

RESOLUTION NO. R-74-334

RESOLUTION APPROVING DEVELOPMENT OF REGIONAL IMPACT

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the Board of County Commissioners, as the governing body of local government having jurisdiction, pursuant to Chapter 380.031 and Chapter 380.06, Florida Statutes, is authorized and empowered to consider applications for development approval of developments of regional impact; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 and Chapter 380.06 (7) have been satisfied; and

WHEREAS, Petition No. DRI-74-1 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 April 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of April, 1974, that Petition No. DRI-74-1 by Florida Power and Light Company for development approval of a development of regional impact of a parcel of land lying and being in Section 31, Township 42 South, Range 43 East, more particularly described as follows: all that portion of Section 31, Township 42 South, Range 43 East, lying South of the Southerly right-of-way line of the Seaboard Airline Railroad, less the South 300.00 feet thereof for the Florida Power and Light Company fee property and less the right-of-way for the Central and Southern Florida Flood Control District Canal C-17, and also less the North 120.00 feet of the South 420.00 feet thereof, lying West of Canal C-17 for the Northern Palm Beach County Water

Control District right-of-way, and more particularly described as follows, to-wit: commencing at the Southwest corner of Section 31, Township 42 South, Range 43 East; thence North 0° 24' 03" East along the West line of said Section 31 (the West line of said Section 31 is assumed to bear North 0° 24' 03" East and all other bearings are related thereto) a distance of 420.00 feet to a point in a line 420.00 feet North of and parallel with the South line of said Section 31 and the Point of Beginning; thence continue North 0° 24' 03" East along the said West line of Section 31, a distance of 2265.90 feet to the West one quarter section corner of said Section 31; thence North 0° 13' 30" West along the West line of said Section 31, a distance of 450.99 feet to a point in the Southerly right-of-way line of the Seaboard Airline Railroad; thence South 55° 37' 06" East along the said Southerly right-of-way line, a distance of 1452.57 feet to a point of intersection with the proposed centerline of State Road No. 9; thence South 21° 41' 47" East, along the said proposed centerline of State Road No. 9, a distance of 2046.72 feet to a point in a line 420.00 feet North of and parallel with the South line of said Section 31; thence North 89° 50' 59" West, along said line parallel with the South line of Section 31, a distance of 1969.41 feet to the Point of Beginning, less the right-of-way for Interstate 95 (State Road No. 9), located at the southwest corner of the intersection of Interstate 95 (S.R. No. 9) and the Seaboard Airline Railroad in an IL-Light Industrial District, containing approximately 71 acres, was approved as advertised, subject to the following special conditions:

- 1) The petitioner shall provide a mechanical arm for offloading in the Port of Palm Beach;
- 2) The petitioner shall provide a twelve hundred (1200) foot floating boom that could encircle an oil tanker in the Port of Palm Beach;
- 3) The petitioner shall provide the needed skimming equipment and barge floating tanks in the Port of Palm Beach;

- 4) The petitioner shall arrange with the United States Coast Guard, or other Port boats such as the Port tugs, to deploy and maneuver the boom and test the oil spill plan by simulation on an annual basis;
- 5) The petitioner shall provide revetments to hold all the oil from the two (2) proposed tanks in case of simultaneous destruction;
- 6) The petitioner shall install automatic shut off valves on both sides of the canals in areas where breaks in the lines could pollute waterways. The automatic shut off valves are to be tested on an annual basis;
- 7) The petitioner shall provide on-site security protection at the tank farm;
- 8) The petitioner shall provide on-site fire fighting equipment or an area with the trained manpower to fight an oil fire of the proposed capacity;
- 9) The petitioner shall provide proper vegetation and screening for the site;
- 10) The petitioner shall take the necessary precautions to protect the area ground water supplies from seepage or leakage into the C-17 Canal by means of treatment of soil and banks to render seepage unlikely;
- 11) The petitioner shall preserve the northern vacant area of the property in question as a buffer with landscaping;
- 12) The pipeline between the Port of Palm Beach and the subject site and the pipeline from the subject site to the Martin County line shall be buried at a minimum depth of three (3) to four (4) feet below the surface;
- 13) The petitioner shall provide fire protection equipment at the Port of Palm Beach and tank farm site as approved by the District Fire Chief;
- 14) The storage tanks shall solely pertain to the storage of #6 oil;

- 15) All the stated conditions shall be completed prior to filling of the pipelines and tanks with #6 oil;
- 16) In the event a third tank is required at some future date, a Special Exception application shall be filed with the Planning, Zoning and Building Department and be subject to Planning Commission and County Commission approval.

BE IT FURTHER RESOLVED that a copy of this resolution (Development Order) shall be transmitted to the State Land Planning Agency, the owner or developer (petitioner) and a courtesy copy furnished to the South Florida Regional Planning Council.

The foregoing resolution was offered by Commissioner Warren , who moved its adoption. The motion was seconded by Commissioner Weaver , and upon being put to a vote, the vote was as follows:

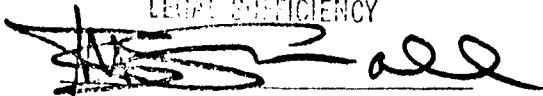
Robert F. Culpepper	- Aye
E. W. Weaver	- Aye
Robert C. Johnson	- Aye
George V. Warren	- Aye
Lake Lytal	- Aye

The Chairman thereupon declared the resolution duly passed and adopted this 7th day of May , 1974, confirming action of 25 April 1974.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

  
Michael B. Small  
County Attorney

By   
Deputy Clerk