

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: **October 18, 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 November 15, 2022 and December 20, 2022, be held after 5:00 p.m., to consider the designation of parcels located at 9719 and 9645 Lantana Road, in unincorporated Palm Beach County, Florida, further identified by Parcel Control Numbers 00-42-43-27-05-034-0432 and 00-42-43-27-05-034-0431 (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, November 15, 2022 at 9:30 a.m. and Tuesday, December 20, 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 Encompass Health Green Reuse Area.

**Summary:** On September 14, 2022, the owner of the property, Encompass Health Rehabilitation of Lake Worth, LLC, submitted an 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 (BCC), by a majority plus one vote, elects to conduct that hearing at another time of day. The western portion of the Subject Property was formerly operated as a mulching business and is impacted by discharges of arsenic. The eastern portion of the property is impacted by concentrations of the benzo(a)pyrene congeners. Encompass Health Rehabilitation of Lake Worth, LLC plans to develop the Subject Property as an institutional development (Hospital). The rezoning of the 8.21 acre site was approved by the BCC at the June 23, 2022 Zoning Hearing via Resolution 2022-0630, concurrent with a future land use amendment, to allow for the development of 76,049 square feet of hospital use. The approved Preliminary Site Plan indicates a two phased development, with 54,642 square feet and 50 beds within Phase 1, and 21,407 square feet and 30 beds in Phase 2; and 147 parking spaces. Prior to redevelopment, Encompass Health Rehabilitation of Lake Worth, LLC is seeking a "Brownfield Area" designation under Florida's Brownfields Redevelopment Act. The applicant indicates that the proposed development will create no less than 88 permanent, full-time jobs in its first year of operation, which exceeds the minimum job creation threshold of five jobs per Section 376.80, Florida Statutes. **No County funds for implementation are required.** District 6 (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 B. B...      10/6/2022  
   Department Director      Date

Approved By: P...      10/11/22  
   Assistant County Administrator      Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income					
In-Kind Match (County)					
<b>NET FISCAL IMPACT</b>					

# ADDITIONAL FTE POSITIONS (Cumulative)					
---	--	--	--	--	--

Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

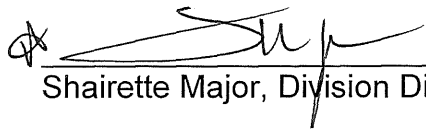
Budget Account No.:

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:**

  
 Shairette Major, Division Director II

**III. REVIEW COMMENTS**

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

  
 AS DeMa  
 OFMB  
 MG 9/30  
 a/30/22

  
 Contract Development and Control  
 10/14/22

**B. Legal Sufficiency:**

  
 Assistant County Attorney  
 10/6/22

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

## **Background and Policy Issues:** 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."*

Location Map

