

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: Department	November 18, 2014	() Consent () Workshop	() Regular (X) Public Hearing
Submitted B Submitted F	· · · · · · · · · · · · · · · · · · ·	al Resources Managemen al Resources Managemen	
	<u>I. EXECU</u>	TIVE BRIEF	
OF COUNTY COM THE UNIFIED LA AMENDING THE ENVIRONMENTAL PROVIDING FOR: CLAUSE; CAPTIO	MISSIONERS OF PAL ND DEVELOPMENT (ZONES OF INFLUENC L STANDARDS, CHA	M BEACH COUNTY, CODE, ORDINANCE (E MAPS AS SET FOR APTER B - WELL N CONFLICT; SEVER , INCLUSION IN	IANCE OF THE BOARD FLORIDA AMENDING 03-067, AS AMENDED; RTH IN ARTICLE 14 – FIELD PROTECTION; RABILITY; A SAVINGS THE UNIFIED LAND
enhanced knowledge reconfiguration of we changes were presen Directors and memb Development Regula 23, 2014. The prelim	of model characteristics ellfields and design and rated to and voted on with ership. The map changution Advisory Board/Larainary reading was approven	and aquifer responses, of esponse of wellfields. On no objection by the Les were presented to an and Development Regula yed by the Board of Court	ically updated based upon changes in well pumpage, on July 23, 2014, the map eague of Cities Board of approved by the Landtion Commission on July ty Commissioners (BCC) CC on October 21, 2014.
on February 23, 1988 was included as Sect. Article 14.B. Article or deletions to the Vhearing. The Wellfig December 20, 1988, 21, 1995, April 15, 1	8 and carries an effective ion 9.3 of the Unified Lar 14.B.6.A.1. and Article Wellfield Zones of Influed Zone of Influence multiple June 20, 1989, July 16, 1	date of March 7, 1988. and Development Code ar 14.B.6.B. require that are note maps be approved taps were previously up 1991, February 18, 1992. July 15, 2003 and May	was adopted by the BCC In June 1992, Ordinance and is currently included as my amendments, additions by the BCC after public edated in June 21, 1988, June 15, 1993, February 16, 2006. Approximately red to facility owners.
Management (ERM)	available on-line for revie website, www.pbcgov.ca Palm Beach, weekdays b	om/erm and at the ERN	Environmental Resources of office, 2300 North Jog A.M. and 5:00 P.M.
Attachments: 1. Amending Ord	dinance (Attachment A inc Wellfield Protection Zon	dicating maps to be chan	
Recommended by:	But Ref. Department Director	n'	10/23/14/ Date
Approved by:	County Administrator		(3/9/14 Date

II. FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact: A. Fiscal Years 2014 2015 2016 2018 2017 **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_ Fund ____ Department ____ Unit ___ Object **Budget Account No.:** Program __ В. Recommended Sources of Funds/Summary of Fiscal Impact: Department Fiscal Review: C. III, REVIEW COMMENTS A. OFMB Fiscal and /or Contract Dev. and Control Comments: Contract Development and d Bwheeler B. Legal Sufficiency: **Assistant County Attorney** C. Other Department Review: **Department Director**

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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	PTED by the Board of County Commissioners
of Palm Beach County, on the _	, 2014.
SHARON R. BOCK, CLERK & COMPTROLLER	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
Ву:	Ву:
Deputy Clerk	Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	
By: County Attorney	
EFFECTIVE DATE: F	iled with the Department of State on the
day of	, 2014,
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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	1,70 2,10	43	42	07	Û.	42	43	08		41	44	14
42	40	34		43	42	08	1.	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	100	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
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42	41	16		42	42	27		42	43	20		43	44	15
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43	41	19		43	42	30		42	43	22		41	44	24
42	41	22		43	42	29		42	43	23		42	44	19
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42	42	04		42	43	03		41	44	02		41	44	26
42	42	03		42	43	02		41	44	10		41	44	25
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43	42	06		43	43	06		41	44	12		43	44	29
42	42	09		43	43	05		42	44	12		43	44	28

<u>ATTACHMENT A</u> cont'd

RNG	TWN	SEC		RNG	TWN	N SEC		RNG	TWN	SEC
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42	44	31		42	46	05		41	41	17
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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		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
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42	45	23		42	47	21	21 43		41	18
42	45	22		42	47	20		42	40	31
43	45	28		42	47	19		42	41	06
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