

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 LINTON/JOG INSTITUTIONAL (SCA 2005-00027); MODIFYING PAGE 103 OF THE FLUA BY CHANGING A PARCEL OF LAND TOTALING APPROXIMATELY 4.45 ACRES GENERALLY LOCATED ON THE WEST SIDE OF JOG ROAD, APPROXIMATELY 600 FEET SOUTH OF LINTON BOULEVARD FROM LOW RESIDENTIAL, 3 UNITS PER ACRE (LR-3) TO INSTITUTIONAL, WITH AN 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 September 9, 2005, to review the proposed amendment 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

1           WHEREAS, the Palm Beach County Board of County Commissioners, as  
2           the governing body of Palm Beach County, conducted a public hearing  
3           pursuant to Chapter 163, Part II, Florida Statutes, on February 23,  
4           2006, to review the recommendations of the Local Planning Agency and  
5           to consider adoption of the amendments; and

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

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

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

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

16           A.     Future Land Use Atlas page 103 is amended as follows:

17           Application No.:     Linton/Jog Institutional (SCA 2005-00027)

18           Amendment:           Low Residential, 3 units per acre (LR-3) to  
19                                   Institutional, with an underlying 3 units  
20                                   per acre (INST/3);

21           General Location:    West side of Jog Road, approximately 600  
22                                   feet south of Linton Boulevard;

23           Size:                 Approximately 4.45 acres;

24           Part II. Repeal of Laws in Conflict

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27           are hereby repealed to the extent of such conflict.

28           Part III. Severability

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

33           Part IV. Inclusion in the 1989 Comprehensive Plan

34           The provisions of this Ordinance shall become and be made a part  
35           of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
36           Ordinance may be renumbered or relettered to accomplish such, and the

1 word "ordinance" may be changed to "section," "article," or any other  
2 appropriate word.

3 **Part V. Effective Date**

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

9 **APPROVED AND ADOPTED** by the Board of County Commissioners of  
10 Palm Beach County, on the 23rd day of February, 2006.

11  
12 ATTEST:

13 SHARON R. BOCK, CLERK

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By [Signature]  
Deputy Clerk

PALM BEACH COUNTY, FLORIDA,

BY ITS BOARD OF COUNTY COMMISSIONERS

By [Signature]  
Tony Masilotti, Chairman

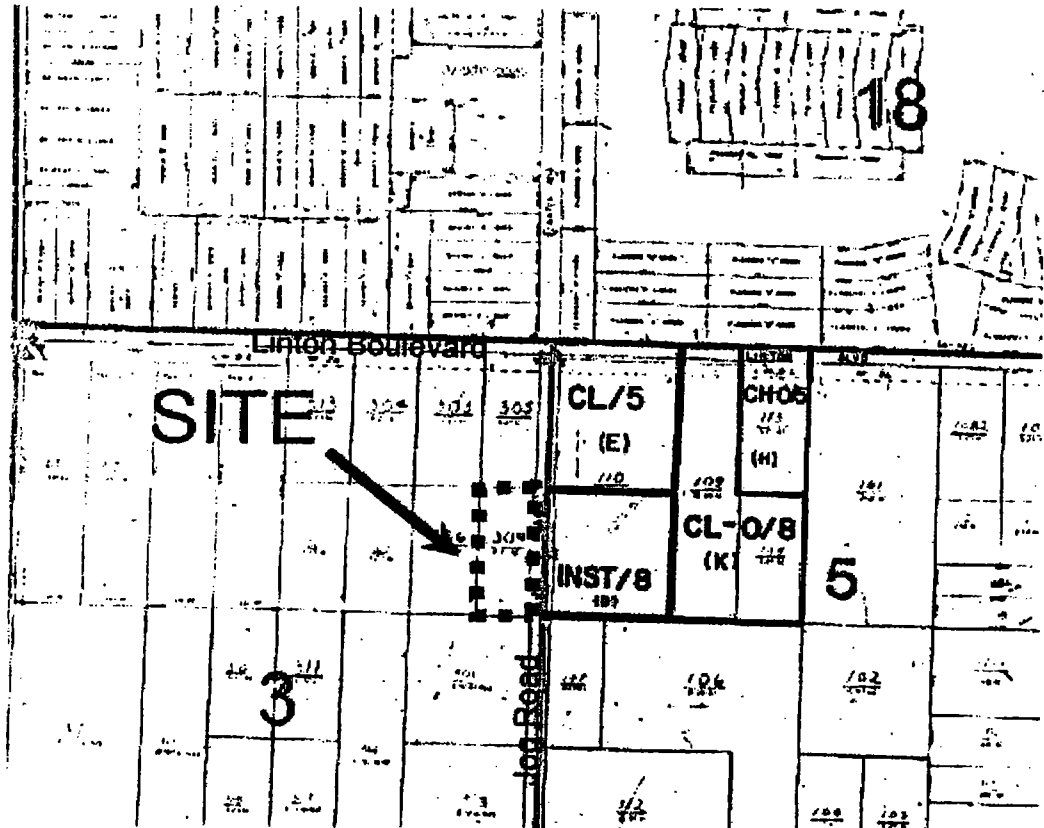
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]  
COUNTY ATTORNEY

Filed with the Department of State on the 1st day  
of March, 2006.

## EXHIBIT 1

**Amendment No.:** Linton/Jog Institutional (SCA 2005-00027)  
**FLUA Page No.:** 103  
**Amendment:** From Low Residential, 3 units per acre (LR-3) to Institutional, with an underlying 3 units per acre (INST/3)  
**Location:** West side of Jog Road, approximately 600 feet south of Linton Boulevard.  
**Size:** Approximately 4.45 acres  
**Property No.:** 00-42-46-27-00-000-3090  
**Legal Description:** See attached  
**Conditions:** None



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**LEGAL DESCRIPTION:**

THE EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF  
SECTION 27, TOWNSHIP 46, RANGE 42, PALM BEACH COUNTY.

CONTAINING: 4.45 ACRES, MORE OR LESS.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, SHARON R. BOCK, Clerk & Comptroller, certify  
this to be a true and correct copy of the original  
filed in my office on **FEB 23 2006**

dated at West Palm Beach, Fla. on **3/7/2006**

By: *Judith Caroline*  
Deputy Clerk

