

ORDINANCE 2014 039

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED; AMENDING THE ZONES OF INFLUENCE MAPS AS SET FORTH IN ARTICLE 14 – ENVIRONMENTAL STANDARDS, CHAPTER B - WELLFIELD PROTECTION; PROVIDING FOR: REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; CAPTIONS; ENFORCEMENT; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, mandates that the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and

WHEREAS, the Board of County Commissioners enacted Ordinance 91-19, commonly known as the Palm Beach County Wellfield Protection Ordinance and incorporated it into the Unified Land Development Code as Article 14.B, Wellfield Protection; and

WHEREAS, Article 14.B, Wellfield Protection, of the Unified Land Development Code provides that any amendments to the Zones of Influence Maps shall be approved by the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has determined that the amendments contained in this Ordinance further the intent and policy to ensure the continued health, safety, welfare, and quality of the environment for residents of and visitors to Palm Beach County.

WHEREAS, the Land Development Regulation Commission has found these amendments to the ULDC to be consistent with the Palm Beach County Comprehensive Plan; and

WHEREAS, the BCC hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

WHEREAS, the BCC has conducted public hearings to consider these amendments to the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida Statutes.

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

**PART I. AMENDING THE ZONES OF INFLUENCE MAPS AS SET FORTH
IN ARTICLE 14.B.**

Pursuant to Article 14.B (Wellfield Protection) of the Unified Land Development Code, the Zones of Influence Maps developed as described in Article 14.B.6.A.1 (Amendments), Article 14.B.6.A.3 (Review) and Article 14.B.6.B (Protection of Future Wellfields) are hereby amended as indicated in Attachment A, which is attached hereto and incorporated herein by reference.

PART 2. REPEAL OF LAWS IN CONFLICT:

All local laws and ordinances in conflict with any provision of this ordinance are hereby repealed to the extent of any such conflict.

PART 3. 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 4. SAVINGS CLAUSE:

Notwithstanding anything to the contrary, all provisions of Ordinance No. 06-010, as amended, are specifically preserved and remain in full force and effect for the limited purpose of enforcing any alleged violations of said Ordinance which occurred prior to its repeal or amendment.

PART 5. CAPTIONS:

The captions, section headings, and section designations used in this Ordinance are for convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.

PART 6. ENFORCEMENT:

This Ordinance is enforceable by all means provided by law. Additionally, the County may choose to enforce this Ordinance by seeking injunctive relief in the Circuit Court of Palm Beach County.

PART 7. INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE:

The provision of this ordinance shall become and be made a part of the Unified Land Development Code of Palm Beach County, Florida. The Sections of the ordinance may be re-numbered or re-lettered to accomplish such, and the word ordinance may be changed to section, article, or any other appropriate word.

PART 8. EFFECTIVE DATE:

The provisions of this ordinance shall become effective upon filing with the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 18th day of November, 2014.

SHARON R. BOCK, CLERK & COMPTROLLER

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

By:


Deputy Clerk

By:


Shelley Vana Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By:


County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 21st day of NOVEMBER, 2014.

ATTACHMENT A

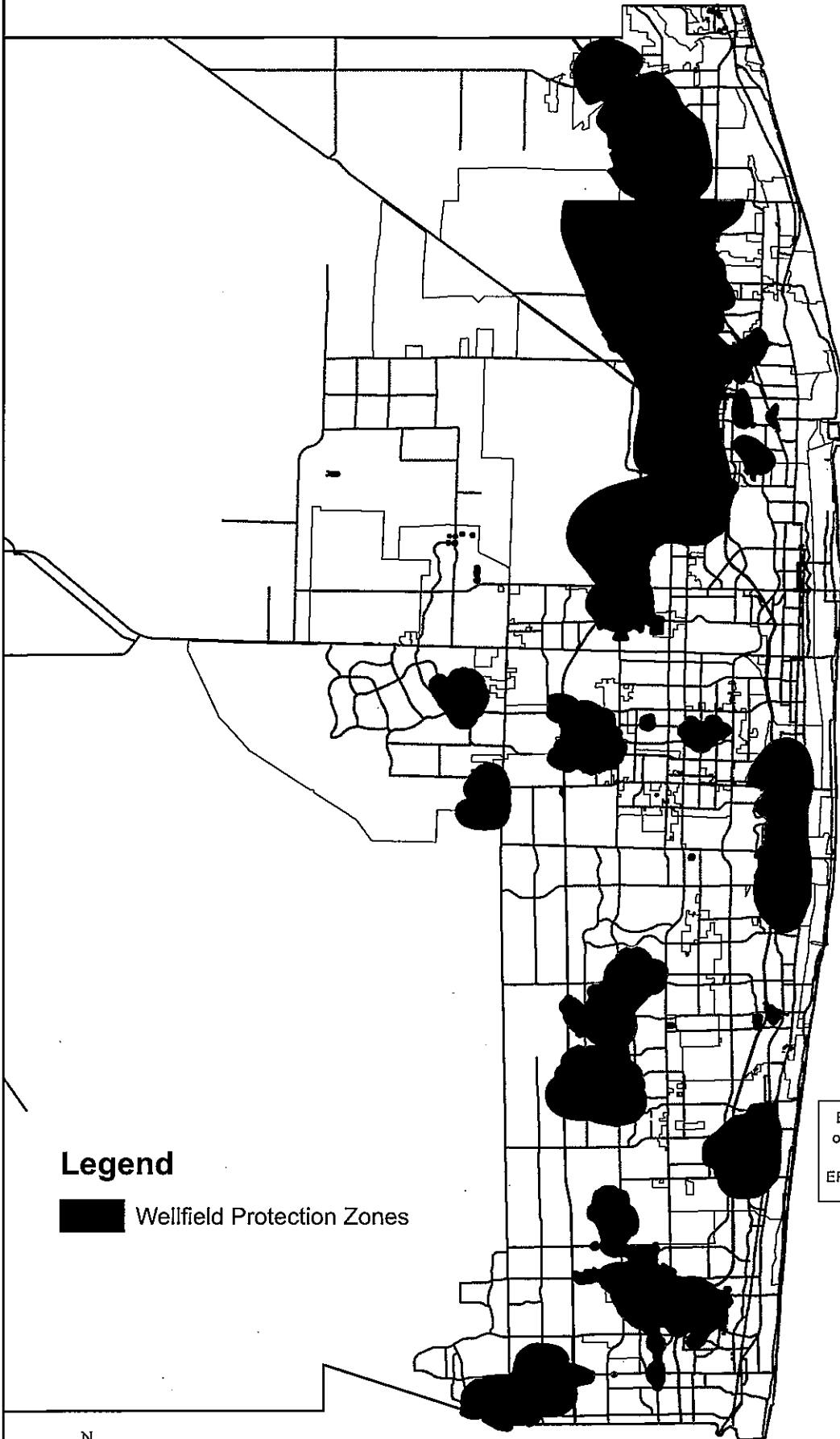
The Wellfield Zone of Influence maps being changed are on the following Palm Beach County aerals maintained by the Department of Environmental Resources Management. The aerals are listed by Range, Township and Section.

RNG	TWN	SEC		RNG	TWN	SEC		RNG	TWN	SEC		RNG	TWN	SEC
42	40	32		42	42	12		43	43	04		43	44	07
42	40	33		43	42	07		42	43	08		41	44	14
42	40	34		43	42	08		42	43	09		41	44	13
42	41	05		42	42	16		42	43	10		42	44	17
42	41	04		42	42	15		42	43	11		42	44	16
42	41	03		42	42	13		42	43	12		42	44	15
42	41	02		43	42	18		43	43	07		42	44	14
42	41	09		43	42	17		42	43	17		42	44	13
42	41	12		42	42	22		42	43	14		43	44	18
42	41	11		43	42	19		42	43	13		43	44	17
42	41	13		43	42	20		43	43	18		43	44	16
42	41	16		42	42	27		42	43	20		43	44	15
42	41	24		42	42	26		42	43	21		41	44	23
43	41	19		43	42	30		42	43	22		41	44	24
42	41	22		43	42	29		42	43	23		42	44	19
42	41	21		43	42	28		41	43	23		42	44	20
43	41	30		42	42	34		41	43	24		42	44	21
42	41	29		42	42	35		42	43	28		42	44	22
42	41	28		42	42	36		42	43	27		42	44	24
42	41	32		43	42	31		42	43	26		43	44	19
42	41	36		43	42	32		42	43	33		43	44	20
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42	42	03		42	43	02		41	44	10		41	44	25
42	42	02		42	43	01		41	44	11		42	44	30
43	42	06		43	43	06		41	44	12		43	44	29
42	42	09		43	43	05		42	44	12		43	44	28

ATTACHMENT A cont'd

RNG	TWN	SEC		RNG	TWN	SEC		RNG	TWN	SEC
43	44	27		42	46	02		41	47	35
41	44	35		42	46	03		40	41	13
41	44	36		42	46	04		41	41	18
42	44	31		42	46	05		41	41	17
43	44	33		42	46	11		40	41	24
43	44	34		42	46	08		41	43	26
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42	45	14		43	47	19		43	41	06
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42	45	33		42	47	31				
42	45	34		41	47	36				

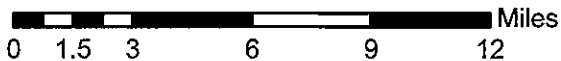
Representative Wellfield Protection Zone Map



Legend

 Wellfield Protection Zones

Electronic Maps are available at the Department of Environmental Resources Management (ERM) website www.pbcgov.org/ERM and at ERM's office, 2300 N. Jog Road, 4th Floor WPB, FL



August 20, 2014