

ORDINANCE NO. 2008 - 005

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 FUTURE LAND USE ATLAS (FLUA); ADOPTING SMALL SCALE AMENDMENT JOG/JOE DELONG INSTITUTIONAL (SCA 2008-015); MODIFYING PAGE 86 BY CHANGING A 1.64 ACRES PARCEL OF LAND LOCATED ON NORTHEAST CORNER OF JOG ROAD AND JOE DELONG BOULEVARD, FROM LOW RESIDENTIAL, 3 UNITS PER ACRE (LR-3) TO INSTITUTIONAL WITH UNDERLYING 3 UNITS PER ACRE (INST/3); 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; and

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, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on January 18, 2008, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendment 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 October 25, 2007, to review the recommendations of the Local Planning Agency and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

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

Part I. Amendments to the Future Land Use Atlas of the Land Use Element of the 1989 Comprehensive Plan

The following amendment to the Future Land Use Element's Future Land Use Atlas is hereby adopted and is attached to this Ordinance:

A. Future Land Use Atlas page 86 is amended as follows:

Application No.: Jog/Joe Delong Institutional (SCA 2008-015)
Amendment: From Low Residential, 3 units per acre (LR-3) To Institutional with underlying 3 units per acre (INST/3);
General Location: Northeast corner of Jog Road and Joe Delong Boulevard;
Size: Approximately 1.64 acres;
Condition: The subject property shall be limited to 16,000 square feet of Medical Office uses.

Part II. Repeal of Laws in Conflict

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

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 provisions of this Ordinance shall become and be made a part

1 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
2 Ordinance may be renumbered or relettered to accomplish such, and the
3 word "ordinance" may be changed to "section," "article," or any other
4 appropriate word.

5 Part V. Effective Date

6 This amendment shall not become effective until 31 days after
7 adoption. If challenged within 30 days after adoption, this amendment
8 shall not become effective until the state land planning agency or the
9 Administration Commission, respectively, issues a final order
10 determining the amendment is in compliance.

11 APPROVED AND ADOPTED by the Board of County Commissioners of
12 Palm Beach County, on the 28th day of February, 2008.

13 ATTEST:

14 SHARON R. BOCK, CLERK

15 PALM BEACH COUNTY, FLORIDA,

16 BY ITS BOARD OF COUNTY COMMISSIONERS

17 By: Judith Croline

18 Deputy Clerk

19 By: Addie L. Greene

20 Addie L. Greene, Chairperson

21 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

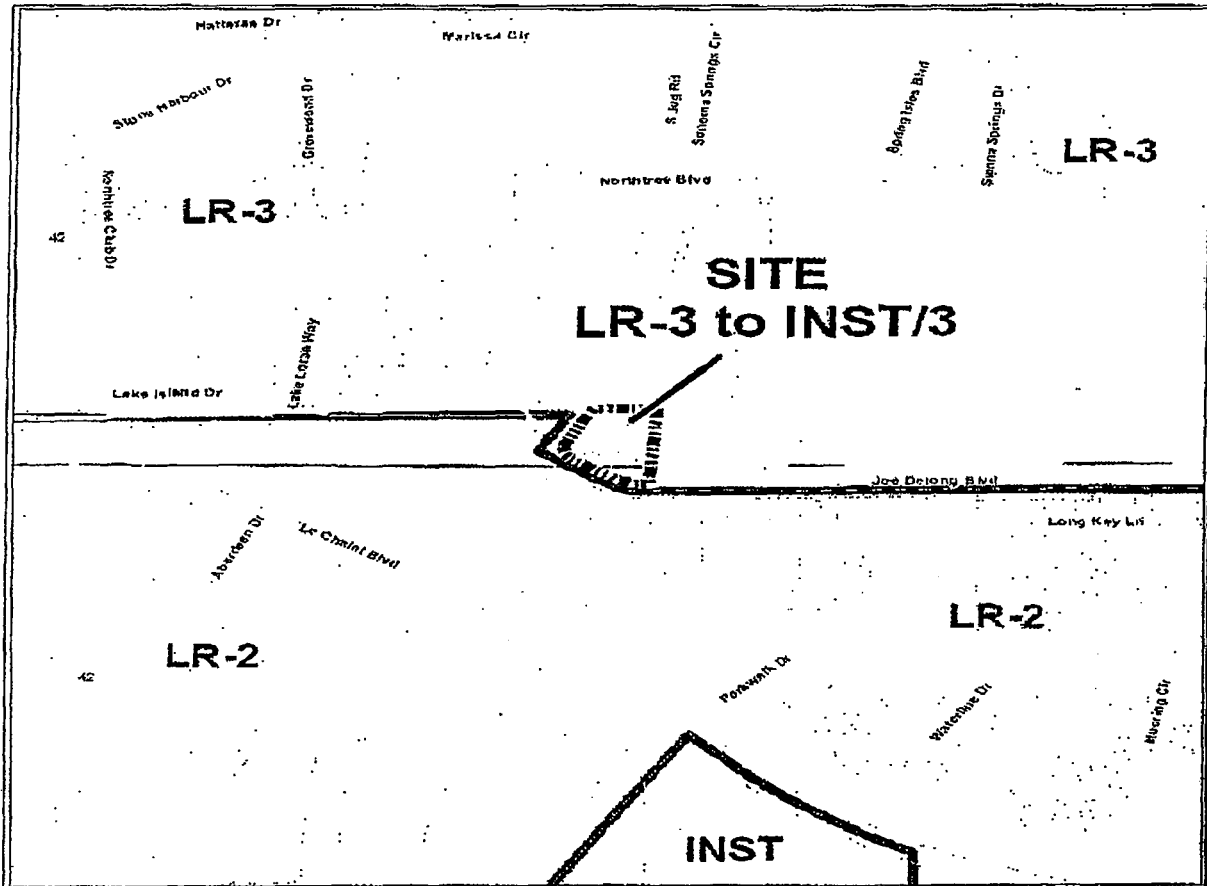
22 [Signature]
23 COUNTY ATTORNEY

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25 Filed with the Department of State on the 5th day
26 of March, 2008.
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EXHIBIT 1

Amendment No.: Jog/Joe Delong Institutional (SCA 2008-015)
FLUA Page No.: 86
Amendment: From Low Residential, 3 units per acre (LR-3) To Institutional with underlying 3 units per acre (INST/3);
Location: Northeast corner of Jog Road and Joe Delong Boulevard,
Size: Approximately 1.64 acres
Property No.: 00-42-43-27-05-047-0013, 00-42-45-15-00-000-1050
Conditions: The subject property will be limited to 16,000 square feet of Medical Office uses



Legal Description

A PARCEL OF LAND IN SECTIONS 10 AND 15, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, INCLUDING A PORTION OF TRACT 1, LYING EAST OF JOG ROAD AND NOTH OF JOE D.LONG BOULEVARD, BLOCK 47, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH THAT PORTION OF THE 25 FOOT ABANDONED ROAD LYING NORTHERLY AND EASTERLY OF THAT PORTION OF SAID TRACT 1, LYING EAST OF JOG ROAND AND NORTH OF JOE D.LONG BOULEVARD THE BLOCK 47, AS ABANDONED BY RESOLUTION RECORDED IN O.R. BOOK 5036, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE ORTH QUARTER CORNER OF SECTION 15; THENCE ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 15, SOUTH 00 20' 28" WEST, FOR 80.00 FEET; THENCE SOUTH 89 46' 42" WEST, FOR 14.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 220.00 FEET; THENCE WESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 33 56' 16", FOR 130.32 FEET TO A POINT OF TANGENCY; THENCE NORTH 56 17' 02" WEST, FOR 161.40 FEET; THENCE NORTH 11 53' 36" WEST, FOR 34.98 FEET TO THE EASTERLY RIGHT OF WAY OF JOG ROAD, RECORDED IN OFFICIAL RECORD BOOK 4456, PAGE 581 OF SAID PUBLIC RECORDS, BEING A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 2560.00 FEET, A RADIAL LINE BEARS NORTH 57 30' 11" WEST; THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE OF JOG ROAD AND ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 04 17' 42", FOR 191.90 FEET TO THE NORTH LINE OF SAID BLOCK 47; THENCE ALONG SAID NORTH LINE, NORTH 89 42' 27" EAST, FOR 197.40 FEET TO THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 10; THENCE ALONG SAID QUARTER SECTION LINE, SOUTH 03 20' 50" WEST, FOR 247.83 FEET TO THE POINT OF BEGINNING.

OVERALL PROPERTY BEING SITE PLANNED CONTAINING 71,476 SQUARE FEET, 1.640 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RIGHS OF WAY AND RESERVATIONS OF RECORD