

## REVISÉD

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<b>Meeting Date:</b>	<b>July 12, 2016</b>	<input checked="" type="checkbox"/> <b>Consent</b>	<input type="checkbox"/> <b>Regular</b>
		<input type="checkbox"/> <b>Ordinance</b>	<input type="checkbox"/> <b>Public Hearing</b>
<b>Department:</b>	<b>Department of Economic Sustainability</b>		

## **I. EXECUTIVE BRIEF**

**Motion and Title:** (A) Staff recommends a motion to approve by a majority vote plus one, a waiver of the statutory requirement that one of the two public hearings to be held on August 16, 2016 and September 27, 2016, be held after 5:00 pm: For the parcel located at 4965 Lantana Road within unincorporated Palm Beach County, Florida 33463, further identified by folio number 00-42-44-36-37-001-0000 seeking a Green Reuse Area designation pursuant to Section 376.80(2)(c), Florida Statutes.

**(B) Staff recommends a motion to approve the advertising of public hearings on Tuesday, August 16, 2016 at 9:30 am and September 27, 2016 at 9:30 am: Considering the designation of the parcel located at 4965 Lantana Road within unincorporated Palm Beach County, Florida 33463, further identified by folio number 00-42-44-36-37-001-0000 (the "Subject Property"), as a Green Reuse Area pursuant to Section 37C-80(2)(c), Florida Statutes, which shall hereafter be known as the Lantana Square Green Reuse Area.**

**Summary:** On May 6, 2016, a request in writing was received from the contract purchaser of the Subject Property by Palm Beach County's Department of Economic Sustainability (DES) to designate the Subject Property as a Green Reuse Area. This designation requires two public hearings, one of which must be held after 5:00 pm per Section 125.66, Florida Statutes which is cross-referenced in Section 376.80, Florida Statutes, unless the Board of County Commissioners, by a majority plus one vote, elects to conduct that hearing at another time of day. The Subject Property was formerly operated as a lumber yard and impacted by chemicals associated with the treatment of lumber. Banyan Development plans to develop the Subject Property as a retail center, which the Palm Beach County Planning and Zoning Divisions have confirmed is allowed with the CL-Commercial Low future land use designation and MUPD-Multiple Use Planned Development zoning on the site. Prior to developing, Banyan Development is seeking a "Green Reuse Area" designation under Florida's Brownfields Redevelopment Act.

Section 376.80(12), Florida Statutes does not require a local government to use the term Brownfield within the name of the area being designated. **No County funds for implementation are required.** District 3 (JB)

**Background and Justification:** The Florida Brownfields Redevelopment Act (Act), Sections 376.77 – 376.86, Florida Statutes, were adopted by the Florida Legislature in 1997 to provide incentives for local governments and individuals to voluntarily clean up and redevelop Brownfield green reuse sites. Participation in the program results in environmental cleanup, protection of public health, reuse of infrastructure and job creation. Local governments play a key role in the Brownfields redevelopment program. Financial and regulatory incentives become available when a local government designates a Brownfield area by resolution. These financial and regulatory incentives enable local governments and state agencies to partner with the private sector to rehabilitate contaminated properties, create jobs and promote sustainable reuse of properties within designated Brownfield green reuse areas. A “Brownfield area” is defined by statute as “...a contiguous area of one of more Brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution.” A “Brownfield site” is defined by statute as “...real property, the expansion, redevelopment or reuse of which may be complicated by actual or perceived environmental contamination.”

**Attachment(s):**

- ### 1. Location Map

**Recommended By:**

Department Director

6/30/2016  
Date

**Approved By:**

Assistant County Administrator

7-7-16  
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT	*				

# ADDITIONAL FTE POSITIONS (Cumulative)					
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Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
Budget Account No.:

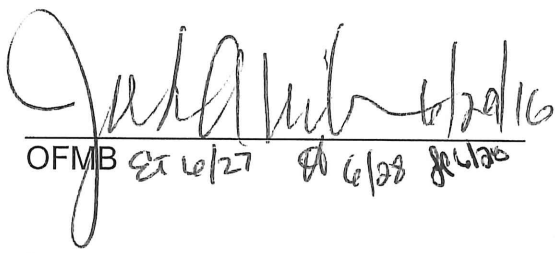
Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_ Program Code/Period \_\_\_\_\_


B. Recommended Sources of Funds/Summary of Fiscal Impact: , ,  
\* N/A


C. Departmental Fiscal Review:   
Shairette Major, Fiscal Manager II

III. REVIEW COMMENTS

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

  
OFMB 6/27/16 6/28/16 6/29/16

  
Contract Development and Control 7/5/16

B. Legal Sufficiency:  
  
Assistant County Attorney

C. Other Department Review:  
\_\_\_\_\_  
Department Director



LOCATION MAP



4965 Lantana Road

