

10.2.3 Land Use Designation Description

Governing Document

The City of West Palm Beach, Florida Comprehensive Plan was adopted through Ordinance No. 4179-08 on December 15, 2008. This is the official governing document for land use classifications and designations within the municipal limits of the City of West Palm Beach, FL.

The Definitions Element of the City of West Palm Beach Comprehensive Plan classifies the Palm Beach County Renewable Energy Park and its facilities, including the proposed Palm Beach Renewable Energy Facility No. 2 as Public Facilities:

122. "PUBLIC FACILITIES" means transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, educational systems or facilities, parks and recreation systems or facilities and public health systems or facilities.

The Future Land Use Element of the City of West Palm Beach Comprehensive Plan establishes thirteen Future Land Use categories. The Property has a Community Service/Special Impact Zone (CS/SIZ) land use designation. These categories are described in the Future Land Use Element as follows:

Community Service Uses

The Community Service land use category includes Interstate 95, educational uses, public buildings and grounds and other public facilities. Educational uses include both public and private elementary, middle and high schools as well as colleges and universities. Public buildings and grounds include government buildings, hospitals and cemeteries. Other public facilities include the City water plant and the Florida Power & Light headquarters on Executive Center Drive. The acreage for these uses were calculated and reflected on the Existing Land Use Map. These same uses, as well as the recreational uses discussed earlier, constitute the Community Service land use designation.

Special Impact Zone

Special Impact Zone areas are located throughout West Palm Beach in areas possessing great potential for development because of their close proximity to major highways and to large residential concentrations. Because of their highly visible and sensitive locations, development of these areas will have a great impact upon neighboring properties and upon traffic circulation. In order to ensure that the development of these areas will not create traffic congestion or access problems, and in order to protect neighboring properties from blighting influences, development of these areas for multifamily, residential, commercial, or industrial purposes is conditional upon approval of specific site development plans. Site Plan Review by the City is intended to ensure that the development of

these areas will complement and respect the unique characteristics of their locations.

Ordinance No. 2281-89 was approved by the City of West Palm Beach on January 22, 1990 and changed the land use designation for approximately 157 acre in the northern portion of the Property from the County designation of Conservation/Very Low – Low Residential to DZ/CS – Dotted Zone/Community Service. (The Dotted Zone designation was later reclassified as Special Impact Zone (SIZ)). Ordinance No. 2190-88 was approved by the City of West Palm Beach on October 17, 1988 and changed the land use designation for the balance of the property, approximately 1,095 acres, from the Palm Beach County designation of Conservation/Very Low to Low Residential to the City of West Palm Beach SIZ/CS – Special Impact Zone/Community Service.

Attachments – Land Use Ordinances

H:\JOBS\SWA N. Cty 09-003\Waste to Energy Exp .000\Documents\DEP Permitting\060109 Draft Documents to MP\10.5 Appendix Land Use Designation Description w-o Industrial.doc

flup:943a

ORDINANCE NO. 2190-88

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF WEST PALM BEACH, RELATING TO CERTAIN PROPERTY GENERALLY LOCATED NORTH OF 45TH STREET, EAST OF THE WEST PALM BEACH WATER CATCHMENT AREA AND WEST OF FLORIDA'S TURNPIKE; ASSIGNING TO SUCH REAL PROPERTY A CITY OF WEST PALM BEACH LAND USE DESIGNATION OF "DOTTED ZONE/COMMUNITY SERVICE" (DZ/CS); AMENDING THE FUTURE LAND USE MAP OF THE CITY ACCORDINGLY; DECLARING THE PROPOSED AMENDMENT TO THE FUTURE LAND USE ELEMENT TO BE CONSISTENT WITH ALL OTHER ELEMENTS OF THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission hereby finds and determines that

the herein described amendment to the Future Land Use Element of the Comprehensive Plan of the City of West Palm Beach, Florida, adopted pursuant to the provisions of the "Local Government Comprehensive Planning and Land Development Regulation Act" (Sec. 163.3161, Florida Statutes), is consistent with said Comprehensive Plan of the City in all respects.

SECTION 2: The Future Land Use Map of the City of West Palm

Beach, Florida, adopted by Ordinance No. 1395-78 of the City Commission as part of the Future Land Use Element of the Comprehensive Plan, as amended, be and the same is hereby further amended by changing the designated land use for the real property described in "Exhibit A" attached hereto and made a part hereof, to "Dotted Zone/Community Service" (DZ/CS). A map depicting the property affected by this ordinance is attached as "Exhibit B".

SECTION 3: The Future Land Use Map of the City shall be revised

and corrected with the above amendment made to Ordinance No. 1395-78 aforesaid.

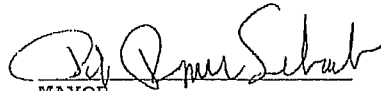
SECTION 4: All ordinances or parts of ordinances in conflict
herewith be and the same are hereby repealed.

SECTION 5: This ordinance shall take effect immediately upon
its passage at the second reading.

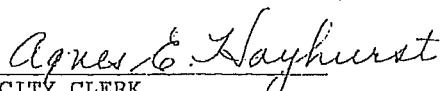
FIRST READING THIS 16th DAY OF May, 1988.
SECOND AND FINAL READING AND PASSAGE THIS 17th DAY OF
October, 1988.

(CORPORATE SEAL)

CITY OF WEST PALM BEACH
BY ITS CITY COMMISSION


MAYOR

ATTEST:


CITY CLERK

This Instrument Prepared By
Carl V.M. Coffin

Law Department
City of West Palm Beach
200 - 2nd Street - P.
West Palm Beach
305/659-6000

WCW:pb943a.ord

LEGAL DESCRIPTION

THE SOUTH HALF OF SECTION 27 AND ALL OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; LESS RIGHT-OF-WAY OF SUNSHINE STATE PARKWAY AS VESTED IN THE FLORIDA STATE TURNPIKE AUTHORITY BY FINAL JUDGEMENT IN MCC BOOK 74, PAGE 662, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS LAID OUT AND IN USE.

AND

THE NORTH HALF OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF 45TH STREET (STATE ROAD 702) AND WEST OF THE WEST RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY.

AND

THE NORTH HALF OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA LYING SOUTH OF THE SOUTH RIGHT-OF-WAY OF 45TH STREET (STATE ROAD 702) AND WEST OF THE WEST RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY.

LESS THE FOLLOWING DESCRIBED PARCEL:

A PORTION OF THE NORTH ONE HALF (N1/2) OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST ONE QUARTER (W1/4) CORNER OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND RUN ON AN ASSUMED BEARING OF N05°59'43"E ALONG THE WEST LINE OF SAID SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST FOR 611.93 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 45 STREET AS RECORDED IN DEED BOOK 1055 AT PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING THE POINT OF BEGINNING; THENCE RUN S88°33'36"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF 45 STREET FOR 4317.15 FEET; THENCE RUN S85°41'51"E ALONG SAID SOUTH RIGHT-OF-WAY FOR 300.38 FEET; THENCE RUN N87°36'18"W FOR 300.04 FEET; THENCE RUN N88°33'36"W ALONG A LINE PARALLEL WITH AND 10.00 FEET SOUTH OF AS MEASURED AT RIGHT ANGLES TO THE SAID SOUTH RIGHT-OF-WAY LINE OF 45 STREET FOR 4317.95 FEET TO A POINT LYING ON THE SAID WEST LINE OF SECTION 3, TOWNSHIP 43, RANGE 42 EAST; THENCE RUN N05°59'43"E ALONG SAID WEST LINE OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST FOR 10.03 FEET TO THE POINT OF BEGINNING;

AND

COMMENCE AT THE WEST ONE QUARTER (W1/4) CORNER OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND RUN ON AN ASSUMED BEARING OF N05°59'43"E ALONG THE WEST LINE OF SAID SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST FOR 712.25 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 45 STREET AS RECORDED IN DEED BOOK 1055 AT PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING THE POINT OF BEGINNING; THENCE RUN S88°33'36"E ALONG THE NORTH RIGHT-OF-WAY FOR 4309.19 FEET; THENCE RUN N88°34'40"E ALONG SAID NORTH RIGHT-OF-WAY FOR 300.38 FEET; THENCE RUN N89°30'53"W FOR 300.04 FEET; THENCE RUN N88°33'36"W ALONG A LINE PARALLEL WITH AND 10.00 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SAID NORTH

EXHIBIT A

SHEET 1 OF 4 SHEETS

FILE NO. 88-11181-SS1



heller • weaver and cato inc.

• engineering • land surveying • land planning • land development consultation

CORAL GATE PROFESSIONAL PLAZA

5667 CORAL GATE BOULEVARD (N.W. 29th STREET)

MARGATE, FLORIDA 33063, PHONE (305) 979-0550

RIGHT-OF-WAY LINE OF 45 STREET FOR 4308.39 FEET TO A POINT LYING ON THE SAID WEST LINE OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST; THENCE RUN S05°59'43"W ALONG SAID WEST LINE OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST FOR 10.03 FEET TO THE POINT OF BEGINNING.

AND LESS:

THE NORTH 750.00 FEET OF THE EAST 2,197.87 FEET OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 27, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

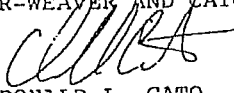
CONTAINING 1095.989 ACRES OR LESS.

SAID LAND SITUATE IN PALM BEACH COUNTY, FLORIDA.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

HELLER-WEAVER AND CATO, INC.

BY:  DONALD L. CATO
PROFESSIONAL LAND SURVEYOR
FLORIDA STATE REG. NO. 3895

DATED: 4-08-88

NOTES:

1) THIS SKETCH AND LEGAL DESCRIPTION DOES NOT REFLECT A FIELD SURVEY.

2) BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE NORTH ONE-HALF (N 1/2) OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 42 EAST HAVING AN ASSUMED BEARING OF S88°33'36"E.

SHEET 2 OF 4 SHEETS

FILE NO. 88-11181-SS2



heller · weaver and cato inc.

• engineering • land surveying • land planning • land development consultation

CORAL GATE PROFESSIONAL PLAZA

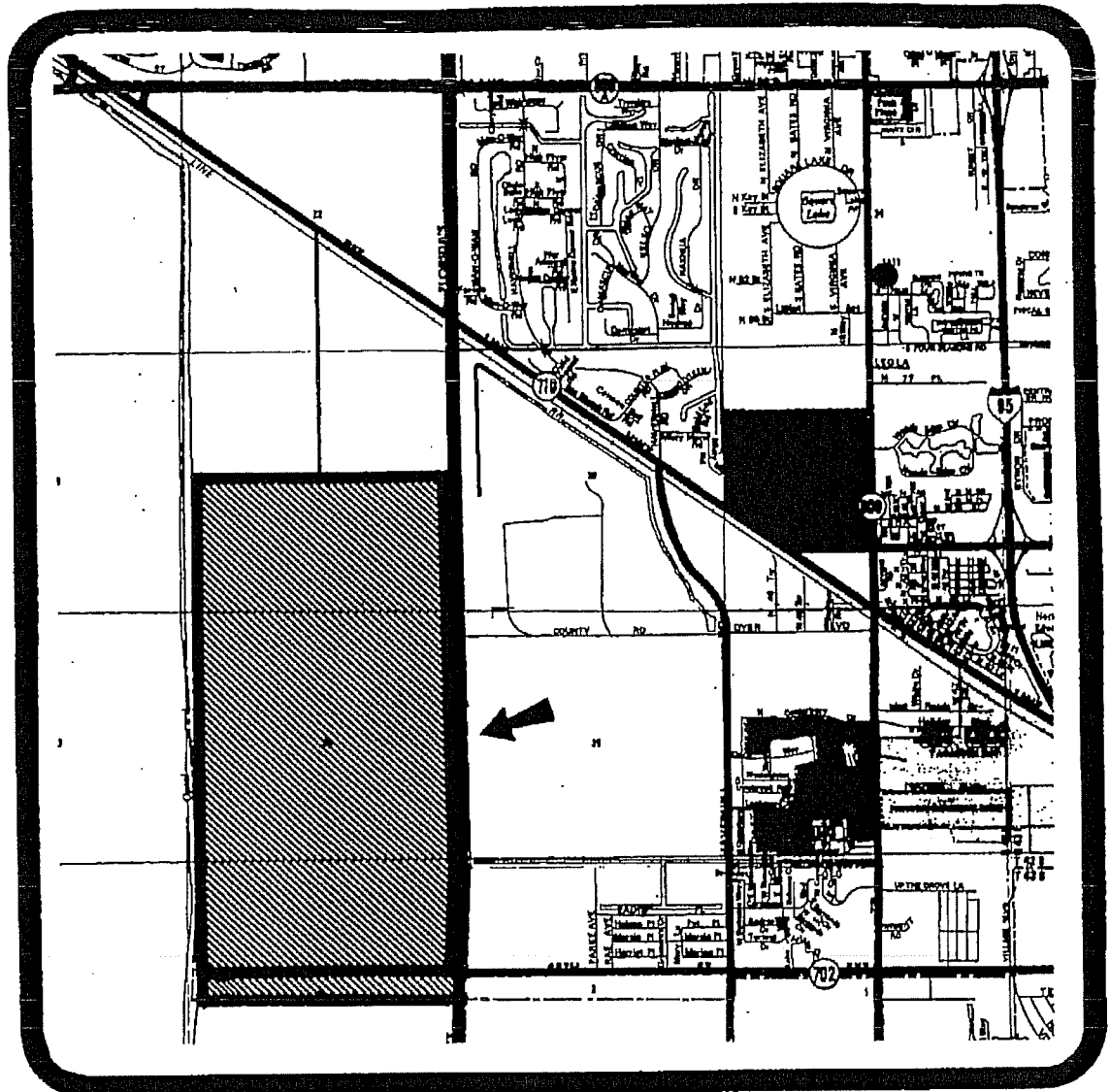
5667 CORAL GATE BOULEVARD (N.W. 29th STREET)

MARGATE, FLORIDA 33063. PHONE (305) 979-0550

MARGATE, FLORIDA 33063. PHONE (305) 979-0550

PLANNING BOARD CASE NO.

943A



A request by the Palm Beach County Solid Waste Authority for approval of a land use plan assignment of "DZ/CS" (Dotted Zone/Community Service) for property generally located north of 45th Street, east of the West Palm Beach Water Catchment Area and west of Florida's Turnpike (Case No. 943A).

EXHIBIT B

flup:943d.ord

RECEIVED

ORDINANCE NO. 2281-89

JAN 24 1990

COMMUNITY DEVELOPMENT
& PLANNING DEPT.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF WEST PALM BEACH, RELATING TO CERTAIN PROPERTY GENERALLY LOCATED AT THE SOUTHWEST INTERSECTION OF BEE LINE HIGHWAY AND THE FLORIDA TURNPIKE; ASSIGNING TO SUCH REAL PROPERTY A CITY OF WEST PALM BEACH LAND USE DESIGNATION OF "DOTTED ZONE/COMMUNITY SERVICE" (DZ/CS); AMENDING THE FUTURE LAND USE MAP OF THE CITY ACCORDINGLY; DECLARING THE PROPOSED AMENDMENT TO THE FUTURE LAND USE ELEMENT TO BE CONSISTENT WITH ALL OTHER ELEMENTS OF THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission hereby finds and determines that the herein described amendment to the Future Land Use Element of the Comprehensive Plan of the City of West Palm Beach, Florida, adopted pursuant to the provisions of the "Local Government Comprehensive Planning and Land Development Regulation Act" (Sec. 163.3161, Florida Statutes), is consistent with said Comprehensive Plan of the City in all respects.

SECTION 2: The Future Land Use Map of the City of West Palm Beach, Florida, adopted by Ordinance No. 1395-78 of the City Commission as part of the Future Land Use Element of the Comprehensive Plan, as amended, be and the same is hereby further amended by changing the designated land use for the real property described in "Exhibit A" attached hereto and made a part hereof, to "Dotted Zone/Community Service" (DZ/CS). A map depicting the property affected by this ordinance is attached as "Exhibit B".

SECTION 3: The Future Land Use Map of the City shall be revised and corrected with the above amendment made to Ordinance No. 1395-78 aforesaid.

SECTION 4: All ordinances or parts of ordinances in conflict
herewith be and the same are hereby repealed.

SECTION 5: This ordinance shall take effect immediately upon
its passage at the second reading.

FIRST READING THIS 10th DAY OF April, 1989.
SECOND AND FINAL READING AND PASSAGE THIS 22nd DAY OF
January, 1990.

(CORPORATE SEAL)

CITY OF WEST PALM BEACH
BY ITS CITY COMMISSION

James O. Poole
MAYOR

ATTEST:

Agnes E. Hayhurst
CITY CLERK

This Instrument Prepared By:
Carl V.M. Coffin
Law Department
City of West Palm Beach
200 - 2nd Street - P.O. Box 3366
West Palm Beach, Fla. 33402
305/669-8017

WCW:pb943a.ord

EXHIBIT A

DESCRIPTION:

A TRACT OF LAND LYING IN SECTIONS 22 AND 27, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PART OF SECTION 22, LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SEABOARD COAST LINE RAILROAD, AND THE NORTH ONE-HALF OF SECTION 27, TOWNSHIP 42 SOUTH, RANGE 42 EAST, LYING EAST OF A LINE RUNNING NORTH AND SOUTH WHICH LINE COMMENCES AT A POINT LOCATED IN THE NORTH SECTION LINE OF SECTION 22, 2,000 FEET WEST OF THE POINT AT WHICH SAID NORTH SECTION LINE IS INTERSECTED BY THE WESTERLY RIGHT-OF-WAY OF THE SUNSHINE STATE PARKWAY, AS RECORDED IN DEED BOOK 1110, PAGE 583, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND WHICH LINE TERMINATES AT A POINT SITUATED ON THE EAST/WEST HALF SECTION OF SECTION LINE OF SECTION 27, 2,000 FEET WEST OF A POINT AT WHICH WEST RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY INTERSECTS SAID HALF SECTION LINE, LESS THAT PART DESCRIBED IN OFFICIAL RECORD BOOK 2399, PAGE 713, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LESS THE RIGHT-OF-WAY OF SAID SUNSHINE STATE PARKWAY AS CONVEYED IN DEED BOOK 1110, PAGE 583, IN THE PUBLIC RECORDS OF PAL BEACH COUNTY, FLORIDA, AND AS LAID OUT AND IN USE. ALSO DESCRIBED AS: THE EASTERN MOST 2,000 FEET OF SECTION 22, LYING SOUTH OF THE RIGHT-OF-WAY OF THE SEABOARD COASTLINE RAILROAD, AND OF THE NORTH ONE-HALF OF SECTION 27, LYING IMMEDIATELY WEST OF THE WEST RIGHT-OF-WAY OF SUNSHINE PARKWAY. LESS THAT PART DESCRIBED IN OFFICIAL RECORD BOOK 2399, PAGE 713, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LESS THE RIGHT-OF-WAY OF SAID SUNSHINE STATE PARKWAY AS CONVEYED IN DEED BOOK 1110, PAGE 583, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS AS LAID OUT AND IN USE.

AND;

THE NORTH 1/2 OF THE NORTHEAST 1/4 NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 42, SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY FLORIDA.

CONTAINING 157.429 ACRES MORE OR LESS.