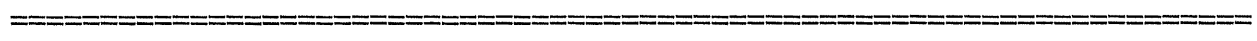


**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

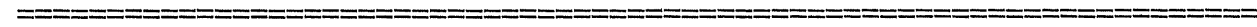
AGENDA ITEM SUMMARY



Meeting Date: September 9, 2014 () Consent (X) Regular
() Workshop () Public Hearing

Department

Submitted By: Environmental Resources Management
Submitted For: Environmental Resources Management



I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve on preliminary reading and advertise for first public hearing on October 21, 2014 at 9:30 a.m.: 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.

Summary: Wellfield Zone of Influence maps are routinely and periodically updated based upon enhanced knowledge of model characteristics and aquifer responses, changes in well pumpage, reconfiguration of wellfields, and design and response of wellfields. On July 23, 2014, the map changes were presented to and voted on with no objection by the League of Cities Board of Directors and membership. The map changes were also presented to and approved by the Land Development Review Advisory Board/ Land Development Review Committee on July 23, 2014. Countywide (SF)

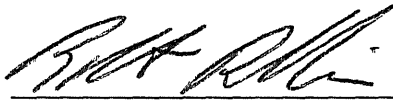
Background and Policy Issues: The Wellfield Protection Ordinance was adopted by the Board of County Commissioners on February 23, 1988 and carries an effective date of March 7, 1988. In June 1992, the Ordinance was included as Section 9.3 of the Unified Land Development Code and is currently included as Article 14.B. Article 14.B.6.A.1. and Article 14.B.6.B. require that any amendments, additions or deletions to the Wellfield Zones of Influence maps be approved by the BCC following a public hearing. The Wellfield Zone of Influence maps were previously updated on June 21, 1988, December 20, 1988, June 20, 1989, July 16, 1991, February 18, 1992, June 15, 1993, February 21, 1995, April 15, 1997, February 27, 2001, July 15, 2003 and May 16, 2006.

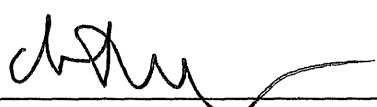
Electronic maps are available on-line for review at the Department of Environmental Resources Management (ERM) website, www.pbcgov.com/erm and at the ERM office, 2300 North Jog Road, 4th Floor, West Palm Beach, weekdays between the hours of 8:00 A.M. and 5:00 P.M.

Attachments:

- 1. Amending Ordinance (Attachment "A" indicating maps to be changed, Attachment B Draft Zone Map)



Recommended by:  8/19/14
Department Director Date

Approved by:  8/20/14
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
 NET FISCAL IMPACT	_____	_____	_____	_____	_____
 # ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
 Is Item Included in Current Budget?	Yes _____		No _____		
Budget Account No.:	Fund _____	Department _____	Unit _____	Object _____	
	Program _____				

B. Recommended Sources of Funds/Summary of Fiscal Impact:


There is no fiscal impact associated with this item.

C. Department Fiscal Review:

fl

III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Dev. and Control Comments:

 _____ OFMB 8/21 AK 8/21/14	 _____ Contract Development and Control 8-22-14 <i>AK</i>
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B. Legal Sufficiency:



 Assistant County Attorney

C. Other Department Review:

 Department Director

ORDINANCE 2014 _____

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 _____ day of _____, 2014.

SHARON R. BOCK, CLERK &
COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Priscilla A. Taylor, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the _____ day of _____, 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.

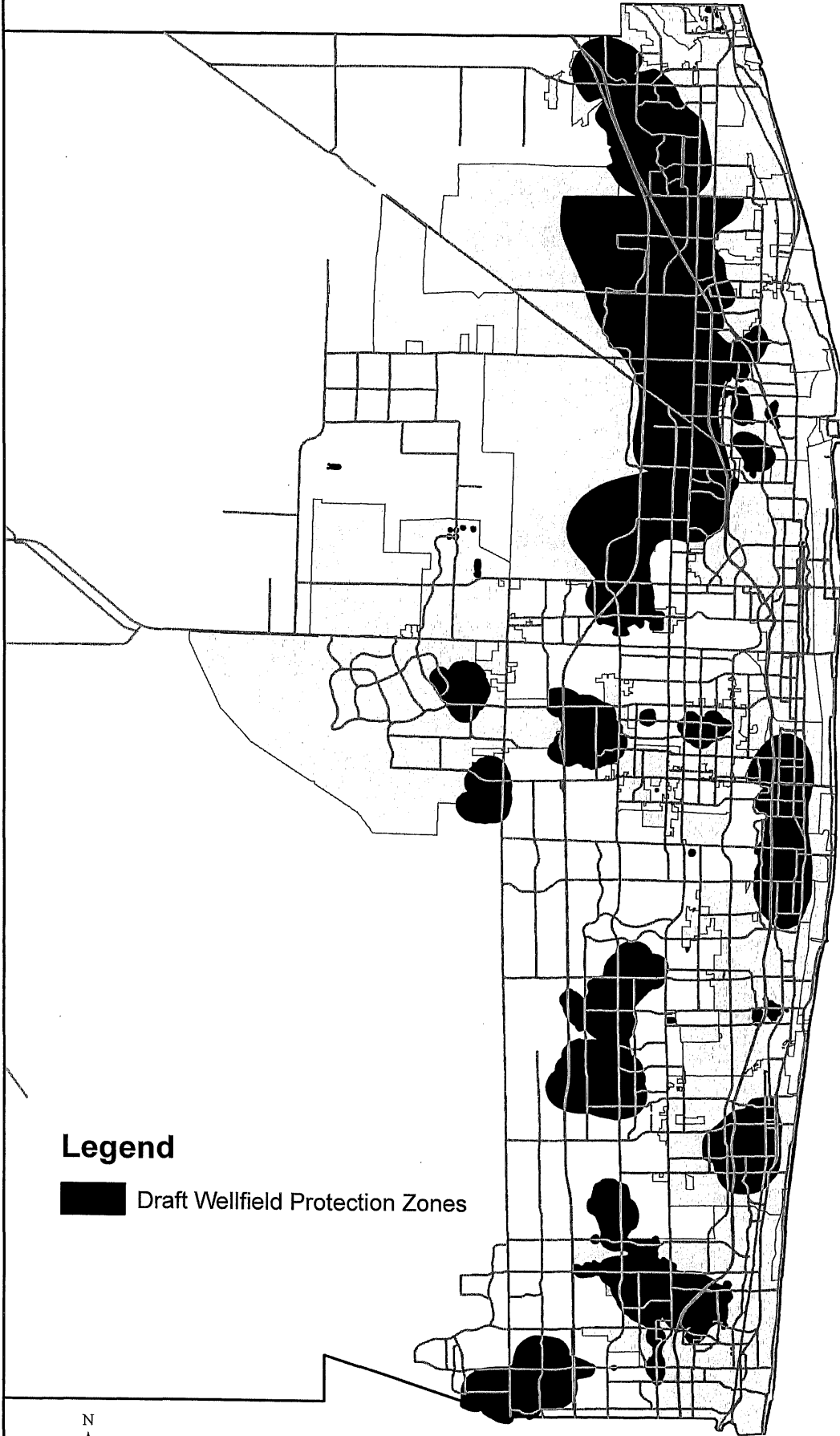
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42	40	33		43	42	07		42	43	08		41	44	14
42	40	34		43	42	08		42	43	09		41	44	13
42	41	05		42	42	16		42	43	10		42	44	17
42	41	04		42	42	15		42	43	11		42	44	16
42	41	03		42	42	13		42	43	12		42	44	15
42	41	02		43	42	18		43	43	07		42	44	14
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43	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
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41	44	36		42	46	04		41	41	18
42	44	31		42	46	05		41	41	17
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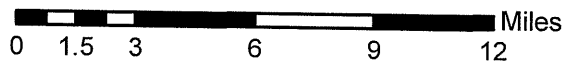
Attachment B

Representative Wellfield Protection Zone Map



Legend

 Draft Wellfield Protection Zones



August 20, 2014