

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: July 12, 2022 Consent Regular
 Ordinance Public Hearing

Department: Housing and Economic Development

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motions to approve:

A) a waiver of the statutory requirement, by a majority vote plus one, that one of the two public hearings to be held on August 23, 2022 and September 13, 2022, be after 5:00 p.m., to consider the designation of parcels located at 5976 Okeechobee Boulevard, in unincorporated Palm Beach County, Florida, further identified by Parcel Control Numbers 00-42-43-26-00-000-1300, 00-42-43-26-00-000-1340, and 00-42-43-26-05-004-0000 (the "Subject Property"), as a Brownfield Area pursuant to Section 376.80(2)(c), Florida Statutes; and,

(B) the advertising of public hearings on Tuesday, August 23, 2022 at 9:30 a.m. and Tuesday, September 13, 2022 at 9:30 a.m. to consider the designation of the Subject Property as a Brownfield Area pursuant to Section 376.80(2)(c), Florida Statutes, which shall hereafter be known as the Town of Palm Beach – Okeechobee Blvd. Former Landfill and Shooting Range Green Reuse Area.

Summary: On June 2, 2022, CRE Fund at Okeechobee Boulevard LLC ("CRE Fund"), as contract lessor with the Town of Palm Beach, submitted a revised application to the Department of Housing and Economic Development to designate the Subject Property as a Brownfield Area. This designation requires two public hearings, one of which must be held after 5:00 p.m. per Section 125.66, Florida Statutes (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 permitted yard trash disposal facility and shooting range, and is impacted by metal and organic contaminants in soil and groundwater. CRE Fund plans to develop the Subject Property as a mixed-use development. The rezoning of the 27.66 acre site was approved by the Board of County Commissioners at the May 26, 2022 BCC Zoning Hearing via Resolution 2022-0537, concurrent with a future land use amendment, to allow for the development of 708 multifamily dwelling units, which includes 177 on-site Workforce Housing rental units, and 21,839 square feet of commercial uses. The approved Preliminary Site Plan indicates two seven-story and three three-story residential buildings; six one-story buildings comprised of two Retail buildings, a Type 1 Restaurant, two club houses, and a guardhouse; 1,355 parking spaces; and, two recreational area tracts. Prior to redevelopment, CRE Fund is seeking a "Brownfield Area" designation under Florida's Brownfields Redevelopment Act. **No County funds for implementation are required.** District 2 (HJF)

Background and Policy Issues: 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. **Continued on Page 3.**

Attachment(s):
1. Location Map

Recommended By: Jonathan Brun 6/16/2022
 Department Director Date

Approved By: Dorinda M. Miller 7/4/2022
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
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:

No fiscal impact associated with designating the property as a Brownfield Area

C. Departmental Fiscal Review: *Ronna Orin* for:
Shairette Major, Division Director II

III. REVIEW COMMENTS

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

Jane M. ... 6/22/22
OFMB 7A 6-22-22
M6 6/22/22

A. J. Jaworski 6/28/22
Contract Development and Control

B. Legal Sufficiency:

[Signature] 6/29/22
Assistant County Attorney

C. Other Department Review:

Department Director

Background and Justification: Continued from Page 1

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 1 – Location Map

