

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date:	August 22, 2023	<input type="checkbox"/> Consent	<input checked="checked" type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> 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 October 17, 2023 and November 21, 2023, be held after 5:00 p.m., to consider the designation of three parcels located at 9845 and 9905 Clint Moore Road, unincorporated Palm Beach County, Florida, further identified by Parcel Control Numbers 00-42-43-27-05-070-1130, 1160 and 1170 (the "Subject Site"), as a Brownfield Area pursuant to Section §376.80(2)(c), *Florida Statutes*; and,

**(B)** the advertising of public hearings on Tuesday, October 17, 2023 at 9:30 a.m. and Tuesday, November 21, 2023 at 9:30 a.m. to consider the designation of the Subject Site as a Brownfield Area pursuant to Section §376.80(2)(c), *Florida Statutes*, which shall hereafter be known as the Verde Commons Green Reuse Area.

**Summary:** On July 15, 2023, Toll Brothers, Inc. ("Toll Bros."), as contract purchaser, and the owners, Westside Farms, Inc. and 7 T's Enterprises, Inc., submitted an application to the Department of Housing and Economic Development to designate the Subject Site 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 Site supports a 163,093 square foot produce packing plant and cold storage facility, agricultural equipment and commercial vehicle storage, row crops, and related uses, and is impacted by arsenic and dieldrin in the soil and groundwater. The rezoning of the 37.4 acre site was approved by the Board of County Commissioners at the November 28, 2022 BCC Zoning Hearing (Resolution R-2022-1414), with a concurrent future land use amendment (Ord. 2022-031), which would allow for the development of up to 75 residential dwelling units. Toll Bros. is seeking a "Brownfield Area" designation under Florida's Brownfields Redevelopment Act, prior to redevelopment of the Subject Site with 70 single family dwelling units and a 0.66-acre recreation area. **No County funds for implementation are required. This item requires a supermajority vote (5 votes).** District 5 (DB)

**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:**

1. Location Map

Recommended By:	 for 7-21-23	
	Department Director	Date

Approved By:		8/4/2023
	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>	-0-				

# 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:**

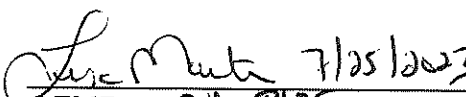
**No fiscal impact associated with designating the Subject Site as a Brownfield Area**

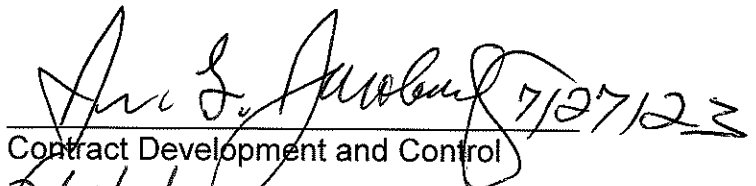
**C. Departmental Fiscal Review:**

  
 Valerie Alleyne, Division Director II  
 Finance and Administrative Services, DHED

**III. REVIEW COMMENTS**

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

  
 Lisa Munte 7/25/2023  
 OFMB QA 7/25  
 MD 7/25

  
 Julie L. Johnson 7/27/23  
 Contract Development and Control  
 7/27/23

**B. Legal Sufficiency:**

  
 8/3/2023  
 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

