Agenda Item #: 58-5

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### **AGENDA ITEM SUMMARY**

**Meeting Date:** 

**September 10, 2019** 

[ ] Consent

[X] Regular

[] Ordinance

[ ] Public Hearing

Department:

Department of Housing and Economic Sustainability

#### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion to: (A) approve by a majority vote plus one, a waiver of the statutory requirement that one of the two public hearings be held after 5:00 pm: For parcels located at 22866-22508 SW 65th Avenue in unincorporated Palm Beach County, Florida 33428, further identified by Parcel Control Numbers 00-42-43-27-05-081-0371 and 00-42-47-30-02-002-0000, seeking a Brownfield Area designation pursuant to Section 378.80(2)(c), Florida Statutes; and (B) approve the advertising of public hearings on Tuesday, October 22, 2019 at 9:30 am and November 19, 2019 at 9:30 am: Considering the designation of the parcels located at 22866-22508 SW 65th Avenue in unincorporated Palm Beach County, Florida 33428, further identified by Parcel Control Numbers 00-42-43-27-05-081-0371 and 00-42-47-30-02-002-0000 (the "Subject Property"), as a Brownfield Area pursuant to Section 378.80(2)(c), Florida Statutes, which shall hereafter be known as the Residences of Boca Dunes Green Reuse Area.

Summary: On August 2, 2019, a request was received from the owner of the Subject Property by Palm Beach County's Department of Housing and Economic Sustainability (DHES) to designate the Subject Property as a Brownfield 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 (BCC), by a majority plus one vote, elects to conduct that hearing at another time of day. The BCC has in the past approved waivers of this nature. The Subject Property was formerly operated as a golf course and is impacted by arsenic in the soil and groundwater. Richman Boca Dunes Development Partners, LLC and Richman Boca Dunes Development Partners II, LLC (collectively, "Boca Dunes") plans to develop the Subject Property as a residential community. The rezoning of the northern 55.75 acres of the Golf Course was approved by the Board of County Commissioners at the January 24, 2019 BCC Zoning Hearing via Resolution R2019-0179. The Preliminary Master Plan approved, indicates 446 total multifamily units over three (3) pods. There is one (1) clubhouse and three (3) one-story garage buildings. Prior to redevelopment, Boca Dunes is seeking a "Brownfield Area" designation under Florida's Brownfields Redevelopment Act. No County funds for implementation are required. District 5 (DB)

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 Areas. 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 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	y: Sonotlan Brown	8/29/19		
	Department Director	Date		
Approved By:	Soma M. Miller	9/9/2019		
	Assistant County Administrator	/ Date		

### II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023		
Capital Expenditures	2010	2020	2021	ZUZZ	2023		
Operating Costs					·		
External Revenues							
Program Income							
In-Kind Match (County	<i>'</i> )						
NET FISCAL IMPACT							
# ADDITIONAL FTE POSITIONS (Cumulative	e)						
Is Item Included In Current Budget?  Yes No _X  Does this Item include the use of Federal funds? Yes No _X							
Budget Account No.:							
Fund Dept Unit Object Program Code/Period							
B. Recommended Sources of Funds/Summary of Fiscal Impact:							
No fiscal impact							
C. Departmental Fiscal Review: Beverley Reid, Division Manager							
III. REVIEW COMMENTS							
A. OFMB Fiscal and/or Contract Development and Control Comments:							
OFMB 150 Contract Development and Control  9/10/97							
B. Legal Sufficiency:							
Assistant County Attorney							
C. Other Departme	nt Review:						
Department Direc	tor						

Figure 1 - Land Use Plan

