



WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

Monday, March 09, 2020 Board Meeting

1280 N. Congress Avenue, Suite 215

West Palm Beach, Florida 33409

“PLEASE SIGN OUR ATTENDANCE SHEET”

**NOTE: Agenda Summary (Pages 3-4)
Staff Report (Pages 5-10)**

I. CALL TO ORDER / ROLL CALL

II. AGENDA APPROVAL

- 1. Additions, Deletions, Substitutions to Agenda**
- 2. Adoption of Agenda**

III. ADOPTION OF W/BH CRA MINUTES (Pages 11-15)

IV. PUBLIC COMMENTS

V. DISCLOSURES

VI. CONSENT AGENDA

VII. REGULAR AGENDA

- 1. Fiscal Year 2019 Audit Report Presentation**
- 2. Approval of Use of Compensating Storage Mitigation Credits Concept from the Westgate Central Lake Improvements to the Greene Apartments Project (Pages 16-19)**

VIII. REPORTS

- A. Staff Reports
Correspondence (Pages 20-36)**
- B. Attorney's Report**
- C. Committee Reports and Board Comments**

- 1. Administrative/Finance –**



2. Capital Improvements – Chair, Mr. Daniels
3. Land Use –
4. Real Estate – Chair, Mr. Kirby
5. Marketing –
6. Community Affairs –
7. Special Events – Chair, Ms. Ruffy

IX. ADJOURNMENT

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE BOARD WILL BE BARRED FROM FURTHER AUDIENCE BEFORE THE BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD AS GRANTED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, HE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ON JUNE 7, 1994, THE BOARD OF COUNTY COMMISSIONERS APPROVED RESOLUTION NO. 94-693, KNOWN AS THE CODE OF ETHICS. UNDER SECTION 11, IT IS REQUIRED THAT PAID AND UNPAID LOBBYISTS REGISTER. PLEASE REFER TO SECTIONS 11.01 AND 11.02 IN THE CODE OF ETHICS FOR REGISTRATION SPECIFICS. FOR YOUR USE, REGISTRATION FORMS ARE AVAILABLE FROM THE CRA'S ADMINISTRATIVE ASSISTANT.



AGENDA ITEMS
Westgate/Belvedere Homes Community Redevelopment Agency
Board Meeting
March 9, 2020

REGULAR AGENDA:

1. Fiscal Year 2019 Audit Report Presentation

A. Background and Summary: Ward and Company, P.A. will present the 2019 audited financial reports.

B. Recommendation: Discussion and adoption of report.

2. Approval of Use of Compensating Storage Mitigation Credits Concept from the Westgate Central Lake Improvements to the Greene Apartments Project

A. Background and Summary: The Green Apartments Project is approved by Palm Beach County Zoning Division for 198 housing units consisting of 14 townhomes and 184 garden style apartments on Congress Avenue. In order for the project to move forward it needs assistance meeting its compensating flood plain storage requirement. Compensatory storage is area needed to offset any loss of flood storage capacity when new buildings or fill disturb historical flood storage areas. He has acquired 2 acres of vacant land off of Troy Blvd to provide some of the credits needed. It is likely that the project is going to need additional compensatory storage beside the Troy credits. The developer is seeking assistance from the CRA to offset the deficit.

3



This is the first time the CRA has received an official request for compensating flood plain storage credits. The CRA has retained the services of Higgins Engineering to request South Florida Water Management District (SFWMD) to restore compensating storage credits for excavation works created by the CRA over the past few years. The engineer is using all the retention ponds, detention ponds and the lake built by the CRA to convince the District that the CRA had created an excess of storage that needs to be restored. If he is successful, the CRA will have a compensating storage bank of credits that could be assigned to different projects. In the event the CRA is not successful in convincing the SFWMD to restore compensating storage credits, it is possible to excavate vacant land adjacent to the lake to create additional compensating storage. In this case, the CRA could provide the land and the developer could pay for the excavation.

The Green Apartment project could be a catalyst project for the CRA and the redevelopment of Congress Avenue. As such, the CRA should consider providing this assistance as an incentive to help the project move forward.

The developer is asking the Board to transfer compensating storage credits to the project or to allow the developer to excavate land near the lake to help meet the compensating storage requirement.

B. Recommendation: Approve the use of compensating storage mitigation credits at the Westgate Lake in order to allow the Greene Apartments project to move forward, and to allow staff to work out the details.

WESTGATE/BELVEDERE HOMES CRA BOARD MEETING

Staff Update on In-House Projects

March 9, 2020

2020-01 ULDC Amendment Round (NEW)

Update: CRA Staff has engaged planning consultants 2GHO to assist in the preparation of WCRAO amendments in the upcoming round. The 2020-01 ULDC amendment was initiated by Zoning at the BCC's January Zoning meeting. A draft of the amendment was submitted to Code Revision staff on February 27, 2020 for internal review. It is anticipated that the amendment will be placed on the April 2020 LDRAB meeting agenda. The amendment would be adopted by the BCC at their August 2020 meeting.

The CRA is seeking to make amendments to its overlay that are focused on the following: restrict or limit certain commercial and industrial uses that do not support the intent of the Sub-area or the Plan such as car wash, landscape service, commercial parking, self-storage and distribution facilities, manufacturing & processing, warehouse, and wholesaling; revise PDR's to reflect smaller lot sizes on Westgate Ave and Okeechobee Blvd allowing more flexibility in development without the need for variances; eliminate sky exposure planes; and revise the Density Bonus Program to be consistent with the County's WHP in design, compliance and enforcement, also revising the criteria for WCRA approval of bonus units to allow better access for smaller residential projects.

Background: Amendments to the County's Unified Land Development Code (ULDC) occur twice annually. The CRA regularly participates in this process to update areas of its WCRA Zoning Overlay to better achieve the goals and objectives of the agency and the amended Community Redevelopment Plan, respond to industry and market trends, simplify processes, and correct technical and language glitches.

2019-02 ULDC Amendment Round (COMPETED)

Update: The BCC adopted amendments to the WCRAO at their January 27, 2020 Zoning meeting. These amounts adjusted exterior improvement criteria to obtain 100% renovation value and created new PDRs and supplementary standards for residential uses including cottage homes on 25 ft lots.

Public Assistance Grant (ONGOING)

FEMA has approved nearly \$100,000 to pay for debris removal, and clean up detention ponds as a result of Hurricane Irma. Staff is working with the Florida Department of Emergency Management to implement this project.

Community Garden/Greenmarket (ONGOING)

Update: Construction to install electricity, an irrigation pump and an irrigation system have been installed. Staff is working on securing a contractor for site improvements and installation of a pre-manufactured structure to act as a permanent greenmarket. Once the Plat is approval and recorded and the corner clip conveyed, building permits can be submitted.

Background: Staff engaged Schmidt-Nichols (SN) to prepare a site plan for the community garden and the green market. The CRA initiated new regulations to allow green markets to operate as an accessory to community gardens without having to buffer surrounding residential uses with an opaque

wall and 20 ft landscape buffer. The site plan includes an enclosed structure with a bathroom and a walk-in cooler. The community garden/greenmarket received site plan approval in March 2018.

CRA staff proposed amendment language, adopted in the 2018-02 Round, to eliminate the community garden use from landscaping requirements; and modified code language regarding hours of operation and building size and placement for the accessory greenmarket use. Schmidt Nichols submitted an administrative amendment (ZAR) to remove the landscape buffers and ROW utility easement. The ZAR was approved in April 2019. The permits have been approved to operate the community garden. The electrician and plumbing contractors are working with the utility companies. The CRA will begin to work with a contractor/architect to design the greenmarket structure and prepare plans to submit for building permit. Platting is a condition of approval and is underway.

PBC Solid Waste Authority (SWA) Blighted & Distressed Properties Grants

FY 2018 – Oswego Avenue Properties Clean-up (STARTED)

Update: The CRA has paid a contractor to remove evasive trees, vegetation and debris on the sites. An additional time extension of the grant agreement has been provided by the SWA.

Staff worked with Schmidt Nichols on the dog park design. A site and landscape plan, along with cost estimate have been provided. The CRA is also working with County Purchasing to see if the agency can utilize the County's annual contract "piggyback" policy. The remaining lots will be cleared, sodded, and fence commensurate with the original scope.

Background: The CRA was awarded in the amount of \$92,700 to clean-up, clear, sod and fence 6 vacant CRA-owned properties on Oswego Avenue east of Seminole Blvd. previously earmarked for the L-2 Canal Expansion project. The CRA is proposing match funds in the amount of \$34,460. An Interlocal Agreement between the CRA & SWA was approved by the BCC in March 2018. The CRA received a 50% disbursement of total funds in April 2018.

SWA has approved an extension to the grant timeline and a change of scope to develop a dog park on three of the Oswego Avenue parcels targeted for the properties clean-up. The dog park will include areas and equipment for small and large dogs, fencing, landscaping, and benches. By the fall of 2018, the LWDD cleared a majority of the vegetation overgrowth along the L-2 canal leaving a window of opportunity in the budget to create a simple dog park and still maintain the overall budgeted amount.

FY 2017 – Oswego Oaks Park (ONGOING)

Update: DHES has allowed and agreement extension until the end of January 2020 to allow for grant close out. The park reached substantial construction completion at the end of August 2019. Final inspections began in September 2019 and punch list items have largely been addressed. The LWDD requires drainage permit as-builts, several sub-permits were required (pavilion roof, site electrical) and remain under review due to delays caused in part by contractor inaction and by an extremely slow County Building review process. Staff is working with the County and with West to expedite, however, contract close-out is delayed.

Delays in obtaining shop drawings for the pavilion structure, revisions to the structural drawings and permit review caused delays in meeting project substantial completion. The project is on schedule to be fully completed by end of June 2019. All the permits have been obtained and the contractor is working diligently to make up for lost time. The CRA Board approved a change order to the contract allowing substantial completion by May 2019 and final completion by June 2019.

Background: The CRA was awarded in the amount of \$151,000 to design and build a neighborhood park on Oswego Avenue at Seminole Blvd across from the Westgate Recreation Center. The park will utilize 3 vacant CRA owned lots formerly earmarked for the L-2 Canal expansion project. Staff worked

with PBC Parks & Recreation to design the project. In 2017, PBC HES originally approved a request for \$114,000 in CDBG funds to match the SWA grant. The SWA forwarded 50% of the grant amount to the CRA to start the project. Following completion of design and engineering drawings, it became clear that the project was underfunded. CRA Staff requested additional funding of \$231,000 in FY 2018 CDBG allocations from HES to cover a budget shortfall for the park project. Construction drawings were finalized and the project was advertised for bid in August 2018. The contract was awarded to the lowest bidder West Construction Inc. The contract has been executed and construction began in November 2018.

PBC Transportation Planning Agency (TPA) Transportation Alternatives (TAP) & Local Initiatives (LI) Grants

FY 2020 Cherry Road Pedestrian & Safety Improvements (NEW)

Update: The CRA engaged consultants, WGI to refine the Cherry Rd. improvements project for TPA TAP grant application submittal in the 2020 cycle. CRA Staff and WGI worked with Engineering on improving the proposed typical sections. The project proposes reduced travel lanes for traffic calming, new sidewalks on the south side of Cherry Rd east and west of the bridge to the intersection of Country Club Rd., a new 12' shared multi-use path on the north side of the corridor, new crosswalks, pedestrian scale lighting, and shade trees where allowed. The total project cost is \$1.96 million. The grant reimburses \$1 million. The application was submitted to the TPA on February 28, 2020.

FY 2019 and Seminole Blvd. Complete Streets (FUNDED/ONGOING)

Update: The Transportation Planning Agency Governing Board approved funding for the Seminole Blvd project at their July 18th meeting. The Seminole project was ranked #1. Staff and WGI presented the projects to FDOT and BTPAC in early April; Seminole was ranked #1 and Cherry Rd was #4. The Board recommended that the Seminole Blvd project should be prioritized since it ranked higher and is a larger project.

Background: The Board approved a two-fold work assignment with WGI in November 2018 to prepare a feasibility analysis to identify the best two projects to submit to the TPA for the 2019 Transportation Alternatives Program (TAP) cycle. Based on findings presented by WGI, the Board selected the following projects:

1. Seminole Blvd Complete Streets which expands existing sidewalks to 10-12 ft. multi-use paths on each side of the roadway, adds high visibility crosswalks at each intersection, adds pedestrian scale lighting, and shade trees. The project boundaries are from Okeechobee Blvd. to Oswego Ave. Total construction cost is \$1,622,979. The grant reimburses \$1 million.
2. Cherry Road Pedestrian Safety Improvements adds new sidewalks on the south side of Cherry Rd and expands existing sidewalks on the north side to 10-12 ft., adds HAWK signalization to intersection at Country Club Rd., and two new crosswalks along the corridor, new pedestrian scale lighting, and shade trees. The project boundaries are from Quail Drive to N. Military Trail. Total construction cost is \$911,142.

TAP grant projects are designed and constructed within 3 years of prioritized funding. Design will begin in 2020 with construction completion in 2022.

FY18 – Westgate Avenue Corridor Complete Streets (DESIGN STARTED)

Update: Design has begun on the Westgate Avenue project. CRA Staff met with County Roadway Production and the project consulting engineers in February to discuss the design, scope and timeline of the project. The CRA has been asked to provide input on lighting design and landscaping. The consulting engineers have included a roundabout at the intersection of Westgate Ave. and Seminole

Blvd. in their design. At their February meeting, the CRA Board, following discussion, expressed their disapproval of a roundabout at this location.

A County Selection Committee met in November 2019 and selected American Consulting Engineers of Florida (ACE) to design the project. CRA staff was in attendance for the presentations and scoring. The County Engineering Department had shortlisted three firms for the project, including CRA consultants WGI, however, volume of previous work was an overriding factor in selection.

Background Information: Staff engaged WGI to coordinate the preparation of travel demand forecast modelling to determine the impact of reducing Westgate Ave from 5 lanes to 3 lanes utilizing a road diet approach. WGI facilitated communication with PBC TPA and Engineering to determine the best design alternative, held a public input meeting, and drafted the final design for the project to be used to obtain funding. WGI met with the Engineering Department to present the lane elimination plan. County staff is in support of the lane reduction from Wabasso to Congress, but they are not in support of the elevated landscape median. An alternative design, which allows for 3 lanes (2 thru lanes and one center turn lane), bike lanes, and floating landscape islands on both sides of the ROW alternating with on street parking was presented to County Engineering for approval and support. With assistance from WGI, the LI grant application was submitted on March 2, 2018. CRA staff is working with County Engineering and Administration to design and administer all 3 of the TPA grant projects.

The TPA Governing Board voted to adopt the TPA List of Priority Projects for the LRTP FY 2020-2024 at their September 20, 2018 meeting. Projects that met TPA and FDOT eligibility requirements were ranked by internal advisory boards, committees and TPA Staff to be forwarded the Governing Board. The Westgate Avenue Complete Streets project was ranked #1 of 6 entries to receive Local Initiatives Program funding. This project has been moved up the timeline due to the inability of other funded projects to proceed. Design can start in July 2019 for FY 2019/20. Construction funding will be approved after the design is completed.

FY 2018 – Phase II Belvedere Heights Streetlights & Sidewalks (FUNDED/ONGOING)

Update: The TPA Governing Board voted to adopt the TPA List of Priority Projects for the LRTP FY 2020-2024 at their September 20, 2018 meeting. Projects that met TPA and FDOT eligibility requirements were ranked by internal advisory boards, committees and TPA Staff to be forwarded the Governing Board. Phase II of the Belvedere Heights Streetlights and Sidewalks project was ranked #3 of 4. This project has been moved up the timeline due to the inability of other funded projects to proceed. Design can start in July 2019. Construction funding will be approved after the design is completed. The CRA needs to execute an MOU and provide upfront funding to the County for design.

Background Information: CRA staff prepared and submitted a Transportation Alternatives Program (TAP) grant application for Phase II – Wellington Road to Bridgeman Road, of the Belvedere Heights Neighborhood for sidewalks and streetlights to PBC TPA in March 2018.

FY 2017 – Phase I Belvedere Heights Streetlights & Sidewalks (DESIGN NEARLY COMPLETE)

Update: Engineers are preparing the second part of the design. The Engineering Department has engaged several consultants through a CRA/County MOU to implement the project. Design is almost completed. The County is currently reaching out to the residents.

Background Information: An application was submitted to the TPA Transportation Alternatives Grant to request almost \$1 Million to install sidewalks and streetlights in Belvedere Heights in 2017. The funds will not be available until 2019. The BCC approved Engineering Department sponsorship of the project via resolution in May 2018.

CRA 5-year Strategic Plan (ONGOING)

CRA staff has begun drafting a 5-year strategic plan that will implement the goals and objectives of the newly amended Redevelopment Plan. A strategic plan will outline the specific tasks, timeline and budget required for redevelopment activities over the next 5 years. It can also serve as a platform for the CRA to refine its vision and mission statement in a way that is current with its shifting priorities. Staff has received some initial input from Board members. Work on the Strategic Plan is ongoing.

Streetlights for Belvedere Homes (ONGOING)

The Engineering Department is partnering with Office and Community Revitalization to install streetlight in Belvedere Homes. An initial meeting has been held. Citizens are currently gathering signatures and easement authorization from residents and property owners.

Proposed Private Redevelopment Projects

Below is list of private development projects in the Westgate CRA that are in the entitlements or permitting process:

Projects	Address	Status
Car Wash (potential project -- formerly KFC/Jack's Restaurant)	2200 Okeechobee Blvd.	DRO Approval required. Applicants to meet with Zoning staff
Cottage home project	2611 Saranac	1-acre site newly subdivided into 14 25 ft lots for cottage homes
New Country Motor Cars – Mercedes-Ferrari	4000 Okeechobee	DOA/Concurrent Type II variance requests – redistributing square footage, expanding/renovating maintenance area, roof top inventory parking
Gas Station (Circle K)	1799 Congress Ave at Westgate	Construction complete
Palm Beach Marketplace	Okeechobee Blvd	ZAR for redistribution of square footage, removing outdoor seating areas
Mercedes/Ferrari	Okeechobee Blvd	ZAR for changes to architectural elevations
Health Career Institute	1764 Congress Ave	In Zoning review for a DOA to a MUPD. Adding 680 students. Redistributing square footage. Increasing daily trips by 500 (CRA may not have TCEA trips remaining in pool)
Quick Lane (Ford/Lincoln Dealership)	1668 N. Military Trail	Not yet submitted. Requires rezoning to CG and BCC approval for a Class A conditional use
Congress Avenue - Greene Apartments	1600 N. Congress Ave	In Zoning for DRO approval. 198 units – 138 density bonus units from WCRA pool; 55 income restricted. Issues with compensating storm water storage
Fern House	Church Street	In Zoning for DRO approval
MacDonald Industrial/McArthur Dairy	N. Florida Mango	Type 2 waiver for extended hours of operation. BCC approved January. Construction to begin mid 2019
Extraordinary Charities	2635 Old Okeechobee Rd	Nonconformities certification. Interior/exterior renovations complete
Opportunity Inc. Daycare	Dennell Rd at Westgate Ave.	Construction complete
Cumberland Farms	Okeechobee & Seminole Blvd.	Construction completed (access easement to be recorded for CRA parking area at rear)
Mi Pais Express (Fernandez) Mixed Use	2633 Westgate Ave	Platting process has begun. Permit submitted. Architectural review for mixed use required. CRA has prepared easement agreement. Architectural review underway
Connections Education School for Autism – rezoning	Marine Drive	Rezoning approved BCC. On hold-
Westgate Apartments	Westgate Ave (adjacent to Westgate Plaza)	Workforce housing project – 48 units. On hold
Dos Hermanos Mixed Use	Westgate & Seminole Blvd	Rezoning & variances approved. DRO site plan approval. New architect
Speedy's Tires Auto Repair expansion	Congress Ave. & Cherry Rd.	Approved at Dec BCC/Final DRO. Admin amendment. Zoning complete. Platting & contractor selection
Westgate One	Westgate at Nokomis	Approved/ Extension. Potential residential project

WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY
1280 N. CONGRESS AVE., SUITE 215, WEST PALM BEACH, FL. 33409
MINUTES OF THE MONTHLY MEETING
February 10, 2020

I. CALL TO ORDER

Mr. Daniels, the Board Chair, called the meeting to order at 5:09p.m. The roll was called by Ms. Bui.

Present: Ronald Daniels
Joanne Rufty
Enol Gilles – Arrived at 5:17p.m.
Joseph Kirby
Ralph Lewis
Yeraldi Benitez – Arrived at 5:17p.m.

Absent: Ruth Haggerty

Staff Present: Elizée Michel, Executive Director
Denise Pennell, Senior Planner
Carmen Geraine, Bookkeeper
Mai Bui, Administrative Assistant
Thomas J. Baird, Esq., General Counsel

II. AGENDA APPROVAL

1. Additions, Deletions, Substitutions to Agenda

- Add Approval of Additional Lights for Belvedere Heights as Agenda #6.

2. Adoption of Agenda

- It was moved by Ms. Rufty and seconded by Mr. Kirby to adopt the Agenda.
Motion carried (4-0)

III. ADOPTION OF W/BH CRA MINUTES

- It was moved by Mr. Kirby and seconded by Ms. Rufty to adopt the minutes of the December 09, 2019 meeting. Motion carried (4-0)

IV. PUBLIC COMMENT

- PBSO Deputy Gomez and Deputy Robinson gave a brief report to the Board about police activities in the Westgate CRA area for the previous month.

V. DISCLOSURES

- No disclosures

VI. CONSENT AGENDA

- 1. Approval of Revised Agreement of State of Florida, Division of Emergency Management for a Public Assistance Grant under Hurricane Irma.**

It was moved by Ms. Rufty and seconded by Mr. Kirby. The motion passed unanimously (4-0)

VII. REGULAR AGENDA

- 1. Approval of Work Assignment for 2GHO to Provide ULDC Code Amendment for the CRA**

The agenda item was introduced by Mr. Michel. The CRA has a continuing contract with Gentile Glas, Hollloway, O'Mahoney, and Associates, Inc. for professional planning, landscape architecture and property development assistance services. The Consultant's services are needed to assist with the amendments to the Westgate Community Redevelopment Area Zoning Overlay (WCRAO) as a part of the County's Unified Land Development Code Amendment Round 2020-01.

The Consultant will work with the CRA to develop code amendment language and process such amendments through Palm Beach County. It is anticipated that the Consultant will assist with due diligence, application submittal, monitoring, meetings and public hearings, and additional services if needed.

Compensation for services rendered by the Consultant shall be hourly with a maximum upset of \$56,500.00 plus reimbursable expenses, based upon the hourly rates established in the original contract dated December 9, 2019.

Staff recommended that the Board approves Work Assignment for 2GHO to provide ULDC Amendment Services for an amount not to exceed \$56,500.00.

It was moved by Ms. Rufty and seconded by Mr. Kirby to authorize the Work Assignment for 2GHO. The motion passed unanimously (6-0)

2. Approval of MOU and Funds for Belvedere Heights Phase II TPA Project

The agenda item was introduced by Mr. Michel. The CRA was awarded a federalized Local Agency Program (LAP) grant through the Palm Beach Transportation Planning Agency (TPA), administered by the Florida Department of Transportation (FDOT) which will be paid directly to Palm Beach County Engineering Department (Engineering). As FDOT requests that Engineering oversee the design and construction of this project, the memorandum defines the roles of the County and the CRA. This Grant is to upgrade ramps, install streetlights, install and connect sidewalks and crosswalks striping at Florida Mango Road. This project is the second phase of infrastructure improvement project for Belvedere Heights that will affect Wellington Road, Longwood Road and Bridgeman Road.

The Memorandum outlines, among other things, the project scope, the CRA's commitments and duties and the Engineering Department commitments and duties. The CRA's biggest commitment is to provide all grant information to the County, perform all public coordination and address any public involvement. The CRA is also responsible to cover all administration and design costs, Construction Engineering and Inspection costs, and pay for all additional costs and matching funds required to complete the project. As part of this Memorandum of Understanding, the County is requesting an advanced payment of \$104,164.00 to pay for design, staff costs and contingency.

Staff recommended that the Board approves a funding of \$104,164.00 and the Memorandum of Understanding for the design of the Belvedere Heights Phase II infrastructure Improvement Project.

It was moved by Ms. Rufty and seconded by Ms. Benitez to approve a funding of \$104,164.00 and the Memorandum of Understanding for the design of the Belvedere Heights Phase II infrastructure Improvement Project. The motion passed unanimously (6-0)

3. Approval of 2019 Westgate CRA Board Meeting Calendar

The agenda item was introduced by Mr. Michel. The 2020 Board Meeting Calendar is submitted for approval. The holiday Columbus Day falls on October 12, the 2nd Monday of the Month. The October meeting can be moved to the first Monday on October 5. Veteran's Day will fall on a Wednesday so the November meeting does not need to be moved.

Staff recommended that the Board approves the 2020 Board Meeting Calendar as presented or with changes from the Board.

It was moved by Ms. Rufty and seconded by Mr. Kirby to approve the 2020 Board Meeting Calendar. The motion passed unanimously (6-0)

4. Approval of Resolution of Waive Penalty and Interest on Late Part of TIF Payments

The agenda item was introduced by Mr. Michel. According to the Florida Statutes, Section 163.387(b)(2), if a taxing entity doesn't remit tax increments by January 1, they are subject to a 5% penalty and a 1% interest per month, unless the agency waives the penalty. In the past, the County has made payments to the CRA as early as October to help cover budget shortfalls to close out the calendar year. This year, the County had made some changes including depositing the checks directly into the CRA's account. One check was deposited in December, the second check was not deposited until February 6, 2020. The County is asking the CRA to waive the penalty and the interest payment.

Staff recommended that the Board approves the Resolution 2020-1 to waive the penalty and the interest for Palm Beach County for submitting a part of the tax increment payment after January 1, 2020.

Mr. Daniels, Ms. Rufty, Mr. Gilles, Mr. Kirby, Mr. Lewis and Ms. Benitez all voted and approved to waive the penalty and the interest for Palm Beach County for submitting a part of the tax increment payment after January 1, 2020.

It was moved by Mr. Kirby and seconded by Mr. Lewis to approve the Resolution 2020-1 to waive the penalty and the interest for Palm Beach County for submitting a part of the tax increment payment after January 1, 2020. The motion passed unanimously (6-0)

5. Approval of Agreement with Xerox for Copier Equipment and Services

The agenda item was introduced by Mr. Michel. The CRA has been having difficulty with the current printer services. Xerox offers better equipment and better services. Furthermore, our computer technicians are more familiar with the Xerox equipment than the Ricoh copier that we are currently using. The price will slightly increase, but in this agreement, the CRA will own the equipment at the term of the lease. The overall saving will be positive in the long run. The monthly payment will be \$998, for a 5-year payment.

Staff recommended that the Board approves the Xerox agreement to provide printing equipment and services for the CRA.

It was moved by Ms. Rufty and seconded by Mr. Gilles to authorize staff to approve the Xerox agreement. The motion passed unanimously (6-0)

6. Approval of Additional Lights for Belvedere Heights

The agenda item was introduced by Mr. Michel. Phase I is coming to a completion for the design for Belvedere Heights Project. Following electrical photometric design, Palm Beach County Engineering Department found that there are extra street lights that will be needed to create adequate and consistent lighting. Staff had requested 35 in the original

application, and the County and its electrical consultants say they will need an additional 13 lights to meet the FDOT minimum standards. 48 lights in total need to be installed. The cost will be \$150,000-\$175,000 for the additional 13 light poles.

Staff recommend that the Board approves the additional 13 light poles for the cost of \$150,000-\$175,000 for Phase I.

It was moved by Ms. Rufty and seconded by Ms. Benitez to authorize staff to approve the additional 13 light poles. The motion passed unanimously (6-0)

VIII. STAFF REPORTS

Mr. Michel suggested to the Board that they consider a time change to a later start for the monthly Board Meetings to allow members more flexibility. After a brief discussion, Board members agreed that the meeting time will continue be 5:00p.m.

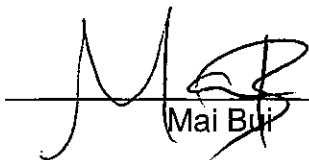
Ms. Pennell reported to the Board that the design consultants have been selected for the Westgate Avenue Corridor TPA Grant which is American Consultant Engineering. Staff had a meeting with them to review the scope and the design of the project which currently includes a roundabout at the intersection of Westgate Avenue and Seminole Blvd. After a brief discussion, Board member agreed that the design of Westgate Avenue should not include a roundabout.

Mr. Michel reported to the Board that Staff has met with developers that are interested in purchasing the newly acquired Spencer Square site on Chickamauga Ave. to build multi-family rental housing. Staff has begun working on issuing an RFQ for proposals.

Mr. Michel reported to the Board that staff is working with engineering consultants for the Greene Apartments on Congress Avenue to resolve drainage and stormwater storage issues preventing the project from proceeding to building permit.

IX. AJOURNMENT

It was moved by Ms. Rufty and seconded by Ms. Benitez to adjourn the meeting. The meeting adjourned at 6:05p.m.


Mai Bui

Administrative Assistant, Westgate CRA



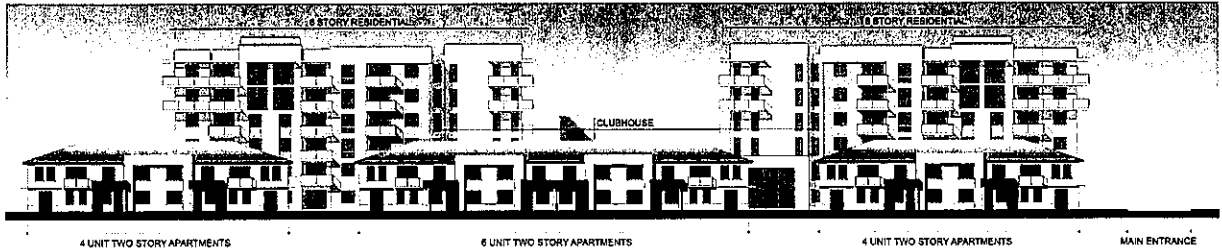
Project Overview:

The +/-7.48-acre vacant site is located on the east side of Congress Avenue slightly south of Westgate Avenue. The assemblage consists of 5 contiguous narrow parcels, which back onto a drainage lake privately owned by the Lakeside Mobile Home Park. All parcels are currently zoned Residential Multifamily medium density (RM) and have a Commercial High with an underlying residential future land use designation of 8 du/acre (CH/8). The site is located within the boundaries of the Urban General (UG) Sub-area of the WCRAO. The Congress Avenue Office Park, an MUPD, is directly north of the site; a solitary single family dwelling is located on the otherwise vacant 1-acre parcel immediately to the south of the site which is zoned RM. The site is in the U/S Tier as well as in the Revitalization and Redevelopment Infill Overlay (RRIO), Urban Redevelopment Area Overlay (URAO), and the CCRT area. The site is vacant with no structures past or present and there are no prior development approvals on record.

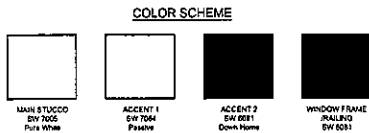
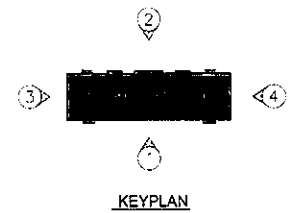
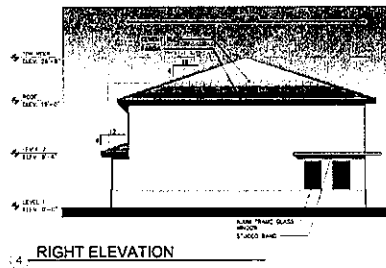
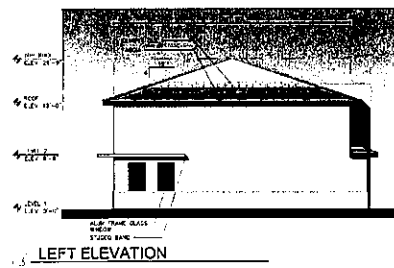
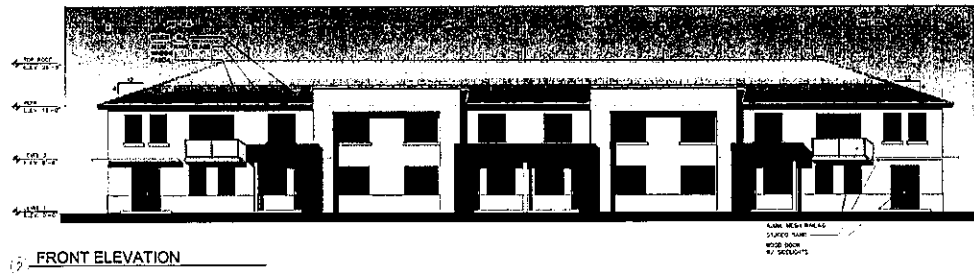
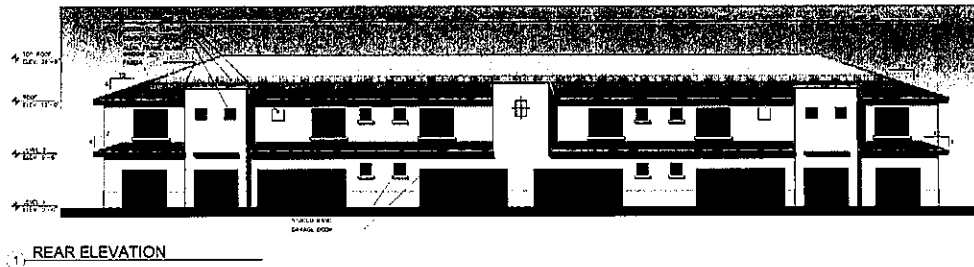


Existing Conditions

In 2016, AHS Development Group, a Miami-based workforce housing developer submitted a site plan for recommendation of approval to the CRA. At the time, 216 units were proposed; 157 were requested from the CRA's density bonus program. Due to the number of units, the project would have required a



View looking east from Congress Avenue

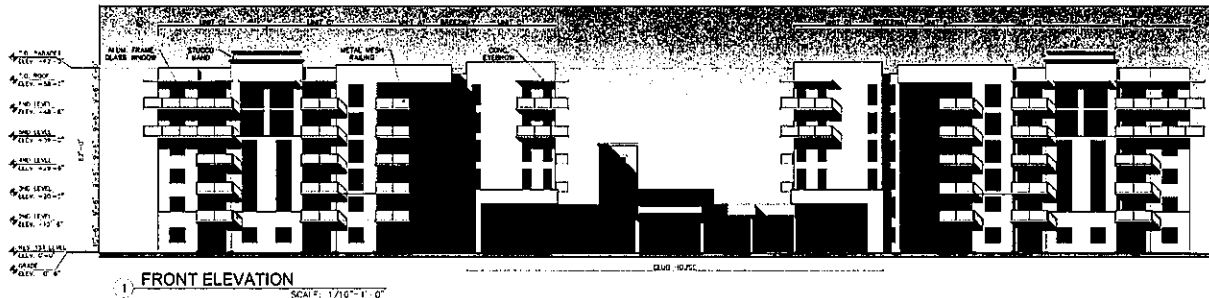


6 UNIT TWO STORY APARTMENTS ELEVATIONS
SCALE: 1/8"=1'-0"

WESTGATE CRA SUBMITTAL 11/26/18

6-unit townhouse building elevations

17



Parking

Drainage Considerations

Page | 9

Westgate CRA Agenda item

Regarding: Greene Apartments agreement for Compensating Flood Plain Storage Credits

In order to complete permitting requirements for SFWMD Compensating Flood Plain Storage for the Greene Apartments project located at 2001 N Congress Avenue and consisting of 228 rental units on 11 acres, the Westgate CRA agrees to the following:

Greene will create as much storage credit as possible at their property on Troy Avenue near Belvedere Road.

To the extent that there is still a deficit, the CRA will allow Greene to create additional storage credit at the lake known as "Westgate Central Lake Improvements" bounded by Chickamauga Avenue on the north, Osceola Drive on the east, Cherokee Avenue on the south, and Seminole Boulevard on the west (Westgate Lake).

Westgate CRA has retained the services of Higgins Engineering to request SFWMD to restore compensating storage credits for excavation works created by the CRA over the past few years, in particular within the Westgate Lake project. The Westgate Lake, constructed under SFWMD Permit 50-05060-P (issued in 2001) and modified in May of 2010 was built for flood protection and to bank compensating storage credit to enhance future development.

Should the work by Greene on Troy and Osceola still require credits to meet permitting requirements, the CRA agrees to transfer as many credits as may be needed to Greene from the restored credits in order to complete the permitting requirements for the Greene project.

Action requested of the CRA Board: To approve the use of compensating storage mitigation credits at the Westgate Lake in order to allow the Greene Apartments project to move forward, and to allow CRA staff to work out the details.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

Part 1. ULDC Art. 3.B.14.D.1 and 2, Westgate Community Redevelopment Area Overlay, Development Review Procedures (page 44-45 of 212, Supplement 27), is hereby amended as follows:

Reason for amendments: [Westgate CRA]

1. Clarify that Art. 2 administrative processes require WCRA administrative review and recommendation.

CHAPTER B OVERLAYS

Section 14 WCRAO, Westgate Community Redevelopment Area Overlay

....

D. Development Review Procedures

1. WCRA Recommendation

Applicants must obtain a recommendation from the WCRA, prior to submittal of any application for the development of Single Family or duplex residential structures on a non-conforming lot, or application outlined under Art. 2, Application Processes and Procedures, for the following: Official Zoning Map Amendments, Conditional Uses, Development Order Amendments, Plan Amendments, Density Bonuses, Variances, and projects requiring DRO approval, including Zoning Agency Review (ZAR). An application for a WCRA recommendation must be made in accordance with the following: [Ord. 2006-004] [Ord. 2007-013] [Ord. 2018-002]

a. Application Requirements

~~The form and a~~ Application requirements for a WCRA recommendation shall be submitted as specified by the WCRA; however, in no case shall supporting documents required by the WCRA exceed the requirements of the Development Review Procedures listed above. [Ord. 2006-004]

b. Timeframe for Response

WCRA staff shall determine whether or not the application is sufficient or insufficient within ten working days. Any amendment to an application shall require the timeframe for response to restart. [Ord. 2006-004]

1) Sufficiency and Recommendation

If the application is determined to be sufficient, a recommendation shall be mailed to the Applicant within 30 days of application submittal. If a recommendation is not made within this timeframe, the application shall be considered to have received a recommendation for approval, and the WCRA shall provide a letter indicating such. [Ord. 2006-004]

2) Insufficiency

If an application is determined to be insufficient, WCRA staff shall provide a written notice specifying the deficiencies to the Applicant, to be mailed within ten days of receipt of the application. No further action shall be taken until the Applicant remedies the deficiencies. If the deficiencies are not remedied within 20 days of the date of the written notice, the application shall be considered to have a recommendation for denial. If amended and determined to be sufficient, the application shall be processed in

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. ~~Stricken and italicized~~ means text to be totally or partially relocated.

If being relocated destination is noted in bolded brackets [Relocated to:].

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

accordance with Art. 3.B.14.D.1.b.1), Sufficiency and Recommendation. [Ord. 2006-004]

....

Part 2. ULDC Art. 3.B.14.E.2, Table 3.B.14.E, WCRAO Sub-area Use Regulations (page 46 of 212, Supplement 27), is hereby amended as follows:

Reason for amendments: [Westgate CRA]

1. Prohibit or restrict certain commercial uses where not compatible with the intent of the Sub-area or the WCRA Community Redevelopment Plan: limit Car Wash in the UG Sub-area to those lots fronting Okeechobee Blvd.; prohibit Convenience Store in the UG Sub-area where currently several retail gas stations and standalone convenience stores already exist; allow Electric Vehicle Charging Stations to operate as an accessory use only in the UG and UH Sub-areas and allow as a principal use in the UI Sub-area; allow Employment Agencies in the UH and UI Sub-areas subject to code; prohibit Retail Gas and Fuel Sales in the UG Sub-area; prohibit Landscape Service in all Sub-areas except the UI Sub-area; and prohibit surface Commercial Parking in all Sub-areas, but allow structured parking in the NC, UG, UH and UI Sub-areas subject to Class A Conditional Use approval. Update Self-Service Storage to reflect code changes separating the use into Limited and Multi-Access, and prohibit Multi-Access Storage in all Sub-areas except the UI Sub-area, and update Contractor Storage Yard to prohibit the use in the UG Sub-area.
2. Prohibit or restrict certain light industrial uses now allowed to operate in CG Zoning Districts with a CH FLU: Distribution Facility, Manufacturing and Processing, Warehouse and Wholesaling is prohibited in the NRM, NG, NC, and UG Sub-areas, allowed by Class A Conditional Use Approval in the UH Sub-area, and by DRO Approval in the UI Sub-area.

Table 3.B.14.E – WCRAO Sub-area Use Regulations

Sub-areas	NR	NRM	NG	NC	UG	UH	UI	Supplementary Use Standards # (2)
Residential Uses								
Single Family	P	P	X	X	X	X	X	4.B.1.C.5
Cottage Home – Single Unit on a Single Lot	X	P	X	X	X	X	X	4.B.1.C.2
Cottage Home – Multiple Units on a Single Lot or Site	X	P	P	X	X	X	X	4.B.1.C.2
Zero Lot Line (ZLL)	X	X	X	X	X	X	X	4.B.1.C.7
Multifamily (MF)	X	P (5)	P (5)	P (5)	P (5)	P (5)	X	4.B.1.C.4
Townhouse	X	P (5)	P (5)	P (5)	P (5)	P (5)	X	4.B.1.C.6
Commercial Uses								
Adult Entertainment (3)	X	X	X	X	X	X	X	4.B.2.C.1
Car Wash	-	X	X	X	- (7)	-	-	4.B.2.C.4
Convenience Store	X	X	X	X	- X	-	-	4.B.2.C.7
Electric Vehicle Charging Station Facility (8)	X	X	X	X	X	X	-	4.B.2.C.10
Employment Agencies (6)	X	X	X	X	X	X	X	4.B.2.C.26
Gas and Fuel Sales, Retail	X	X	X	X	- X	-	-	4.B.2.C.16
Landscape Service	X	X	X	X	X	X	-	4.B.2.C.21
Parking, Commercial (9)	-	X	X	X	X	X	X	4.B.2.C.27
Repair and Maintenance, Heavy	X	X	X	X	-	-	-	4.B.2.C.30

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated.

If being relocated destination is noted in bolded brackets [Relocated to:].

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

Repair and Maintenance, Light	X	X	X	X	-	-	-	4.B.2.C.31
Self-Service Storage, Limited Access	X	X	X	X	-	-	-	4.B.2.C.37
Self-Service Storage, Multi-Access	-	X	X	X	X	X	-	4.B.2.C.37
Vehicle Sales and Rental, Light	X	X	X	X	-	-	-	4.B.2.C.41
Vehicle or Equipment Sales and Rental, Heavy	X	X	X	X	-	-	-	4.B.2.C.40
Work/Live Space	X	P (4)	P (4)	P (4)	P (4)	P (4)	P (4)	4.B.2.C.44
Industrial Uses								
Office Warehouse	X	X	X	X	A (1)	A (1)	-	4.B.5.C.17
Contractor Storage Yard	-	-	-	-	A-X	-	A	4.B.5.C.1
Distribution Facility	-	X	X	X	X	A	D	4.B.5.C.3
Manufacturing and Processing	-	X	X	X	X	A	D	4.B.5.C.8
Warehouse	-	X	X	X	X	A	D	4.B.5.C.17
Wholesaling	-	X	X	X	X	A	D	4.B.5.C.18
[Ord. 2006-004] [Ord. 2007-013] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-007] [Ord. 2017-002] [Ord. 2017-007] [Ord. 2018-002] [Ord. 2018-018] [Ord. 2020-0xx]								
Notes:								
1.	Limited to lots with a CH FLU designation and corresponding zoning district. [Ord. 2006-004] [Ord. 2018-002]							
2.	A number in the Supplementary Use Standards # column refers to <u>Art. 4.B. Use Classification</u> , which are applicable to the use. [Ord. 2006-004] [Ord. 2020-0xx]							
3.	Adult Entertainment shall also be prohibited as an accessory use to other principal uses within the Sub-areas. [Ord. 2007-013]							
4.	Limited to lots with a CH or CL FLU designation and corresponding zoning district. Work/Live Space shall be Permitted by Right in all Sub-areas except the NR and UI. [Ord. 2007-013] [Ord. 2020-0xx]							
5.	Multifamily and Townhouse units may be Permitted by Right in non-residential districts where mixed use is permitted in accordance with Table 3.B.14.E. WCRAO Mixed Use. [Ord. 2017-002] [Ord. 2020-0xx]							
6.	Employment Agencies as contained in Art. 4, Use Regulations under Office, Business or Professional. [Ord. 2017-007]							
7.	Limited to lots fronting Okeechobee Blvd.							
8.	Permitted in the UG and UH Sub-areas as an accessory use.							
9.	Surface Commercial Parking is prohibited in all Sub-areas; structured Commercial Parking is permitted in the NC, UG, UH and UI sub-Areas subject to Class A Conditional Use approval.							
Key:								
X	Prohibited in Sub-area.							
-	Subject to Use Regulations of zoning district.							
P	Permitted by Right in Sub-area. [Ord. 2007-013] [Ord. 2009-040] [Ord. 2020-0xx]							
A	Class A Conditional Use. [Ord. 2017-007]							

Part 3. ULDC Art. 3.B.14.F.2, Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs and ULDC Art. 3.B.14.F.3, Sky Exposure Planes (page 48 and 51 of 212, Supplement 27), is hereby amended as follows:

Reason for amendments: [Westgate CRA]

1. Revise lot dimension PDRs for non-residential and mixed use projects in the NG, NC, UG, and UH Sub-areas to address smaller lot sizes that are unable to meet current CG Zoning District PDRs for lot size, width and depth.
2. Reduce the current 50' front setback requirement for CG Zoning Districts to address smaller lot sizes in the NC and UH, non-conforming lots in the UH, and historical building placement primarily along Okeechobee Blvd.
3. Eliminate Sky Exposure Planes.

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [Relocated to:].

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

1

Table 3.B.14.F – WCRAO Non-Residential and Mixed Use Sub-area PDRs

Sub-areas	NR (1)	NRM	NG	NC	UG	UH	UI
Lot Dimensions (2):							
Minimum Frontage/Lot Width		-	75 feet (4)	75 feet (4)	100 feet	100 feet (5)	-
Minimum Lot Depth	-	-	- 100 feet	- 100 feet	- 100 feet	- 100 feet	-
Maximum Building Coverage		40%	40%	40% (2 3)	40% (2 3)	40% (2 3)	45%
Build-to-Line/Setbacks:							
Front or Side Street Build-to-Line (3)(810)		Build-to-Line – 15 feet	Build-to-Line – 15 feet	Build-to-Line – 10 feet	Build-to-Line – C/MU: 10-25 feet	Build to Line 10-25 feet	Build-to-Line – C/IND: 10-25 feet
Minimum Side		10 feet (4 6)	10 feet (4 6)	10 feet (4 6)	15 feet	15 feet	15 feet
Minimum Rear		25 feet	25 feet	25 feet	25 feet	25 feet	25 feet
Minimum Building Frontage							
Minimum Frontage (810)		60%	60%	80%	60%	-	C/IND: 60%
Optional Plazas and Squares							
Build-to-Line Exception		Maximum 50% of Building Frontage, minimum width of 20 feet, and maximum depth of 25 feet.				-	-
Maximum Stories/Height (6)							
Maximum Stories (1)		3	4	6	20	10	15
Maximum Height (68)		36 feet	48 feet	72 feet	240 feet	120 feet	180 feet
Other							
Maximum Building Length (57)(79)		300 feet	300 feet	300 feet	300 feet	-	-
[Ord. 2006-004] [Ord. 2010-022] [Ord. 2015-031] [Ord. 2017-002] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2019-005] [Ord. 2020-0xx]							
Key:							
-	PDRs not specified in this Table shall be subject to the PDRs of the lot's zoning district.						
C	For commercial uses.						
MU	For mixed uses.						
Notes:							
1.	PDRs for Single Family dwellings in the NR Sub-area shall be in accordance with Table 3.B.14.F, WCRAO Residential Sub-area PDRs. [Ord. 2020-0xx]						
2.	Minimum lot size shall not apply. Minimum frontage or lot width and lot depth shall determine required lot dimensions.						
2.3.	Building coverage may be increased to 60 percent if all parking is provided curbside or in a parking structure. [Ord. 2006-004] [Ord. 2020-0xx]						
3.	Additional setbacks may apply per Art. 3.B.14.F.3, Sky Exposure Planes. [Ord. 2006-004]						
4.	May be reduced to 50 feet if rear or cross access is provided.						
5.	May be reduced to 75 feet for lots fronting Okeechobee Blvd. if front access is eliminated and rear or cross access is provided.						
4.6.	Side setbacks may be reduced to zero in accordance with Art. 3.B.14.F.1.a, NRM, NG, and NC Side Setback Reduction. [Ord. 2006-004]						
5.7.	Mid-block separation a minimum of 20 feet in width is required at the first floor level for building length in exceeding 200 feet, and must be 50 feet or more from either end of the building. [Ord. 2006-004]						
6.8.	Minor increases in maximum height may be permitted subject to all of the standards of Art. 5.C.1.E.4.a-c and as exempted by Art. 3.D.1.E.4, Height Exceptions, and as defined by Art. 1, General Provisions. [Ord. 2010-022]						

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [Relocated to:].

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

7-9.	Buildings shall be articulated so that the longest side faces the front build-to-line. Where a parcel is located at the intersection of two or more streets, at least one building shall be placed at a corner in accordance with Art. 3.B.14.F.2.b.2), R-O-W/Easement Exception, and comply with the build-to-line for both streets. [Ord. 2015-031]
8-10.	Minimum frontage shall only apply to the front build-to-line, and may be reduced in accordance with Art. 3.B.14.F.2.b.1)(a), Minimum Building Frontage Exception. [Ord. 2015-031] [Ord. 2017-025]

3. Sky Exposure Planes

In the NC, UG, and UI Sub-areas, the maximum height of a structure at the build-to-line shall be in accordance with Table 3.B.14.F, Sky Exposure Plane, and Figure 3.B.14.F, Sky Exposure Plane. **[Ord. 2006-004] [Ord. 2008-003]**

Table 3.B.14.F – Sky Exposure Plane

Sub-area		NC	UG and UH	UI
s – Initial Setback Distance	Narrow Street	20 feet	20 feet	20 feet
	Wide Street	15 feet	15 feet	15 feet
h – Maximum Height of Sky Exposure Plane at Build to Setback Line		48 feet or 4 stories, whichever is less	60 feet or 5 stories, whichever is less	72 feet or 6 stories, whichever is less
On Narrow Street	v – Vertical Distance 1	1	2.7	3.7
	a – Horizontal Distance 2	1	1	1
On Wide Street	v – Vertical Distance 1	1	5.6	7.6
	a – Horizontal Distance 2	1	1	1
[Ord. 2006-004]				
Notes:				
1.	Slope is expressed as a ratio of vertical distance to horizontal distance. [Ord. 2006-004]			
2.	A narrow street has a R-O-W of 60 feet or less, and a wide street has a R-O-W of 60 feet or greater. [Ord. 2006-004]			

Figure 3.B.14.F – Sky Exposure Plane

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to:]**.

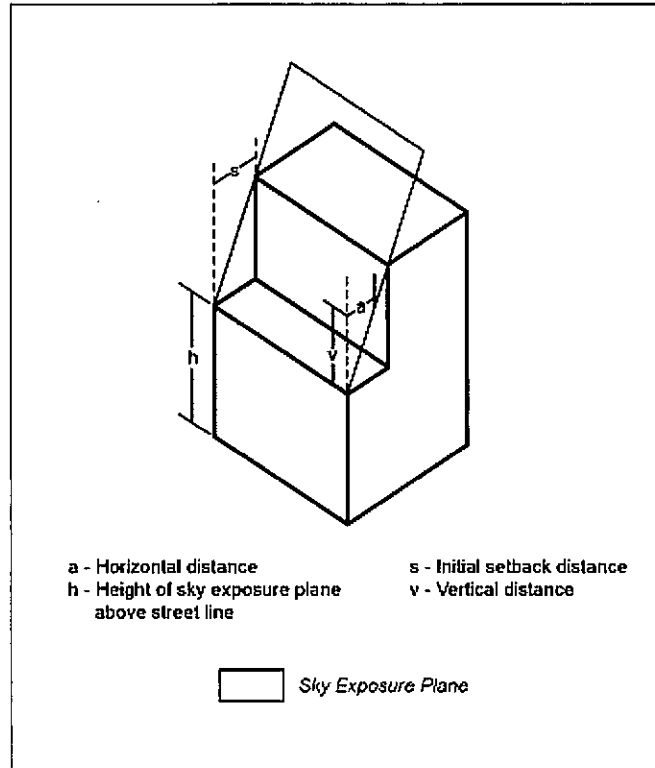
Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**.

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)



[Ord. 2006-004]

Part 5. ULDC Art. 3.B.14.H., Density Bonus Programs (page 55-57 of 212, Supplement 27), is hereby amended as follows:

Reason for amendments: [Westgate CRA]

1. Revise Density Bonus Program language to be consistent with the Workforce Housing Program (WHP) and address design, compliance and enforcement provisions that have been refined and developed as a part of the County's effort to update the functionality of the WHP. Revisions to the provisions of the Program will create a housing program for the WCRA which can be monitored consistent with the WHP. The new Program language provides incentives to use the WCRA's density bonus pool to further both affordable and workforce unit production, while promoting mixed-income housing and maintaining the County's goal not to concentrate low income housing in any single community.
2. Revise WCRA Recommendation criteria to allow for better access to the density bonus pool units from a wider range of projects. Current criteria, heavily focused on achieving form and architecture, is too restrictive for smaller residential projects.

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to:]**.

Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**.

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

H. Density Bonus Programs

1. Density Bonus Pool

Notwithstanding the provisions of Art. 5.G. Density Bonus Programs, an additional 1,300 residential units, that may be utilized for rental and for-sale projects, are available in the WCRAO in accordance with Plan Policy 1.2.3-b, and the following: [Ord. 2006-004]

Table 3.B.14.H – WCRAO Density Bonus Pool Limits (1)

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Maximum WCRAO Density Bonus Per Acre	N/A	20	30	50	150	150	N/A
[Ord. 2006-004]							
Notes:							
1.	Additional Density Bonus Pool Units are only permitted where a project utilizes all allowed density as indicated by FLU designation and the Plan. [Ord. 2006-004]						

a. ~~WCRA Recommendation~~

~~Any proposed project that includes a request from the Density Bonus Pool shall obtain a recommendation from the WCRA in accordance with the standards of Art. 3.B.14.D.1.b. Timeframe for Response. A project shall receive a recommendation for approval from the WCRA that either meets three of the following six factors, for: (1) The UH Sub-area; (2) That portion of the NRM Sub-area located west of the LWDD L-2B Canal and between Suwanee Drive and the E 3 1/4-8 Canal; or, (3) The UG Sub-area; or meets four of these six factors for: (1) That portion of the NRM Sub-area located between the LWDD L-2B Canal and Suwanee Drive; (2) The NG Sub-area; or, (3) The NC Sub-area. [Ord. 2006-004] [Ord. 2007-013] [Ord. 2011-004]~~

- ~~1) The proposed project meets the minimum building frontage requirements of Table 3.B.14.F, WCRAO Sub-area PDRs. [Ord. 2006-004]~~
- ~~2) The proposed project has a rear lot line abutting a R-O-W to ensure that vehicular access to parking is limited to the rear of the lot, in accordance with Art. 3.B.14.I.1.a.1). [Ord. 2006-004] [Ord. 2011-004]~~
- ~~3) Where permitted, the proposed project includes mixed use with a minimum of ten percent and a maximum of 50 percent of the GFA dedicated to non-residential uses. [Ord. 2006-004]~~
- ~~4) A minimum of five percent of the gross lot area is set aside for open space with a public amenity or a public plaza, with a minimum size of 800 square feet and 25 feet in width, including but not limited to public art (not depicting any advertising); fountains of at least eight feet in height and 16 feet in diameter; pergolas; bell or clock tower; and public seating areas (not in conjunction with any restaurant seating). [Ord. 2006-004]~~
- ~~5) A minimum of 40 percent of the projects allowed density is reserved for affordable housing meeting the requirements of Art. 3.B.14.H.1.c, Affordability Standards. [Ord. 2006-004]~~
- ~~6) Preferred uses: [Ord. 2006-004]~~

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [Relocated to:].

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

- a) ~~NRM Sub-area: business or professional office, medical or dental office, personal services, and Townhouses. [Ord. 2006-004]~~
- b) ~~NG Sub-area: business or professional office, medical or dental office, personal services, printing and copying services, Type 1 Restaurants that meet the requirements of Art. 4.B.2.C.33.b.2), Permitted by Right, and Type 2 Restaurants. [Ord. 2006-004] [Ord. 2007-013]~~
- c) ~~NC, UG and UH Sub-areas: business or professional office, personal services, printing and copying services, Type 1 Restaurants that meet the requirements of Art. 4.B.2.C.33.b.2), Permitted By Right, and Type 2 Restaurants. [Ord. 2006-004]~~

b. ~~Approval Process~~

~~The review process for a WCRAO Density Bonus Pool approval is based on the density bonus requested in accordance with Table 3.B.14.H, WCRAO Density Bonus Pool Approval. Notice of all proposed projects shall be forwarded to the BCC administratively by the Division responsible for reviewing the application. [Ord. 2006-004] [Ord. 2007-013] [Ord. 2010-022]~~

Table 3.B.14.H – WCRAO Density Bonus Pool Approval

Approval Process Required (1)	Range of Bonus Units per Acre	Minimum Percentage of Density Bonus Units Required to be Affordable (3)
Permitted by Right	0.1-4 (2)	40%
DRO Approval	4.01-22	
BCC Approval	22.01 or more	
[Ord. 2006-004] [Ord. 2007-013]		
Notes:		
1.	The transfer of density to a PDD or TDD requires approval as a Class A Conditional Use. [Ord. 2006-004] [Ord. 2018-002]	
2.	Up to one unit may be Permitted by Right for projects less than one acre in size. [Ord. 2006-004]	
3.	Affordable units shall consist of WHP units pending the adoption of the WCRA Inclusionary Housing Policy, as mandated by the Plan, to include very low through middle income households. [Ord. 2006-004] [Ord. 2008-003]	

c. ~~Affordability Standards~~

~~Where required by Table 3.B.14.H, WCRAO Density Bonus Pool Approval, units required to be affordable shall comply with the following: [Ord. 2006-004] [Ord. 2007-013] [Ord. 2008-037]~~

~~1) Design Requirements~~

~~All density bonus units required to be affordable shall be designed to a compatible exterior standard as other units within the development or pod. These units may be clustered or dispersed throughout the project. [Ord. 2007-013]~~

~~2) Sales and Rental Prices~~

~~Affordable units shall be offered for sale or rent to very low through middle income households. The sale and rent prices may be updated annually by the County Administrator, or designee, based on the AMI, and household income limits for PBC~~

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [Relocated to:].

~~Italicized~~ indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

(West Palm Beach/Boca Raton metropolitan statistical area) as published annually by HUD. ~~[Ord. 2007-013] [Ord. 2008-037]~~

3) ~~Master Covenant~~

~~Prior to Final DRO approval, the Applicant shall record in the public records of Palm Beach County a Covenant binding the entire project, in a form provided by the County, which identifies each required affordable unit. In the event the project is not subject to Final DRO approval, the Applicant must submit a recorded copy of the Covenant to the Building Division prior to issuance of the first Building Permit. The Covenant shall include but not be limited to restrictions requiring: that all identified affordable units shall be sold, resold, or rented only to very low through middle-income qualified households at an attainable housing cost for each of the targeted income ranges; that these restrictions remain in effect for a minimum of ten years for units sold to eligible households, and a minimum of 20 years for rental units, from the date of each unit is first purchased or designated as a rental unit; and that in the event a unit is resold before the ten or 20-year periods conclude, a new ten or 20-year period shall take effect on the date of resale. The Covenant shall further provide monitoring and compliance requirements including but not limited to those set forth below to ensure compliance with Plan TE Policy 1.2-r. Every deed for sale of an affordable housing unit shall incorporate by reference the controlling Covenant. [Ord. 2007-013] [Ord. 2008-037]~~

4) ~~Monitoring and Compliance~~

~~Shall be in accordance with the monitoring and compliance requirements of the applicable Sections of Art. 5.G.1, Workforce Housing Program, or Art. 5.G.2, Affordable Housing Program. [Ord. 2007-013] [Ord. 2011-001]~~

5) ~~Enforcement~~

~~Shall be in accordance with the enforcement requirements of the applicable Sections of Art. 5.G.1, Workforce Housing Program, or Art. 5.G.2, Affordable Housing Program. [Ord. 2007-013] [Ord. 2011-001]~~

6) ~~Limitations on Restrictions~~

~~Shall be in accordance with the limitations and restriction requirements of Art. 5.G.2, Affordable Housing Program. [Ord. 2007-013] [Ord. 2011-001]~~

7) ~~Affordability Ranges~~

~~Required affordable WCRAO Density Bonus units shall be distributed in accordance with Table 3.B.14.H, WCRAO Affordability Ranges. Multifamily or Townhouse developments less than ten dwelling units may be excluded from this requirement. [Ord. 2008-037] [Ord. 2011-001]~~

Table 3.B.14.H – WCRAO Affordability Ranges

	Very Low Income	Low Income	Moderate Income	Middle Income	Maintenance of Affordability (Years)
New Bonus Density Pool Projects (1)	40% (2)				10 (for sale) 20 (rental)

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated.

If being relocated destination is noted in bolded brackets **[Relocated to:]**.

Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**.

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

Redevelopment of Existing Affordable Housing Project (4)	10% maximum (3)	30% minimum (4)	10 (for sale) 20 (rental)
[Ord. 2008-037]			
Notes:			
1.	Requirements are applicable to for-sale and rental units.		
2.	Percentage is a combination of very low, low, moderate, and middle income requirements. However, a single project shall be limited to a maximum of 40 percent low or 40 percent very low income units.		
3.	Percentage is a combination of very low and low income requirements.		
4.	Percentage is a combination of moderate and middle income requirements.		

2. ~~Other Density Bonus Programs~~

The Applicant may request to modify or reduce the landscape requirements pursuant to ~~Art. 7, Landscaping~~ subject to a Type 2 Waiver process. The request shall be consistent with the Plan and a WCRA recommendation for approval. ~~[Ord. 2006-004]~~

a. WCRA Recommendation

Any proposed project that includes a request from the Density Bonus Pool shall obtain a recommendation from the WCRA in accordance with the standards of Art. 3.B.14.D.1.b, Timeframe for Response. A project shall receive a recommendation for approval from the WCRA that provides for affordable housing and workforce housing consistent with the provisions below:

- 1) The proposed project meets the PDR requirements of Table 3.B.14.E, and Table 3.B.14.F. [Ord.2020-0xx] as applicable.
- 2) The proposed project shall provide on-site affordable and workforce housing units that includes a minimum of 10% of the units at or below the Workforce Housing Low-Income category with no more than 40% of the total units qualifying within this category and a minimum of 10% that qualify as Workforce Moderate 1 Income category, as defined in Article 5 G.1.3.b.
- 3) The proposed project shall provide a minimum of 5% of the project residential square footage either as private open space or public open space, or a combination, which may include, but not be limited to, individual unit porches, patios, balconies and on-site common outdoor amenities like courtyards, grilling areas, tot lots or neighborhood amenities including streetscape furnishings, landscaping or hardscaping.
- 4) The proposed units shall meet Article 5.G.1.A.h. Workforce Housing Program Design Standards.
- 5) Proposed projects of ten or more units shall also meet the provisions of the Workforce Housing Program for Delivery and Enforcement of units as provided for in Article 5.G.1.D. and Article 5.G.1.E.
- 6) Proposed projects of less than ten units shall design all units to be of the same exterior and interior character and maintain the affordability of units as required under the

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to:]**.

Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**.

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

Density Bonus Pool program for a non-reoccurring period of ten years through a Restrictive Master Covenant.

a) **Restrictive Master Covenant**

Prior to Final DRO approval, the Applicant shall record in the public records of Palm Beach County a Covenant binding the entire project, in a form provided by the County, which identifies each required affordable workforce unit. In the event the project is not subject to Final DRO approval, the Applicant must submit a recorded copy of the Covenant to the Building Division prior to issuance of the first Building Permit. The Covenant shall include but not be limited to restrictions noted above in 6).

b) **Annual Compliance Reporting**

Shall be in accordance with the enforcement requirements of the applicable Sections of Art. 5.G.1, Workforce Housing Program.

c) **Enforcement**

Shall be in accordance with the enforcement requirements of the applicable Sections of Art. 5.G.1, Workforce Housing Program.

b. **Approval Process**

The review process for a WCRAO Density Bonus Pool approval is based on the density bonus requested in accordance with Table 3.B.14.H, WCRAO Density Bonus Pool Approval. Notice of all proposed projects shall be forwarded to the BCC administratively by the Division responsible for reviewing the application. [Ord. 2006-004] [Ord. 2007-013] [Ord. 2010-022] Notice of all approved projects shall be forwarded to the County Administrator or designee.

Table 3.B.14.H – WCRAO Density Bonus Pool Approval

Approval Process Required (1)	Range of Bonus Units per Acre	Minimum Percentage of Density Bonus Units Required to be Affordable and Workforce (3)
Permitted by Right	0.1-4 (2)	40% maximum with a minimum of 10% in the units not to exceed Low-Income and a 10% minimum to qualify as Moderate 1 Income
DRO Approval	4.01-22	
BCC Approval	22.01 or more	
[Ord. 2006-004] [Ord. 2007-013]		
Notes:		
1.	The transfer of density to a PDD or TDD requires approval as a Class A Conditional Use. [Ord. 2006-004] [Ord. 2018-002]	
2.	Up to one unit may be Permitted by Right for projects less than one acre in size. [Ord. 2006-004]	
3.	Affordable units shall consist of WHP category units as required by Article 3. H.1.a.2) and defined in Article 5 G. 1.A.3.b. pending the adoption of the WCRA Inclusionary Housing Policy, as mandated by the Plan, to include very low through middle income households. [Ord. 2006-004] [Ord. 2008-003]	

c. **Incentives for Density Bonus Pool Projects**

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [Relocated to:].

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT A

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO DEVELOPMENT REVIEW PROCEDURES, USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, SUPPLEMENTARY STANDARDS, AND DENSITY BONUS PROGRAMS

CR-2020-xxxx
(Updated 02/25/2020)

- 1) The Applicant may request to modify or reduce the landscape requirements pursuant to Art. 7, Landscaping subject to a Type 2 Waiver process. The request shall be consistent with the Plan and a WCRA recommendation for approval. [Ord. 2006-004]
- 2) The applicant may request to utilize WHP Incentives Available under the Full Incentive Option (Article 5.G.1.B.2.f.). The request shall be consistent with the Plan and a WCRA recommendation for approval.

NOTE: Edited by WH on 8-15 to fix location of footer and to add ADA Tag to Reason for Amendment the Example Table is not tagged, and new table/graphic inserted to document needs to be Tagged; Edited by MC on 7-31-13 to include Stricken and italicized text. Edited by WJC on 4-16-13 to correct relocated text footnote. Edited by WJC on 7-3-12 to reinsert page number format. **Please do not remove from template**. Can be removed as needed when document is numbered otherwise (e.g. via PDF for packet, etc.). Thanks!

Notes:

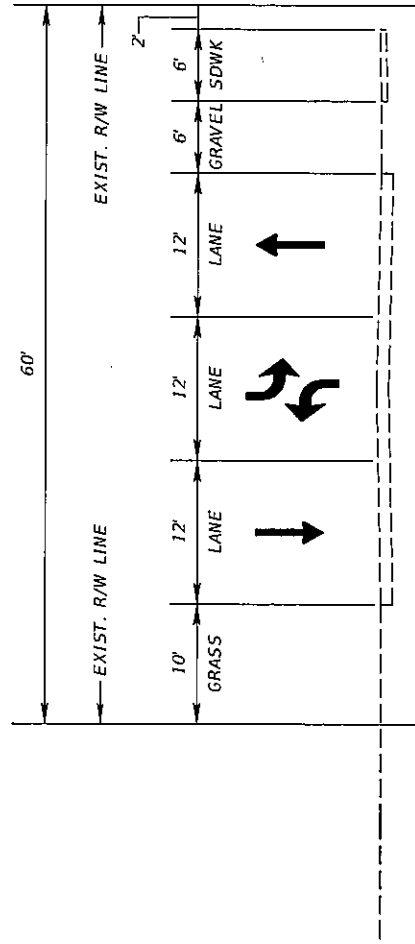
Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to:]**.

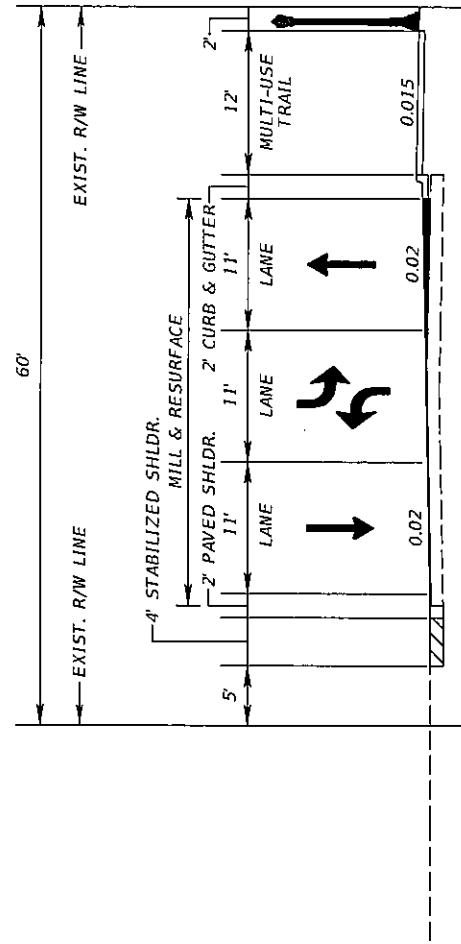
Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**.

.... A series of four bolded ellipses indicates language omitted to save space.

CHERRY RD. (A) - FACING MILITARY TRAIL

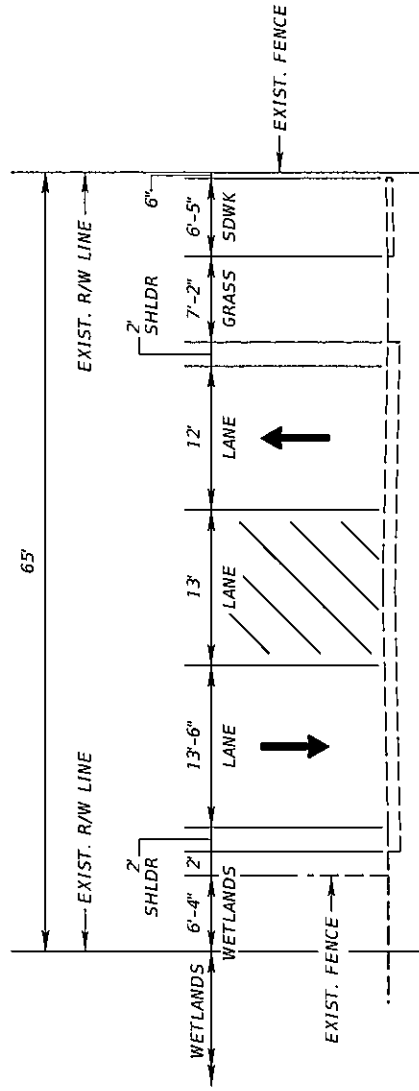


EXISTING TYPICAL SECTION

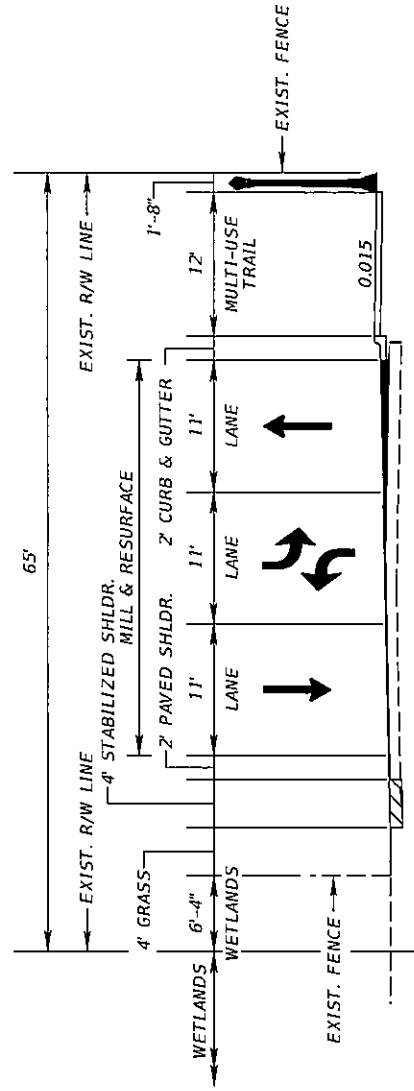


PROPOSED TYPICAL SECTION

CHERRY RD. (B) - FACING MILITARY TRAIL

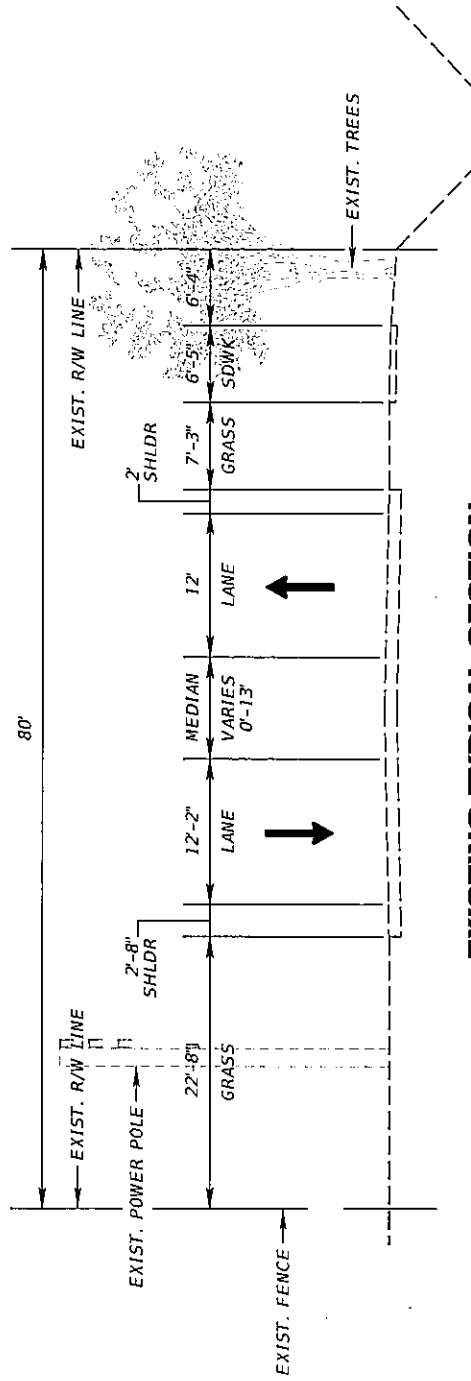


EXISTING TYPICAL SECTION

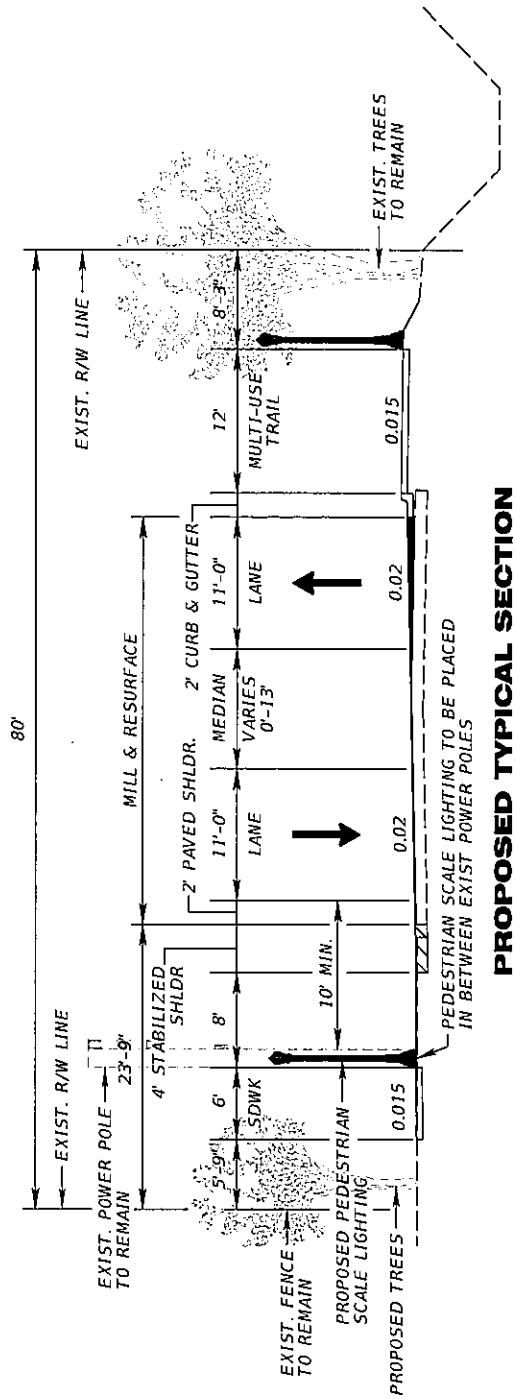


PROPOSED TYPICAL SECTION

CHERRY RD. (C) - FACING MILITARY TRAIL

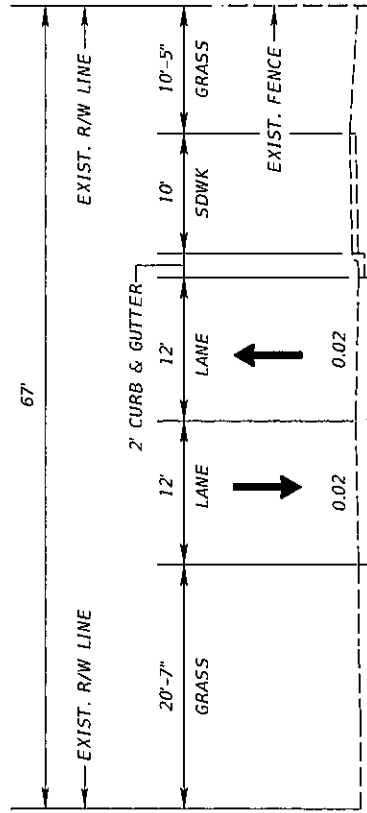


EXISTING TYPICAL SECTION

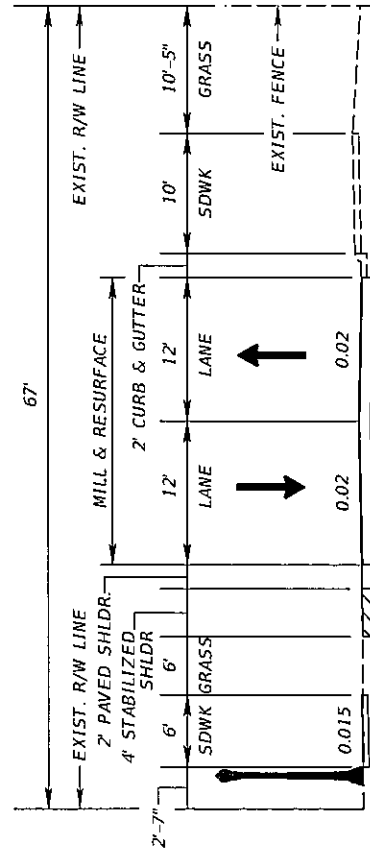


PROPOSED TYPICAL SECTION

CHERRY RD. (D) - FACING MILITARY TRAIL



EXISTING TYPICAL SECTION



INTENT OF TYPICAL IS TO SHOW SIDEWALK CONSTRUCTION CONNECTING SHORT MISSING SEGMENT FROM EXISTING SIDEWALK TO THE BRIDGE. SEE PLAN VIEW

PROPOSED TYPICAL SECTION