

ORDINANCE NO. 2007 -008

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2
3 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
4 OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989
5 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO.
6 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION**
7 **ELEMENT** (TO ADD TEXT WITH REGARDS TO THE
8 DESIGNATION OF CORRIDORS IN NEED OF MASTER
9 PLANS); AND THE **MAP SERIES** (TO MODIFY THE FUTURE
10 2020 ROADWAY SYSTEM BY NUMBER OF LANES, MAP TE
11 1.1, AND THE THOROUGHFARE RIGHT OF WAY
12 IDENTIFICATION MAP, MAP TE 14.1, TO REMOVE THE
13 SEGMENTS OF **UNIVERSITY DRIVE AND RIVERSIDE DRIVE**
14 BETWEEN PALMETTO PARK ROAD AND LOX ROAD; AND
15 AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR
16 REPEAL OF LAWS IN CONFLICT; PROVIDING FOR
17 SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989
18 COMPREHENSIVE PLAN; AND PROVIDING FOR AN
19 EFFECTIVE DATE.
20

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

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

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

31 **WHEREAS**, the Palm Beach County Local Planning Agency conducted
32 its public hearing on April 13, 2007 to review the proposed amendments
33 to the Palm Beach County Comprehensive Plan and made recommendations
34 regarding the proposed amendments to the Palm Beach County Board of
35 County Commissioners pursuant to Chapter 163, Part II, Florida
36 Statutes; and

37 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
38 the governing body of Palm Beach County, conducted a public hearing
39 pursuant to Chapter 163, Part II, Florida Statutes, on April 18, 2007
40 to review the recommendations of the Local Planning Agency, whereupon
41 the Board of County Commissioners authorized transmittal of proposed
42 amendments to the Department of Community Affairs for review and
43 comment pursuant to Chapter 163, Part II, Florida Statutes; and

44 **WHEREAS**, Palm Beach County received the Department of Community
45 Affairs "Objections, Recommendations, and Comments Report," dated June

1 29, 2007 which was the Department's written review of the proposed
2 Comprehensive Plan amendments; and

3 **WHEREAS**, on August 27, 2007 the Palm Beach County Board of County
4 Commissioners held a public hearing to review the written comments
5 submitted by the Department of Community Affairs and to consider
6 adoption of the amendments; and

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

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

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

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

19 1. **University Drive & Riverside Drive TIM & 2020**

20 A. Transportation Element, to add text with regards to
21 the designation of corridors in need of Corridor Master Plans;

22 B. Map Series, Future 2020 Roadway System by Number of
23 Lanes (Map TE 1.1) and Thoroughfare Right of Way Identification
24 Map (Map TE 14.1), to remove segments of University Drive and
25 Riverside Drive between Palmetto Park Road and Lox Road.

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

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

30 **Part III. Severability**

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

1 Part IV. Inclusion in the 1989 Comprehensive Plan

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

7 Part V. Effective Date

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

25 APPROVED AND ADOPTED by the Board of County Commissioners of Palm
26 Beach County, on the 27th day of August, 2007.

27
28 ATTEST:
29 SHARON H. BOON, CLERK
30 & COMPTROLLER

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

31
32 BY Judith Cranley
33 Deputy Clerk

BY Addie L. Greene
Addie L. Greene, Chairperson

34
35 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

36
37 Robert A. [Signature]
38 COUNTY ATTORNEY

39
40 Filed with the Department of State on the ____ day of
41 _____, 2007.

EXHIBIT 1

A. Transportation Element, University Drive & Riverside Drive TIM & 2020

REVISIONS: To add text with regards to the designation of corridors in need of master plans. The revision is shown with the added text underlined.

Policy 1.1-n: Buildout Analysis: In corridors where the adopted LOS may not be achieved pursuant to the 2025 Transportation System for Palm Beach County Highway Component prepared by the Palm Beach MPO, the County will institute a process to develop individual Corridor Master Plans to address each projected corridor failure. The ULDC shall provide specific guidelines for buildout analysis and specific timelines for the completion of the Corridor Master Plans. *(unaltered text omitted for brevity)*

- S.R 7 from Hillsboro Canal to Glades Road
- Glades Road from S.R. 7 to Lyons Road
- Lyons Road from Hillsboro Canal to SW 18th Street

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
(CODRS) CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

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| COUNTY: (<u> PALM BEACH</u>) | COUNTY ORDINANCE # (<u>2007-008</u>) <small>(e.g., 00-001)</small> |
| PRIMARY KEYFIELD DESCRIPTOR: (<u> COMPREHENSIVE PLANNING</u>) | |
| SECONDARY KEYFIELD DESCRIPTOR: (<u> LAND USE PLANNING</u>) | |
| OTHER KEYFIELD DESCRIPTOR: (_____) | |
| ORDINANCE DESCRIPTION: (<u> LAND USE MAP AMENDMENTS</u>) <small>(25 characters maximum including spaces)</small> | |
| ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.) | |
| AMENDMENT # 1: (<u> 89-17</u>) | AMENDMENT # 2: (_____) |
| ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.) | |
| REPEAL # 1: (_____) | REPEAL # 3: (_____) |
| REPEAL # 2: (_____) | REPEAL # 4: (_____) |
| (Others repealed: List all that apply): _____ | |

| | |
|----------------------------|-------------------------------|
| (FOR OFFICE USE ONLY): | COUNTY CODE NUMBER: (_____) |
| KEYFIELD 1 CODE: (_____) | KEYFIELD 2 CODE: (_____) |
| KEYFIELD 3 CODE: (_____) | <small>Rev. 4/10/04</small> |