

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: October 21, 2014 ( ) Consent ( ) Regular  
( ) Workshop (X) Public Hearing  
Department  
Submitted By: Environmental Resources Management  
Submitted For: Environmental Resources Management

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve first public hearing and advertise for second public hearing on November 18, 2014 at 9:30 a.m.: 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.

**Summary:** Wellfield Zone of Influence maps are routinely and periodically updated based upon enhanced knowledge of model characteristics and aquifer responses, changes in well pumpage, reconfiguration of wellfields and design and response of wellfields. The preliminary reading was approved by the Board of County Commissioners on September 9, 2014. On July 23, 2014, the map changes were presented to and voted on with no objection by the League of Cities Board of Directors and membership. The map changes were presented to and approved by the Land Development Regulation Advisory Board/Land Development Regulation Commission on July 23, 2014. Countywide (SF)

**Background and Justification:** The Wellfield Protection Ordinance was adopted by the Board of County Commissioners on February 23, 1988 and carries an effective date of March 7, 1988. In June 1992, Ordinance was included as Section 9.3 of the Unified Land Development Code and is currently included as Article 14.B. Article 14.B.6.A.1. and Article 14.B.6.B. require that any amendments, additions or deletions to the Wellfield Zones of Influence maps be approved by the Board of County Commissioners after public hearing. The Wellfield Zone of Influence maps were previously updated in June 21, 1988, December 20, 1988, June 20, 1989, July 16, 1991, February 18, 1992, June 15, 1993, February 21, 1995, April 15, 1997, February 27, 2001, July 15, 2003 and May 16, 2006. Approximately 2000 notices were mailed to 1420 parcel owners and 250 notices delivered to facility owners.

Electronic maps are available on-line for review at the Department of Environmental Resources Management (ERM) website, [www.pbcgov.com/erm](http://www.pbcgov.com/erm) and at the ERM office, 2300 North Jog Road, 4<sup>th</sup> Floor, West Palm Beach, weekdays between the hours of 8:00 A.M. and 5:00 P.M.

**Attachments:**

1. Amending Ordinance (Attachment A indicating maps to be changed, Attachment B Draft Zone Map)

Recommended by:

  
Department Director

9-24-14

Date

Approved by:

  
County Administrator

10/11/14  
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 \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Program \_\_\_\_\_

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

*NO FISCAL impact*

### C. Department Fiscal Review:

*JP*

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Dev. and Control Comments:

*[Signature]* *9/26/14* *AK* *3/26/14* *Barbara Wheeler 9-29-14*  
OFMB *9/26* *AK* *3/26/14* *for* Contract Development and Control

### B. Legal Sufficiency:

*[Signature]*  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

**ORDINANCE 2014 \_\_\_\_\_**

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 1. 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 ADOPTED** by the Board of County Commissioners of Palm Beach County, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

SHARON R. BOCK, CLERK &  
COMPTROLLER

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Priscilla A. Taylor, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By:  \_\_\_\_\_  
County Attorney

**EFFECTIVE DATE:** Filed with the Department of State on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

## ATTACHMENT A

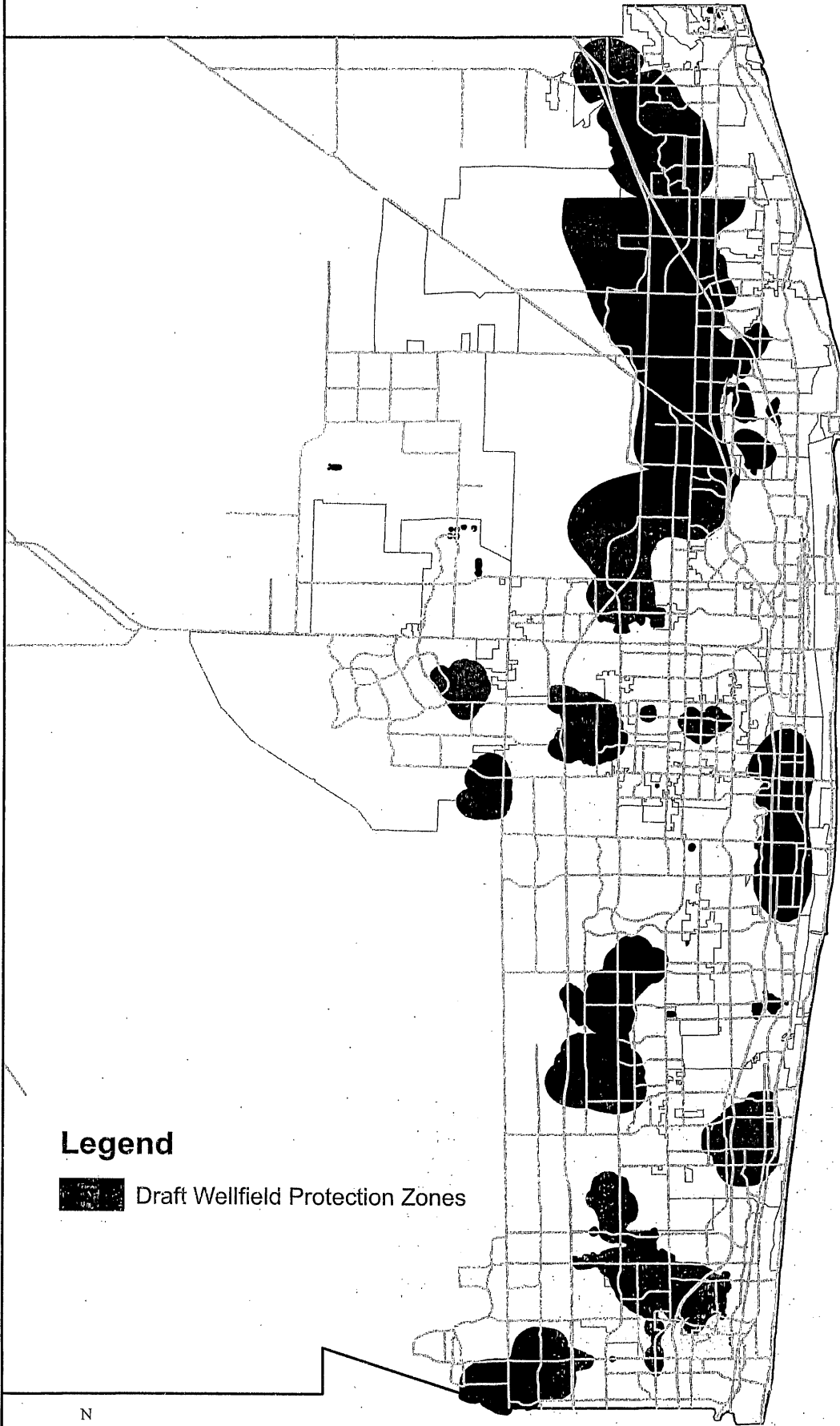
The Wellfield Zone of Influence maps being changed are on the following Palm Beach County aerals maintained by the Department of Environmental Resources Management. The aerals are listed by Range, Township and Section.

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		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		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				
43	45	32		41	47	26				
42	45	35		42	47	32				
42	45	33		42	47	31				
42	45	34		41	47	36				

# Representative Wellfield Protection Zone Map



## Legend

 Draft Wellfield Protection Zones



0 1.5 3 6 9 12 Miles



August 20, 2014