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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** ( TO MODIFY POLICY TE 1.4-U.4 TO REMOVE THE MAXIMUM OF TWO-LANE RESTRICTION ON A SEGMENT OF LYONS ROAD FROM LANTANA ROAD TO LAKE WORTH ROAD); **MAP SERIES** (TO INCREASE THE NUMBER OF LANES FROM TWO TO FOUR LANES ON LYONS ROAD FROM LAKE WORTH ROAD TO LANTANA ROAD ON THE 2020 MAP AND TO MODIFY THE REFERENCE TO POLICY 1.4-U.4 ON THE THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted its public hearings on June 9 and June 23, 2006 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 19, 2006 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, Palm Beach County received the Department of Community

1 Affairs "Objections, Recommendations, and Comments Report," dated  
2 September 29, 2006 which was the Department's written review of the  
3 proposed Comprehensive Plan amendments; and

4 **WHEREAS**, on November 13, 2006 the Palm Beach County Board of  
5 County Commissioners held a public hearing to review the written  
6 comments submitted by the Department of Community Affairs and to  
7 consider adoption of the amendments; and

8 **WHEREAS**, the Palm Beach County Board of County Commissioners has  
9 determined that the amendments as modified satisfy the concerns  
10 addressed in the Department of Community Affairs' "Objections,  
11 Recommendations and Comments Report" and comply with all requirements  
12 of the Local Government Comprehensive Planning and Land Development  
13 Regulations Act.

14 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
15 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

16 **Part I. Amendments to the 1989 Comprehensive Plan**

17 Amendments to the text of the following Elements of the 1989  
18 Comprehensive Plan are hereby adopted and attached to this Ordinance  
19 in Exhibit 1:

- 20 **A. Transportation Element**, to modify Policy TE 1.4-u to remove  
21 the maximum two-lane restriction on the segment of Lyons  
22 Road from Lake Worth Road to Lantana Road;
- 23 **B. Map Series, Future 2020 Roadway System by Number of Lanes**  
24 **Map (TE 1.1)**, to increase the number of lanes from two to  
25 four lanes on the segment of Lyons Road from Lake Worth  
26 Road to Lantana Road;
- 27 **C. Map Series, Thoroughfare Right-of-Way Identification Map (TE**  
28 **14.1)**, to remove the maximum two-lane restriction on the  
29 segment of Lyons Road from Lake Worth Road to Lantana Road.

30 **Part II. Repeal of Laws in Conflict**

31 All local laws and ordinances applying to the unincorporated area  
32 of Palm Beach County in conflict with any provision of this ordinance  
33 are hereby repealed to the extent of such conflict.

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**Part III. 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 IV. Inclusion in the 1989 Comprehensive Plan**

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**Part V. Effective Date**

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

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**APPROVED AND ADOPTED** by the Board of County Commissioners of Palm  
Beach County, on the 13 day of November, 2006.

ATTEST: PALM BEACH COUNTY, FLORIDA,  
SHARON R. BOCK, CLERK & COMPTROLLER BY ITS BOARD OF COUNTY COMMISSIONERS

By Judith Crozier Deputy Clerk BY Addie L. Greene Addie L. Greene, Vice-Chairperson

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]  
COUNTY ATTORNEY

Filed with the Department of State on the 21st day of  
November, 2006.

T:\planning\AMEND\06-2\admin\bccadopt\Ordinances\Ordinance\_06-2\_Transport\_Lyons TIM\_Map.doc

**EXHIBIT 1**

**A. Transportation Element, Lyons Road 2020 and TIM Amendment**

**REVISIONS:** To revise and update to remove . The revisions are numbered below and shown with the added text underlined and the deleted text ~~struck-out~~.

**REVISIONS: Policy 1.4-u:** The following notes reflect conditions associated with roadway segments in the County's Thoroughfare Right of Way Identification Map (TIM):

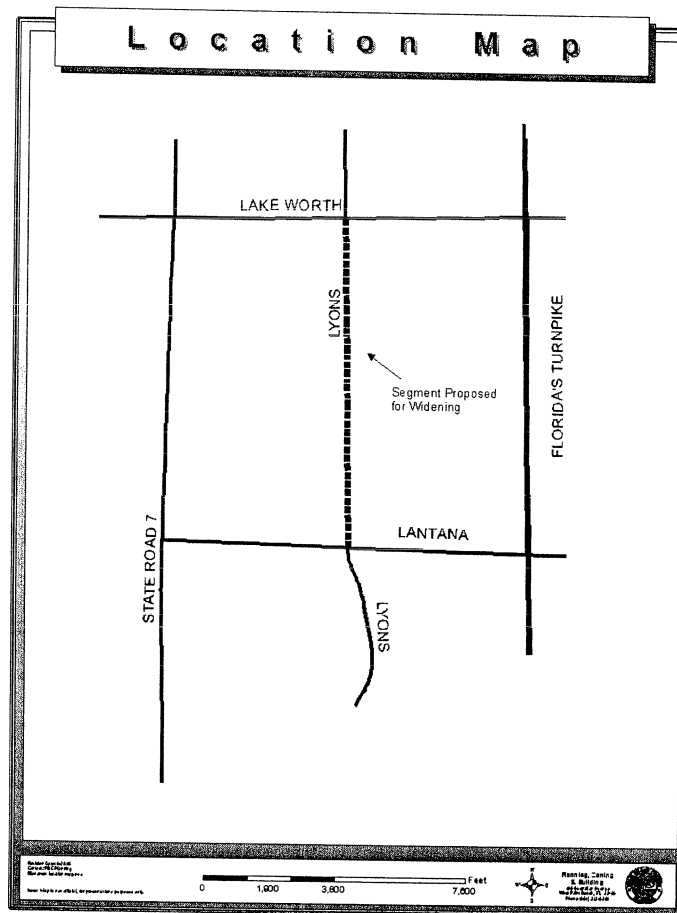
- 4. Lyons Road, from Southern Boulevard to Lake Worth Road Lantana Road, is a 100 foot section that shall be restricted to two through lanes with the remaining right-of-way to be used for drainage, landscaping, pathways, turning lanes, and bicycle paths.

**B. Map Series, Future 2020 Roadway System by Number of Lanes Map (TE 1.1), Lyons Road 2020 and TIM Amendment**

**REVISIONS:** to increase the number of lanes from two to four lanes on the segment of Lyons Road from Lake Worth Road to Lantana Road

**C. Map Series, Thoroughfare Right-of-Way Identification Map (TE 14.1), Lyons Road 2020 and TIM Amendment**

**REVISIONS:** To remove the maximum two-lane restriction on the segment of Lyons Road from Lake Worth Road to Lantana Road.



STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, SHARON R. BOCK, Clerk & Comptroller (sno)  
this to be a true and correct copy of the original  
filed in my office on NOV 13 2006  
dated at West Palm Beach, FL on 12-7-2006  
By: Judith Cochran  
Deputy Clerk