

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: April 7, 2009

☒ Consent ☐ Regular
☐ Workshop ☐ Public Hearing

Department:

Submitted By: Department of Airports

Submitted For:

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: Delegate authority to the County Administrator or his designee to file the statutory notice to abandon the Development of Regional Impact (DRI) Development Orders for Palm Beach International Airport (PBIA) and North Palm Beach County General Aviation Airport (NCO).

Summary: Both PBIA and NCO have DRI Development Orders issued by Palm Beach County. Florida State Statute Section 163.3177(6) (k) provides a means for abandoning DRI Development Orders when airport master plans have been incorporated into the Comprehensive Plan. Palm Beach County has met these conditions. In Comprehensive Plan Round 08-2 Palm Beach County incorporated updated master plans for PBIA and NCO into the Comprehensive Plan. That plan amendment (Ordinance 2008-54) was found in Compliance by the Department of Community Affairs and notice to that effect was published February 11, 2009. The statutory period to contest a compliance finding has expired (March 4, 2009) without challenge by any party. Those plan amendments are now in effect. The Department of Airports is seeking authorization to allow the County Administrator or his designee to file the statutory notice of abandonment as appropriate. **Countywide (AH)**

Background and Justification: The Board of County Commissioners by Resolution No. 82-199 adopted a Development Order for the Improvement of Palm Beach International Airport. The Board of County Commissioners by Resolution No. 90-294 adopted a Development Order for the Development of a General Aviation Airport in North Palm Beach County. Florida State Statute Section 163.3177(6) (k) provides a means for abandoning DRI Development Orders. That section provides that development or expansion of an airport consistent with the adopted airport master plan that has been incorporated into the local comprehensive plan in compliance with this part; and airport related or aviation-related development that has been addressed in a comprehensive plan amendment that incorporates the airport master plan, shall not be a development of regional impact. Notwithstanding any other general law, an airport that has received a development of regional impact development order pursuant to S. 380.06, but which is no longer required to undergo development-of-regional-impact review pursuant to this subsection, may abandon its development-of-regional-impact order upon written notification to the applicable local government. Upon receipt by the local government, a development-of-regional-impact development order is void.

Attachments: None

Recommended By:  3/18/09
Department Director Date

Approved By:  2/24/09
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues (Grants)	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>* See below</u>				
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____
Budget Account No: / Fund _____ Department _____ Unit _____ Object _____
Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* There is no Fiscal Impact for this item.

C. Departmental Fiscal Review: Until Summer

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

3/15/09 3/18/09
OFMB CN
3/13/09

3/20/09
Contract Dev and Control
3/18/09

B. Legal Sufficiency:

Anne Delgado 3/24/09
Assistant County Attorney

C. Other Department Review:

Department Director