b>     | <b>140</b> |

Data Source: Motorola Premier 1 / TraCS  
\*Omit Miscellaneous Calls

**Summary:** During the month of January, there were **1,260** generated calls within the district and **82%** of these calls were self-initiated.

| Crimes                    | Monthly  |
|---------------------------|----------|
| Homicide                  | 0        |
| Robbery                   | 0        |
| Sexual Assault            | 0        |
| Shooting                  | 0        |
| Stabbing                  | 0        |
| Burglary- Business        | 0        |
| Burglary- Construction    | 0        |
| Burglary- Residential     | 0        |
| Burglary- Vehicle         | 0        |
| Larceny                   | 0        |
| Stolen Vehicles           | 1        |
| Stolen Vehicle Recoveries | 2        |
| Vandalism                 | 0        |
| Fire (Arson only)         | 0        |
| <b>Total</b>              | <b>3</b> |

*Note: P1 is a dynamic system. Meaning that numbers can change from what was previously reported in the event there is a location or call type re-classification/modification.*

**Stolen Vehicle:**

| REPORT # | DATE/TIME FROM | DATE/TIME TO | ADDRESS | NOTATIONS   |
|----------|----------------|--------------|---------|---|
| 23023057 | 1/5/23 14:00   | 1/6/23 14:00 | B Rd    | 2015 Ford F350 NJ Tag#V73DXE. Unknown person cut a wiring and unhitched a horse trailer from the victim's truck and made off with her truck. No CCTV. Similar incident occurred at this same equestrian center on 11/11/2022 (ref CN 22128411). |

**Stolen Vehicle Recovery:**

| INCIDENT #   | DATE     | ADDRESS                       | NOTATIONS   |
|--------------|----------|-------------------------------|---|
| 202300070417 | 01/20/23 | Southern Blvd (7-Eleven)      | 2022 Hyundai Palisade tied to PBSO CN 23027729 out of District 8 on 1/20/2023. Minor damage to the back bumper. |
| 202300080193 | 01/23/23 | 14555 Southern Blvd (Boonies) | 2020 Mazda CX-5 tied to PBSO CN 23027733 out of D9.   |



**15845 Southern Boulevard, Loxahatchee, FL 33470**  
**All CAD Incidents (excluding 10-61s)**

There were no calls for service for the month of  
January 2023.

## Southern Blvd and B Rd - Publix Plaza

### All CAD Incidents excluding self-initiated calls

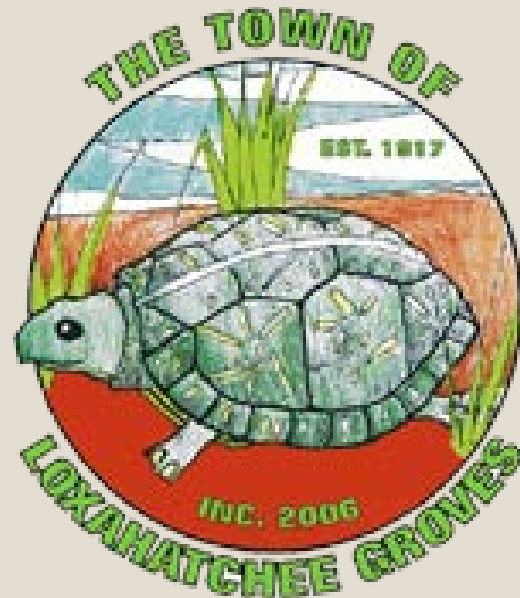
| Incident Type           | Incident Count |
|-------------------------|----------------|
| 911 Hang-up             | 8              |
| Animal Call             | 1              |
| Conduct Investigation   | 1              |
| Disturbance             | 1              |
| Domestic                | 1              |
| Felony                  | 1              |
| Hit And Run             | 1              |
| Motor Veh Crash         | 3              |
| Police Service Call     | 1              |
| Stolen Vehicle Recovery | 1              |
| Suspicious Person       | 1              |
| Welfare Check           | 1              |
| <b>Grand Total</b>      | <b>21</b>      |

Data Source: Crimeview Dashboard





# 2022 Annual Report



**Palm Beach County Sheriff's Office  
District 17 – Town of Loxahatchee Groves**

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| 6. Person Crime  | 17. Arrests & NTAs – Person Crime         |
| 7. Property Crime – Burglaries                             | 18. Arrests & NTAs – Property Crime       |
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| 9. Property Crime – Stolen Vehicles and Vehicle Recoveries | 20. Palm Beach State College              |
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| 11. Property Crime – Theft and Vandalism                   | 22. Map of Publix Plaza CFS               |
|  | 23. Community Service                     |
|  | 24. Questions                             |

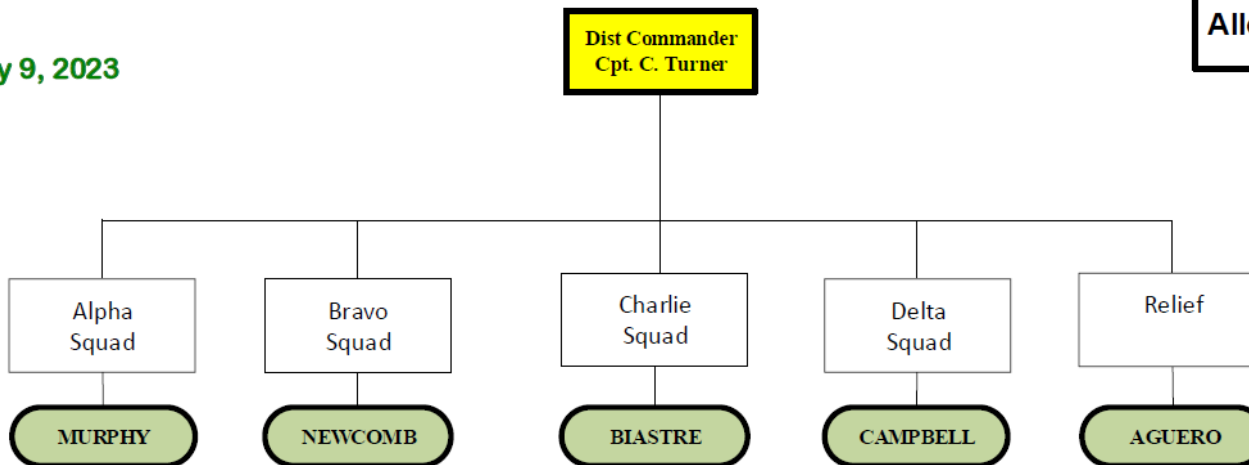
# PBSO District 17 - Loxahatchee Groves



## Organizational Chart

January 9, 2023

|                    |   |
|--------------------|---|
| Sworn:             | 5 |
| Sworn Vacancy:     | 0 |
| Non-Sworn:         | 0 |
| Non-Sworn Vacancy: | 0 |
| Part time:         | 0 |
| TDY:               | 0 |
| Allocations:       | 5 |



|                |        |                    |        |            |                   |           |          |     |           |         |         |
|----------------|--------|--------------------|--------|------------|-------------------|-----------|----------|-----|-----------|---------|---------|
| Admin<br>Leave | Deputy | Exec/Capt<br>LT/CE | Grants | Light Duty | Military<br>Leave | Non-sworn | Sergeant | TDY | Unit Name | Vacancy | FMLA/WC |
|----------------|--------|--------------------|--------|------------|-------------------|-----------|----------|-----|-----------|---------|---------|

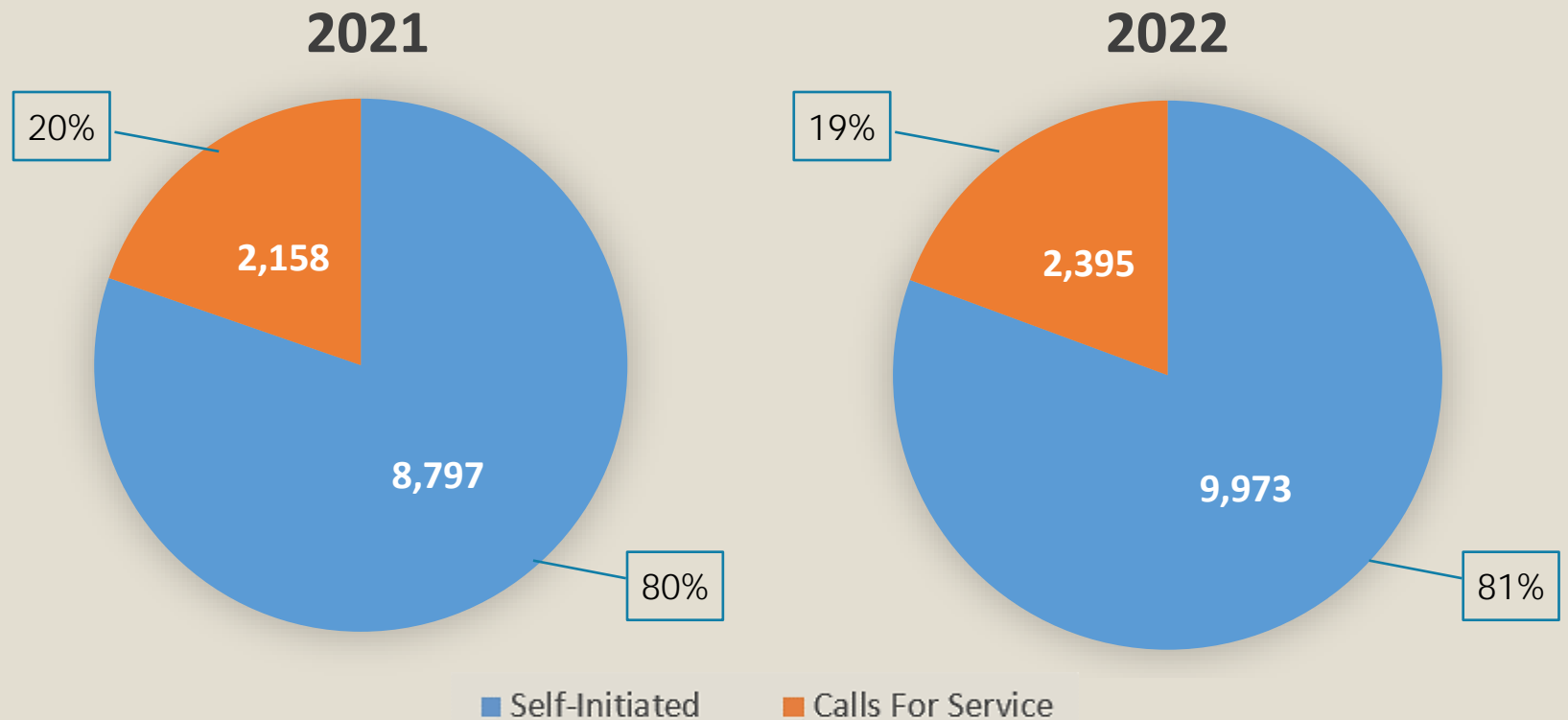


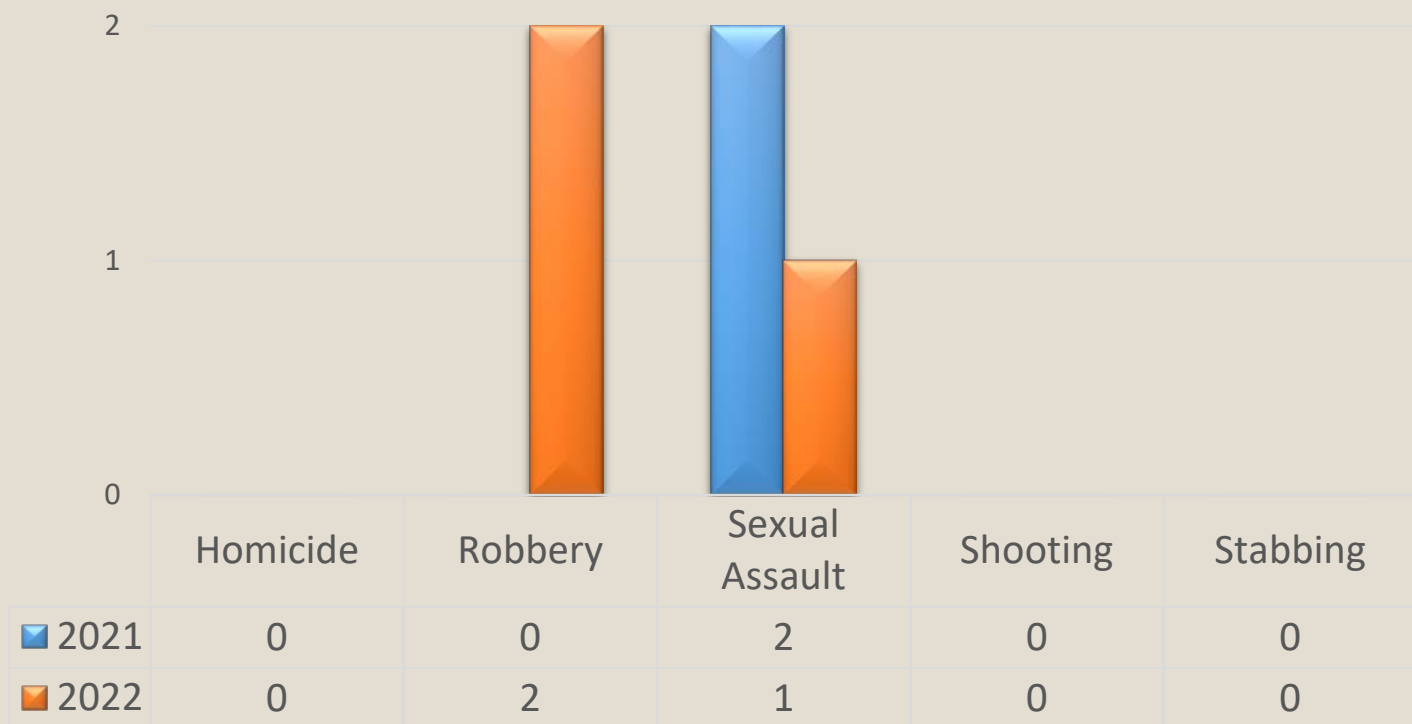
Data Source: Motorola P1

| Crime      |                             | Annual |        |   |      |                |
|------------|-----------------------------|--------|--------|---|------|----------------|
|            |                             | 2021   | 2022   |   | +/-  | Percent Change |
| Person     | Homicide                    | 0      | 0      | — | 0    | N/C            |
|            | Robbery                     | 0      | 2      | ▲ | 2    | INC            |
|            | Sexual Assault              | 2      | 1      | ▼ | -1   | -50%           |
|            | Shooting                    | 0      | 0      | — | 0    | N/C            |
|            | Stabbing                    | 0      | 0      | — | 0    | N/C            |
| Property   | Burglary Business           | 2      | 4      | ▲ | 2    | 100%           |
|            | Burglary Construction       | 2      | 3      | ▲ | 1    | 50%            |
|            | Burglary Residential        | 5      | 5      | — | 0    | N/C            |
|            | Burglary Vehicle            | 7      | 8      | ▲ | 1    | 14%            |
|            | Larceny                     | 14     | 33     | ▲ | 19   | 136%           |
|            | Stolen Vehicle              | 17     | 16     | ▼ | -1   | -6%            |
|            | Stolen Vehicle Recovery     | 4      | 3      | ▼ | -1   | -25%           |
|            | Vandalism                   | 6      | 7      | ▲ | 1    | 17%            |
| Statistics | Arrests and NTAs            | 65     | 57     | ▼ | -8   | -12%           |
|            | Traffic Crashes (3's & 4's) | 111    | 127    | ▲ | 16   | 14%            |
|            | Total CAD Incidents         | 10,955 | 12,368 | ▲ | 1413 | 13%            |
|            | Traffic Stop (1050)         | 1,512  | 1,339  | ▼ | -173 | -11%           |
|            | Business/Residence (1061)   | 7,285  | 8,634  | ▲ | 1349 | 19%            |
|            | CAD Inc.(less 1050 & 1061)  | 2,158  | 2,395  | ▲ | 237  | 11%            |
| FIR        | Total FIR's                 | 94     | 136    | ▲ | 42   | 45 %           |
|            | Gang FIR's                  | 0      | 0      | — | 0    | N/C            |
|            | Truant FIR's                | 0      | 0      | — | 0    | N/C            |
|            | FIR's (Less truant & gang)  | 94     | 136    | ▲ | 42   | 45 %           |

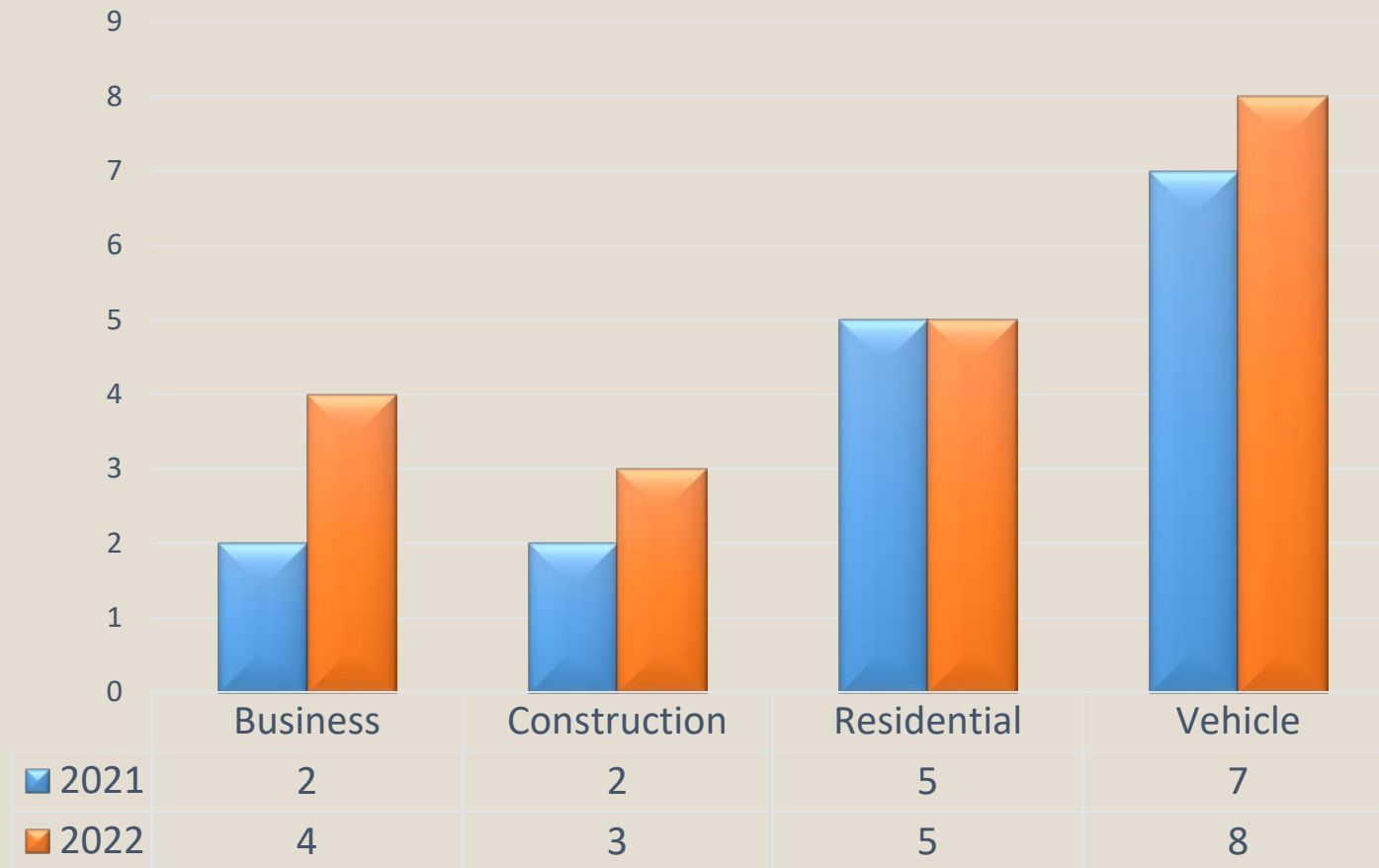
- The information in this report is based on beats within the district.
- Miscellaneous incident type codes: PPI, RED, REPO, RMS, TEST and WEL are excluded from the total CAD Incidents.
- FIR data is collected from the FIR track application.
- This report is dynamic and subject to change.

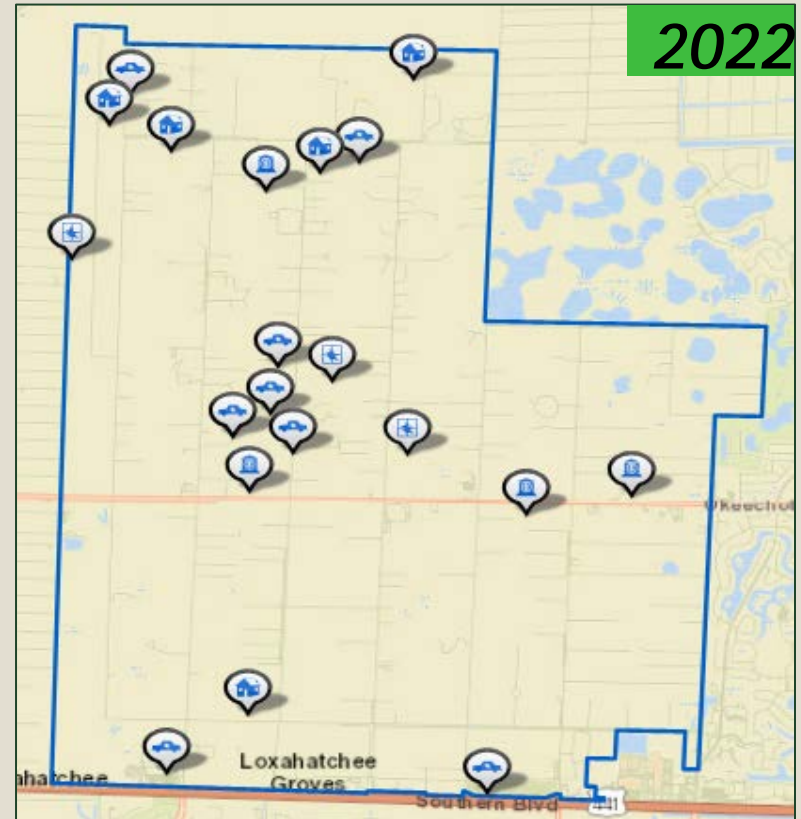
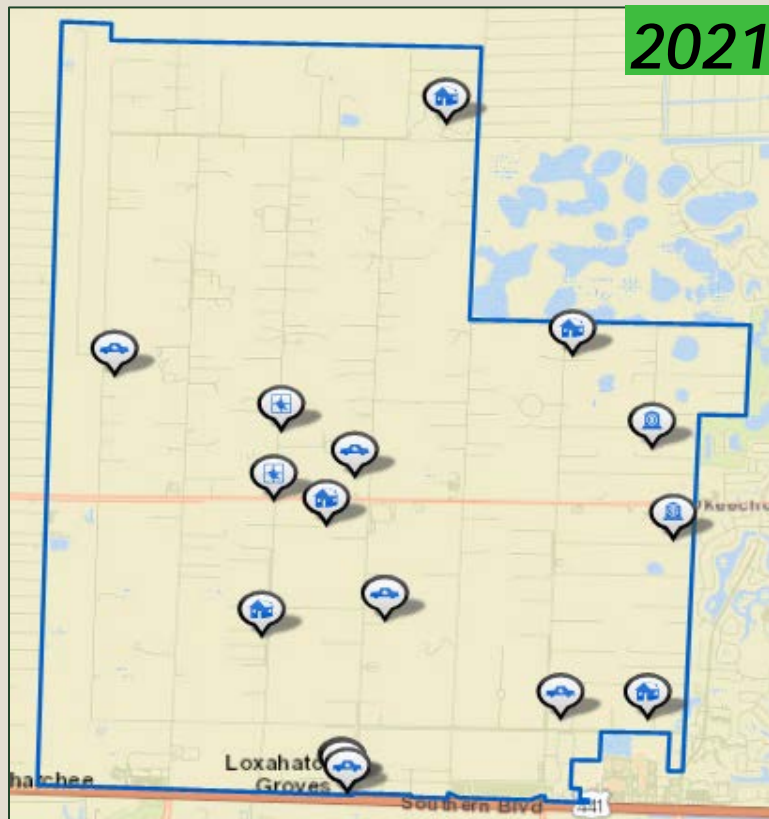
# Calls for Service









## Burglaries

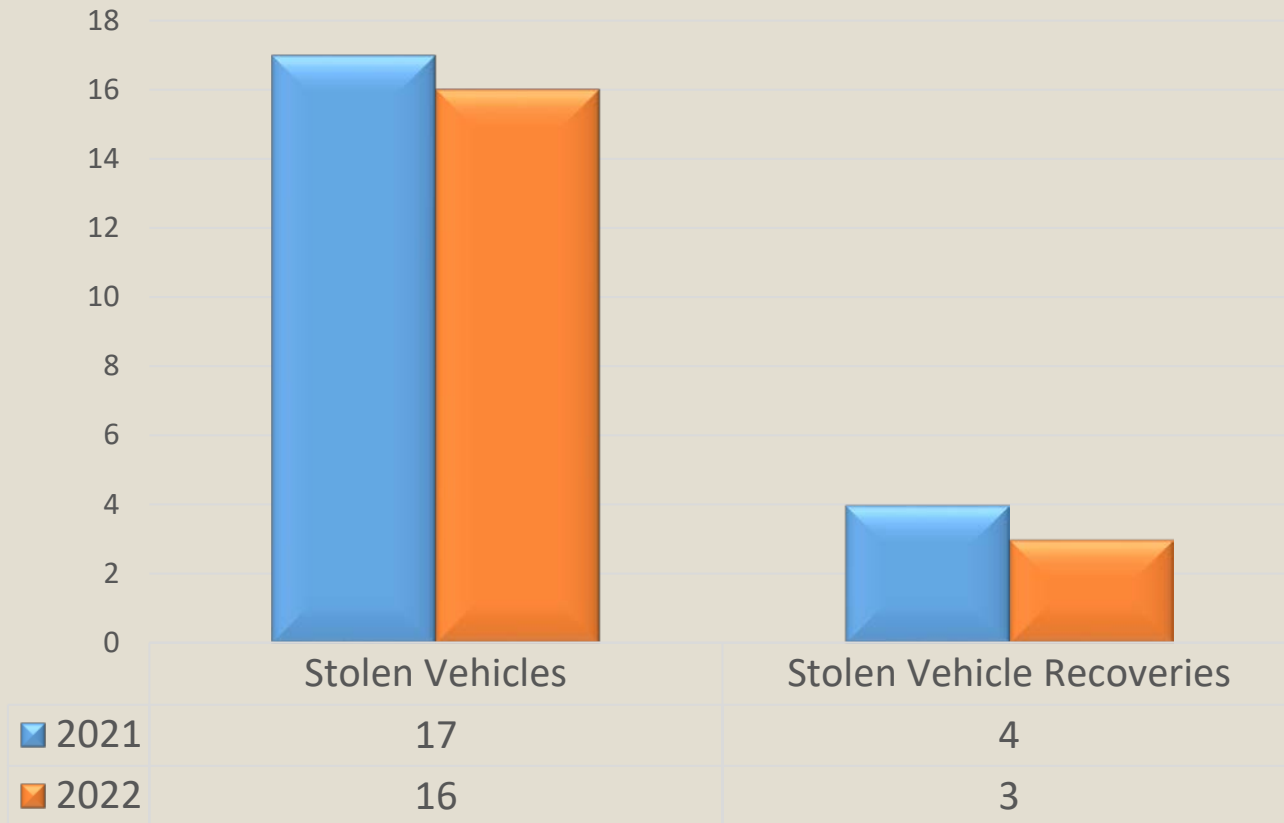


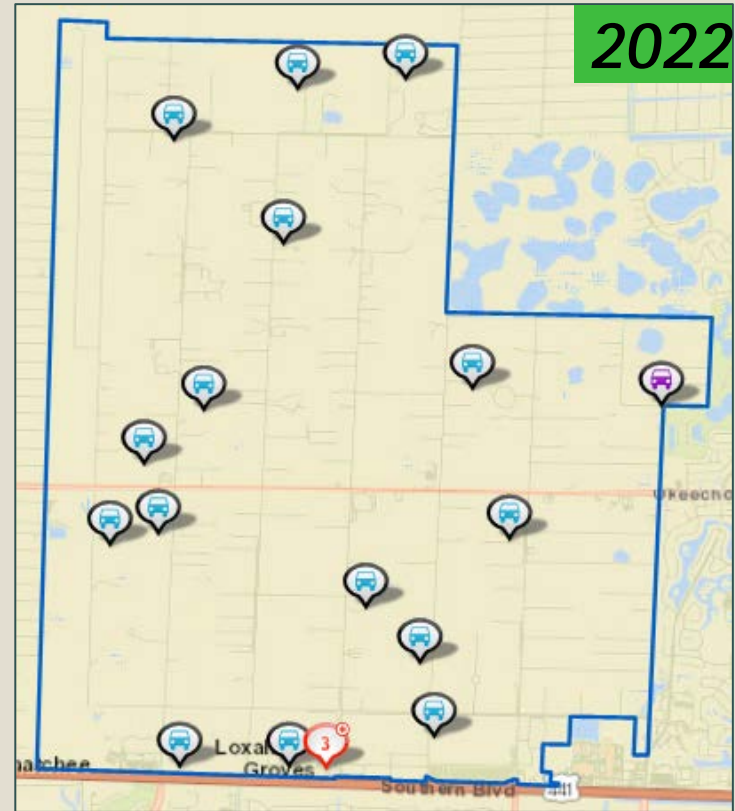
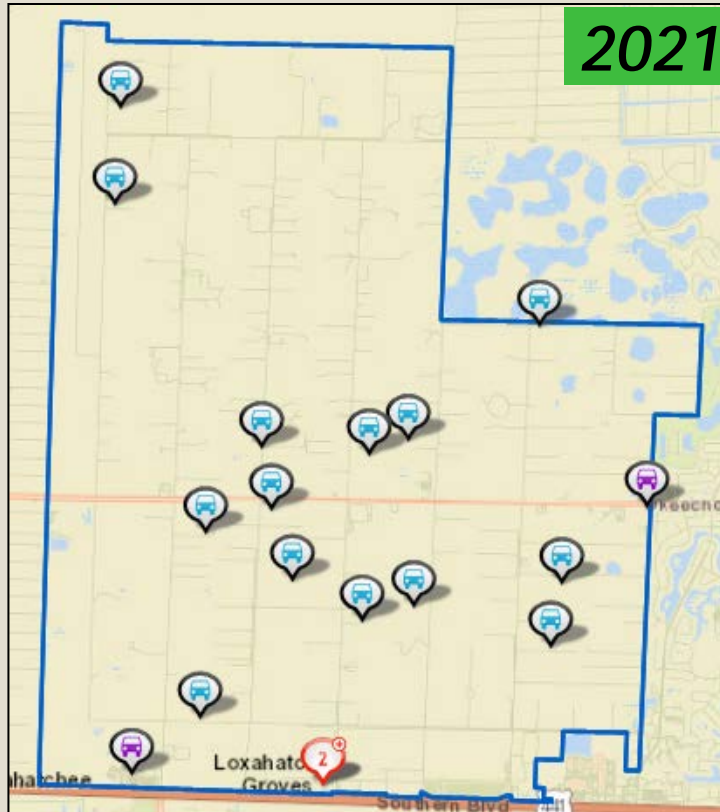




|  | 2021 | 2022 |
|--|------|------|
|  Business     | 2    | 4    |
|  Construction | 2    | 3    |
|  Residential  | 5    | 5    |
|  Vehicle      | 7    | 8    |

Data Source: Crimeview Dashboard

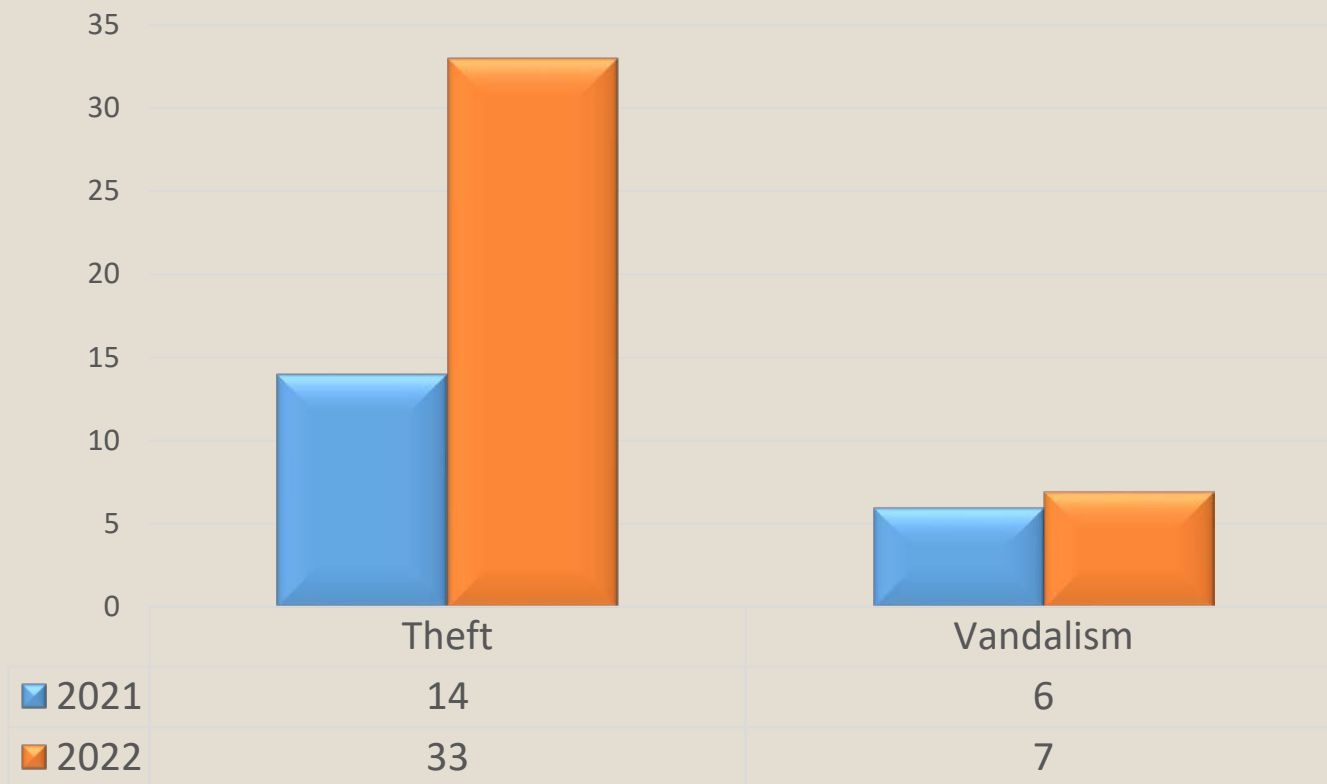
## Stolen Vehicles and Recoveries



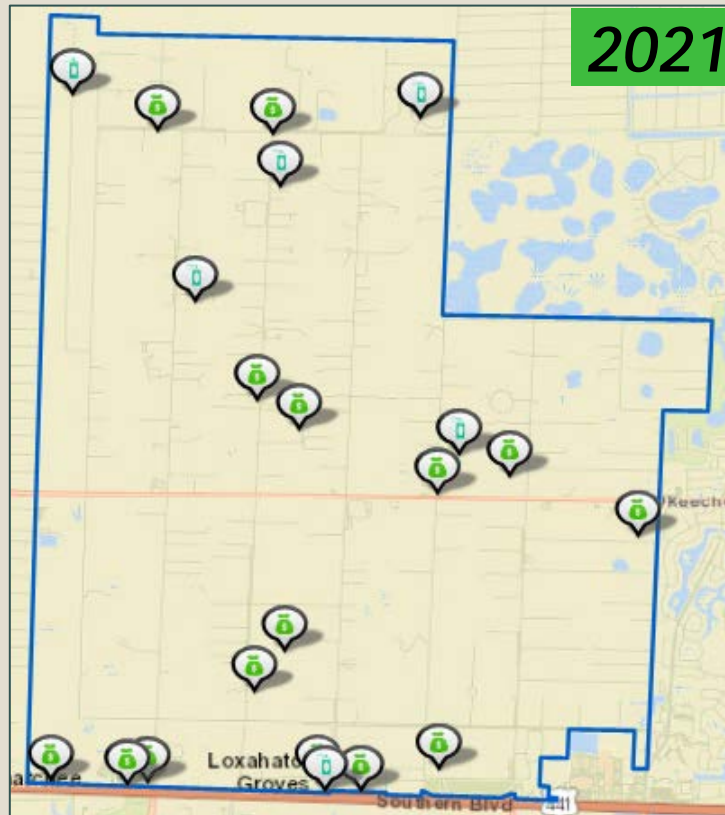


|  | 2021 | 2022 |
|--|------|------|
|  Stolen Vehicles            | 17   | 16   |
|  Stolen Vehicles Recoveries | 4    | 3    |

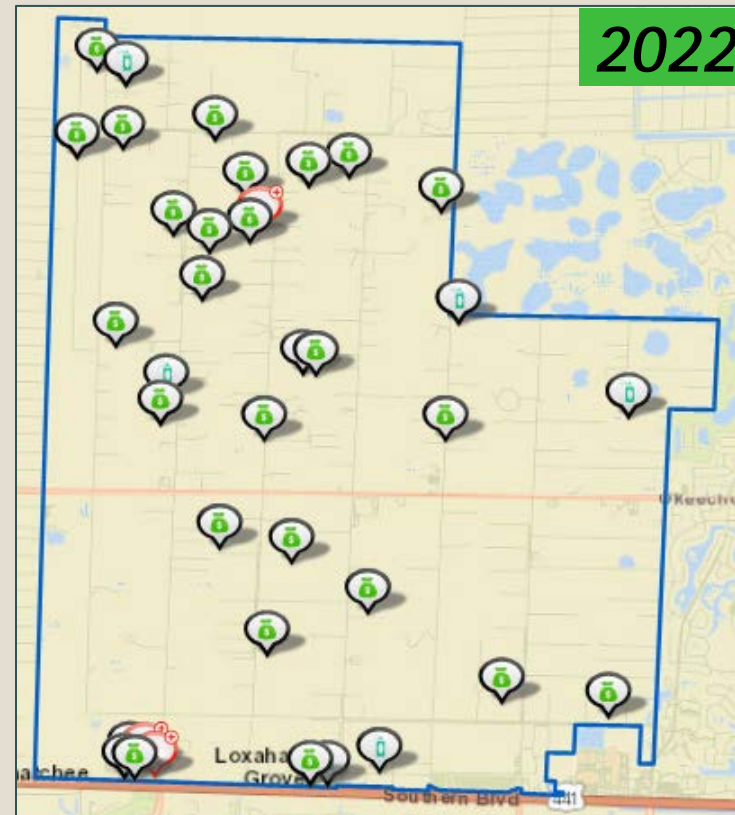
## Theft and Vandalism





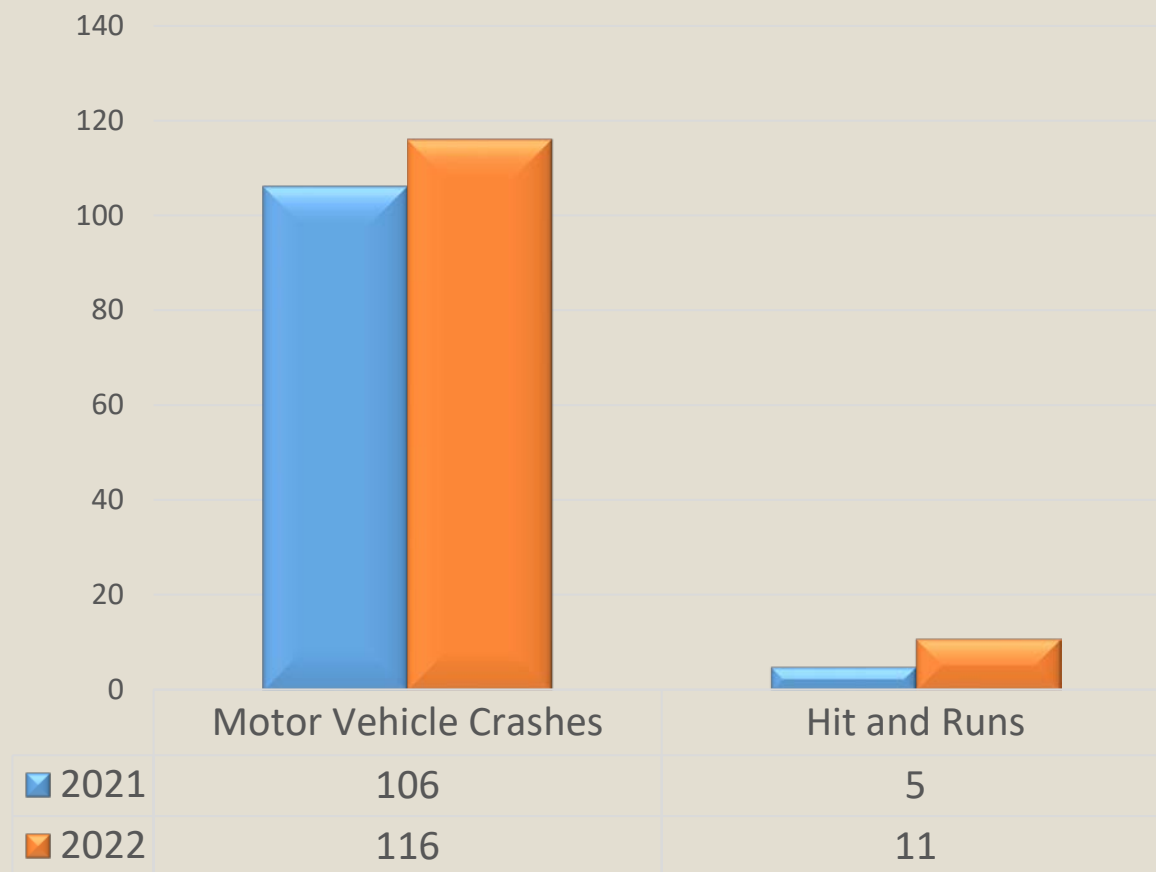


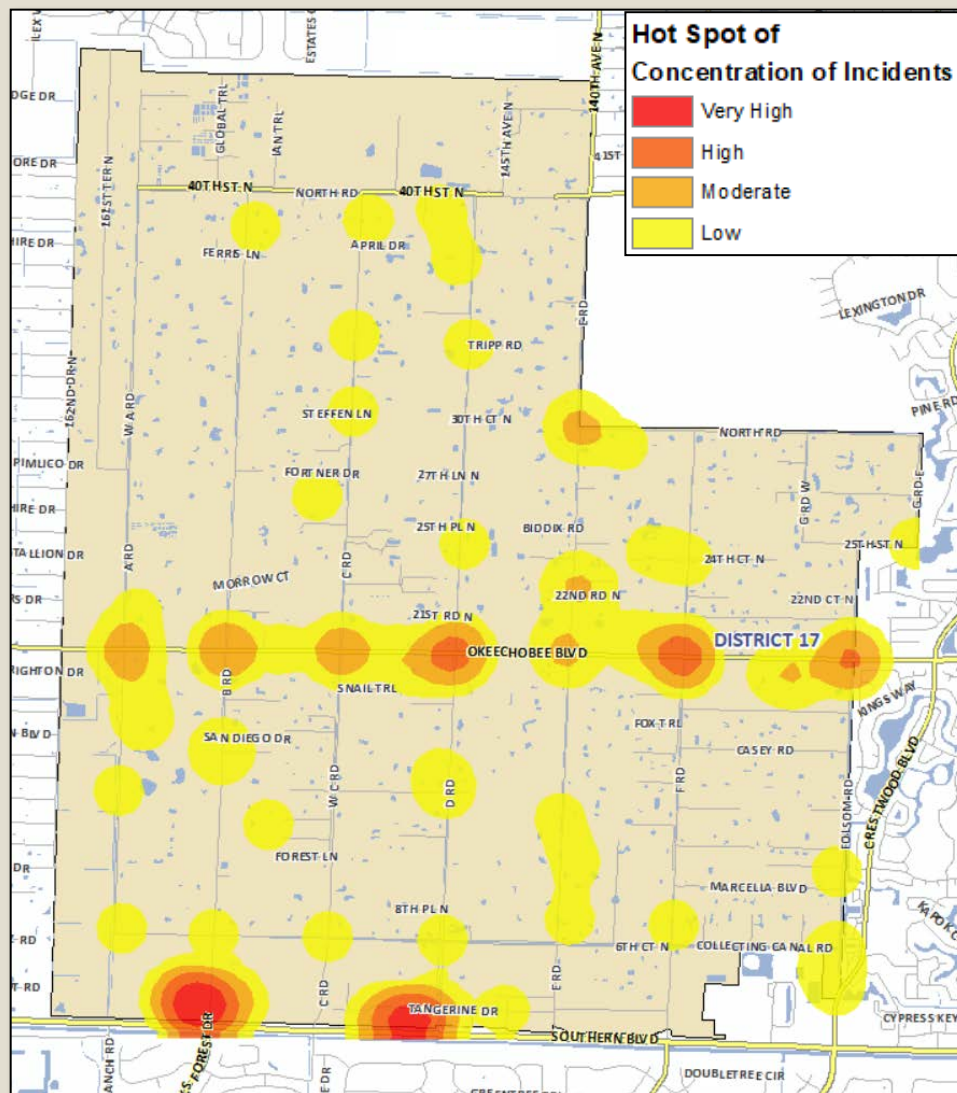
2021



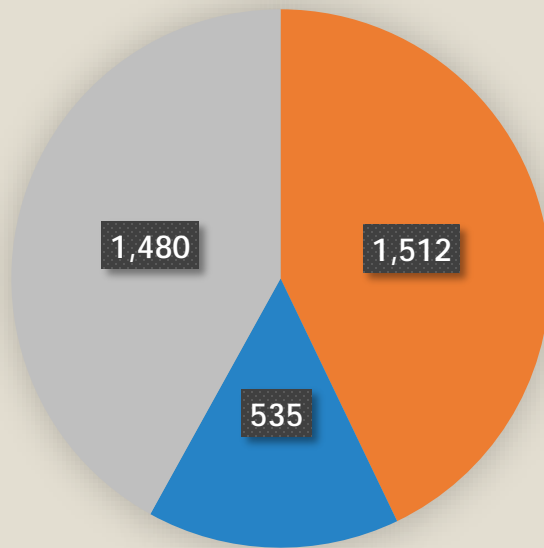
2022

|   | 2021 | 2022 |
|---|------|------|
|  Theft     | 14   | 33   |
|  Vandalism | 6    | 7    |

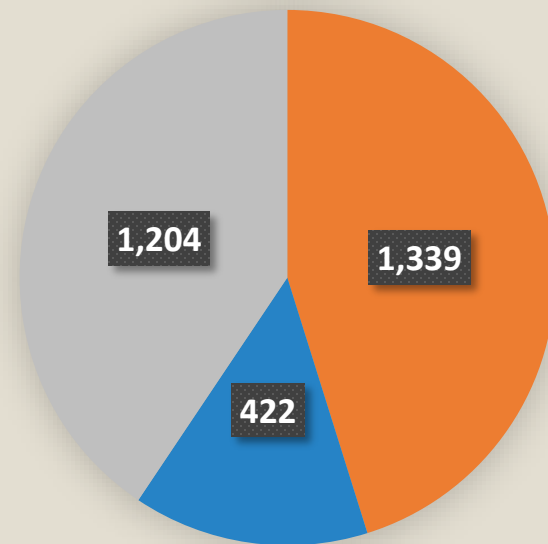




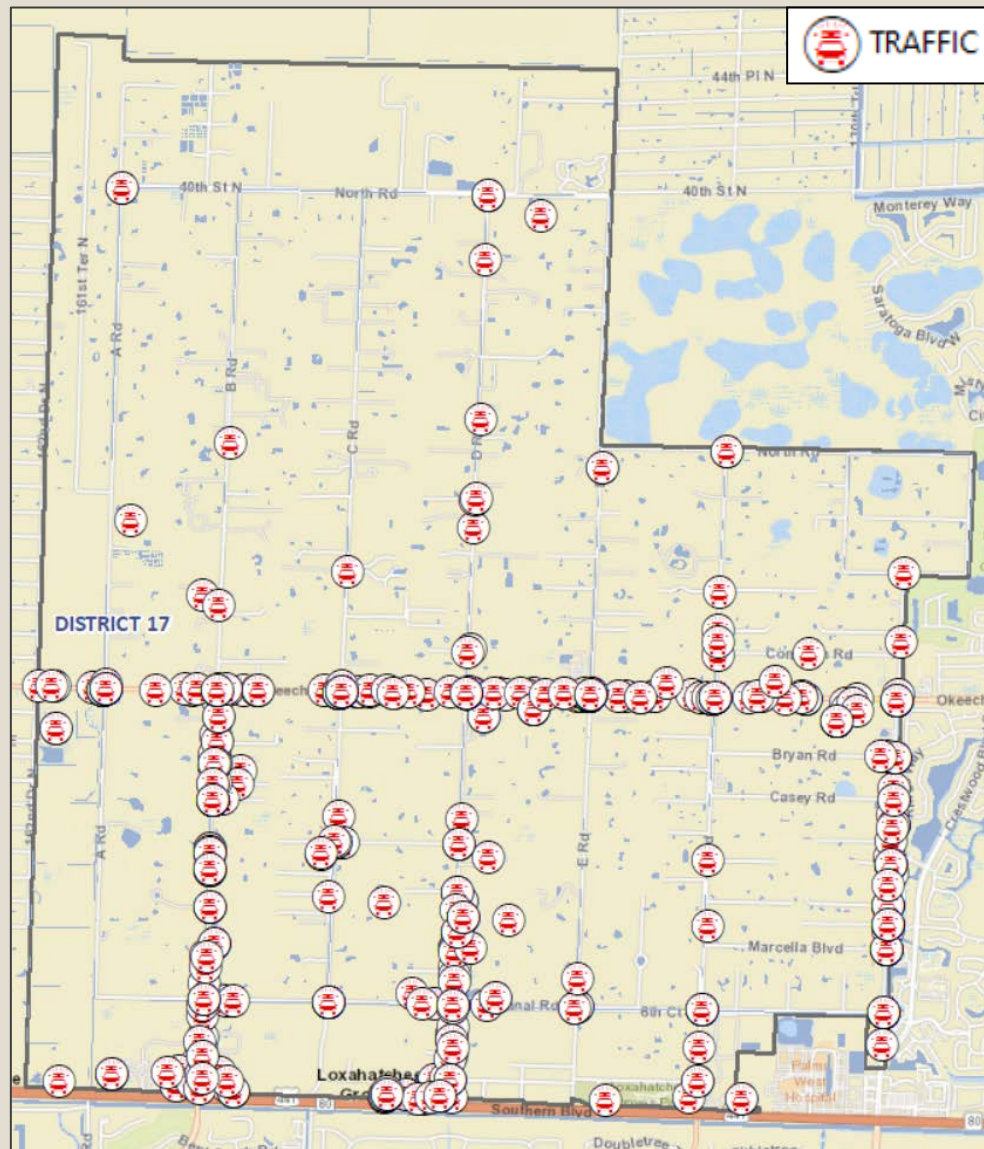
2021



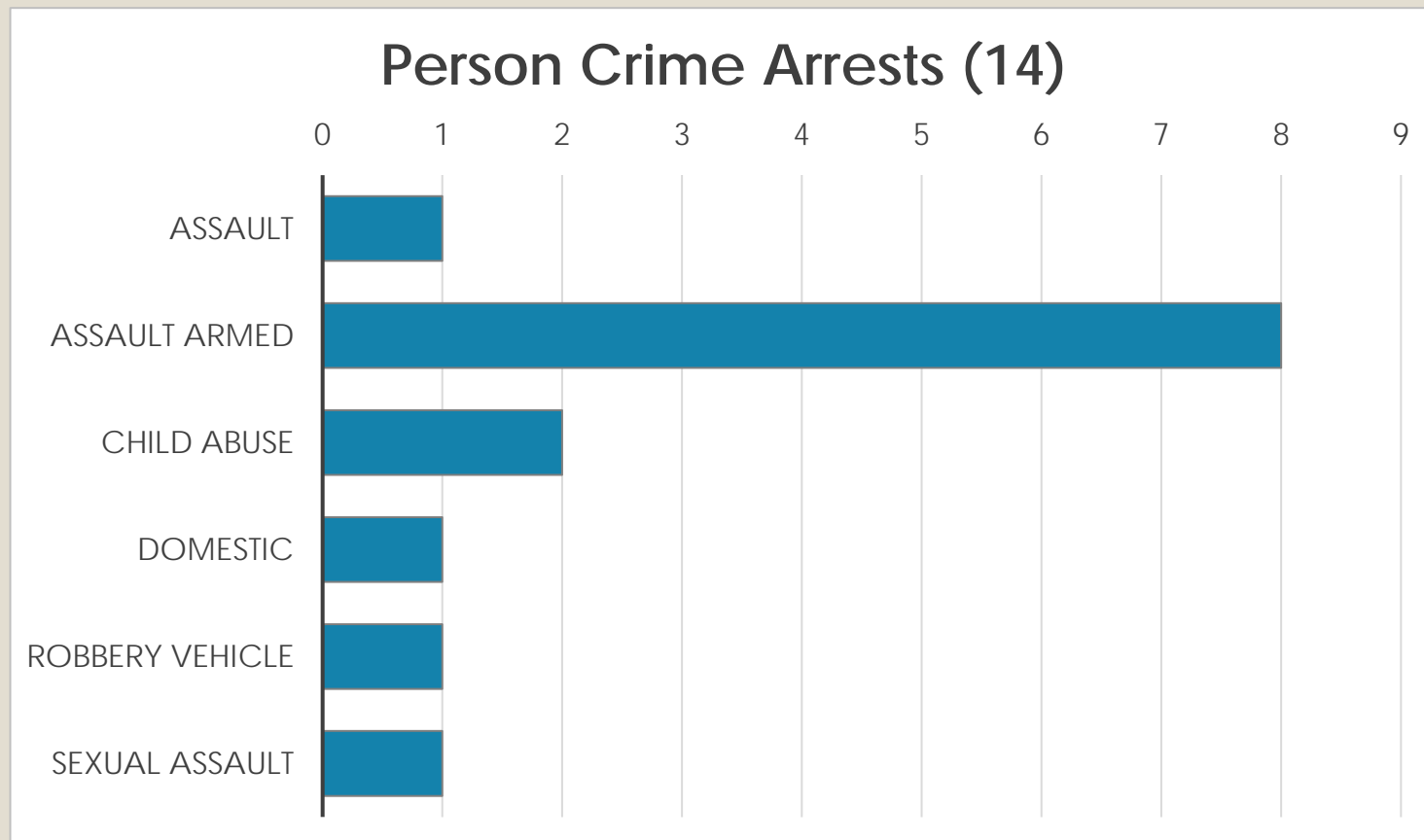
2022

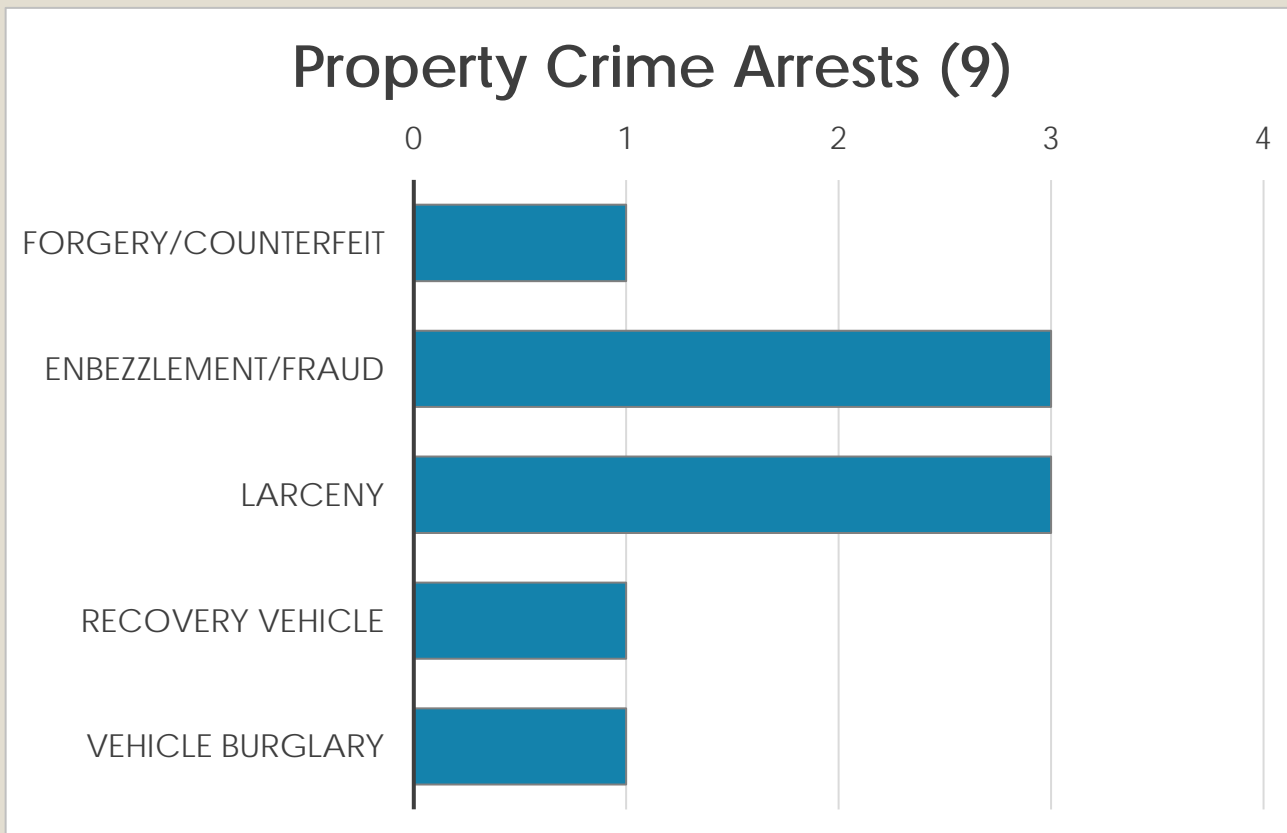


■ Traffic Stops ■ Citations Issued ■ Verbal and Written Warning



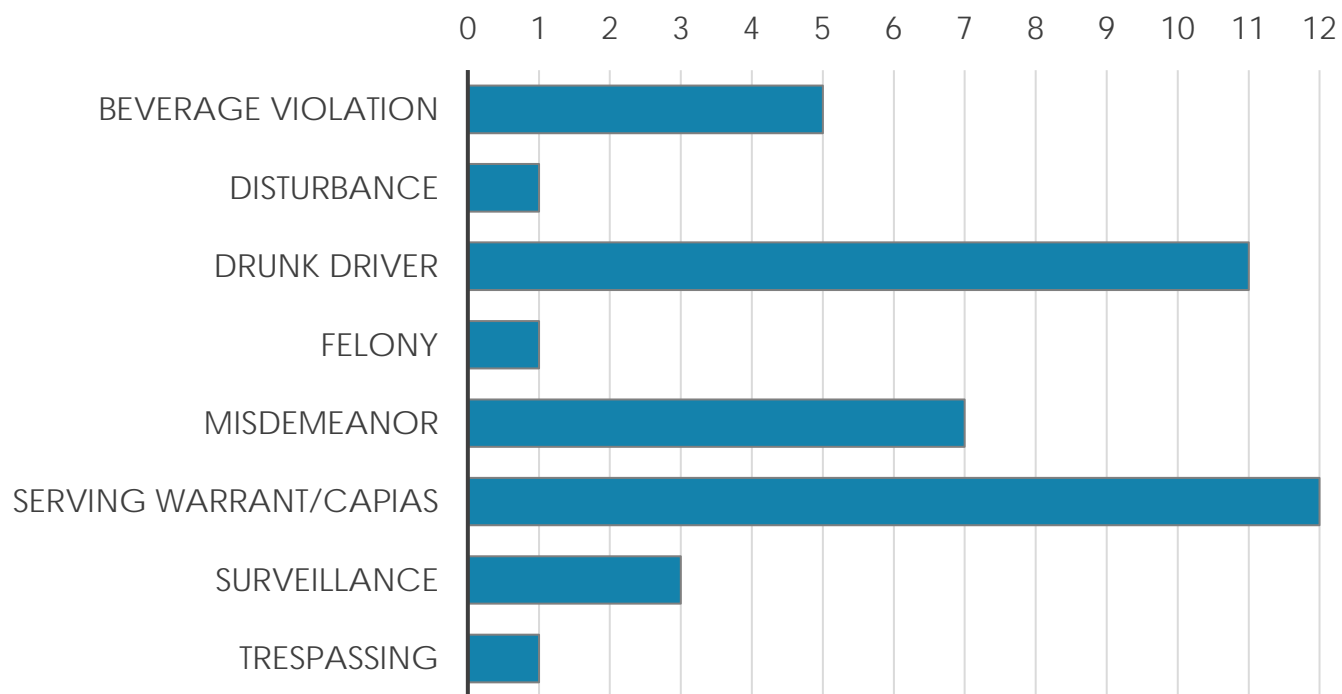
Data Source: Crimeview Desktop







## Miscellaneous Crime Arrests (41)







# Palm Beach State College

15845 Southern Blvd. Loxahatchee, FL

## Calls for Service

| Incident Type           | Incident Count |
|-------------------------|----------------|
| 911 Hangup              | 3              |
| Alarm                   | 1              |
| Alarm Misc/Municipality | 3              |
| Conduct Investigation   | 1              |
| Domestic                | 1              |
| Drunk Driver            | 1              |
| Police Service Call     | 2              |
| Special Detail          | 3              |
| <b>Total</b>            | <b>15</b>      |

| Incident Type              | Incident Count | Incident Type                     | Incident Count |
|----------------------------|----------------|-----------------------------------|----------------|
| 911 Hangup                 | 39             | Motor Vehicle Crash With Injuries | 1              |
| Alarm                      | 15             | Neighbor Trouble                  | 1              |
| Alarm Misc/Municipality    | 14             | Pawn Shop Violations              | 1              |
| Animal Call                | 3              | Police Service Call               | 35             |
| Assault Just Occurred      | 1              | Prescription Case                 | 1              |
| Asst To Another Department | 3              | Problem Solving Traffic           | 1              |
| Burglary Vehicle           | 2              | Robbery Vehicle                   | 1              |
| Civil Matter               | 9              | Serving Warrant                   | 2              |
| Conduct Investigation      | 6              | Shoplifting                       | 2              |
| Disturbance                | 5              | Special Detail                    | 1              |
| Disturbance In Progress    | 2              | Stolen Tag                        | 1              |
| Domestic                   | 8              | Surveillance                      | 2              |
| Domestic Unfounded         | 1              | Suspicious Incident               | 2              |
| Embezzlement/Fraud         | 3              | Suspicious Person                 | 23             |
| Forgery/Counterfeit        | 2              | Suspicious Vehicle                | 7              |
| Information                | 8              | Theft/Larceny                     | 8              |
| Lost/Found Property        | 6              | Trespassing                       | 13             |
| Man Down/Sick Person       | 13             | Unwanted Guest                    | 11             |
| Missing Person Recovery    | 1              | Vandalism                         | 1              |
| Mobile Eyes                | 1              | Welfare Check                     | 2              |
| Motor Veh Crash            | 18             | <b>Total</b>                      | <b>276</b>     |

All CAD incidents excluding self-initiated calls



Chili Cook-off  
4<sup>th</sup> of July Parade  
Poker Run  
Veteran's Day Parade



Questions

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**Agenda Item #7c**

**TO:** Town Council of Town of Loxahatchee Groves  
**FROM:** Francine Ramaglia, Town Manager  
**DATE:** February 21, 2023  
**SUBJECT:** Fiscal Year 2023 1<sup>st</sup> Quarter Reports from Code Enforcement

---

**Background:**

Attached is the Fiscal Year 2023 1<sup>st</sup> Quarter Report from the Code Enforcement Division.

**Recommendation:**

Receive and File





Town of Loxahatchee Groves  
155 F Road  
Loxahatchee Groves, FL 33470

## Code Compliance Summary Report

From 12/1/2022 To 2/28/2023 Corridor (All)

### Case Totals for Period

|  |           |
|--|-----------|
| Cases Open at Start of Period          | 61        |
| Cases Opened During Period             | 32        |
| Cases Opened as result of Complaint    | 32        |
| Cases Closed During Period             | 11        |
| Cases Closed due to compliance         | 7         |
| Cases Open at End of Period            | 82        |
| Inspections                            | 32        |
| Reinspections                          | 34        |
| <b>Total</b>                           | <b>66</b> |
| Special Magistrate Cases During Period | 23        |

### Case Summary by Officer

| Officer        | Open at Start | Opened During Period | Opened as result of Complaint | Closed During Period | Closed due to compliance | Open at End of Period |
|----------------|---------------|----------------------|-------------------------------|----------------------|--------------------------|-----------------------|
| A. Schmeider/1 | 0             | 5                    | 5                             | 5                    | 2                        | 0                     |
| B. Pita/N/A    | 0             | 2                    | 2                             | 0                    | 0                        | 2                     |
| J. Herring     | 2             | 1                    | 1                             | 2                    | 2                        | 1                     |
| J. Lopez/1     | 0             | 3                    | 3                             | 2                    | 2                        | 1                     |
| J. Martinez    | 58            | 15                   | 15                            | 1                    | 1                        | 72                    |
| L. Collegio/1  | 1             | 1                    | 1                             | 1                    | 0                        | 1                     |
| M. Matos/1     | 0             | 4                    | 4                             | 0                    | 0                        | 4                     |
| S. System/     | 0             | 1                    | 1                             | 0                    | 0                        | 1                     |
| <b>Total</b>   | <b>61</b>     | <b>32</b>            | <b>32</b>                     | <b>11</b>            | <b>7</b>                 | <b>82</b>             |





Town of Loxahatchee Groves  
155 F Road  
Loxahatchee Groves, FL 33470

## Code Compliance Summary Report

From 12/1/2022 To 2/28/2023 Corridor (All)

### Inspections by Officer

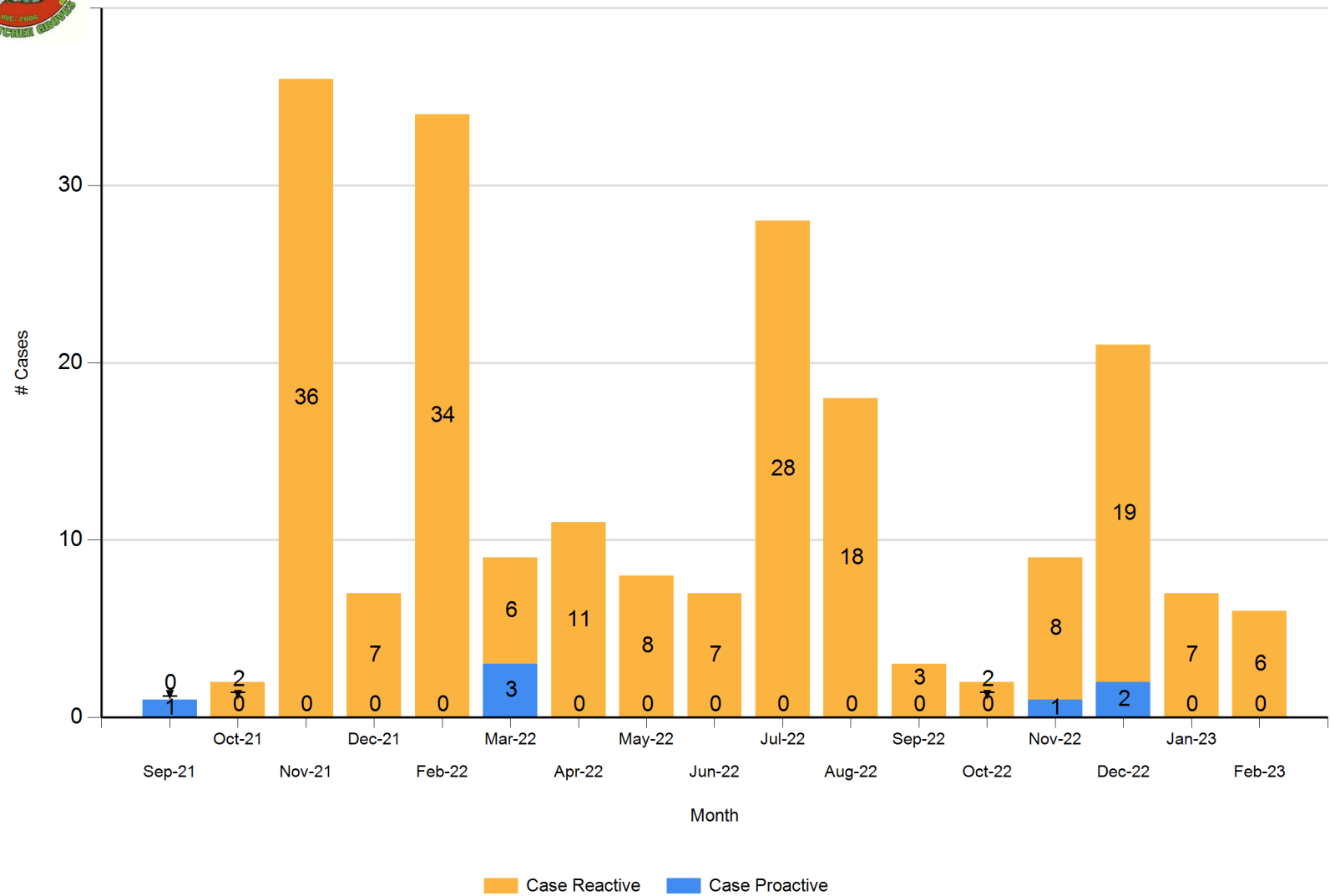
| Officer        | Inspections | Reinspections | Total     |
|----------------|-------------|---------------|-----------|
| A. Schneider/1 | 4           | 1             | 5         |
| B. Pita/N/A    | 2           | 12            | 14        |
| J. Herring     | 2           | 1             | 3         |
| J. Lopez/1     | 3           | 0             | 3         |
| J. Martinez    | 16          | 20            | 36        |
| M. Matos/1     | 4           | 0             | 4         |
| S. System/     | 1           | 0             | 1         |
| <b>Total</b>   | <b>32</b>   | <b>34</b>     | <b>66</b> |

### Summary of Cases Opened by Incident Type

| Incident Type                        | Number    |
|--------------------------------------|-----------|
| Tree Removal unpermitted             | 9         |
| Zoning Violation                     | 5         |
| Flood Plain (FDA)                    | 4         |
| Manure Violation                     | 2         |
| Equipment Screening                  | 2         |
| Recreational Vehicle / Trailer       | 2         |
| Waste Management Franchise Agreement | 1         |
| Misc. Violation                      | 1         |
| Nuisance                             | 1         |
| Property Maintenance                 | 1         |
| Garbage or Trash Violation           | 1         |
| Building Permit Required             | 1         |
| Business Tax Receipt (BTR)           | 1         |
| Commercial Vehicle / Trailers        | 1         |
| <b>Total</b>                         | <b>32</b> |



Incidents by Reaction Type/Month, 12/1/2022 to 2/28/2023





# LOXAHATCHEE — GROVES — F L O R I D A

## Public Works Department Quarterly Report October 1, 2022 -January 31, 2023

- Roadway 18" culvert replacement at Folsom and Compton Road.
- Roadway and Canal Bank overgrowth trimmed back at E Road, Collecting Canal, Folsom, 160<sup>th</sup>, 42<sup>nd</sup>, Tangerine, 145<sup>th</sup> Ave N, 43<sup>rd</sup> Rd N, B Road, and A Road.
- Completed road repairs and reshaping to: Tangerine, E Citrus, 161<sup>st</sup>, Loxahatchee Ave, Citrus Dr, E Road from 6<sup>th</sup> Ct to Southern Blvd, West D, 6<sup>th</sup> Ct, Kerry Ln, Farley Rd, Fox Tr, Edith Rd, 11<sup>th</sup> Ter, Gruber Ln, Casey Rd, Biddix Rd, 147<sup>th</sup> Av.
- Repaired washout at D Road and Collecting Canal.
- Storm preparation and cleaned up for Hurricanes IAN and Nicole.
- Pre-paving preparations for Collecting Canal.
- B Road Canal Cleaning.
- Town wide tires and trash clean up, 2 containers.
- Culvert Replacement at D Road and Gruber.
- Culvert Replacement at 1032 E Road.
- Monitored 96" culvert replacement at E Road and Collecting Canal.
- Monitored the construction of the Equestrian Bridge located at Collecting Canal and C Road.
- Pump House clean up and prepared for motor replacement.
- Supervised Motor Replacement.
- Supervised the completion of the Gruber and D Road Culvert Bridge Replacement.
- Removed 5 containers of illegal dumping from South C Road (Manure and yard trash).
- Repaired washout at the canal bank berm at E Road South of Okeechobee.
- Graded roads as needed with available manpower.
- Mowing of Canal banks as needed with available manpower.
- Submitted the Quarterly water withdrawal report for SFWMD.

## PLANNING AND ZONING PROJECTS FEBRUARY 2023

### A. Evaluation and Appraisal Comprehensive Plan Revision

### B. Future Land Use and Zoning Map Amendments and Site Plan Approvals

1. Piquet (Paintball) Future Land Use Map amendment, Rezoning and Site Plan approval;
2. Seth Brier Future Land Use Map amendment;
3. Big Dog Ranch Site Plan amendment;
4. Auntie Anne's & Jamba Juice Site Plan approval (Pod B Groves Town Center);
5. Palm Beach Orthopedic Institute Site Plan approval (Pod C Groves Town Center);
6. Lockhart Self-Storage Site Plan amendment and Cross Access agreement; and
7. Tetro Historical Legacy Special Exception application.

### C. Miscellaneous Planning and Zoning Projects

1. WAWA Administrative Landscape Plan amendment;
2. Culver's Sign Permits; and
3. B Road Driveway Access from Publix;
4. Unrecorded Plat inventory and analysis; and
5. Groves Town Center Phase 2 Clearing Permit.

### D. Code Enforcement – After-the-Fact Clearing Permits

1. Piquet (Paintball);
2. 14599 Collecting Canal;
3. 1362 E Road;
4. 15211 Okeechobee Blvd. and
5. 13288 Compton Road.
6. 14803 April Drive

### E. ULDC Revision

1. Article 87 – Tree Removal

**Agenda Item # 8**

**TO: Town Council of Town of Loxahatchee Groves**  
**FROM: Francine Ramaglia, Town Manager**  
**DATE: February 21, 2023**  
**SUBJECT: Review and Discussion of Priorities**

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**Background:**

Attached is a list of ordinances, resolutions and policies arising from Council identified priorities. In order to focus on what is able to be accomplished it is necessary to review and revisit timing of the items on this list so the staff can prepare future agendas and plan for what is reasonably achievable in the remainder of Fiscal Year 2023. Once the Council has identified their main priorities the Town Manager will bring back a plan and draft schedule for the accomplishment of identified goals.

**Recommendation:**

Review, discuss and direct the Staff.

| Date In    | Priority Level | Task   | Attorney | Last date in | Last date out | Final to Council/Admin |
|------------|----------------|--|----------|--------------|---------------|------------------------|
| 1/18/2022  | 1              | Tree mitigation code clean up/conflict repeal                        | EL       | 1/2/2023     | 11/15/2022    |                        |
| 1/2/2023   | 1              | Review Ordinance amendments to Article 87                            | EL       |              |               |                        |
| 4/19/2022  | 1              | Draft tree mitigation site resolution                                | EL       |              | 6/30/2022     |                        |
| 6/22/2022  | 1              | Revise tree removal permits re legislation                           | EL       | 12/9/2022    |               |                        |
| 7/21/2022  | 1              | Draft opinion on ag use of property                                  | RH       | 9/13/2022    | 9/13/2022     |                        |
| 9/12/2022  | 1              | Review of PBC Code re dogs   | EL/KL    | 12/2/2022    | 12/2/2022     |                        |
| 9/22/2022  | 1              | Review Cross-access Lockhart Storage                                 | EL       | 1/12/2023    | 1/25/2023     |                        |
| 1/20/2023  | 1              | Draft response re termination of code contract                       | EL       |              |               |                        |
| 1/26/2023  | 1              | Research re easement involving decedent                              | EL       |              |               |                        |
| 1/26/2023  | 1              | Respond to letter re withdrawal of purchase order                    | EL       | 1/31/2023    | 1/31/2023     |                        |
| 1/30/2023  | 1              | Research conceptual review and quasi-judicial procedures             | EL       |              |               |                        |
| 1/31/2023  | 1              | Review contracts with Munilytics for finance and accounting services | EL       | 2/3/2023     | 2/3/2023      |                        |
| 2/1/2023   | 1              | Review contract with CivicPlus                                       | EL       |              | 2/2/2023      |                        |
|            | 1              | Pata litigation coordination   | EL       | 2/1/2023     | 2/1/2023      |                        |
| 1/11/2023  | 1              | Itskovich Appeal   | KL/GT    |              |               |                        |
| 9/30/2022  | 1              | Draft Ordinance re nuisance odors                                    | KL/EL    |              |               |                        |
| 10/18/2022 | 1              | Draft Ordinance regarding code enforcement fine reductions           | EL/KL    | 1/30/2023    | 1/30/2023     |                        |
| 11/5/2022  | 1              | Review draft Citation Ordinance                                      | EL/KL    |              |               |                        |

| Date In    | Priority Level | Task  | Attorney | Last date in   | Last date out | Final to Council/Admin |
|------------|----------------|---|----------|----------------|---------------|------------------------|
| 11/21/2022 | 1              | Research transition of ag exemption with sale of property   | EL/RH    |                |               |                        |
| 11/22/2022 | 1              | Review FLU of Comp Plan   | EL       |                | 12/6/2022     |                        |
| 11/30/22?  | 1              | Review Code Dept SOPs   | KL/EL    |                |               |                        |
| 11/30/22?  | 1              | Review Building Dept SOPs   | EL       |                |               |                        |
| 12/1/2022  | 1              | Review public records question regarding maps   | EL       | 12/6/2022      | 12/6/2022     |                        |
| 12/6/2022  | 1              | Public Records Request (Trudel)   | DM/EL    |                | 12/6/2022     |                        |
| 12/9/2022  | 1              | Review Code Forms   | KL       |                |               |                        |
| 11/1/2022  | 1              | Work with Town Manager regarding paving of Town roads by private parties; permits required; and enforcement | EL/KL    | 1/12/2023      | 1/12/2023     |                        |
| 11/1/2022  | 1              | Revise documents regarding turn lane from Publix onto B Road  | EL       | 11/16/2022     |               |                        |
| 12/13/2022 | 1              | Draft employee PIP  | DM       | On hold per TM |               |                        |
| 11/21/2022 | 2              | Research full time residential use of RVs on property   | EL       | 12/2/2022      | 12/2/2022     |                        |
| 11/22/2022 | 2              | Revise Permits regarding canals   | EL/RH    |                |               |                        |
| 12/2/2022  | 2              | Draft form to be incorporated into County process for animal care & control use approvals                   | EL/KL    |                |               |                        |
| 12/2/2022  | 2              | Draft regulations regarding animal related uses   | EL/KL    |                |               |                        |
| 10/18/2022 | 2              | Draft Ordinance regarding advisory boards   | EL       | 12/2/2023      |               |                        |
| 11/2/2021  | 2              | Revise nuisance abatement codes   | EL/KL    | 1/17/2023      |               |                        |

| Date In    | Priority Level | Task  | Attorney | Last date in                        | Last date out | Final to Council/Admin |
|------------|----------------|---|----------|-------------------------------------|---------------|------------------------|
| 7/14/2021  | 2              | Draft ordinances regarding designated facilities                                | EL       |                                     |               |                        |
| 9/20/2021  | 2              | Draft ordinances regarding regulation of livestock waste                        | EL/RH    |                                     | 2/8/2022      |                        |
| 9/20/2021  | 2              | Draft ordinance regarding registration of livestock waste haulers               | EL/RH/JH | 11/1/2022                           | 11/1/2022     |                        |
| 9/20/2021  | 2              | Draft ordinance regarding registration of landscaping and land clearing vendors | EL/JH    | 11/1/2022                           | 11/1/2022     |                        |
| 9/20/2021  | 2              | Draft ordinance regarding nurseries   | EL/RH    | 11/1/2022                           | 11/1/2022     |                        |
| 10/18/2022 | 2              | Draft assessment program for drainage (culvert replacements)                    | EL/JH    |                                     |               |                        |
| 11/21/2022 | 3              | Churches in Residential zoning  | EL       | 12/2/2022                           | 12/2/2022     |                        |
| 9/15/2021  | 3              | Revise BTR Ordinance  | EL       |                                     |               |                        |
| 9/15/2021  | 3              | Draft Agreement with ProChamps for vacant property registry and BTR database    | EL       |                                     |               |                        |
| 9/20/2021  | 3              | Draft Ordinance for use and occupancy certificate                               | EL       |                                     | 2/9/2022      |                        |
| 7/19/2022  | 3              | Update ULDC regarding ALFs  | EL       |                                     |               |                        |
| 11/1/2022  | 3              | Prepare workshop discussion item regarding nonconformities and unrecorded plats | EL       | 2/3/2023                            | 2/3/2023      |                        |
| 8/4/2022   | 4              | Draft Interlocal with ITID regarding milling of roads                           | EL       |                                     |               |                        |
| 8/15/2022  | 4              | Draft contract for easement collection services                                 | EL       | 9/14/2022<br>Staff to provide draft |               |                        |



| Date In    | Priority Level | Task   | Attorney | Last date in                                   | Last date out                               | Final to Council/Admin |
|------------|----------------|--|----------|--|---|------------------------|
| 8/18/2022  | 4              | Review zoning confirmation letter for paintball site   | EL/KL    | 10/26/2022                                     | 10/19/2022                                  |                        |
| 9/12/2022  | 4              | Review lot split of non-conforming lot 15427 San Diego   | EL/KL    | 2/3/2023                                       | 2/3/2023                                    |                        |
| 11/10/2021 | 4              | Review and revise Interlocal Agreement with Village of Royal Palm Beach regarding assessment of properties | EL       | 11/1/2022                                      | 11/1/2022                                   |                        |
| 4/5/2022   | 4              | Update sign code   | EL/SG    | 10/19/2022                                     | 10/18/2022                                  |                        |
| 4/5/2022   | 4              | Review jurisdictional authority for Okeechobee and Folsom  | EL       | 01/03/23 Council discussion                    | 5/18/2022                                   |                        |
| 5/27/2022  | 4              | Research and draft documentation regarding district v town   | EL       |  |   |                        |
| 6/22/2022  | 4              | Draft Agreement regarding funds to former Town Manager   | LD       | 2/2/2023                                       | 2/3/2023                                    |                        |
| 6/30/2022  | 4              | Draft job descriptions   | DM       | 8/10/2022                                      | 08/10/22;<br>9/13/22<br>(resent 8/10 email) |                        |
| 6/30/2022  | 4              | Personnel investigation I  | DM       | 8/3/2022                                       | 10/10/2022                                  |                        |
| 10/17/2022 | 4              | Draft Ordinance regarding communications facilities in right-of-way  | EL       |  |   |                        |
| 10/24/2022 | 4              | Go Cart track on paintball site  | EL/KL    | TM working with owner to comply all violations | 2/2/23 Draft Stipulation to TM              |                        |

| Date In    | Priority Level | Task  | Attorney | Last date in                           | Last date out | Final to Council/Admin |
|------------|----------------|---|----------|--|---------------|------------------------|
| 11/1/2022  | 4              | Research de-annexation and annexation                       | EL       | 12/2/2022                              | 12/2/2022     |                        |
| 11/9/2022  | 4              | Draft NOV and Settlement Agreement regarding paintball site | EL/KL    | 2/2/2023                               | 2/2/2023      |                        |
| 11/9/2022  | 4              | Review of potential Historical Legacy                       | EL       | 2/3/2023                               | 2/3/2023      |                        |
| 11/1/2022  | 4              | Research/draft regarding establishment of mobility fee      | EL       |  |               |                        |
| 7/5/2022   | 5              | Draft adopt-a-site program                                  | EL       |  |               |                        |
| 7/5/2022   | 5              | Research road drainage on ag property                       | EL       | 9/8/2022                               |               |                        |
| 11/16/2021 | 5              | Draft cost sharing policy                                   | EL       | 10/17/2022                             | 10/17/2022    |                        |
| 11/16/2021 | 5              | Update purchasing manual and Code                           | EL       | 8/18/2022<br>Requested<br>Hold on this |               |                        |
| 11/16/2021 | 5              | Update contract forms                                       | EL       | 8/18/2022                              |               |                        |
| 11/30/2021 | 5              | Draft Interlocal with County for contractor enforcement     | EL       |  | 12/30/2021    |                        |
| 8/31/2021  | 5              | Draft property maintenance code                             | EL       |  |               |                        |
| 2/24/2022  | 5              | Draft Resolution regarding FPL pole relocation              | EL       | 8/18/2022                              | 8/18/2022     |                        |
| 4/5/2022   | 5              | Research officers of water control district                 | EL       |  |               |                        |
| 4/11/2022  | 5              | Revise Human Resources Policy Manual                        | DM       | 12/13/2022                             | 12/13/2022    |                        |
| 5/3/2022   | 5              | Draft trail naming policy                                   | EL       |  |               |                        |
| 9/14/2022  | 5              | Draft Resolution re paving plan                             | EL       |  |               |                        |
| 9/14/2022  | 5              | Draft Resolution re road rock plan                          | EL       |  |               |                        |

| Date In    | Priority Level | Task  | Attorney | Last date in                   | Last date out | Final to Council/Admin |
|------------|----------------|---|----------|--------------------------------|---------------|------------------------|
| 11/1/2022  | 5              | Draft RFP for solid waste contract  | EL       | On hold by Council<br>01/17/23 | 1/6/2023      |                        |
| 12/1/2022  |                | Prepare Code Checklist  | KL       |                                |               |                        |
| 12/2/2022  |                | Draft Ordinance re accessory dwellings and year-round RV use for storage and living | EL       |                                |               |                        |
| 12/2/2022  |                | Research and draft Ordinance re Agritourism   | EL/RH    |                                |               |                        |
| 12/2/2022  |                | Draft Ordinance re educational and camp uses  | EL       |                                |               |                        |
| 12/3/2022  |                | Review of regulations re unrecorded plats   | EL       |                                |               |                        |
| 12/9/2022  |                | Review Water Permit Application   | EL/RH    |                                |               |                        |
| 12/14/2022 |                | Review Declaration for potential amendment or release                               | EL       | 1/25/2023                      | 1/25/2023     |                        |
| 12/15/2022 |                | Research re drainage issues on 145th  | EL/RH    | 1/31/2023                      | 1/31/2023     |                        |
| 12/20/2022 |                | Research conflicts of interest related to volunteer work                            | EL       |                                |               |                        |
| 12/31/2022 |                | Review of Work Orders for Engineering Services                                      | EL       |                                | 1/12/2023     |                        |
| 1/10/2023  |                | Research re gifts to staff  | EL       |                                |               |                        |
| 1/12/2023  |                | Review documents and draft contract re public works staffing                        | EL       | 02/02/23 off hold per TM       | 1/31/2023     |                        |
| 1/13/2023  |                | Draft Fillable Stipulation Agreement for Properties/Uses in Violation               | EL/KL    | 2/2/2023                       | 2/3/2023      |                        |
| 1/17/2023  |                | Draft/Update Public Records Policy  | EL       |                                |               |                        |

| <b>Date In</b> | <b>Priority Level</b> | <b>Task</b>  | <b>Attorney</b> | <b>Last date in</b> | <b>Last date out</b> | <b>Final to Council/Admin</b> |
|----------------|-----------------------|--|-----------------|---------------------|----------------------|-------------------------------|
| 1/17/2023      |                       | Draft Ordinance re off-site impacts of special events      | EL              |                     |                      |                               |
| 1/17/2023      |                       | Draft amendment to site plan approval for Lockhart Storage | EL              | 2/1/2023            | 2/1/2023             |                               |
| 1/17/2023      |                       | Research conflict of interest with volunteer board         | EL              |                     |                      |                               |

# TOWN OF LOXAHATCHEE GROVES

155 F Road Loxahatchee Groves, FL 33470



## AGENDA MEMO

Agenda Item # 9

**8TO:** Town Council of Town of Loxahatchee Groves

**FROM:** Elizabeth Lenihan, Town Attorney

**VIA:** Francine Ramaglia, Town Manager

**DATE:** February 21, 2023

**SUBJECT:** Discussion on Annexation and De-annexation

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### Background:

Town Council has requested information on annexation and de-annexation. Annexation is when properties are added into a municipality from the unincorporated area within a County. De-annexation, also known as contraction, is when properties are removed from a municipality. Each is a change to the boundaries of the municipality. Annexation and de-annexation are statutorily driven as set out in Part I of Chapter 171, Florida Statutes, which includes the criteria and process for these municipal boundary changes. The purpose of annexation and de-annexation, pursuant to Section 171.021, F.S., is to:

- Ensure sound urban development and accommodation to growth.
- Ensure the efficient provision of urban services to areas that become urban in character.
- Ensure that areas are not annexed unless municipal services can be provided to those areas.

As used in relation to annexation and de-annexation

- “*urban in character*” means an area used intensively for residential, urban recreational or conservation parklands, commercial, industrial, institutional, or governmental purposes or an area undergoing development of any of these purposes.
- “*urban services*” means any services offered by a municipality, either directly or by contract, to any of its present residents. This often includes police protection, garbage collection, utility services, road maintenance, lighting, signage and improvement, drainage, parks and recreation, and building inspection.
- “*urban purposes*” means that land is used intensively for residential, commercial, industrial, institutional, and government purposes, including any parcels of land retained in their natural state or kept free of development as dedicated greenbelt areas.

## Annexation

Municipalities may only annex properties that are contiguous to the existing municipal boundaries, that are compact and located in unincorporated area. Such properties must meet the following criteria:

- Property proposed to be annexed may not be a portion of a greater parcel under single ownership unless this prohibition is waived by the property owner.
- All or part of the property to be annexed must be developed for urban purposes, meeting any one of the following standards:
  - Total resident population of at least 2 persons per acre
  - Total resident population of at least 1 person per acre and is subdivided into lots and tracts so at least 60% of the lots and tracts are 1 acre or less.
  - At least 60% of the lots and tracts are used for urban purposes and is subdivided into lots and tracts so that at least 60% of the total acreage (except that used for nonresidential urban purposes) consists of lots or tracts 5 acres or less.
- If area that meets the above criteria is to be annexed, property meeting the following criteria may also be included:
  - Lies between the municipal boundary and an area developed for urban purposes.
  - Is adjacent, on at least 60% of its external boundary, to any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes.

Annexations proposed by a municipality must follow these general procedures:

- The governing body must prepare a report setting forth the plans to provide urban services to any area to be annexed. The report must include:
  - A map of the municipality and adjacent areas showing the current and proposed municipal boundaries as well as the current location and proposed extensions of water mains and sewer interceptors and outfalls.
  - A statement the area to be annexed meets the criteria of Section 171.043, F.S.
  - The plan of how the municipality will extend each major municipal service provided to current residents into the area to be annexed, which must include:
    - Extension of urban services on the date of annexation on substantially the same basis and in the same manner as the services are provided to current residents;
    - Extension of existing municipal water and sewer services;
    - A proposed timetable for extending water and sewer mains, if necessary; and
    - How the municipality will finance the extension of services.
  - When considering municipal services, consideration must be given to the effect of annexation on solid waste collection services.
    - A party that has a contract or an exclusive franchise in effect for at least 6 months prior to the initiation of annexation for provision of such services in an unincorporated area may continue to provide those services in the annexed area for 5 years or the remainder of the contract/franchise term, whichever is shorter.

- The report must be filed with the County within a defined timeframe.
- The governing body must mail notice to each person who resides or owns property in the area to be annexed and make such notice available for public inspection. The notice must meet certain requirements.
- The governing body adopts an Ordinance proposing to annex property that meets the criteria.
  - The Ordinance must be discussed at 2 advertised public hearings of the governing body prior to adoption. There are requirements for when these hearing are to be held.
  - The Ordinance shall only propose one reasonably compact area to be annexed.
- After adoption, but prior to the Ordinance becoming effective, a referendum on annexation must be held for a vote of the registered electors of the area proposed to be annexed.
  - The governing body may also choose to submit the Ordinance to referendum for a vote of the registered electors of the municipality.
  - There are requirements for when the referendum will take place, what the ballot language will be, and the information to be displayed at the polling locations.
  - The referendum/referenda must pass by a majority vote for the Ordinance to become effective, completing the annexation.
    - If the/either referendum has a majority vote against the annexation, the property may not be recommended for annexation again for 2 years.
    - There are different standards if more than 70% of the owners of the property to be annexed are not registered voters in that area.

Florida Statutes also provides a process for voluntary annexation. However, those statutory provisions do not apply to property within a charter county where such charter provides for an exclusive method of municipal annexation. Section 7.1 of the Palm Beach County Charter and Article X of Chapter 2 of the Palm Beach County Code of Ordinances provide for voluntary annexation by municipalities within the County, generally as follows:

- Upon receipt of a property owner petition for voluntary annexation, the municipality must provide a copy of the petition to the County.
- Prior to publishing or posting notice to consider an Ordinance for voluntary annexation, the municipality must provide a copy of the notice to the County.
- Voluntary annexation of property within an unincorporated protection area requires an affirmative vote of at least 5 members of the Board of County Commissioners.
  - Unincorporated protection area is all unincorporated lands outside the urban service area established by the County's Comprehensive Plan
- Voluntary annexation of property in an unincorporated rural neighborhood requires an affirmative vote of at least 5 members of the Board of County Commissioners and a majority vote of the registered electors residing in the unincorporated rural neighborhood.
  - Unincorporated rural neighborhoods are designated in Sec. 2-396 of the County Code, are identified in the attached map and include, but are not limited to: The Acreage, Deer Run, Fox Trail, Deer Run Plat 2, Entrada Acres, and Dellwood Estates
- Except as provided, the statutory procedures and criteria apply.

- Petition by owner(s) of property (unincorporated, reasonably compact, and contiguous to the municipality, and will not create an enclave)
- Adoption of Ordinance by governing body of municipality to annex the property and amend the boundaries of the municipality (notice and filing requirements must be met)

Enclaves are unincorporated improved or developed area enclosed within and bounded on all sides by a municipality or enclosed within and bounded by a single municipality and a natural manmade obstacle that requires vehicular traffic travel through the municipality to reach that unincorporated area. There are separate procedures for the annexation of enclaves.

#### De-annexation/Contraction

Only areas that do not meet the criteria for annexation may be de-annexed. If the area proposed to be de-annexed would result in a portion of the municipality becoming non-contiguous with the rest of the municipality, the de-annexation shall not be allowed.

De-annexation procedures are as follows:

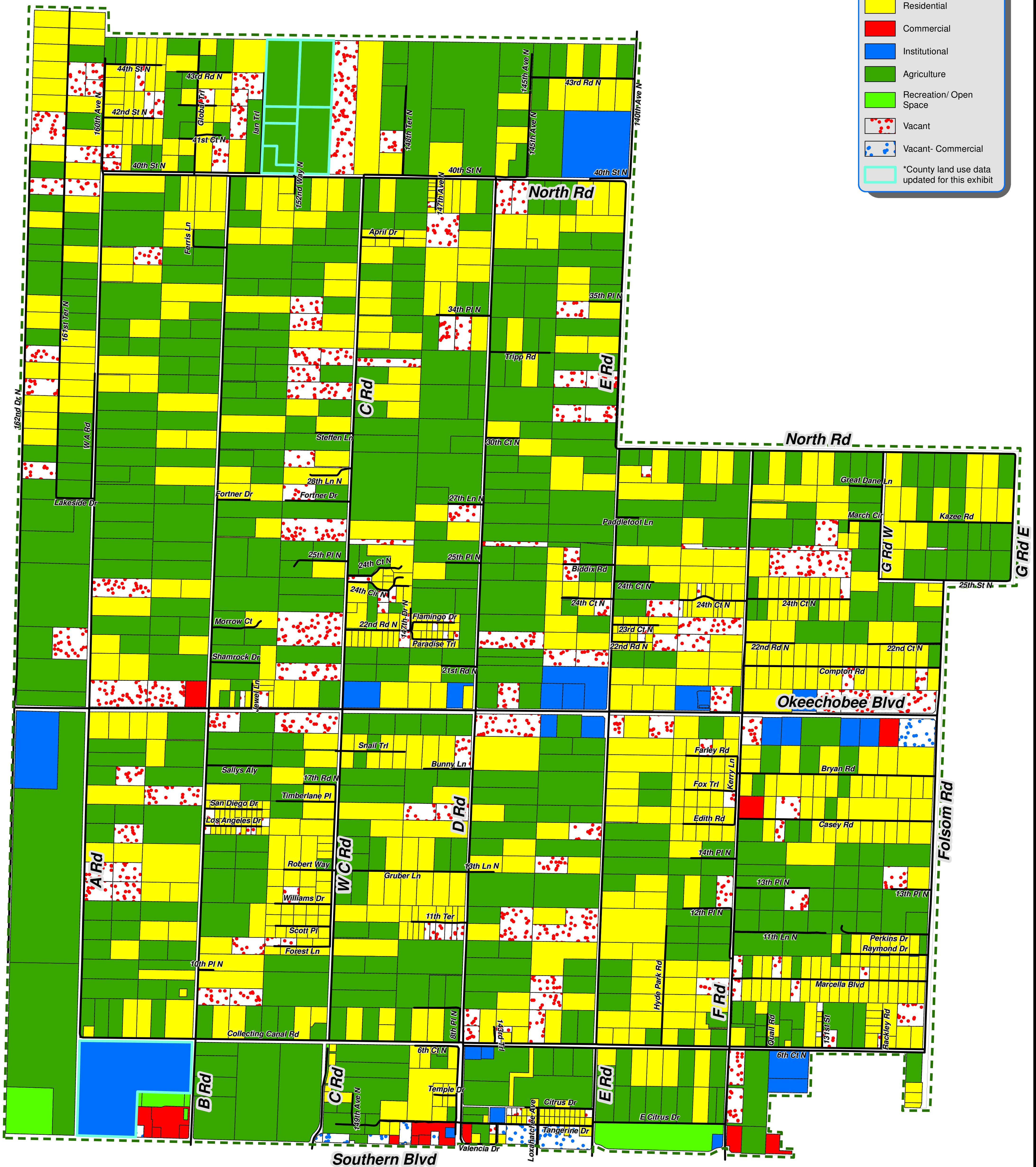
- The governing body of the municipality or 15 % of the qualified voters in the area desiring to be excluded (by petition to the governing body) may propose contraction.
  - If proposed by petition – the municipality must undertake a feasibility study and has 6 months to initiate proceedings for contraction or deny the petition.
- Contraction is accomplished by Ordinance of the governing body.
- Referendum
  - Petition may be submitted by 15% of the qualified voters of the area to be excluded from the municipality.
    - The governing body may submit the question to referendum or vote not to contract the boundaries of the municipality.
  - The governing body may call for referendum on its own.
  - Notice requirements and ballot language for referendum are specified by statute.
  - Majority vote wins
    - “For de-annexation” – area is excluded upon effective date of Ordinance.
    - “Against de-annexation” – area proposed for exclusion may not be proposed for exclusion again for 2 years.

#### **Recommendations:**

Discuss annexation and de-annexation and provide staff direction.

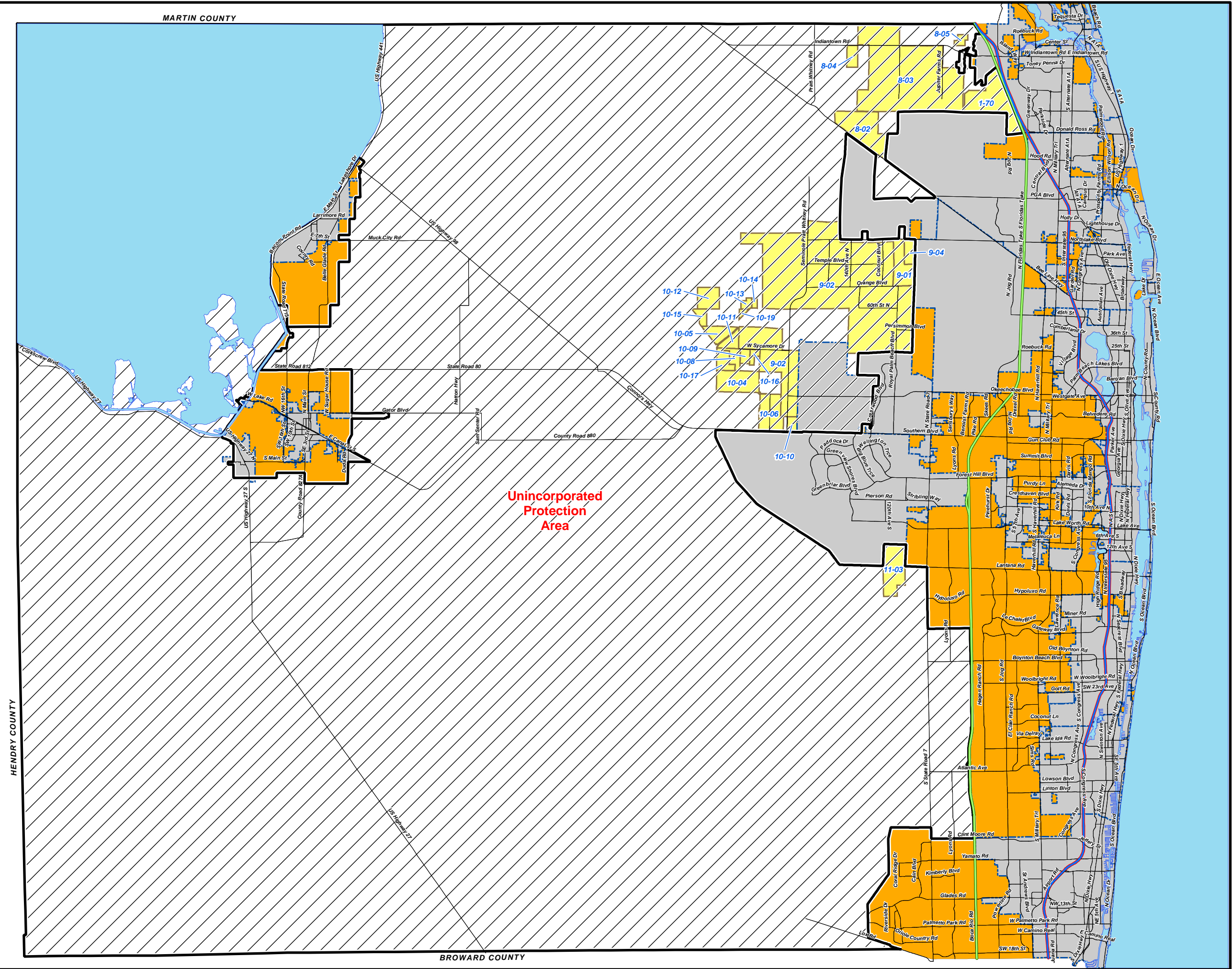


## September 2019







**Note:**  
**2019 Land use data was acquired from the Palm Beach County GIS data catalog at:**  
**<http://discover.pbcgov.org/iss/cwgis/Pages/Data-Catalog.aspx>**  
**Layer Name: PARCELS**  
**Owner: Palm Beach County Property Appraiser**  
**Date: Acquired on August 29, 2019**





**MAP ICE 1.1**  
**Unincorporated Protection Area**

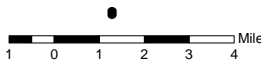
-  Unincorporated Protection Area
-  Unincorporated Rural Neighborhoods
-  Unincorporated Urban Service Area
-  Municipalities

**Unincorporated Rural Neighborhoods**

- 01-70 Palm Beach Country Estates
- 08-02 Caloosa
- 08-03 Jupiter Farms
- 08-04 Indian Lakes Estates
- 08-05 Oak Wood Lands
- 09-01 Stonewal Estates (AKA - Bayhill Estates)
- 09-02 The Acreage
- 09-04 Kramer's U/R (AKA - Rustic Lakes)
- 10-04 Deer Run
- 10-05 Sunny Urban Meadows
- 10-06 Fox Trail
- 10-08 Deer Run Plat 2
- 10-09 Las Flores Ranchos
- 10-10 Entrada Acres
- 10-11 Mandell
- 10-12 Santa Rosa Groves
- 10-13 Tall Pine Acres U/R
- 10-14 Waite Sub U/R
- 10-15 Canal Pine Acres
- 10-16 Dellwood Estates
- 10-17 White Fence Estates
- 11-03 Homeland

SOURCES: PBC Planning Division  
Notes: Round 08-1, Ord. 2008-033

  
**PALM BEACH COUNTY**  
**COMPREHENSIVE PLAN**  
**MAP SERIES**

  
Effective Date: 11/07/2008  
Filename: N:\Map Series\WXDs\Adopted  
Contact: PBC Planning Dept.  
**126**