

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

November 18, 2014 (

) Consent) Workshop () Regular(X) Public Hearing

Department

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

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: 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 presented to and approved by the Land Development Regulation Advisory Board/Land Development Regulation Commission on July 23, 2014. The preliminary reading was approved by the Board of County Commissioners (BCC) on September 9, 2014. The first public hearing was held by the BCC on October 21, 2014. Countywide (SF)

Background and Policy Issues: The Wellfield Protection Ordinance was adopted by the BCC on February 23, 1988 and carries an effective date of March 7, 1988. In June 1992, 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 after public hearing. The Wellfield Zone of Influence maps were previously updated in 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. Approximately 2000 notices were mailed to 1420 parcel owners and 465 notices delivered to facility owners.

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)
- 2. Representative Wellfield Protection Zone Map

Recommended by:

Approved by:

Department Director

County Administrator

II. FISCAL IMPACT ANALYSIS

A.	Five	Year	Summary	of Fiscal	Impact:
----	------	------	---------	-----------	---------

Fiscal Years Capital Expendence Operating Co		2014	2015	2016	2017	2018
External Revo Program Inco In-Kind Mato	ome (County)					
NET FISCA	L IMPACT					
# ADDITIO POSITIONS	NAL FTE (Cumulative)	-				
Is Item Inclue Budget Accou	led in Current int No.:		Yes Department	Unit _	No Object	t
В.	Recommende	d Sources	of Funds/Sumn	nary of Fiscal	Impact:	
C.	Department l	NO Fiscal Revie	fiscal ür ew: H	npact		
		<u>111. RF</u>	EVIEW COMM	<u>IENTS</u>		
А.	OFMB Fiscal	and /or Co	ontract Dev. an	d Control Cor	nments:	

0/3/14 RK Legal Sufficiency: 10/a:

В **Assistant County Attorney**

C. Other Department Review:

B.

Department Director

Contract Development and Control 10-27-14 Bahalu 27-14

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.

	$(\mathbf{x}_{i})_{i=1}^{n}$, $(\mathbf{x}_{i})_{i=1}^{n$
APPROVED AND ADOPT	ED 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
Bv:	₿₩.
By: Deputy Clerk	Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	
By:	
	ed with the Department of State on the
day of	, 2014.
	and an
n an an an Anna an Anna Anna an Anna an	an a
	· · · · · · · · · · · · · · · · · · ·

ATTACHMENT A

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

RNG	TWN	SEC		RNG	TWN	SEC		RNG	TWN	SEC	ļŢ	RNG	TWN	SEC
42	40	32		42	42	12		43	43	04		43	44	07
42	40	33		43	42	07	이다. 같다	42	43	08		41	44	14
42	40	34		43	42	08	1000	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	10 A	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	11° 14 1 2 1	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	раля Пореда	43	42	28	100	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	U U	42	44	22
42	41	28		. 42	42	36		42	43	27	100	. 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
43	41	31	57 - 27 67 - 27	43	42	33		42	43	34		43	44	21
42	42	05		42	43	04		42	43	35		43	44	22
42	42	04		42	43	03	1000	41	44	02		41	44	26
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	NN 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	192	42	46	11		40	41	24	
43	44	34	en an Station Theorem	42	46	08		41	43	26	
43	45	04		42	46	14		41	43	25	
43	45	05		42	46	15		41	43	35	
43	45	03		42	46	16		41	43	36	
43	45	08		42	46	17		41	44	03	
43	45	09		43	46	19		41	44	01	
43	45	10		43	47	07		42	45	32	
43	45	16		43	47	18		42	42	11	
43	45	15		42	47	13		42	40	35	
42	45	15		42	47	18		42	41	01	
42	45	14		43	47	19		43	41	06	
42	45	24		42	47	24		43	41	07	
42	45	23		42	47	21		43	41	18	
42	45	22		42	47	20		42	40	31	
43	45	28		42	47	19		42	41	06	
42	45	26		41	47	24		42	42	10	
42	45	27	1000 1000 1000 1000	42	47	28		42	41	20	
42	45	28	위영 동안 같이야	42	47	29		******			
42	45	29	1.32 1.32 1.33	42	47	30					
43	45	33		41	47	25		•			
43	45	32		41	47	26					
42	45	35		42	47	32					
42	45	33		42	47	31					
42	45	34		41	47	36					

