#### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

## AGENDA ITEM SUMMARY

Meeting Date: Department	September 9, 2014	( ) Consent ( ) Workshop	(X) Regular ( ) Public Hearing
Submitted B Submitted F		l Resources Managemen l Resources Managemen	<u>t</u> <u>t</u>
	I. EXECU	FIVE BRIEF	
THE BOARD OF CAMENDING THE AMENDED; AMENDED; AMENDED; ARTICLE 14 – PROTECTION; PROA SAVINGS CLAN	Staff recommends motoublic hearing on Octobe COUNTY COMMISSION UNIFIED LAND DEVE NDING THE ZONES O ENVIRONMENTAL ST OVIDING FOR: REPEAL USE; CAPTIONS; ENFO ENT CODE; AND AN EF	r 21, 2014 at 9:30 a.m. ERS OF PALM BEAC LOPMENT CODE, OF INFLUENCE MAPS ANDARDS, CHAPTE L OF LAWS IN CONF	: AN ORDINANCE OF H COUNTY, FLORIDA RDINANCE 03-067, AS S AS SET FORTH IN ER B - WELLFIELD
reconfiguration of we changes were preser Directors and member	d Zone of Influence maps are of model characteristics are ellfields, and design and rented to and voted on with ership. The map changes by Advisory Board/ Land D	and aquifer responses, cesponse of wellfields. Con no objection by the Lowere also presented to a	hanges in well pumpage, on July 23, 2014, the map eague of Cities Board of
In June 1992, the Ord and is currently incluany amendments, add the BCC following a updated on June 21,	olicy Issues: The Wellfield oners on February 23, 198 dinance was included as Sended as Article 14.B. Articlitions or deletions to the Valuable hearing. The William December 20, 1988, ruary 21, 1995, April 15	estion 9.3 of the Unified cle 14.B.6.A.1. and Artivelle Vellfield Zones of Influentume 20, 1989, July 16	Land Development Code cle 14.B.6.B. require that nee maps be approved by maps were previously
management (EKW)	available on-line for review website, www.pbcgov.co t Palm Beach, weekdays be	m/erm and at the EDM	f office again at at t
Attachments:	nce (Attachment "A" indic		
Recommended by:	Both Boll.  Department Director	<i></i>	19/14 Date
Approved by:	County Administrator		PAIY Date

#### II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact: **Fiscal Years** 2014 2015 2016 2017 2018 Capital Expenditures **Operating Costs External Revenues Program Income (County) In-Kind Match (County) NET FISCAL IMPACT** # ADDITIONAL FTE **POSITIONS (Cumulative)** Is Item Included in Current Budget? Yes No **Budget Account No.:** Fund \_\_\_\_ Unit . \_ Department Program В. Recommended Sources of Funds/Summary of Fiscal Impact: There is no fiscal impact associated with this item. C. Department Fiscal Review: **III. REVIEW COMMENTS** A. OFMB Fiscal and /or Contract Dev. and Control Comments: OFMB ( Contract Development and Contro 8-22-14 Bellinelle Legal Sufficiency: В. **Assistant County Attorney** C. Other Department Review: **Department Director** 

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED; AMENDING THE ZONES OF INFLUENCE MAPS AS SET FORTH IN ARTICLE 14 – ENVIRONMENTAL STANDARDS, CHAPTER B - WELLFIELD PROTECTION; PROVIDING FOR: REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; CAPTIONS; ENFORCEMENT; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, mandates that the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and

WHEREAS, the Board of County Commissioners enacted Ordinance 91-19, commonly known as the Palm Beach County Wellfield Protection Ordinance and incorporated it into the Unified Land Development Code as Article 14.B, Wellfield Protection; and

WHEREAS, Article 14.B, Wellfield Protection, of the Unified Land.

Development Code provides that any amendments to the Zones of Influence

Maps shall be approved by the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has determined that the amendments contained in this Ordinance further the intent and policy to ensure the continued health, safety, welfare, and quality of the environment for residents of and visitors to Palm Beach County.

WHEREAS, the Land Development Regulation Commission has found these amendments to the ULDC to be consistent with the Palm Beach County Comprehensive Plan; and

WHEREAS, the BCC hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

WHEREAS, the BCC has conducted public hearings to consider these amendments to the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida Statutes.

# NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

## PART I. AMENDING THE ZONES OF INFLUENCE MAPS AS SET FORTH IN ARTICLE 14.B.

Pursuant to Article 14.B (Wellfield Protection) of the Unified Land Development Code, the Zones of Influence Maps developed as described in Article 14.B.6.A.1 (Amendments), Article 14.B.6.A.3 (Review) and Article 14.B.6.B (Protection of Future Wellfields) are hereby amended as indicated in Attachment A, which is attached hereto and incorporated herein by reference.

#### PART 2. REPEAL OF LAWS IN CONFLICT:

All local laws and ordinances in conflict with any provision of this ordinance are hereby repealed to the extent of any such conflict.

#### **PART 3. SEVERABILITY:**

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

#### PART 4. SAVINGS CLAUSE:

Notwithstanding anything to the contrary, all provisions of Ordinance No. 06-010, as amended, are specifically preserved and remain in full force and effect for the limited purpose of enforcing any alleged violations of said Ordinance which occurred prior to its repeal or amendment.

#### PART 5. CAPTIONS:

The captions, section headings, and section designations used in this Ordinance are for convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.

#### PART 6. ENFORCEMENT:

This Ordinance is enforceable by all means provided by law.

Additionally, the County may choose to enforce this Ordinance by seeking injunctive relief in the Circuit Court of Palm Beach County.

## PART 7. INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE:

The provision of this ordinance shall become and be made a part of the Unified Land Development Code of Palm Beach County, Florida. The Sections of the ordinance may be re-numbered or re-lettered to accomplish such, and the word ordinance may be changed to section, article, or any other appropriate word.

#### PART 8. EFFECTIVE DATE:

The provisions of this ordinance shall become effective upon filing with the Department of State.

APPROVED AND ADOP	<b>PTED</b> by the Board of Cou	nty Commissioners
of Palm Beach County, on the _	day of	, 2014.
SHARON R. BOCK, CLERK & COMPTROLLER	PALM BEACH COUNTY BY ITS BOARD OF COU COMMISSIONERS	
By: Deputy Clerk	By: Priscilla A. Taylo	or, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY		
By: County Attorney		
EFFECTIVE DATE: Fi	iled with the Department	of State on the
day of	2014	

#### **ATTACHMENT A**

The Wellfield Zone of Influence maps being changed are on the following Palm Beach County aerials maintained by the Department of Environmental Resources Management. The aerials are listed by Range, Township and Section.

RNG	TWN	SEC	RNG	TWN	SEC		RNG	TWN	SEC	RNG	TWN	SEC
42	40	32	42	42	12		43	43	04	.43	44	07
42	40	33	43	42	07		42	43	08	41	44	14
42	40	34	43	42	08		42	43	09	41	44	13
42	41	05	42	42	16		42	43	10	42	44	17
42	41	04	42	42	15		42	43	11	42	44	16
42	41	03	42	42	13		42	43	12	42	44	15
42	41	02	43	42	18		43	43	07	42	44	14
42	41	09	43	42	17		42	43	17	42	44	13
42	41	12	42	42	22		42	43	14	43	44	18
42	41	11	43	42	19		42	43	13	43	44	17
42	41	13	43	42	20		43	43	18	43	44	16
42	41	16	42	42	27		42	43	20	43	44	15
42	41	24	42	42	26	<u> </u>	42	43	21	41	44	23
43	41	19	43	42	30		42	43	22	41	44	24
42	41	22	43	42	29		42	43	23	42	44	19
42	41	21	43	42	28		41	43	23	42	. 44	20
43	41	30	42	42	34		41	43	24	42	44	21
42	41	29	42	42	35		42	43	28	42	44	22
42	41	28	42	42	36		42	43	27	42	44	24
42	41	32	43	42	31		42	43	26	43	44	19
42	41	36	43	42	32		42	43	33	43	44	20
43	41	31	43	42	33		42	43	34	43	44	21
42	42	05	42	43	04		42	43	35	43	44	22
42	42	04	42	43	03		41	44	02	41	44	26
42	42	03	42	43	02	0	41	44	10	41	44	25
42	42	. 02	42	43	01		41	44	11	42	44	30
43	42	06	43	43	06		41	44	12	43	44	29
42	42	09	43	43	05		42	44	12	43	44	28

### ATTACHMENT A cont'd

RNG	TWN	SEC		RNG	TWN	SEC		RNG	TWN	SEC
43	44	27		42	46	02		41	47	35
41	44	35		42	46	03		40	41	13
41	44	36		42	46	04		41	41	18
42	44	31		42	46	05		41	41	17
43	44	33		42	46	11		40	41	24
43	44	34		42	46	08		41	43	26
43	45	04		42	46	14		41	43	25
43	45	05		42	46	15		41	43	35
43	45	03		42	46	16		41	43	36
43	45	08	-	42	46	17		41	44	03
43	45	09		43	46	19		41	44	01
43	45	10		43	47	07		42	45	32
43	45	16		43	47	18		42	42	11
43	45	15		42	47	13		42	40	35
42	45	15		42	47	18		42	41 <	01
42	45	14		43	47	19		43	41	06
42	45	24		42	47	24		43	41	07
42	45	23		42	47	21		43	41	18
42	45	22		42	47	20		42	40	31
43	45	28		42	47	19	,	42	41	06
42	45	26	***************************************	41	47	24		42	42	10
42	45	27		42	47	28		42	41	20
42	45	28		42	47	29				
42	45	29		42	47	30				
43	45	33		41	47	25				
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42	45	35		42	47	32				
42	45	33		42	47	31				
42	45	34		41	47	36				

