

# The City of **Boynton Beach**



## City Commission Agenda Tuesday, July 18, 2017, 6:30 PM

Commission Chambers  
100 E. Boynton Beach Blvd., Boynton Beach, FL 33435  
Regular City Commission Meeting

### **Boynton Beach City Commission**

Mayor Steven B. Grant (At Large)  
Vice Mayor Justin Katz (District I)  
Commissioner Mack McCray (District II)  
Commissioner Christina L. Romelus (District III)  
Commissioner Joe Casello (District IV)

Lori LaVerriere, City Manager  
James Cherof, City Attorney  
Judith A. Pyle, City Clerk

#### **\*MISSION\***

**To create a sustainable community by providing exceptional  
municipal services, in a financially responsible manner.**

*America's Gateway to the Gulfstream*



[www.boynton-beach.org](http://www.boynton-beach.org)

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**WELCOME**  
**Thank you for attending the City Commission Meeting**

**GENERAL RULES AND PROCEDURES FOR PUBLIC PARTICIPATION AT  
CITY OF BOYNTON BEACH COMMISSION MEETINGS**

**THE AGENDA:**

There is an official agenda for every meeting of the City Commissioners, which determines the order of business conducted at the meeting. The City Commission will not take action upon any matter, proposal, or item of business, which is not listed upon the official agenda, unless a majority of the Commission has first consented to the presentation for consideration and action.

- **Consent Agenda Items:** These are items which the Commission does not need to discuss individually and which are voted on as a group.
- **Regular Agenda Items:** These are items which the Commission will discuss individually in the order listed on the agenda.
- **Voice Vote:** A voice vote by the Commission indicates approval of the agenda item. This can be by either a regular voice vote with "Ayes and Nays" or by a roll call vote.

**SPEAKING AT COMMISSION MEETINGS:**

The public is encouraged to offer comment to the Commission at their meetings during Public Hearings, Public Audience, and on any regular agenda item, as hereinafter described.

City Commission meetings are business meetings and, as such, the Commission retains the right to impose time limits on the discussion on an issue.

- **Public Hearings:** Any citizen may speak on an official agenda item under the section entitled "Public Hearings."
- **Public Audience:** Any citizen may be heard concerning any matter within the scope of the jurisdiction of the Commission - Time Limit - Three (3) Minutes
- **Regular Agenda Items:** Any citizen may speak on any official agenda item(s) listed on the agenda after a motion has been made and properly seconded, with the exception of Consent Agenda Items that have not been pulled for separate vote, reports, presentations and first reading of Ordinances - Time Limit - Three (3) minutes

**ADDRESSING THE COMMISSION:**

When addressing the Commission, please step up to either podium and state, for the record, your name and address.

**DECORUM:**

Any person who disputes the meeting while addressing the Commission may be ordered by the presiding officer to cease further comments and/or to step down from the podium. Failure to discontinue comments or step down when so ordered shall be treated as a continuing disruption of the public meeting. An order by the presiding officer issued to control the decorum of the meeting is binding, unless over-ruled by the majority vote of the Commission members present.

Please turn off all pagers and cellular phones in the City Commission Chambers while the City Commission Meeting is in session.

City Commission meetings are held in the Boynton Beach City Commission Chambers, 100 East Boynton Beach Boulevard, Boynton Beach. All regular meetings are held typically on the first and third Tuesdays of every month, starting at 6:30 p.m. (Please check the Agenda Schedule - some meetings have been moved due to Holidays/Election Day).



**1. OPENINGS**

- A. Call to Order - Mayor Steven B. Grant

Invocation

Pledge of Allegiance to the Flag led by Commissioner McCray.

Roll Call

Agenda Approval:

1. Additions, Deletions, Corrections
2. Adoption

**2. OTHER**

- A. Informational items by Members of the City Commission

**3. ANNOUNCEMENTS, COMMUNITY AND SPECIAL EVENTS AND PRESENTATIONS**

- A. Representative Al Jacquet will provide an update on the recent legislative sessions.
- B. Announce the Breaking Barrier's exhibit and reception featuring Artists With Autism by Debby Coles-Dobay, Public Arts Manager.
- C. Announce upcoming Town Square Public Input Meetings and Town Square Job Fair.
- D. Presentation by John McNally, Director of Information Technology Services, highlighting IT operations for the City.

**4. PUBLIC AUDIENCE**

**INDIVIDUAL SPEAKERS WILL BE LIMITED TO 3 MINUTE PRESENTATIONS (at the discretion of the Chair, this 3 minute allowance may need to be adjusted depending on the level of business coming before the City Commission)**

**5. ADMINISTRATIVE**

- A. Appoint eligible members of the community to serve in vacant positions on City advisory boards. The following Regular (Reg) and Alternate (Alt) Student (Stu) and Nonvoting Stu (N/V Stu) openings exist:

Arts Commission: 1 Alt and 1 Reg

Building Board of Adjustments & Appeals: 3 Regs and 2 Alts

Community Redev. Agcy Adv. Bd. - 1 Reg

Library Bd: 2 Alt

Recreation & Parks Bd: 1 Alts

Senior Advisory Bd: 2 Alts

- B. Authorize Commissioner Romelus to travel to Orlando for Florida League of Cities Committee Meetings through September 30, 2017:

**6. CONSENT AGENDA**

**Matters in this section of the Agenda are proposed and recommended by the City Manager for "Consent Agenda" approval of the action indicated in each item, with all of the accompanying material to become a part of the Public Record and subject to staff comments**

- A. **PROPOSED RESOLUTION NO. R17-062** - Assess the cost of nuisance abatement on properties within the City of Boynton Beach.
- B. Approve an increase to blanket purchase order to Sunbelt Hydraulic and Equipment from \$30,000 to \$50,000 as a sole source vendor.
- C. Authorize the City manager to sign a "Letter of No Objection" for the abandonment of specific existing utility easement within the Flavor Pict Townhomes Plat as recorded in Plat Book 121 Pages 193 - 201. The Owner/developer intends to re-plat this section of the development. The developer will re-dedicate City of Boynton Beach Utility easements associated with the re-platting of this Townhome Development.
- D. Legal Expenses - June 2017 - Information at the request of the City Commission. No action required.
- E. Accept the Fiscal Year 2016-2017 Budget Status Report of the General Fund and the Utilities Fund for the eight (8) month period ended May 31, 2017.
- F. Approve the one-year extension for RFPs/Bids and/ or piggy-backs for the procurement of services and/or commodities as described in the written report for July 18, 2017 - "Request for Extensions and/or Piggybacks"
- G. Accept the written report to the Commission for purchases over \$10,000 for the month of June 2017.
- H. Approve the minutes from the Special City Commission meeting held on June 12, 2017 and Regular City Commission meeting held on June 20, 2017.

**7. BIDS AND PURCHASES OVER \$100,000 - None**

**8. COMMUNITY STANDARDS AND LEGAL SETTLEMENTS**

- A. Modify the Code Compliance Magistrate's Lien Modification Order in Case #11-2475 signed June 21, 2017 reducing the fines in this case from \$56,734.12 to \$2,230.15.

**9. PUBLIC HEARING**

**7 P.M. OR AS SOON THEREAFTER AS THE AGENDA PERMITS**

**The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.**

- A. Approve request for Modification to the Boynton Village & Town Center Master Plan to amend the previous approvals for SMU Parcels 1, 2 & 3 within Boynton Village & Town Center from 643 condominiums, 350 apartments and 115 single-family homes to 674 apartments and 115 single-family homes, on 106.499-acres located at the NE corner of Congress Avenue and Old Boynton Road. Applicant: Jeffrey Bartel, Berger Singerman LLP.
- B. Approve request to construct 324 apartments and related site improvements on SMU Parcel 3 of the Boynton Village & Town Center master planned development, located on a 10.246-acre vacant tract on the west side of Renaissance Commons Boulevard, immediately south of the Boynton (C-16) Canal, in the SMU (Suburban Mixed Use) zoning district. Applicant: Jeffrey Bartel, Berger

- C. **PROPOSED ORDINANCE NO. 17-014 - SECOND READING - PUBLIC HEARING -** Approve amendments to the CODE OF ORDINANCES, Chapter 13. Licensing, and the LAND DEVELOPMENT REGULATIONS, Chapter 1. Article II. Definitions, Chapter 3. Article IV. Use Regulations, and Chapter 4. Article V. Minimum Off-Street Parking Requirements that provide necessary updates and new standards and justifications for the accommodation and regulation of group homes, and parking requirements for single- and two-family dwelling units.
- D. **PROPOSED ORDINANCE NO. 17-015 - SECOND READING - PUBLIC HEARING -** Approve amendments to the LAND DEVELOPMENT REGULATIONS, Chapters 2, 3 and 4 to continue the implementation of the Community Redevelopment Plan with the establishment of the new Cultural District Overlay Zone regulating site development, uses, and urban design. *(Staff requests item tabled to 8/15/17)*
- E. **PROPOSED ORDINANCE NO. 17- 016 - SECOND READING - PUBLIC HEARING -** Approve amendments to the LAND DEVELOPMENT REGULATIONS, Chapters 2 and 3 to continue the implementation of the Community Redevelopment Plan with the establishment of the new Boynton Beach Boulevard Overlay Zone regulating site development standards, uses, and urban design. *(Staff requests item tabled to 8/15/17)*

**10. CITY MANAGER'S REPORT - None**

**11. UNFINISHED BUSINESS - None**

**12. NEW BUSINESS**

- A. Vice Mayor Katz requested discussion on possible disposition of City-owned land east of Boynton Beach Leisureville.
- B. Vice Mayor requested to discuss possible uses of the area owned by the City and known as Girl Scout Park. It is "deed restricted".
- C. Mayor Grant requested discussion on the use and placement of a traveling sauna in the City of Boynton Beach.

**13. LEGAL**

- A. **PROPOSED ORDINANCE NO. 17-011 - SECOND READING -** Approve amendments to the Comprehensive Plan Future Land Use Element (CPTA 17-001) and related Future Land Use Map Amendments (LUAR 17-004). City-initiated.
- B. Pursuant to Section 286.011(8), Florida Statutes, the City Attorney is requesting a private attorney-client session of the City Commission to discuss pending litigation in the following case:

BENNIE ROBINSON, Plaintiff, vs. JUSTIN HARRIS, individually, and the CITY OF BOYNTON BEACH, A Florida Municipal Corporation, Defendants. - UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA - Case No. 9:16-cv-81572-CIV-MARRA/MATTHEWMAN

- C. **PROPOSED ORDINANCE NO. 17-017 - SECOND READING -** Approve the abandonment of an existing 12 ft. utility easement within the former Verzaal (landscape) Nursery Parcel located on Flavor Pict Road west of Military Trail.
- D. **PROPOSED ORDINANCE NO. 17-018 - SECOND READING -** Approve the abandonment of existing utility easement rights within a Residential Access Roadway - Tract R-5, within the Flavor Pict Townhomes Plat as recorded in Plat Book 121 Pages 193 - 201.
- E. **PROPOSED RESOLUTION NO. R17-063 -** Approve rescinding Resolution R16-150 and Resolution R17-051 in their entirety and revoking the moratorium regarding wireless communications facilities.

#### **14. FUTURE AGENDA ITEMS**

A. Monthly Departmental Presentations:

Public Works - August, 2017

- B. Discuss impact of recently passed legislation on proposed Medical Cannabis Dispensary ordinance - August 1, 2017
- C. Discussion relating to the future of the Building Board of Adjustment and Appeals - TBD
- D. Discussion of number of boards people are allowed to serve on at one time, attendance policies - TBD
- E. Draft workforce housing ordinance - August 2017
- F. First Commission meeting in September has been changed from Tuesday, September 5, 2017 at 6:30 pm to Thursday, September 7, 2017 at 6:30 pm to have First Public Budget Hearing on Proposed FY 17/18 Budget in accordance with the Truth in Millage (TRIM) calendar.
- G. Vice-Mayor Katz requested a presentation by Florida Textile Recycling, LLC. FTR, LLC provides automated clothing recycling as a non-profit corporation and provides funding to agencies for other non-profit uses - TBD
- H. Update on progress of Town Square - Phase I - August

#### **15. ADJOURNMENT**

##### **NOTICE**

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, HE/SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. (F.S. 286.0105)

THE CITY SHALL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD AN INDIVIDUAL WITH A DISABILITY AN EQUAL OPPORTUNITY TO PARTICIPATE IN AND ENJOY THE BENEFITS OF A SERVICE, PROGRAM, OR ACTIVITY CONDUCTED BY THE CITY. PLEASE CONTACT THE CITY CLERK'S OFFICE, (561) 742-6060 OR (TTY) 1-800-955-8771, AT LEAST 48 HOURS PRIOR TO THE PROGRAM OR ACTIVITY IN ORDER FOR THE CITY TO REASONABLY ACCOMMODATE YOUR REQUEST.

ADDITIONAL AGENDA ITEMS MAY BE ADDED SUBSEQUENT TO THE PUBLICATION OF THE AGENDA ON THE CITY'S WEB SITE. INFORMATION REGARDING ITEMS ADDED TO THE AGENDA AFTER IT IS PUBLISHED ON THE CITY'S WEB SITE CAN BE OBTAINED FROM THE OFFICE OF THE CITY CLERK.



## **CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM**

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Call to Order - Mayor Steven B. Grant

Invocation

Pledge of Allegiance to the Flag led by Commissioner McCray.

Roll Call

Agenda Approval:

1. Additions, Deletions, Corrections
2. Adoption

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**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:** Non-budgeted

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department | Reviewer     | Action   | Date                |
|------------|--------------|----------|---------------------|
| City Clerk | Pyle, Judith | Approved | 3/14/2017 - 3:47 PM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Informational items by Members of the City Commission

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**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?**

**Grant Amount:**

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**REVIEWERS:**

| Department | Reviewer         | Action   | Date                |
|------------|------------------|----------|---------------------|
| City Clerk | Stanzione, Tammy | Approved | 7/11/2017 - 9:25 AM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Representative Al Jacquet will provide an update on the recent legislative sessions.

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**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:** Non-budgeted None

**ALTERNATIVES:** Do not allow the presentations.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 11:15 AM |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 11:15 AM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 10:06 AM |





## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Announce the Breaking Barrier's exhibit and reception featuring Artists With Autism by Debby Coles-Dobay, Public Arts Manager.

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**EXPLANATION OF REQUEST:**

**"Breaking Barriers"** featuring Artists With Autism

**Exhibit:** May - August 2017

**Reception:** Sat., July 29, 10am-12noon.

**Location:** Civic Center, 128 E. Ocean Ave., Boynton Beach

The public is invited to meet the artists and interact in their business and social skills while learning about their artwork. All artwork is available for purchase. Enjoy light refreshments while you learn about the organization, Artists With Autism.

Flyer attached or visit: [www.boynton-beach.org/departments/public\\_art/exhibits](http://www.boynton-beach.org/departments/public_art/exhibits)

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

Attract people to the Civic Center and the cultural district of the City's downtown. Connects the City to the Artists With Autism supporting it's all inclusive initiative. Supports the Art in Public Places program connecting the cultural environment in Boynton Beach to the global community.

Provides a distinctive branding identity for the City, increases cultural tourism, encourages education through engaging art experiences.

**FISCAL IMPACT:** Budgeted none

**ALTERNATIVES:**

Not hear the Breaking Barrier's exhibit and reception featuring Artists With Autism.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

Develops Boynton Beach as a destination locally, regionally and globally. Supports the downtown cultural district branding.

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department   | Reviewer           | Action   | Date                 |
|--------------|--------------------|----------|----------------------|
| Public Arts  | Coles-Dobay, Debby | Approved | 5/22/2017 - 1:02 PM  |
| Finance      | Howard, Tim        | Approved | 6/13/2017 - 11:07 AM |
| City Manager | LaVerriere, Lori   | Approved | 6/15/2017 - 8:30 AM  |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Announce upcoming Town Square Public Input Meetings and Town Square Job Fair.

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**EXPLANATION OF REQUEST:**

Three Town Square Public Input Meetings have been scheduled as follows:

Thursday, August 10

Topic: Playground

Thursday, August 17

Topic: Architectural Styles

Thursday, August 24

Topic: Open Spaces

All meetings will take place at the Boynton Beach City Library from 5:30 p.m. to 7:30 p.m.

Flyers for the Public Input Meetings are in the back of the room.

On August 22, 2017, there will be a Town Square Job Fair in order for developers to recruit work trades, skilled and unskilled labor forces. The Job Fair will be held at Carolyn Sims Center, 225 NW 12th Avenue.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:** Budgeted

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| City Manager | Howard, Tim      | Approved | 7/14/2017 - 9:48 AM  |
| Finance      | Howard, Tim      | Approved | 7/14/2017 - 9:49 AM  |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 10:05 AM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Presentation by John McNally, Director of Information Technology Services, highlighting IT operations for the City.

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**EXPLANATION OF REQUEST:** 5-10 minute Powerpoint presentation about the department

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| Finance      | Howard, Tim      | Approved | 6/14/2017 - 11:47 AM |
| Finance      | Howard, Tim      | Approved | 6/14/2017 - 11:47 AM |
| City Manager | LaVerriere, Lori | Approved | 6/15/2017 - 8:40 AM  |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Appoint eligible members of the community to serve in vacant positions on City advisory boards. The following Regular (Reg) and Alternate (Alt) Student (Stu) and Nonvoting Stu (N/V Stu) openings exist:

Arts Commission: 1 Alt and 1 Reg  
Building Board of Adjustments & Appeals: 3 Regs and 2 Alts  
Community Redev. Agcy Adv. Bd. - 1 Reg  
Library Bd: 2 Alt  
Recreation & Parks Bd: 1 Alts  
Senior Advisory Bd: 2 Alts

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**EXPLANATION OF REQUEST:** The attached list contains the names of those who have applied for vacancies on the various Advisory Boards. A list of vacancies is provided with the designated Commission members having responsibility for the appointment to fill each vacancy.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** Appointments are necessary to keep our Advisory Board full and operating as effectively as possible.

**FISCAL IMPACT:** Non-budgeted None

**ALTERNATIVES:** Allow vacancies to remain unfilled.

**STRATEGIC PLAN:** High Performing City Organization

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**ATTACHMENTS:**

| Type  | Description     |
|-------|-----------------|
| Other | Appointments    |
| Other | Boucard         |
| Other | Falco DiCorrado |
| Other | Gomez           |
| Other | Moodie          |

**REVIEWERS:**

| Department | Reviewer     | Action   | Date                |
|------------|--------------|----------|---------------------|
| City Clerk | Pyle, Judith | Approved | 3/14/2017 - 3:47 PM |

## APPOINTMENTS AND APPLICANTS FOR JULY 18, 2017

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### Arts Commission

|     |         |     |                               |
|-----|---------|-----|-------------------------------|
| III | Romelus | Alt | 1 yr term to 12/17 Tabled (3) |
| IV  | Casello | Reg | 3 yr term to 12/17            |

### Applicants

Clovis Moodie - Current Alternate requests to be Regular member

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### Building Board of Adjustments and Appeals

|       |         |     |                               |
|-------|---------|-----|-------------------------------|
| Mayor | Grant   | Reg | 3 yr term to 12/17 Tabled (3) |
| I     | Katz    | Alt | 1 yr term to 12/17 Tabled (3) |
| II    | McCray  | Alt | 1 yr term to 12/17 Tabled (3) |
| III   | Romelus | Reg | 3 yr term to 12/17 Tabled (3) |
| IV    | Casello | Reg | 3 yr term to 12/18 Tabled (3) |

### Applicants

None

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### Community Redevelopment Agency Advisory Board

|    |         |     |
|----|---------|-----|
| IV | Casello | Reg |
|----|---------|-----|

Cindy Falco - DiCorrado - Currently a member of the Arts Commission

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### Library Board

|       |         |     |                               |
|-------|---------|-----|-------------------------------|
| IV    | Casello | Alt | 2 yr term to 12/17 Tabled (3) |
| Mayor | Grant   | Alt | 1 yr term to 12/17            |

### Applicants

Robyn Boucard

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### Recreation & Parks Board

|     |         |     |                               |
|-----|---------|-----|-------------------------------|
| III | Romelus | Alt | 1 yr term to 12/17 Tabled (2) |
|-----|---------|-----|-------------------------------|

### Applicants

None

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### Senior Advisory Board

|     |         |     |                               |
|-----|---------|-----|-------------------------------|
| III | Romelus | Alt | 1 yr term to 12/17 Tabled (2) |
| IV  | Casello | Alt | 1 yr term to 12/17 Tabled (2) |

### Applicants

Jennifer Gomez

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Ellis, Shayla

Library Bd.

**From:** rbouc41 <noreply@123contactform.com>  
**Sent:** Wednesday, June 21, 2017 4:31 PM  
**To:** City Clerk  
**Subject:** Advisory Board Appointment application  
**Attachments:** 2017\_Resume\_Robyn.docx

**Today's date** 06/21/2017

**Name** Robyn Boucard

**Gender** Female

**Phone number** 561-543-7262

**Address** 516 Newlake Drive  
Boynton Beach FL 33426  
United States

**Email** [rbouc41@aol.com](mailto:rbouc41@aol.com)

**Current occupation or, if retired, prior occupation** Data Processor II

**Education** Palm Beach Community College -AA / Florida Atlantic University-2years

**Are you a registered voter?** Yes *OK JAP*

**Do you reside within the Boynton Beach City limits?** Yes

**Do you own/manage a business within City limits?** No

**If "yes", name of business:**

**Are you currently serving on a City board?** No

**Have you served on a City board in the past?** No

**If "yes", which board(s) and when?**

**Have you ever been convicted of a crime?** No

**If "yes", when and where?**

CITY OF BOYNTON BEACH  
CITY CLERK'S OFFICE  
17 JUN 22 AM 10:36

**Advisory Board**

Library Board

**Personal  
Qualifications**

1985-2000-Media Clerk I and II at Galaxy Elementary School

I assisted the Media Specialist in the ordering, cataloging, shelving of books, audio-visual equipment and materials ,etc for the students and staff at Galaxy.

I was entrusted to manage(teach) the Media Center for the many summer school sessions that were held, as well.

**Professional  
Memberships**

Association of Educational Secretaries and Office Professionals (AESOP)

**Feel free to  
attach/upload an  
extra sheet or  
resume.**

[www.123contactform.com/upload\\_dld.php?fileid=8c8ccf1cdab37f28586546ce91407c67](http://www.123contactform.com/upload_dld.php?fileid=8c8ccf1cdab37f28586546ce91407c67)

**Certification**

I, the applicant, hereby certify that the statements and answers provided herein are true and accurate. I understand that, if appointed, any false statements may be cause for removal from a board.

The message has been sent from 165.161.15.33 (United States) at 2017-06-21 15:31:29 on Chrome 54.0.2840.99

Entry ID: 225

Referrer: [www.boynton-beach.org/officials/library\\_board.php](http://www.boynton-beach.org/officials/library_board.php)

Form Host: [www.123contactform.com/form-583214/Advisory-Board-Appointment-Application](http://www.123contactform.com/form-583214/Advisory-Board-Appointment-Application)

**From:** gettingrealwithcindy <noreply@123contactform.io>  
**Sent:** Friday, July 07, 2017 2:34 PM  
**To:** City Clerk  
**Subject:** Advisory Board Appointment application  
**Attachments:** Cindy\_Falco-\_DI\_Corrado\_Resume.docx

**Today's date** 07/07/2017

**Name** Cindy Falco - DI Corrado

**Gender** Female

**Phone number** 904-501-3082

**Address** 316 N.W. 1st Avenue  
Boynton Beach Florida 33435  
United States

**Email** [gettingrealwithcindy@hotmail.com](mailto:gettingrealwithcindy@hotmail.com)

**Current occupation or, if retired, prior occupation** Freelance Floral Designer

**Education** Diploma, Certifications

**Are you a registered voter?** Yes

**Do you reside within the Boynton Beach City limits?** Yes

**Do you own/manage a business within City limits?** Yes

**If "yes", name of business:** Open Arms and Open Hearts

**Are you currently serving on a City board?** Yes

**Have you served on a City board in the past?** Yes

**If "yes", which board(s) and when?** Arts Commission Advisory Board

**Have you ever been** No

convicted of a  
crime?

If "yes", when and where?

**Advisory Board**

~~Arts Commission~~ *Community Redevelopment Agency Advisory Bd.*

**Personal  
Qualifications**

I feel that I would be an asset to the board with my keen sense of design. I have been designing and creating ambiances and atmospheres for the past 40 plus years. I have owned and operated Four Floral and Home decor boutiques. I presently am President of Open Arms and Open Hearts, Ministry, Inc. I currently do Freelance work. I am also working with The Heart Of Boynton Beach to bring Unity in the Community. I plan on living out the rest of my years here in Boynton Beach. I care very much about what is going on in my community. I have put stakes in the ground and have made Boynton my home.

I thank you for consideration.

Warmest Regards,

Cindy Falco-Di Corrado

**Professional  
Memberships**

At this time I am not with a professional group like the Chamber of Commerce but I am affiliated with people in this community.

**Feel free to  
attach/upload an  
extra sheet or  
resume.**

[www.123contactform.com/upload\\_dld.php?fileid=21d001eb19af62f0470dd65969d2d83e](http://www.123contactform.com/upload_dld.php?fileid=21d001eb19af62f0470dd65969d2d83e)

**Certification**

I, the applicant, hereby certify that the statements and answers provided herein are true and accurate. I understand that, if appointed, any false statements may be cause for removal from a board.

The message has been sent from 73.245.217.243 (United States) at 2017-07-07 13:34:13 on Firefox 54.0

Entry ID: 227

Referrer: [www.boynton-beach.org/officials/advisory\\_boards.php](http://www.boynton-beach.org/officials/advisory_boards.php)

Form Host: [www.123contactform.com/form-583214/Advisory-Board-Appointment-Application](http://www.123contactform.com/form-583214/Advisory-Board-Appointment-Application)

*Cindy Falco- Di Corrado*

316 N.W. 1<sup>st</sup> Avenue

Boynton Beach, Florida 33435

904-501-3082

About Me: I have owned and operated my own Floral Boutiques since 1980 in Miami, Deerfield Beach and Sebastian Florida. Floral Designs by Cindy, Cindy's Country Flowers and Gifts, Cindy's Etc. and The Victorian Lady in Sebastian, Florida and have a 503C Ministry: Open Arms and Open Hearts Ministry, Inc.

I was able to fulfill a 20 year dream by owning my own Bed and Breakfast/Floral Shop in a Historical Victorian Home.

Please see my resume:

2017- Freelance Designer and President of Open Arms and Open Hearts Ministry, Inc.

2012- 2017 Flower Market of Boynton Beach, 387 North Congress Avenue, Boynton Beach, Florida 33426

561-734-4225 Head designer, created motifs to set the ambiance for parties brought to the pallet what a bride could dream

2002-2009- The Victorian Lady- 1309 Louisiana Avenue, Sebastian, Florida Business closed

CEO, Designed Weddings, Parties, Events, Floral Artist, Wedding Coordinator, Buyer, Merchandiser, Sales, and tours

1996- 2002 Floral Designs by Cindy, The Cove Shopping Center Deerfield Beach, Florida Closed/moved

1993-1996 Private Jet Airlines, Buck head, Ga. Sales, Customer Service, and Marketing closed

1980-1992 Cindy's Flowers and Gifts, Cindy's Country Flowers and Gifts, Cindy's Country Etc. Closed

CEO, Floral Artist, Designer, Sales, Marketing, buyer, Wedding Coordinator, Parties, Events, Interior Designer

I have been in the Floral design business since I was 16 years of age. And have owned and operated my own shops since 1980.

I love making the world a beautiful place to live and to share my skills and talents with those who would like to learn from me. I am what they say a person who Colors the World.

May your day be so AMAZING that you too want to CREATE!!

Hobbies and Interests: I love to be in the outdoors. Horseback riding, canoeing, dancing, bicycling, roller bladeing, going to the beach, decorating, designing, etc.

Titles I hold: President of Open Arms and Open Hearts Ministry, Inc.

Ordained Minister

Certifications and Licensing: Certification in Biblical Counseling

Certification in FTD Management

Certification in AFS Floral Design

**From:** jg <noreply@123contactform.io>  
**Sent:** Thursday, July 13, 2017 12:27 PM  
**To:** City Clerk  
**Subject:** Advisory Board Appointment application

**Today's date** 07/13/2017

**Name** Jennifer Gomez

**Gender** Female

**Phone number** 561-577-6136

**Address** 3221 Chapel Hill Blvd.  
Boynton Beach FL 33435  
United States

**Email** [jg@jennifergomez.com](mailto:jg@jennifergomez.com)

**Current occupation or, if retired, prior occupation** Elder Law Attorney

**Education** J.D Nova Southeastern University 2010, B.A. University of Florida 2007,  
Atlantic High School 2005

**Are you a registered voter?** Yes ☒

**Do you reside within the Boynton Beach City limits?** Yes

**Do you own/manage a business within City limits?** No

**If "yes", name of business:**

**Are you currently serving on a City board?** No

**Have you served on a City board in the past?** No

**If "yes", which board(s) and when?**

**Have you ever been convicted of a crime?** No

**If "yes", when and where?**

**Advisory Board** Senior Advisory Board

**Personal Qualifications** I am a 19 year resident of Boynton Beach and a native Floridian. I have spent my entire career helping seniors as an Elder Law and Estate Planning attorney. Information about my law firm can be viewed at [www.jennifergomez.com](http://www.jennifergomez.com).

**Professional Memberships** Attorney Licensed in Florida and New York, Legal Aid Volunteer Attorney, The

CITY OF BOYNTON BEACH  
CITY CLERK'S OFFICE  
17 JUL 13 PM 2:51

Florida Bar Speakers Bureau Lecturer, Tomorrow's Rainbow Bereavement  
Counselor

**Feel free to attach/upload  
an extra sheet or resume.**

**Certification**

I, the applicant, hereby certify that the statements and answers provided herein are true and accurate. I understand that, if appointed, any false statements may be cause for removal from a board.

The message has been sent from 76.108.69.221 (United States) at 2017-07-13 11:27:02 on Chrome 59.0.3071.115

Entry ID: 229

Referrer: [www.boynton-beach.org/officials/advisory\\_boards.php](http://www.boynton-beach.org/officials/advisory_boards.php)

Form Host: [www.123contactform.com/form-583214/Advisory-Board-Appointment-Application](http://www.123contactform.com/form-583214/Advisory-Board-Appointment-Application)



## Ellis, Shayla

---

**From:** mcarv05 <noreply@123contactform.com>  
**Sent:** Thursday, January 12, 2017 11:48 PM  
**To:** City Clerk  
**Subject:** Advisory Board Appointment application

**Today's date** 01/12/2017  
**Name** Clovis Moodie  
**Gender** Female  
**Phone number** 561-601-9492  
**Address** 3638 SE 2nd St  
Boynton Beach 33435  
United States  
**Email** [mcarv05@bellsouth.net](mailto:mcarv05@bellsouth.net)  
**Current occupation or, if retired, prior occupation** Retired educator  
**Education** Masters - Education Leadership  
**Are you a registered voter?** Yes  
**Do you reside within the Boynton Beach City limits?** Yes  
**Do you own/manage a business within City limits?** No  
**If "yes", name of business:**  
**Are you currently serving on a City board?** No  
**Have you served on a City board in the past?** No  
**If "yes", which board(s) and when?**  
**Have you ever been convicted of a crime?** No  
**If "yes", when and where?**  
**Advisory Board** Arts Commission  
**Personal Qualifications** Interest in Boynton  
Interest in art  
Appreciation of art  
**Professional Memberships** National Education Association  
Zeta Phi Beta Sorority, Inc

17 JAN 13 AM 8:09  
CITY OF BOYNTON BEACH  
CITY CLERK'S OFFICE

Zeta Pearl Foundation, Inc.

**Certification**

I, the applicant, hereby certify that the statements and answers provided herein are true and accurate. I understand that, if appointed, any false statements may be cause for removal from a board.

The message has been sent from 172.9.216.176 (United States) at 2017-01-12 23:47:47 on iPad 10.0  
Entry ID: 199



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Authorize Commissioner Romelus to travel to Orlando for Florida League of Cities Committee Meetings through September 30, 2017:

---

**EXPLANATION OF REQUEST:**

Commissioner Romelus has been appointed as a member of a Florida League of Cities Policy Committee.

The Commissioner will need to travel to Orlando every few months for committee meetings and may incur costs associated with these meetings such as hotel, travel, meal allowances.

Hotel is \$119 per night, for two nights, meetings are from 10:00am - 3:00pm  
Estimated costs in addition to hotel would approximately \$225 per trip

In accordance with Resolution R07-150, establishing the travel policy for the City Commission, the City Commission by a majority of its members shall approve travel for each member of the City Commission. (Resolution attached)

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** N/A

**FISCAL IMPACT:** Budgeted

Hotel/Travel costs estimated at \$465 per meeting.

Funds were included in the approved FY16/17 budget for commission travel under account 001-1110-511-40-12.

**ALTERNATIVES:** Do not authorize travel for the Commissioner.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

---

**Is this a grant?** No

**Grant Amount:**

---

**ATTACHMENTS:**

| Type   | Description                   |
|--|-------------------------------|
|  Attachment | City Commission Travel Policy |

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| Finance      | Howard, Tim      | Approved | 7/14/2017 - 12:13 PM |
| Finance      | Howard, Tim      | Approved | 7/14/2017 - 2:39 PM  |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 3:52 PM  |

RESOLUTION NO. R 07 - 150

A RESOLUTION OF THE CITY COMMISSION OF THE  
CITY OF BOYNTON BEACH, FLORIDA,  
ESTABLISHING A TRAVEL POLICY; RESCINDING  
ALL PREVIOUS RESOLUTIONS AND POLICIES  
GOVERNING TRAVEL BY THE CITY COMMISSION;  
AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Commission of the City of Boynton Beach desires to establish  
a travel policy to provide for an administrative process by which each member of the  
Commission would obtain concurrence of a majority of the members of the City Commission  
for approval of travel expenditures; and

**WHEREAS**, passage of this Resolution will rescind all previous Resolutions and  
policies governing travel by the City Commission;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF  
THE CITY OF BOYNTON BEACH, FLORIDA, THAT:**

Section 1. The foregoing "WHEREAS" clauses are true and correct and  
hereby ratified and confirmed by the City Commission

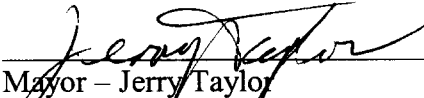
Section 2. That the City Commission of the City of Boynton Beach does hereby  
establish a Travel Policy, a copy of which is attached hereto as Exhibit "A".

Section 3. That any and all previous Resolutions and/or Policies governing travel  
are rescinded.

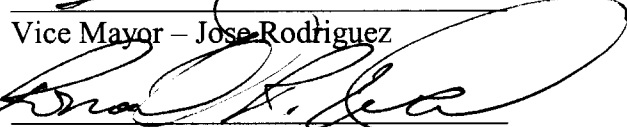
Section 4. That this Resolution will become effective immediately upon passage.

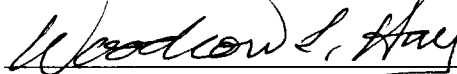
1 PASSED AND ADOPTED this 18 day of December, 2007.

2  
3 CITY OF BOYNTON BEACH, FLORIDA

4  
5   
6 Mayor – Jerry Taylor

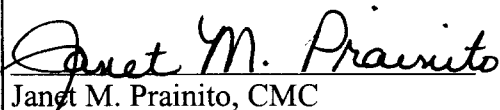
7  
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9 Vice Mayor – Jose Rodriguez

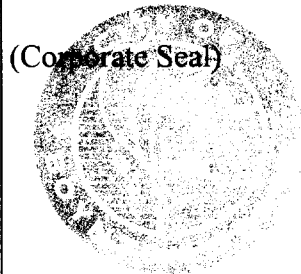
10  
11   
12 Commissioner – Ronald Weiland

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14   
15 Commissioner – Woodrow L. Hay

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17   
18 Commissioner – Marlene Ross

19 ATTEST:

20  
21   
22 Janet M. Prainito, CMC  
23 City Clerk  
24



**City of Boynton Beach  
City Commission  
TRAVEL POLICY**

Approved travel must adhere to the following guidelines in order to be paid by the City of Boynton Beach:

A. Prior to Travel:

1. Complete Conference & Travel Request form and submit for approval.
2. All travel by City Commission Members must be approved in advance by the City Commission.

B. Registration:

1. Complete conference registration forms.
2. Submit conference form for payment in advance if necessary.
3. Attach a copy of the registration form with the request for payment to Finance department.
4. Request per diem fee in advance (**subtract all conference meals covered by registration fee**).

C. Upon completion of Travel:

1. Complete the Travel Expense Report for out-of-pocket expenses.
2. Attach all credit card receipts and other receipts to the expense report for payment or reimbursement.
3. Failure to include credit card receipts will be charged to the member personally.

D. Travel Approvals:

- City Commission Members travel shall be approved in advance by the City Commission at a regularly scheduled meeting.
- The City Finance Director must sign off on travel form to confirm funds availability in the budget.
- The City Manager must sign off prior to City Commission Agenda submittal.
- Travel expenses are only reimbursable with receipts and are not automatic.
- No PERSONAL items may be charged to the Agency.

E. Travel Restrictions:

- Per Diem payments shall be paid **ONLY** for class "A" travel, or travel outside the local area. Local area is defined as 50 miles or more from the Boynton Beach City Hall.
- Mileage reimbursement rate is \$.485 per mile per IRS and City.
- If a spouse is to attend all related expenses shall be paid by the employee, and all receipts **MUST** be separate. The City **WILL NOT** pay for any spouse or child costs associated with any conference. All such costs will be paid by the member separately.
- Any expenses incurred over the maximum amount approved for breakfast, lunch or dinner will be considered cost of the Commission Member and not the City. Meal rates are \$12.00 breakfast, \$15.00 lunch and \$30.00 dinner.

City of Boynton Beach  
City Commission  
**CONFERENCE & TRAVEL REQUEST**

Date of Request: \_\_\_\_\_ 2008

City Commission Member Attending: \_\_\_\_\_

Conference Name: \_\_\_\_\_

Conference Location: \_\_\_\_\_

Conference Purpose: \_\_\_\_\_

\_\_\_\_\_

Account to Charge: \_\_\_\_\_

Dates of Travel & Attendance: \_\_\_\_\_ to \_\_\_\_\_ 2008

Cost of Conference: \$ \_\_\_\_\_

Cost of Travel: \$ \_\_\_\_\_

Cost of Lodging: \$ \_\_\_\_\_

Cost of Car Rental: \$ \_\_\_\_\_

Cost of Per Diem: \$ \_\_\_\_\_

=====

TOTAL

Approved by Finance Director: \_\_\_\_\_  
Date

Approved by City Manager: \_\_\_\_\_  
Date

**NOTE:** City Commission travel requests must be approved in advance at a regularly scheduled meeting of the City Commission.

Any expenses incurred over the maximum amount approved for breakfast, lunch or dinner will be considered cost of the Commission Member and not the City. Meal rates are \$12.00 breakfast, \$15.00 lunch and \$30.00 dinner. **Please submit a conference agenda with this request. Please subtract all meals provided for by conference attendance fee.**





## **CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM**

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** **PROPOSED RESOLUTION NO. R17-062** - Assess the cost of nuisance abatement on properties within the City of Boynton Beach.

---

**EXPLANATION OF REQUEST:**

In accordance with the Municipal Lien Procedure on file in the City of Boynton Beach, the attached list contains the addresses of properties cited by Community Standards for nuisances abated by a City-contracted vendor. Finance sent an invoice to each property owner. There was no response within the required 30-day period. Copies of the invoices were then forwarded to the City Clerk's Office for continuation of the procedure. The property owners were again issued a copy of the invoice and a letter which offered an opportunity to pay the invoice within an additional 30-day period. The attached list contains the names of the property owners who have still not responded to our correspondence.

At this point in the procedure, authorization is requested to record liens against these properties in the public records of Palm Beach County within 30 days of adoption of the Resolution. Prior to sending the Resolution to the County for recording, the City Clerk will send another letter to each property owner notifying them they have another 30 days to pay the invoice before the Resolution is sent for recording. An additional administrative fee of \$30 will be added to the assessment when the Resolution is sent to the County for recording.

Thirty days after the Resolution is recorded, the property owners will receive, by certified mail, a copy of the Resolution and another letter stating the unpaid balance will accrue interest at a rate of 8% per annum.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

This process allows us to place liens on the properties in order to reimburse the City for the services that were provided when the nuisances were abated.

**ALTERNATIVES:**

The alternative would be to not place liens on the properties and not collect for the service provided.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

---

Is this a grant? No

Grant Amount:

---

**ATTACHMENTS:**

| Type                                | Description                             |
|-------------------------------------|---|
| <input type="checkbox"/> Resolution | Resolution approving Nuisance Abatement |
| <input type="checkbox"/> Exhibit    | Exhibit A                               |

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| City Clerk   | Pyle, Judith     | Approved | 7/13/2017 - 5:17 PM  |
| Legal        | Swanson, Lynn    | Approved | 7/14/2017 - 11:00 AM |
| Finance      | Howard, Tim      | Approved | 7/14/2017 - 11:45 AM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 1:30 PM  |

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**RESOLUTION NO. R17-**

**A RESOLUTION OF THE CITY OF BOYNTON  
BEACH, FLORIDA ASSESSING THE COSTS OF  
ABATEMENT OF CERTAIN NUISANCES  
AGAINST THE OWNERS OF THE PROPERTIES  
INVOLVED; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, a contract vendor was requested by Code Compliance to mow the lots, remove vegetation and board up structures on the properties, described in Exhibit "A"; and

**WHEREAS**, the owners of the parcel(s) of property hereinafter described were invoiced by the Finance Department in an effort to recoup these costs with no response; and

**WHEREAS**, said nuisance was not abated as required; and,

**WHEREAS**, all of the property owners listed in the attached Exhibit "A" were sent letters offering them an opportunity to remit within 30 days in order to avoid incurring a lien on their property; and

**WHEREAS**, the City Manager or her authorized representative has made a report of costs actually incurred by the City and abatement of said nuisance as to the property(s) involved, which is described in Exhibit "A" attached to this Resolution; and

**WHEREAS**, upon passage of this Resolution, the property owners will be furnished with a copy of this Resolution, and given one more opportunity to remit all costs associated with the abatement in full within 30 days of the passage of the Resolution, before transmittal to the County for recordation of Liens; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF  
THE CITY OF BOYNTON BEACH, FLORIDA AS FOLLOWS:**

Section 1: Each Whereas clause set forth above is true and correct and incorporated herein by this reference.

Section 2: The amount of costs incurred by the City and the abatement of the above-described nuisance as to the parcels of land, owned and indicated to wit:

SEE ATTACHED EXHIBIT "A"

47 Subject amount is hereby assessed as liens against said parcels of land as  
48 indicated, plus an additional administrative charge of \$30.00 for each Lien.  
49 Liens shall be of equal dignity with the taxes there from for the year 2017, and  
50 shall be enforced and collected in like manner pursuant to applicable  
51 provisions of law. In the event collection proceedings are necessary, the  
52 property owner shall pay all costs of the proceedings, including reasonable  
53 attorneys fees.  
54

55 Section 3. This Resolution shall become effective immediately upon passage.  
56  
57

58 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2017.

59 CITY OF BOYNTON BEACH, FLORIDA

| 60 |                                     | YES   | NO    |
|----|-------------------------------------|-------|-------|
| 61 |                                     |       |       |
| 62 |                                     |       |       |
| 63 | Mayor – Steven B. Grant             | _____ | _____ |
| 64 |                                     |       |       |
| 65 | Vice Mayor – Justin Katz            | _____ | _____ |
| 66 |                                     |       |       |
| 67 | Commissioner – Mack McCray          | _____ | _____ |
| 68 |                                     |       |       |
| 69 | Commissioner – Christina L. Romelus | _____ | _____ |
| 70 |                                     |       |       |
| 71 | Commissioner – Joe Casello          | _____ | _____ |
| 72 |                                     |       |       |
| 73 |                                     |       |       |

74 VOTE \_\_\_\_\_

75 ATTEST:

76  
77 \_\_\_\_\_  
78 Judith A. Pyle, CMC  
79 City Clerk  
80

81  
82 (Corporate Seal)  
83

## EXHBIT A

| Name  | Address                                  | PCN                     | Case #  | Orginal<br>Inoice<br>Amount | Amount<br>Owed     |
|---|--|-------------------------|---------|-----------------------------|--------------------|
| CC Consulting & Sales Inc.                    | 1083 SW 24th Ave, Boynton Beach Fl 33435 | 08-43-45-32-02-001-0130 | 16-1445 | \$ 638.09                   | \$ 668.09          |
| John & Ew Lammi Dvoraek and John & Jane Marke | 1460 NW 1st St, Boynton Beach Fl 33435   | 08-43-45-16-01-038-0210 | 17-311  | \$ 494.89                   | \$ 524.89          |
|   |  |                         |         | <b>TOTAL</b>                | <b>\$ 1,192.98</b> |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Approve an increase to blanket purchase order to Sunbelt Hydraulic and Equipment from \$30,000 to \$50,000 as a sole source vendor.

---

**EXPLANATION OF REQUEST:**

The Public Works/Fleet Maintenance Division currently has a blanket purchase order (PO #170492) in the amount of \$30,000.00. Sunbelt Hydraulics is the sole source regional factory authorized dealer and repair center for Heil products (see attached sole source letter). The automated trucks used in the Solid Waste Division consist of Heil manufactured waste haul bodies. The services for this vendor are used on an as needed basis.

For budgetary reasons in FY09/10 the replacement plan for the Heil style vehicles was changed from 5 years to 7 years. We are now realizing that due to the increasing age of our fleet the solid waste division is now having an increased cost of maintaining these specialized units. Staff has exhausted most of the \$30,000 of the blanket and is anticipating the need for additional funding for future repairs.

For comparative purposes the following is the expenditures of repairs for the past two budget cycles:

FY16/17 = \$28,683 (to date)  
FY15/16 = \$29,374

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** Choosing not to increase funding for these repairs will increase our repair time (in-house resources) and possibly risk or impair our ability to provide solid waste services in a timely and efficient manner.

**FISCAL IMPACT:** Budgeted Funding is budgeted for repairs in FY16/17 through the 501-5000-590-09-82 charge back account.

**ALTERNATIVES:**

Newer vehicles are on order for delivery within the next several months. This will reduce maintenance costs in subsequent fiscal years.

**STRATEGIC PLAN:** Positive and Exciting Boynton Beach Image: "Curb appeal" to Reputation

**STRATEGIC PLAN APPLICATION:** If the Solid Waste Division has the trucks and equipment readily available to pick up the garbage and recycling throughout the City it would alleviate having trash all over the City streets and neighborhoods.

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:** N/A

---

**Is this a grant?** No

**Grant Amount:**

---

**CONTRACTS**

**VENDOR NAME:** Sunbelt Hydraulics & Equipment

**START DATE:**

**END DATE:**

**CONTRACT VALUE:**

**MINORITY OWNED CONTRACTOR?:** No

**EXTENSION AVAILABLE?:** Yes

**EXTENSION EXPLANATION:**

**This is a sole source vendor and is the only vendor available to work on the Heil style vehicles.**

**ATTACHMENTS:**

| Type   | Description  |
|--|--|
|  Addendum | Sunbelt Hydraulic & Equipment - Sole Source Letter |

**REVIEWERS:**

| Department   | Reviewer           | Action   | Date                 |
|--------------|--------------------|----------|----------------------|
| Public Works | Livergood, Jeffrey | Approved | 7/13/2017 - 10:24 AM |
| Finance      | Howard, Tim        | Approved | 7/13/2017 - 5:38 PM  |
| Legal        | Swanson, Lynn      | Approved | 7/14/2017 - 9:10 AM  |
| City Manager | LaVerriere, Lori   | Approved | 7/14/2017 - 9:46 AM  |



June 7, 2016

**Subject: Heil Environmental Authorized Dealer Representation**

To Whom It May Concern:

Please be advised that Sunbelt Waste is an authorized dealer for Heil Environmental. Sunbelt Waste geographical Area of Responsibility ("AOR") includes the Metro Dade area in the state of Florida.

Accordingly, Sunbelt Waste is responsible for both sales and support (including but not limited to factory-authorized warranty work and sale of Heil service parts) for all Heil products in the Metro Dade area in the state of Florida.

There are no other Heil-authorized dealers in the Metro Dade area in the state of Florida for Original Equipment Manufacturer ("OEM") service parts for our Products.

Respectfully submitted,

George Paturalski  
Director of Risk Management and Assistant Secretary

On June 7, 2016 the signatory above, George Paturalski did appear before me and affirm the veracity of the information supplied herein.

NOTARY PUBLIC

Cat Robinson  
Notary Public

My commission expires: Commission Expires 4-30-19







## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Authorize the City manager to sign a "Letter of No Objection" for the abandonment of specific existing utility easement within the Flavor Pict Townhomes Plat as recorded in Plat Book 121 Pages 193 - 201. The Owner/developer intends to re-plat this section of the development. The developer will re-dedicate City of Boynton Beach Utility easements associated with the re-platting of this Townhome Development.

---

**EXPLANATION OF REQUEST:** The construction of Phase II Flavor Pict Townhome development will be adjacent and contiguous to the east side of the Phase I development located on Flavor Pict Road. The developer is currently working with Palm Beach County to Re-plat this development to incorporate Phase II (see attached). The City of Boynton Beach currently has utility easements within the area of the development to be re-platted. Palm Beach County has requested that the developer obtain a "Letter of No Objection" from City of Boynton Beach of its Utility Easement described in the sketch and legal description. The developer as part of the development review and re-platting process will agree to grant the needed City of Boynton Beach utility easements on Phase II similar to what was dedicated on the Phase I development.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** There will be no adverse impact on City services. Currently existing water and sewer mains are within the public right of way and not in the subject easement. Upon abandonment of the easement, City of Boynton Beach Utility easements will be recorded on Phase II Flavor Pict Townhome property for the future operation and maintenance of City owned utilities.

**FISCAL IMPACT:**

There is no fiscal impact to the City.

**ALTERNATIVES:**

Deny the request for abandonment of the easement, impacting future Phase II re platting and development.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

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Is this a grant? No

**Grant Amount:**

---

**ATTACHMENTS:**

| Type       | Description                 |
|------------|-----------------------------|
| ▢ Addendum | Letter of No Objection      |
| ▢ Addendum | Easement legal and sketch   |
| ▢ Addendum | As built water & sewer plan |

**REVIEWERS:**

| Department             | Reviewer         | Action   | Date                |
|------------------------|------------------|----------|---------------------|
| Utilities              | Groff, Colin     | Approved | 7/13/2017 - 8:41 AM |
| Assistant City Manager | Groff, Colin     | Approved | 7/13/2017 - 8:42 AM |
| City Manager           | LaVerriere, Lori | Approved | 7/14/2017 - 9:35 AM |

June 7, 2017

City of Boynton Beach Utilities  
124 East Woolbright Road  
Boynton Beach, Florida 33435-6040

Attn: Mr. Christopher Roschek, Manager of Engineering  
VIA E-MAIL [RoschekC@BBFL.us](mailto:RoschekC@BBFL.us)



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Urban Planning and Design  
Landscape Architecture  
Communication Graphics

**RE: Utility Easement Release– Flavor Pict Townhomes PUD**

Dear Mr. Roschek:

Please consider this letter our request for a LETTER OF NO OBJECTION to the abandonment of the public's interest in a Utility Easement within Flavor Pict Townhomes PUD in Palm Beach County, Plat Book 121, Pages 193-201.

Flavor Pict Townhomes PUD is located on the south side of Flavor Pict Road, west of Military Trail in Unincorporated Palm Beach County. The site plan has been amended to add additional land to the PUD. The additional land will result in the project being replatted and a portion of utility easement will need to be abandoned to allow for the redesign. The townhomes in this area of the site have not been constructed.

A sketch showing the location of the easement is attached. The property control numbers for the affect parcels are: 00-42-46-02-27-000-0240 through 00-42-46-02-27-000-0370 and 00-42-46-02-27-019-0000.

If you have no objections, please indicate your consent by signature below and return this letter in the enclosed envelope or by e-mail to [wtuma@udkstudios.com](mailto:wtuma@udkstudios.com). If you have any questions or comments or if I may be of further assistance, please contact me at 561-366-1100.

Thank you for your assistance in this matter. I look forward to hearing from you shortly.

Sincerely,  
**URBAN DESIGN KILDAY STUDIOS**

A handwritten signature in blue ink that reads "Wendy Tuma".

Wendy Tuma  
Principal / Project Manager  
Agent for Petitioner

**City of Boynton Beach Utilities**  
**has no objection to the abandonment.**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Enc.

## DESCRIPTION:

ALL OF THOSE CERTAIN UTILITY EASEMENTS LYING WITHIN LOTS 24 THROUGH 37, FLAVOR PICT TOWNHOMES PUD, AS RECORDED IN PLAT BOOK 121, PAGES 193 THROUGH 201 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LANDS SITUATE IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

## NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS ARE RELATIVE TO A GRID BEARING OF S.89°13'55"W. ALONG THE SOUTH LINE OF FLAVOR PICT TOWNHOMES PUD, AS RECORDED IN PLAT BOOK 121, PAGES 193 THROUGH 201 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT), THIS IS CONSISTENT WITH THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST HAVING A GRID BEARING OF S.89°13'55"W.
4. COORDINATES SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (90/98 ADJUSTMENT) IN U.S. SURVEY FEET.
5. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
6. THE SPECIFIC PURPOSE OF THIS SURVEY IS TO DELINEATE IMPROVEMENTS WITHIN THE HEREON DESCRIBED PROPERTY. THIS IS NOT A BOUNDARY SURVEY.
7. ON THE DATE OF THIS SURVEY THERE WERE NO IMPROVEMENTS WITHIN THE HEREON DESCRIBED PROPERTY.
8. BEARINGS AND DISTANCES SHOWN HEREON ARE IN AGREEMENT WITH THE INSTRUMENT OF RECORD.

## CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF SPECIFIC PURPOSE SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON JUNE 20, 2017. I FURTHER CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 F.A.C., ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

**SHEET 1 OF 3**

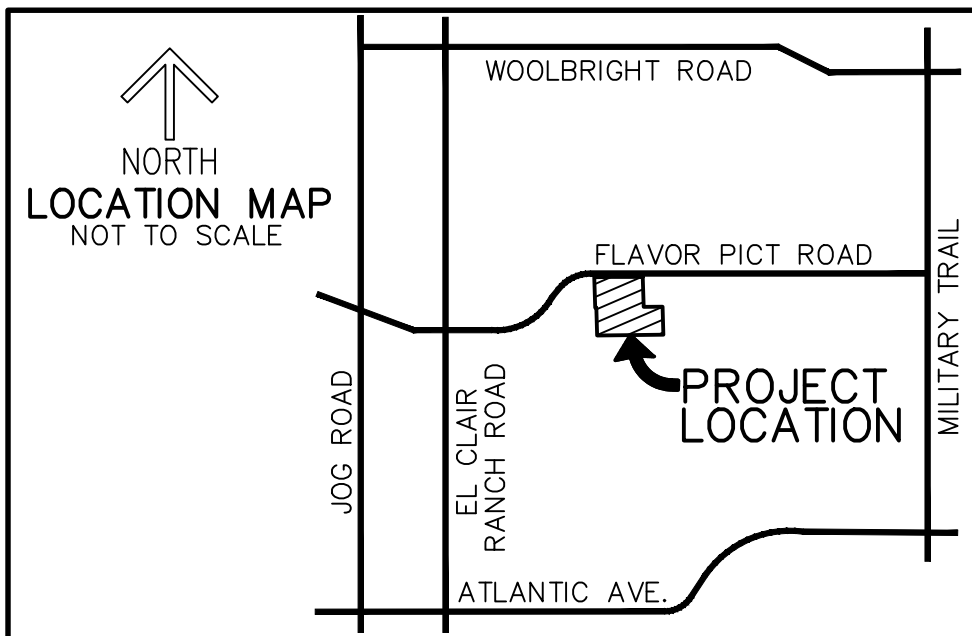


CAULFIELD & WHEELER, INC.  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE - SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452

**FLAVOR PICT TOWNHOMES PUD  
UTILITY EASEMENT ABANDONMENTS  
SPECIFIC PURPOSE SURVEY**

DAVID P. LINDLEY  
REGISTERED LAND  
SURVEYOR NO. 5005  
STATE OF FLORIDA  
L.B. 3591

|           |            |
|-----------|------------|
| DATE      | 6/201/7    |
| DRAWN BY  | JC         |
| F.B./ PG. | N/A        |
| SCALE     | AS SHOWN   |
| JOB NO.   | 6675-ABAN3 |



## NOTES COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID  
 DATUM = NAD 83 1990 ADJUSTMENT  
 ZONE = FLORIDA EAST  
 LINEAR UNIT = US SURVEY FEET  
 COORDINATE SYSTEM 1983 STATE PLANE  
 TRANSVERSE MERCATOR PROJECTION  
 ALL DISTANCES ARE GROUND  
 SCALE FACTOR = 1.0000339  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
 BEARINGS AS SHOWN HEREON ARE GRID DATUM,  
 NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.

## LEGEND/ABBREVIATIONS

- ☉ - CENTERLINE
- △ - DELTA (CENTRAL ANGLE)
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- DE - DRAINAGE EASEMENT
- E - EASTING (WHEN USED WITH COORDINATES)
- L - ARC LENGTH
- LB - LICENSED BUSINESS
- LMAE - LAKE MAINTENANCE ACCESS EASEMENT
- LME - LAKE MAINTENANCE EASEMENT
- N - NORTHING (WHEN USED WITH COORDINATES)
- R - RADIUS
- UE - UTILITY EASEMENT
- PRM - DENOTES PERMANENT REFERENCE MONUMENT  
 4"x 4"x 24" CONCRETE MONUMENT WITH  
 ALUMINUM DISK STAMPED "C&W PRM LB3591"

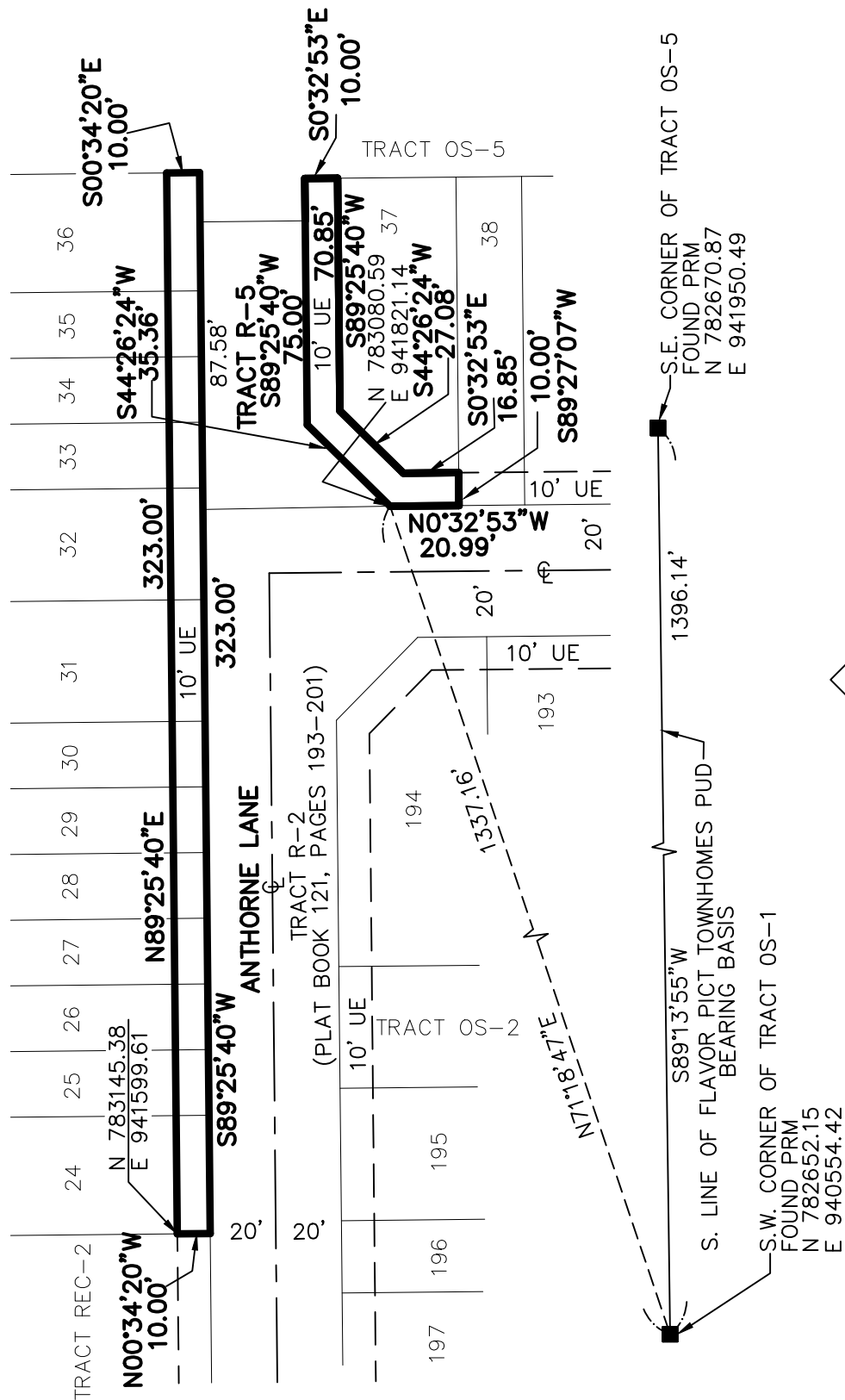
**SHEET 2 OF 3**



CAULFIELD & WHEELER, INC.  
 CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE - SURVEYING  
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 PHONE (561)-392-1991 / FAX (561)-750-1452

**FLAVOR PICT TOWNHOMES PUD  
 UTILITY EASEMENT ABANDONMENTS  
 SPECIFIC PURPOSE SURVEY**

|           |            |
|-----------|------------|
| DATE      | 6/201/7    |
| DRAWN BY  | JC         |
| F.B./ PG. | N/A        |
| SCALE     | AS SHOWN   |
| JOB NO.   | 6675-ABAN3 |



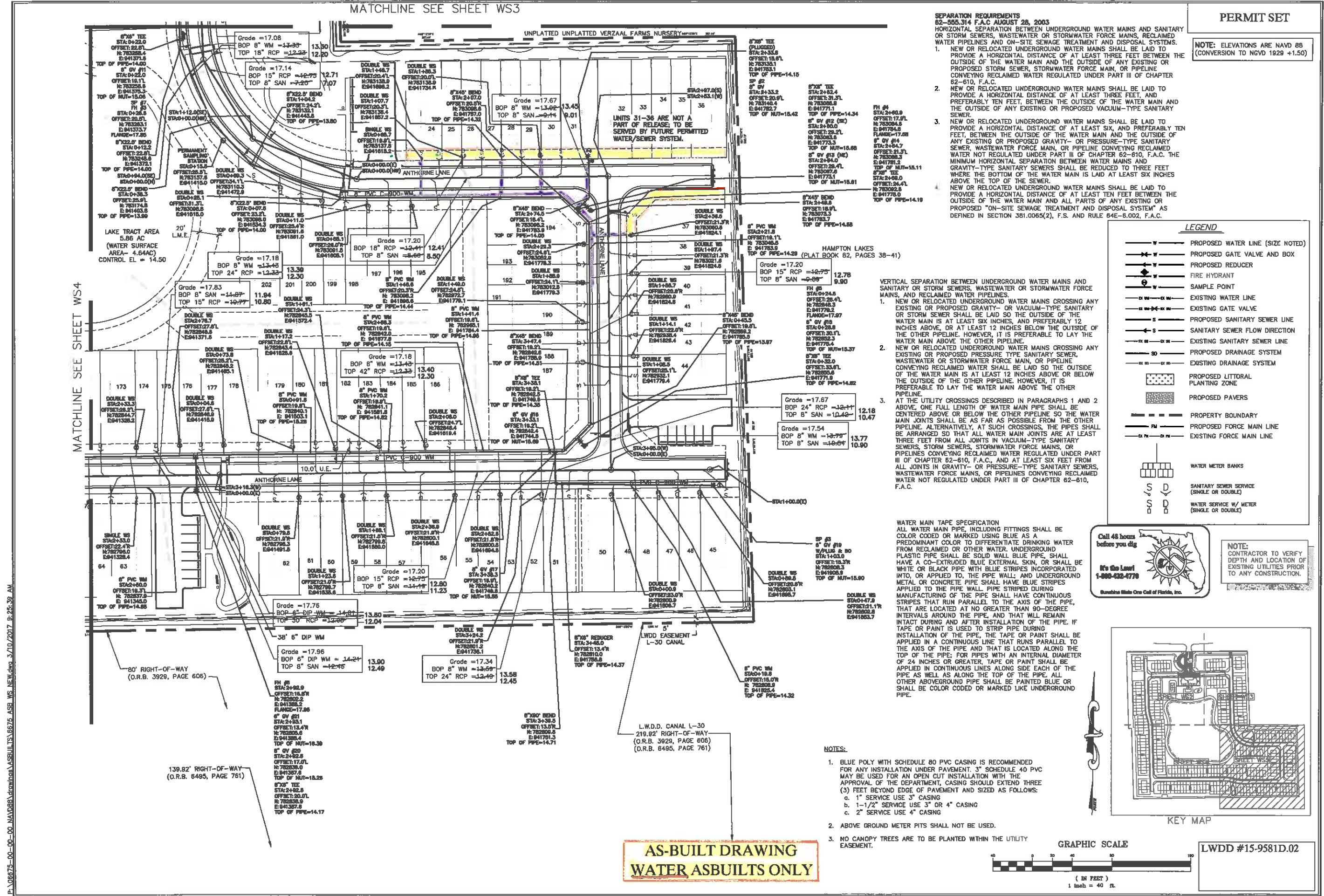
**SHEET 3 OF 3**



**CAULFIELD & WHEELER, INC.**  
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**FLAVOR PICT TOWNHOMES PUD  
UTILITY EASEMENT ABANDONMENTS  
SPECIFIC PURPOSE SURVEY**

|           |            |
|-----------|------------|
| DATE      | 6/201/7    |
| DRAWN BY  | JC         |
| F.B./ PG. | N/A        |
| SCALE     | AS SHOWN   |
| JOB NO.   | 6675-ABAN3 |



PERMIT SET

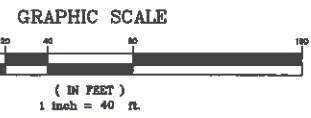
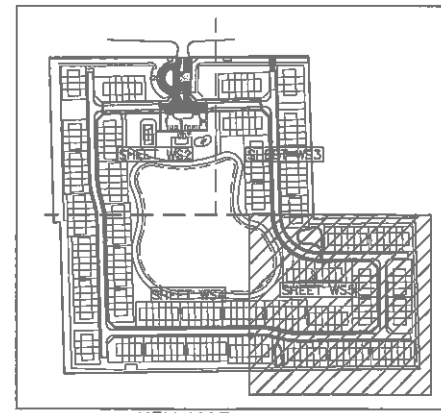
NOTE: ELEVATIONS ARE NAVD 88 (CONVERSION TO NGVD 1929 +1.50)

**SEPARATION REQUIREMENTS**  
62-555.314 F.A.C. AUGUST 28, 2003  
HORIZONTAL SEPARATION BETWEEN UNDERGROUND WATER MAINS AND SANITARY OR STORM SEWERS, WASTEWATER OR STORMWATER FORCE MAINS, RECLAIMED WATER PIPELINES AND ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS.  
1. NEW OR RELOCATED UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST THREE FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED STORM SEWER, STORMWATER FORCE MAIN, OR PIPELINE CONVEYING RECLAIMED WATER REGULATED UNDER PART III OF CHAPTER 62-610, F.A.C.  
2. NEW OR RELOCATED UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST THREE FEET, AND PREFERABLY TEN FEET, BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED VACUUM-TYPE SANITARY SEWER.  
3. NEW OR RELOCATED UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST TEN FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND ALL PARTS OF ANY EXISTING OR PROPOSED "ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEM" AS DEFINED IN SECTION 381.006(2), F.S. AND RULE 64E-6.002, F.A.C.

LEGEND

- PROPOSED WATER LINE (SIZE NOTED)
- PROPOSED GATE VALVE AND BOX
- PROPOSED REDUCER
- FIRE HYDRANT
- SAMPLE POINT
- EXISTING WATER LINE
- EXISTING GATE VALVE
- PROPOSED SANITARY SEWER LINE
- SANITARY SEWER FLOW DIRECTION
- EXISTING SANITARY SEWER LINE
- PROPOSED DRAINAGE SYSTEM
- EXISTING DRAINAGE SYSTEM
- PROPOSED LITTORAL PLANTING ZONE
- PROPOSED PAVERS
- PROPERTY BOUNDARY
- PROPOSED FORCE MAIN LINE
- EXISTING FORCE MAIN LINE
- WATER METER BANKS
- SANITARY SEWER SERVICE (SINGLE OR DOUBLE)
- WATER SERVICE W/ METER (SINGLE OR DOUBLE)

NOTE: CONTRACTOR TO VERIFY DEPTH AND LOCATION OF EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION.



LWDD #15-9581D.02

NOTES:

- BLUE POLY WITH SCHEDULE 80 PVC CASING IS RECOMMENDED FOR ANY INSTALLATION UNDER PAVEMENT. 3" SCHEDULE 40 PVC MAY BE USED FOR AN OPEN CUT INSTALLATION WITH THE APPROVAL OF THE DEPARTMENT. CASING SHOULD EXTEND THREE (3) FEET BEYOND EDGE OF PAVEMENT AND SIZED AS FOLLOWS:
  - a. 1" SERVICE USE 3" CASING
  - b. 1-1/2" SERVICE USE 3" OR 4" CASING
  - c. 2" SERVICE USE 4" CASING
- ABOVE GROUND METER PITS SHALL NOT BE USED.
- NO CANOPY TREES ARE TO BE PLANTED WITHIN THE UTILITY EASEMENT.

**AS-BUILT DRAWING  
WATER ASBUILTS ONLY**



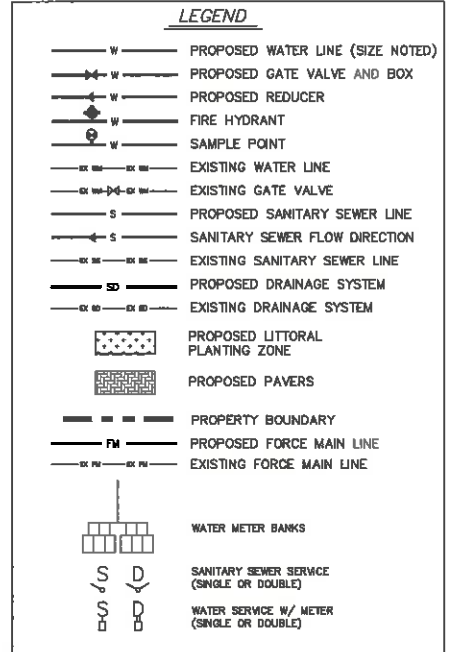
MATCHLINE SEE SHEET WS3

PERMIT SET

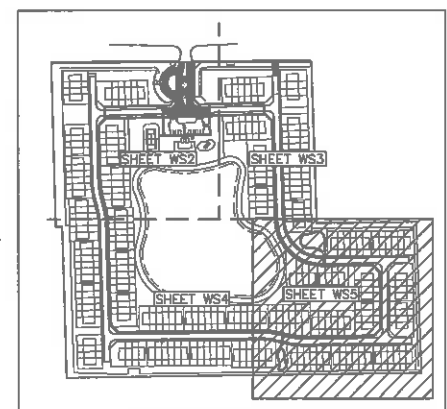
NOTE: ELEVATIONS ARE NAVD 88  
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62-555.314 F.A.C. AUGUST 28, 2003

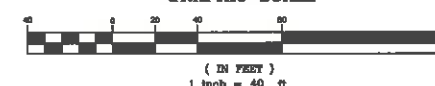
- HORIZONTAL SEPARATION BETWEEN UNDERGROUND WATER MAINS AND SANITARY OR STORM SEWERS, WASTEWATER OR STORMWATER FORCE MAINS, RECLAIMED WATER PIPELINES AND ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS.
1. NEW OR RELOCATED UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST THREE FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED STORM SEWER, STORMWATER FORCE MAIN, OR PIPELINE CONVEYING RECLAIMED WATER REGULATED UNDER PART III OF CHAPTER 62-610, F.A.C.
  2. NEW OR RELOCATED UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST THREE FEET, AND PREFERABLY TEN FEET, BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED VACUUM-TYPE SANITARY SEWER.
  3. NEW OR RELOCATED UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST SIX, AND PREFERABLY TEN FEET, BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED GRAVITY- OR PRESSURE-TYPE SANITARY SEWER, WASTEWATER FORCE MAIN, OR PIPELINE CONVEYING RECLAIMED WATER NOT REGULATED UNDER PART III OF CHAPTER 62-610, F.A.C. THE MINIMUM HORIZONTAL SEPARATION BETWEEN WATER MAINS AND GRAVITY-TYPE SANITARY SEWERS SHALL BE REDUCED TO THREE FEET WHERE THE BOTTOM OF THE WATER MAIN IS LAID AT LEAST SIX INCHES ABOVE THE TOP OF THE SEWER.
  4. NEW OR RELOCATED UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST TEN FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND ALL PARTS OF ANY EXISTING OR PROPOSED "ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEM" AS DEFINED IN SECTION 381.0065(2), F.S. AND RULE 64E-6.002, F.A.C.



NOTE: CONTRACTOR TO VERIFY DEPTH AND LOCATION OF EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION.



GRAPHIC SCALE



LWDD #15-9581D.02

NOTES:

1. BLUE POLY WITH SCHEDULE 80 PVC CASING IS RECOMMENDED FOR ANY INSTALLATION UNDER PAVEMENT. 3" SCHEDULE 40 PVC MAY BE USED FOR AN OPEN CUT INSTALLATION WITH THE APPROVAL OF THE DEPARTMENT. CASING SHOULD EXTEND THREE (3) FEET BEYOND EDGE OF PAVEMENT AND SIZED AS FOLLOWS:
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2. ABOVE GROUND METER PITS SHALL NOT BE USED.
3. NO CANOPY TREES ARE TO BE PLANTED WITHIN THE UTILITY EASEMENT.

AS-BUILT DRAWING  
SEWER ASBUILTS ONLY

L.W.D.D. CANAL L-30  
219.92' RIGHT-OF-WAY  
(O.R.B. 3929, PAGE 606)  
(O.R.B. 6495, PAGE 761)

139.92' RIGHT-OF-WAY  
(O.R.B. 6495, PAGE 761)

80' RIGHT-OF-WAY  
(O.R.B. 3929, PAGE 606)

Grade = 17.20  
BOP 8" WM = 13.43  
TOP 24" RCP = 12.33

Grade = 17.54  
BOP 8" WM = 13.79  
TOP 8" SAN = 10.90

Grade = 17.67  
BOP 24" RCP = 12.44  
TOP 8" SAN = 10.42

Grade = 17.78  
BOP 8" WM = 14.01  
TOP 30" RCP = 12.04

Grade = 17.78  
BOP 8" WM = 14.01  
TOP 30" RCP = 12.04

Grade = 17.78  
BOP 8" WM = 14.01  
TOP 30" RCP = 12.04

Grade = 17.78  
BOP 8" WM = 14.01  
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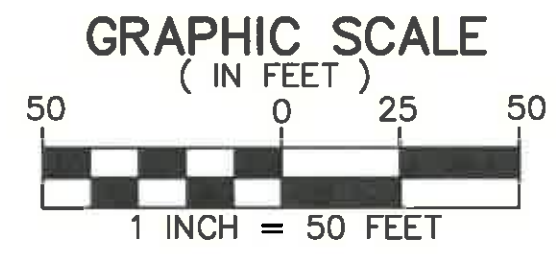
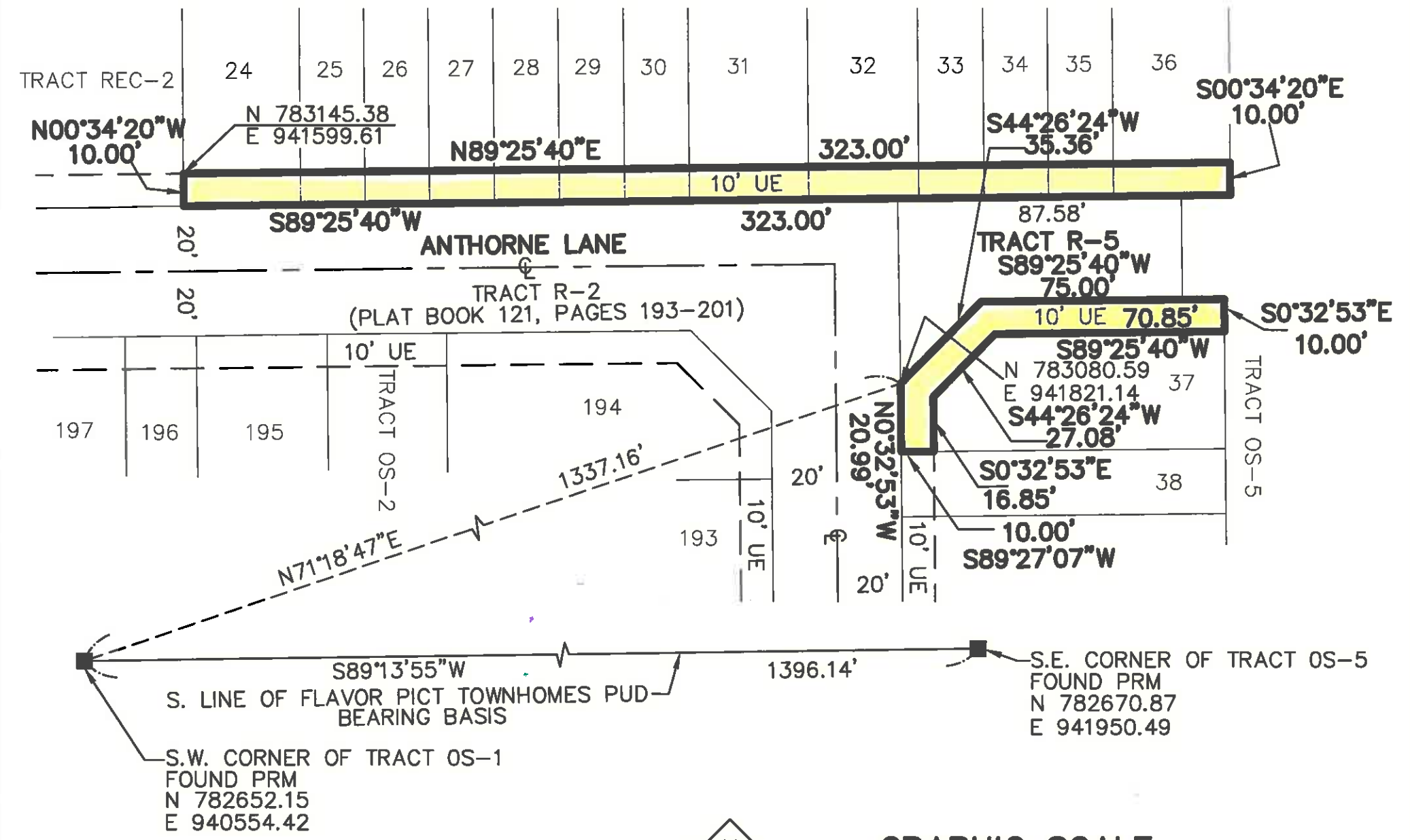


FLAVOR PICT TOWNHOMES PUD  
UTILITY EASEMENT ABANDONMENTS  
SPECIFIC PURPOSE SURVEY

**CAULFIELD & WHEELER, INC.**  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE - SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452

DATE 6/201/7  
DRAWN BY JC  
F.B. / PG. N/A  
SCALE AS SHOWN  
JOB NO. 6675-ABAN3

SHEET 3 OF 3





## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Legal Expenses - June 2017 - Information at the request of the City Commission. No action required.

---

**EXPLANATION OF REQUEST:**

Outside counsel has not provided their June 2017 statements to Risk Management and therefore their May 2017 invoices (most recent) are attached.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** N/A

**FISCAL IMPACT:** Budgeted

**ALTERNATIVES:** N/A

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

---

**Is this a grant?** No

**Grant Amount:**

---

**ATTACHMENTS:**

| Type       | Description   |
|------------|---|
| Attachment | Summary Goren-General June 2017   |
| Attachment | Goren Cherof Doody & Ezrol June 2017 Invoices                           |
| Attachment | Summary Goren-Risk June 2017  |
| Attachment | Goren Cherof Doody & Ezrol June 2017 Risk Litigation Oversight Invoices |
| Attachment | Outside Counsel-Risk May 2017   |
| Attachment | Other Counsel May 2017 Risk Litigation Invoices                         |

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| Legal        | Swanson, Lynn    | Approved | 7/11/2017 - 4:19 PM  |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 10:34 AM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:33 AM  |

Goren, Cherof, Doody & Ezrol, P.A. - June 2017

General Legal Costs

|   |             |           |
|---|-------------|-----------|
| Retainer-General Matters                      |             |           |
| onsite office hours                           |             |           |
| agenda item review                            |             |           |
| pre-mtg commissioner mtgs                     |             |           |
| commission mtg followup                       |             |           |
| commission mtg                                |             |           |
| contract review, code issues                  |             |           |
| group homes, NOI research                     | 158.4 Hours | 16,165.84 |
| Labor-general                                 |             | 3,595.20  |
| Red light camera                              |             | 8,139.90  |
| Special Fire Assessment                       |             | 799.50    |
| Thompson, Morris Kent                         |             | 39.00     |
| Exec Est of BB Homeowners(Dwork, Jonathan)    |             | 117.00    |
| Litigation                                    |             | 5,694.00  |
| Model Block Right of Way                      |             | 477.60    |
| Chandler, Nancy (RIC MAN)                     |             | 0.00      |
| Rodrigues,Louis IA                            |             | 39.00     |
| Wauchope, Rohan vs HSBS Bank USA              |             | 0.00      |
| Donastor,Murat v JP Morgan                    |             | 0.00      |
| Howell, Jeanette vs. Deutsche Bank            |             | 39.00     |
| Jackson, Avian M (Forfeiture)                 |             | 956.05    |
| Cleveland, Darren (FNMA)                      |             | 0.00      |
| Wells Fargo Bank (RHA2, LLC)                  |             | 39.00     |
| White, Jack, Bank of NY                       |             | 0.00      |
| Freedom Mtg Corp (Price, Perry)               |             | 39.00     |
| Seminole Lakes Homeowners (IH4 Prop)          |             | 39.00     |
| Secured Holdings                              |             | 41.10     |
| FNMA (Moskoff, Eric)                          |             | 97.50     |
| Bock, Sharon as Clerk & Comptroller PBC       |             | 936.00    |
| Estate of Hazel Clemmons,James Nutter Co.     |             | 78.00     |
| HUD Housing Discrimination                    |             | 5,148.00  |
| COBB s/t Habitat for Humanity                 |             | 78.00     |
| Lewis, Longman & Walker (Robinson, Nathaniel) |             | 1,248.00  |
| Town Square                                   |             | 13,787.25 |
| Nationstar Mtg (McBride, Cheryl)              |             | 97.50     |
| U.S. Bank Trust (Luoto, Kaija)                |             | 468.00    |
| US Bank Natl Assoc (Maxi, Kinson)             |             | 97.50     |
| Prime Property of PB (Peterson, Steven)       |             | 253.50    |
| Deutsche Bank Natl Trust (GMAC)               |             | 292.50    |
| TOTAL General Legal Costs-June 2017           |             | 58,801.94 |

GOREN, CHEROF, DOODY & EZROL, P.A.  
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Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9001821  
STATEMENT NO: 15822

General Matters

|                                |                 |
|--------------------------------|-----------------|
| Photocopies                    | 182.70          |
| TOTAL EXPENSES THRU 06/30/2017 | 182.70          |
| TOTAL CURRENT WORK             | 182.70          |
| BALANCE DUE                    | <u>\$182.70</u> |

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-0806020  
STATEMENT NO: 15821

Red Light Cameras

|            |     |  | HOURS |          |
|------------|-----|--|-------|----------|
| 04/19/2017 | SHB | Receive and review objections filed by Hollander. Prepare and file notices of intent to rely on business records for use at trial.   | 2.20  |          |
| 04/20/2017 | SHB | Prepare and file notices of intent to rely on business records for use at trial. Receive and review objections filed by Hollander.   | 3.00  |          |
| 04/21/2017 | SHB | Receive and review objections filed by Hollander. Follow up with PD and staff re: case processing. Prepare and file notices of intent to rely on business records for use at trial. Prepare and file dismissal pursuant to settlement agreement. Receive and review various pleadings and appearance notices from defense counsel; forward to PD for review. | 4.00  |          |
| 04/25/2017 | SHB | Receive and review notices filed by Hollander and Jacquet. Prepare and file notices of intent to rely on business records for use at trial.  | 3.40  |          |
| 04/26/2017 | SHB | Follow up with PD re: outstanding program wrap-up and hearing matters.   | 0.70  |          |
| 04/27/2017 | SHB | Follow up with PD re: local hearings and program wrap-up matters. Prepare and file notices of intent to rely on business records for use at trial.   | 5.40  |          |
|            |     | FOR CURRENT SERVICES RENDERED  | 18.70 | 3,646.50 |

| RECAPITULATION     |  |              |                    |              |
|--------------------|--|--------------|--------------------|--------------|
| <u>TIMEKEEPER</u>  |  | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
| SHANA H. BRIDGEMAN |  | 18.70        | \$195.00           | \$3,646.50   |

TOTAL CURRENT WORK 3,646.50

BALANCE DUE \$3,646.50

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-0005370  
STATEMENT NO: 15823

Special Fire Assessment

|            |     |   | HOURS |        |
|------------|-----|---|-------|--------|
| 06/05/2017 | MDC | Confer with JAC, phone conference with Sandi Malgarejo at GSG re: assessment rates.           | 0.40  |        |
| 06/06/2017 | MDC | Review materials, prepare assessment memo per JAC.  | 0.90  |        |
| 06/15/2017 | JAC | Review re: rate revision and process; conference with MC; research comp rate formula.         | 0.70  |        |
| 06/16/2017 | MDC | Review emails and materials; prepare preliminary resolution.                                  | 1.10  |        |
| 06/23/2017 | MDC | Revise preliminary resolution, email Tim Howard on status of assessment.                      | 0.40  |        |
| 06/26/2017 | MDC | Meet with JAC, review schedule for public hearing and notices; revise preliminary resolution. | 0.60  |        |
|            |     | FOR CURRENT SERVICES RENDERED   | 4.10  | 799.50 |

|                    | RECAPITULATION |             |          |
|--------------------|----------------|-------------|----------|
| TIMEKEEPER         | HOURS          | HOURLY RATE | TOTAL    |
| JAMES A. CHEROF    | 0.70           | \$195.00    | \$136.50 |
| MICHAEL D. CIRULLO | 3.40           | 195.00      | 663.00   |

TOTAL CURRENT WORK 799.50

BALANCE DUE \$799.50

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-0603180  
STATEMENT NO: 15824

LABOR - General

|            |     |  | HOURS |          |
|------------|-----|--|-------|----------|
| 06/02/2017 | SHB | Discuss pending matters with JAC. Meeting at City Hall with Oldbury re: grievance tracking software setup.                                       | 5.50  |          |
| 06/07/2017 | SHB | Review Sagel pre-d documents and follow up with Oldbury.   | 1.00  |          |
| 06/09/2017 | SHB | Follow up re: Rodriguez pre-d matters.   | 0.30  |          |
| 06/19/2017 | SHB | Various correspondence re: Sagel pre-d matters.  | 0.30  |          |
| 06/20/2017 | SHB | Receive and review pre-d package for Mulheisen. Discuss Hagel discipline matters with Oldbury. Attend pre-d for Francisco Rodriguez.             | 4.20  |          |
| 06/21/2017 | SHB | Follow up re: Sagel pre-d matters; telephone conference with Miller. Review Mulheisen discipline documents.                                      | 2.00  |          |
| 06/22/2017 | SHB | Various correspondence with Oldbury re: Sagel pre-d matters. Complete review of Mulheisen discipline documents and transmit to Oldbury and Katz. | 2.00  |          |
| 06/23/2017 | SHB | Receive and review case law; discuss with JAC. Follow up with HR re: Heidi Sagel matters.  | 0.70  |          |
| 06/26/2017 | SHB | Attend Sagel pre-d; discuss investigation matters with Oldbury.  | 1.00  |          |
| 06/27/2017 | SHB | Receive and review written statement from Sagel.   | 0.30  |          |
|            | SHB | Follow up re: status of Finney criminal case.  | 0.20  |          |
|            |     | FOR CURRENT SERVICES RENDERED  | 17.50 | 3,412.50 |

|                    | HOURS | HOURLY RATE | TOTAL      |
|--------------------|-------|-------------|------------|
| TIMEKEEPER         |       |             |            |
| SHANA H. BRIDGEMAN | 17.50 | \$195.00    | \$3,412.50 |

TOTAL CURRENT WORK 3,412.50

BALANCE DUE \$3,412.50



CITY OF BOYNTON BEACH

LABOR - General

Page: 2  
07/03/2017  
ACCOUNT NO: 306-0603180  
STATEMENT NO: 15824

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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Boynton Beach FL 33425

ACCOUNT NO:  
STATEMENT NO:

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07/03/2017  
306-0806020  
15825

Attn: Lynn Swanson

Red Light Cameras

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/02/2017 | SHB | Receive and review notice of payment of \$50 settlement; follow up with City. Prepare and file notices of intent to rely on business records for use at trial.   | 1.00  |
| 06/05/2017 | SHB | Receive and review 27 continuance notices filed by Jacquet.  | 0.60  |
| 06/06/2017 | SHB | Prepare and file notices of intent to rely on business records for use at trial.   | 1.40  |
| 06/07/2017 | SHB | Receive and begin review of transcript from 4-5-17 trials. Telephone conference with Denise Palm Beach County Clerk's office re: Judge Damico hearings. Receive and review hearing notices. Follow up with officers. | 1.00  |
| 06/08/2017 | SHB | Follow up with Hawkins re: upcoming trials. Prepare and file notices of intent to rely on business records for use at trial.   | 0.60  |
| 06/09/2017 | SHB | Prep for upcoming Damico hearing; follow up with PDre: paid settlements. Receive and review order on motion for hearing and notice of hearing for Elien; transmit to PD.   | 1.00  |
| 06/13/2017 | SHB | Telephone conference with attorney J.T. Hagans re: Damico plea matters. Correspondence with attorney Laramie C. Thompson re: \$50 settlement matters. Prep for 6/14 Damico hearing.                                  | 1.00  |
| 06/14/2017 | SHB | Attend red light hearings with Judge Damico. Follow up with staff re: upcoming hearings and settlement payments.   | 3.60  |
| 06/15/2017 | SHB | Follow up with officers re: additional \$50 settlement payments received. Prepare and file notices of intent to rely on business records for use at trial.   | 1.50  |
| 06/16/2017 | SHB | Prepare and file notices of intent to rely on business records for use at trial.   | 3.50  |
| 06/19/2017 | SHB | Prepare and file notices of intent to rely on business records for use at trial. Follow up re: Varonis and Microsoft OneDrive functionality.   | 0.60  |
| 06/20/2017 | SHB | Prepare and file notices of intent to rely on business records for use at trial. Follow up re: \$50 settlement payments.   | 1.50  |
| 06/21/2017 | SHB | Review status of pending trials and upcoming local hearings. Follow up with  |       |

ACCOUNT NO:  
STATEMENT NO:

Red Light Cameras

|            |     |  | HOURS |          |
|------------|-----|--|-------|----------|
|            |     | Petriello re: final local hearings. Prepare and file notices of intent to rely on business records for use at trial. | 0.60  |          |
| 06/22/2017 | SHB | Receive and review Order on motion to vacate; transmit to officers.  | 0.20  |          |
| 06/23/2017 | SHB | Prepare and file notices of intent to rely on business records for use at trial.                                     | 1.70  |          |
| 06/26/2017 | JAC | Review program status and pending case status.   | 0.60  |          |
| 06/28/2017 | SHB | Prepare and file notices of intent to rely on business records for use at trial.                                     | 1.50  |          |
| 06/30/2017 | SHB | Prepare and file notices of intent to rely on business records for use at trial.                                     | 1.10  |          |
|            |     | FOR CURRENT SERVICES RENDERED  | 23.00 | 4,485.00 |

|                    |  | RECAPITULATION |             |          |
|--------------------|--|----------------|-------------|----------|
| TIMEKEEPER         |  | HOURS          | HOURLY RATE | TOTAL    |
| JAMES A. CHEROF    |  | 0.60           | \$195.00    | \$117.00 |
| SHANA H. BRIDGEMAN |  | 22.40          | 195.00      | 4,368.00 |

|                                |                   |
|--------------------------------|-------------------|
| Color photocopies              | 2.45              |
| Photocopies                    | 5.95              |
| TOTAL EXPENSES THRU 06/30/2017 | 8.40              |
| TOTAL CURRENT WORK             | 4,493.40          |
| BALANCE DUE                    | <u>\$4,493.40</u> |

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07/03/2017  
ACCOUNT NO: 306-9001821  
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General Matters

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/01/2017 | FLN | Met with Jim Cherof to discuss utility bill issues at property located at 130 SE 14th avenue; continued review of relevant law in this matter; continued review of Briny Breeze parking enforcement matter; including review of case law.  | 1.40  |
|            | SHB | Follow up with Coles-Dobay re: artist agreement. Review and finalize chronic nuisance cost ordinance.  | 1.00  |
| 06/02/2017 | FLN | Discussed utility lien issue at property located at 130 SE 14th avenue with Tracey DeCarlo; continue researching issues as it relates to the City's position; pursuant to Mary Degraffenreidt's request, sent a copy of City's agmt with Maximum Bands to her.   | 3.00  |
|            | SHB | Discuss pending matters with JAC. Review PRR inquiry from Clerk's office. Review Commission agenda.  | 0.70  |
|            | JAC | Budget preparation; review comps and ledgers re: litigation and retainer costs; conference with SB re: pending matters; review agenda and prepare for meeting; review records request and CAO procedure re: same; review code release options re: attorney demand; on site office administration; review vendor preference with TH.  | 6.80  |
|            | BJS | Review and Revise Drug Destruction Petition  | 0.50  |
| 06/05/2017 | FLN | Finalized preparation for T/C with attorney John Herin re: utility lien on property located at 130 SE 14th Ave; discussed with Jim Cherof prior to call; T/C with Barb Conboy prior to call; T/C with John Herin and sent follow-up email to Barb after the call and to Vestiguene Pierre to inquire and gather additional information before presenting matter to City Manager. | 3.00  |
|            | SHB | Follow up with Coles-Dobay re: artist agreements. Follow up with Pyle re: PRR confidentiality matters. Receive, review, and revise Ride Time agreement; follow up with City staff. Review lien matters re: case no. 13-2093; follow up with staff.   | 3.50  |
|            | JAC | On site; staff meeting and office administration; review convenience fee issue.  | 5.20  |
| 06/06/2017 | SHB | Meeting with JAC, Rumpf, and Mack re: group homes ordinance. Meeting with JAC, Woods, and counsel on behalf of cases 15-785 and 15-958 re: code violation resolution matters. Attended City Commission Meeting.  | 6.50  |
|            | JAC | On site; prepare for and attend Commission meeting; conference re: group home; conference re: lien/code reductions.  | 8.50  |

## General Matters

|            |     |   | HOURS |
|------------|-----|---|-------|
| 06/07/2017 | FLN | Handled additional research re: City's Interlocal Agmt with Briny Breeze on law enforcement services before advising police staff on matter.  | 1.30  |
|            | SHB | Code: follow up re: various code lien matters. Receive and review Klaus Gomes notice of hearing. Review court docket and jail information; prepare and file nolle prosee.   | 1.50  |
|            | JAC | Meeting follow up; contract review.   | 4.40  |
| 06/08/2017 | FLN | Reviewed information on status of property located at 130 SE 14th Avenue received from Vestiguernie Pierre; T/C with Pierre; Email to John Herin re: status of property; T/C with Mary Degraffenreidt re: gift/ethics question, researched issue and discussed with Jacob Horowitz.   | 2.40  |
|            | DNT | Telephone call with Jeff Livergood re: Palmer Road ownership and annexation; review property information re: Palmer Road.   | 0.50  |
|            | JAC | On site; review assignments and meeting follow up.  | 2.10  |
| 06/09/2017 | FLN | Reviewed email update from John Herin re: status of property; replied to John and followed up on John's email with Community Standards staff; T/C with Vestiguernie Pierre to discuss proposed site visit; follow-up email to John Herrin re: site visit scheduling; met with Jim Cherof to discuss terms of City's Inter Local Agmt with Town of Briny Breeze; sent detailed follow-up advice email to Chris Yannuzzi et al.; reviewed and replied to email from Lynn Swanson re: lien interests, payment, satisfaction and release. | 2.20  |
|            | JAC | Meeting follow up; review planning code issues; review plat restraint - Quantum; calls with LS re: records; review with FN - pending lien matters.  | 2.50  |
|            | SHB | Receive and review Hightower MOV and criminal care docket; prepare and file nolle prosee.   | 0.60  |
| 06/11/2017 | BJS | Review Senate Bill 8-A and begin draft memorandum re: Legislative Update  | 0.80  |
| 06/12/2017 | FLN | Follow-up call to Mary Degraffenreidt re: legal question on relative of city employee receipt of award/gift; reviewed inquiry and advised Lynn Swanson on process for release of foreclosed liens re: to property located at 130 SE 14th Avenue;  | 0.40  |
|            | MDC | Telephone conference with Ilyse Triestman, review procurement matters.  | 0.40  |
|            | JAC | Onsite; review procurement issues; agenda preparation.  | 1.30  |
|            | SHB | Follow up re: bus rental agreement; discuss with Majors.  | 0.30  |
| 06/13/2017 | FLN | Email to John Herin re: property located at 130 SE 14th avenue; advice T/C with Mary DeGraffenreidt re: advice on state law on gifts.   | 0.40  |
|            | MDC | Review miscellaneous procurement inquiries, phone conference with IT.   | 0.90  |
|            | JAC | Update legislative report and marijuana legislation; agenda preparation; review PBA demand re: representation.  | 2.10  |
| 06/14/2017 | SHB | Review and approve agenda items. Review and revise Group Homes ordinance; discuss with JAC.   | 3.20  |
|            | MDC | Review miscellaneous procurement inquiries with JAC; teleconference Ilyse Treistman, provide email response to IT on pending procurement inquiries.   | 1.40  |
|            | JAC | Email re: medical marijuana agenda item; check legislative statutes; agenda review and preparation.   | 4.50  |

## General Matters

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/15/2017 | FLN | T/C with Sergeant Matson re: Briny Breeze parking violation matter; follow-up email to Christopher Yannuzzi.   | 0.70  |
|            | SHB | Office hours at City Hall. Various correspondence and telephone conferences with Rumpf re: group homes ordinance. Discuss ordinance with JAC. Revise group homes ordinance and transmit to Clerk for agenda.   | 4.50  |
|            | JAC | Agenda preparation.  | 1.20  |
| 06/16/2017 | FLN | Continue review of Briny Breeze matter ahead of follow-up T/C with Chris Yannuzzi.   | 1.00  |
| 06/19/2017 | SHB | Follow up re: group home ordinance matters. Review fire code and inspection requirements; follow up with Cline.  | 2.00  |
|            | FLN | Reviewed Briny Breeze Traffic code sections and sections of Florida statutes to continue to address additional questions from City staff as it relates to enforcement of citations for parking violations.     | 1.50  |
|            | JAC | Onsite office administration; attend staff meeting; review agreements; conference call with attorney for pension consultants; prepare for commission meeting.  | 6.70  |
| 06/20/2017 | SHB | Discuss fire inspection matters with Kathy Cline. Receive and review correspondence re: 3566 S Lake Dr. lien matters; discuss with JAC.  | 0.70  |
|            | DNT | Review community enhancement program guidelines; t/c/c with David Scott and Mark Woods re: community enhancement program guidelines; dictate additional language for community enhancement program guidelines. | 1.10  |
|            | JAC | Onsite; prepare for and attend Commission meeting.   | 7.00  |
|            | FLN | Started review of various bankruptcy materials received from City.   | 1.30  |
| 06/21/2017 | FLN | Re: BAC Home Loans v. COBB, McBride- Reviewed Order to Release Original Docs from Evidence Room.   | 0.20  |
|            | JAC | Onsite; miscellaneous review re: budget hearings on fire assessment notices and adjustments.   | 2.60  |
|            | MDC | Telephone conference with TH, confer with JAC, review emails on CCNA questions.  | 0.40  |
|            | DNT | Review wireless communication ordinance provided by Mobilitie.   | 0.60  |
| 06/22/2017 | JAC | Agenda follow-up; review mail and memo status; review ACA assignments.   | 2.60  |
|            | DNT | Review status of wireless communication statute and impact on city ordinance being proposed; dictate memo re: wireless communication legislation; dictate revision to agreement with Habitat for Humanity.     | 1.60  |
|            | SHB | Follow up re: status of upcoming Commission meetings. Review additional documentation re: group homes ordinance.   | 1.00  |
| 06/23/2017 | JAC | Review employment letter; review assignments, hearing status and trial status of ACAs; research re: pending group homes ordinance; review Robinson settlement.   | 4.20  |
|            | FLN | Email to Lynn Swanson re: liens imposed against mortgagee issue.   | 0.40  |

## General Matters

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/26/2017 | FLN | Reviewed agenda packet and prepared for P&D meeting on 6/27/2017; reviewed various emails from Lynn Swanson with related documentation on recent order on lien modification entered for property located at 327 SW 2nd Avenue, discussed next steps with Lynn; prepare for upcoming meeting with community standards managers.   | 2.80  |
|            | JAC | Case management review; review P&D agenda; review Quantum ARC issue and letter and reply to EB.  | 2.50  |
|            | DNT | Review request to certify city's non discrimination policy.  | 0.30  |
| 06/27/2017 | FLN | Met with Lynn Swanson to review City's Code section to address pending lien modification order issues re: property located at 327 SW 2nd Avenue; Reviewed relevant sections of FI Statutes re: to surplus disbursements; Discussed with Jim Cherof; discussed with Commissioner Romelus via T/C; started draft of email correspondence Commr Romelus; attend Planning and Development Board Meeting. | 4.00  |
|            | DNT | Dictate and revise memo re: wireless communication facilities.   | 0.80  |
|            | JAC | Review and reply re: COI issue and procedure - record keeping; review lien issue and reduction challenge / appeal; miscellaneous calls with staff.   | 3.60  |
|            | SHB | Research, drafting, and revision: memo to client re: wireless infrastructure act. Discuss with DNT.  | 1.00  |
| 06/28/2017 | SHB | Revise and finalize memo to City re: house bill 87.  | 0.30  |
|            | FLN | Meeting with Lori Laverriere and Lynn Swanson re: lien modification order issue for property located at 327 SW 2nd Avenue; Finalized and submitted correspondence/email on this matter to Commissioner Romelus; met with Mark Woods, Vestiguerne Pierre and Lynn to discuss pending matters/ code enforcement procedures at City.  | 3.30  |
|            | DNT | Review and revise memo re: wireless communication facility ordinance.  | 0.80  |
|            | JAC | Preparation for ABC meeting; prepare wireless memo; review Hypoluxo documents; miscellaneous office issues re: Budget.   | 4.60  |
| 06/29/2017 | FLN | Re: status of surplus for property located at 327 SW 2nd avenue, discussed with Lynn Swanson, T/C with Counsel for Clerk's office, after which I update Lynn accordingly.  | 0.70  |
|            | SHB | Telephone conference with Pyle re: public records exemption matters; review statute. Follow up correspondence to Pyle and Clerk staff. Revise bus agreement for city bus rental.   | 2.60  |
|            | MDC | Review revised RFQ for Seacrest Phase II.  | 1.00  |
|            | JAC | Review emails and assignments; research re: Central Seacrest project documents.  | 1.40  |
|            | DNT | Review memo and information from FLC re: wireless communication facility legislation.  | 0.40  |
| 06/30/2017 | SHB | Revise and finalize bus rental agreement; to Wally Majors for review. Contact Delray re: zoning ordinance matters. Additional research re: group home ordinance matters; discuss with JAC.   | 7.50  |
|            | FLN | Reviewed and Revised Agenda cover sheet details re: review of Lien Modification Order pending for 7/18/17 commission meeting; discussed with Lynn Swanson; drafted Notice to Applicant/Property owner re: review of order at meeting; submitted to Jim Cherof for review and approval; reviewed Jim's feedback to correspondence.  | 1.50  |

## General Matters

|  | HOURS  |                    |
|--|--------|--------------------|
| DNT Confer with SCW re: wireless communication facility legislation and ordinance; review FLC memo re: wireless communication facility legislation; review and coordinate certification of city anti-discrimination ordinance. | 1.30   |                    |
| MDC Meet with JAC, review Seacrest project RFP; phone conference with I. Triestman.  | 1.00   |                    |
| JAC Agenda item review; review for Monday conferences; confer with attorneys re: assignments.  | 2.40   |                    |
| FOR CURRENT SERVICES RENDERED  | 158.40 | 16,165.84          |
| TOTAL CURRENT WORK   |        | 16,165.84          |
| BALANCE DUE  |        | <u>\$16,165.84</u> |



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adv. Thompson, Morris Kent

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07/03/2017  
ACCOUNT NO: 306-9904927  
STATEMENT NO: 15827

Billing Category 18-RLO

|            |                    |  |                    |                |
|------------|--------------------|--|--------------------|----------------|
| 06/08/2017 | TAD                | Receipt of notice of appeal and correspondence re: same. | HOURS              |                |
|            |                    |  | 0.20               |                |
|            |                    | FOR CURRENT SERVICES RENDERED                            | 0.20               | 39.00          |
|            |                    | RECAPITULATION   |                    |                |
|            | <u>TIMEKEEPER</u>  | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
|            | TRACEY A. DECARLO  | 0.20   | \$195.00           | \$39.00        |
|            | TOTAL CURRENT WORK |  |                    | 39.00          |
|            | BALANCE DUE        |  |                    | <u>\$39.00</u> |

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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07/03/2017  
ACCOUNT NO: 306-9904950  
STATEMENT NO: 15828

Litigation Miscellaneous

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/02/2017 | TAD | Receipt and review of correspondence from City re: public records request. Review documents in request and telephone conference with the City re: same.  | 0.40  |
| 06/05/2017 | TAD | Receipt and review of incident report (Ward) Review case list and status of claims and prepare outline of information needed from City and issues to discuss in meeting with City Risk.              | 1.20  |
|            | JAC | Oversight review of all tort defense cases; check docket entries, pleading and records for discussion with attorneys.  | 1.80  |
| 06/07/2017 | TAD | Meet and confer with Risk director and manager re: incident report issues; property damage issues; and status of pending litigation.   | 4.60  |
|            | BJS | Review Motion to Return Property with all applicable follow up re: Bellamy   | 1.00  |
| 06/09/2017 | BJS | Review request for Adversarial Preliminary Hearing re: Bucci and t/c Spencer Siegel, review new forfeiture re: 17-031651 re: Dasman Green and follow up with JAC and Scott Harris                    | 1.20  |
|            | JAC | Conference with TD re: review pending cases and budget; review draft report and settlement options.  | 0.70  |
| 06/12/2017 | BJS | t/c with Scott Harris re: forfeitures, review file and t/c with Lakeesha Bellamy Motion to Return Property re: Bellamy and draft proposed Order , t/c with Spencer Seigle re: Bucci and Scott Harris | 1.50  |
| 06/13/2017 | BJS | t/c with Scott Harris and follow up re: Forfeitures and Settlements  | 0.60  |
| 06/14/2017 | JAC | Review AC attorney cases and pleadings; general oversight of new demands/cases/claims.   | 1.70  |
| 06/16/2017 | TAD | Receipt and review of correspondence from adjuster re: status of claim (Hickman)   | 0.30  |
| 06/19/2017 | TAD | Receipt and review of use of force report (Jordan). Receipt of correspondence re: discussion on request from officers.   | 0.20  |
|            | BJS | Follow up on pending matter with Scott Harris  | 0.40  |
| 06/20/2017 | TAD | Receipt and review of correspondence re: representation of officers. Review statute and case law re: same.   | 1.30  |

## Litigation Miscellaneous

|            |     |  | HOURS |          |
|------------|-----|--|-------|----------|
| 06/21/2017 | TAD | Receipt and review of use of force report (Doydas). Attend meeting with Risk director and TPA manager re: claims handling issues. Attend meeting with Risk director and city manager re: representation issues.  | 5.60  |          |
| 06/23/2017 | BJS | Review new forfeiture for legal compliance and draft follow up correspondence  | 0.60  |          |
| 06/27/2017 | TAD | Receipt of complaint and correspondence from City and Police Department re: same. Receipt of incident report re: complaint. Receipt of correspondence re: prior claim filed with the City and receipt of prior claim. Receipt of correspondence re: accident and subrogation claim. Review accident report and claim letter. Prepare correspondence to City re: response to subrogation claim (Claudino) | 2.00  |          |
| 06/29/2017 | BJS | Review and follow up re: Bellamy Order   | 0.30  |          |
|            | TAD | Receipt and review of incident report (Johnson).   | 0.20  |          |
| 06/30/2017 | BJS | Review forfeiture settlement re: Dasmen Green  | 0.30  |          |
|            | TAD | Receipt and review of correspondence from the City re: claim information. Receipt of reports and further information re: incident. Prepare correspondence to city re: update on claim information. Receipt of incident report (Morris).  | 2.40  |          |
|            | JAC | Review Predelus HUD complaint; outline response process; review Sezen settlement.  | 0.90  |          |
|            |     | FOR CURRENT SERVICES RENDERED  | 29.20 | 5,694.00 |

## RECAPITULATION

| <u>TIMEKEEPER</u> | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
|-------------------|--------------|--------------------|--------------|
| JAMES A. CHEROF   | 5.10         | \$195.00           | \$994.50     |
| BRIAN J. SHERMAN  | 5.90         | 195.00             | 1,150.50     |
| TRACEY A. DECARLO | 18.20        | 195.00             | 3,549.00     |

TOTAL CURRENT WORK 5,694.00

BALANCE DUE \$5,694.00

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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

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ACCOUNT NO: 306-9905001  
STATEMENT NO: 15829

adv. Executive Estates of BB Homeowner's Assn.  
(Dwork, Jonathan Mitchell), 154 Orange Drive, BB

|                |                    |  | HOURS              |                 |
|----------------|--------------------|--|--------------------|-----------------|
| 06/19/2017     | FLN                | Reviewed Motion for Final Order of Dismissal and Judgment in Favor of Defendants and Amended Motion for Entitlement to Fees  | 0.30               |                 |
| 06/20/2017     | FLN                | Reviewed Notice of Hearing re: Amended Motion for Entitlement to Attorney's Fees and Motion for Entry of Final Judgment and sent email to Plaintiff's attorney re: City's attendance at hearing. | 0.30               |                 |
|                |                    | FOR CURRENT SERVICES RENDERED  | 0.60               | 117.00          |
| RECAPITULATION |                    |  |                    |                 |
|                | <u>TIMEKEEPER</u>  | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u>    |
|                | FARAH L. NERETTE   | 0.60   | \$195.00           | \$117.00        |
|                | TOTAL CURRENT WORK |  |                    | 117.00          |
|                | BALANCE DUE        |  |                    | <u>\$117.00</u> |

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905018  
STATEMENT NO: 15830

City of Boynton Beach Model Block Right of Way  
Acquisition

|            |     |  | HOURS |        |
|------------|-----|--|-------|--------|
| 06/05/2017 | RLL | Review title work with KLE.  | 0.50  |        |
|            | KLE | email Brett, review documents re: Newton Parcel, email to Title CO;  | 0.80  |        |
| 06/06/2017 | KLE | Emails to Suzanne and title company  | 0.20  |        |
| 06/07/2017 | KLE | Prepare for and attend conference call with Suzanne from title company;<br>Review documents, review and transmit revised title commitment. | 1.10  |        |
|            |     | FOR CURRENT SERVICES RENDERED  | 2.60  | 472.00 |

|                   | RECAPITULATION | HOURS | HOURLY RATE | TOTAL    |
|-------------------|----------------|-------|-------------|----------|
| <u>TIMEKEEPER</u> |                |       |             |          |
| KERRY L. EZROL    |                | 2.10  | \$195.00    | \$409.50 |
| RACHEL L LEACH    |                | 0.50  | 125.00      | 62.50    |

|                                |          |
|--------------------------------|----------|
| Photocopies                    | 5.60     |
| TOTAL EXPENSES THRU 06/30/2017 | 5.60     |
| TOTAL CURRENT WORK             | 477.60   |
| BALANCE DUE                    | \$477.60 |

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Boynton Beach FL 33425

ACCOUNT NO:  
STATEMENT NO:

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07/03/2017  
306-9905135  
15831

Attn: Lynn Swanson

adv. (Howell, Jeanette et. al.) vs. Deutsche Bank  
National Trust Company 2540 N. Seacrest Blvd,  
Boynton Beach, FL 33435

|                    |     |   | HOURS              |                |
|--------------------|-----|---|--------------------|----------------|
| 06/19/2017         | FLN | Reviewed Certificate of Mailing and Order Appointing Guardian Ad Litem. | 0.20               |                |
|                    |     | FOR CURRENT SERVICES RENDERED   | 0.20               | 39.00          |
| RECAPITULATION     |     |   |                    |                |
| <u>TIMEKEEPER</u>  |     | <u>HOURS</u>  | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
| FARAH L. NERETTE   |     | 0.20  | \$195.00           | \$39.00        |
| TOTAL CURRENT WORK |     |   |                    | 39.00          |
| BALANCE DUE        |     |   |                    | <u>\$39.00</u> |

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Boynton Beach FL 33425

Attn: Lynn Swanson

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STATEMENT NO: 15832

adv. Jackson, Avian M. (Forfeiture)

|                |                                |   | HOURS              |                 |
|----------------|--------------------------------|---|--------------------|-----------------|
| 06/20/2017     | BJS                            | Review file and draft proposed Final Order for Motion for Summary Judgment                                | 0.50               |                 |
| 06/21/2017     | BJS                            | Attend City's Motion for Summary Judgement at the Palm Beach Main Courthouse with all necessary follow up | 4.00               |                 |
|                |                                | FOR CURRENT SERVICES RENDERED   | 4.50               | 877.50          |
| RECAPITULATION |                                |   |                    |                 |
|                | <u>TIMEKEEPER</u>              | <u>HOURS</u>  | <u>HOURLY RATE</u> | <u>TOTAL</u>    |
|                | BRIAN J. SHERMAN               | 4.50  | \$195.00           | \$877.50        |
|                | Photocopies                    |   |                    | 74.55           |
|                | TOTAL EXPENSES THRU 06/30/2017 |   |                    | 74.55           |
| 06/21/2017     | Parking - BJS                  |   | 4.00               |                 |
|                | Parking -                      |   | 4.00               |                 |
|                | TOTAL ADVANCES THRU 06/30/2017 |   |                    | 4.00            |
|                | TOTAL CURRENT WORK             |   |                    | 956.05          |
|                | BALANCE DUE                    |   |                    | <u>\$956.05</u> |

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

Rodriguez, Jr., Orlando  
EEOC Charge 510-2016-00430

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STATEMENT NO: 15833

|                |                    |  |              |                    |                |
|----------------|--------------------|--|--------------|--------------------|----------------|
| 06/07/2017     | SHB                | Receive and review EEOC Dismissal notice.<br>FOR CURRENT SERVICES RENDERED | HOURS        |                    |                |
|                |                    |  | 0.20         |                    |                |
|                |                    |  | 0.20         |                    | 39.00          |
| RECAPITULATION |                    |  |              |                    |                |
|                | <u>TIMEKEEPER</u>  |  | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
|                | SHANA H. BRIDGEMAN |  | 0.20         | \$195.00           | \$39.00        |
|                | TOTAL CURRENT WORK |  |              |                    | 39.00          |
|                | BALANCE DUE        |  |              |                    | <u>\$39.00</u> |

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100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905196  
STATEMENT NO: 15834

adv. Wells Fargo Bank, N.A. (RHA 2, LLC, et al.)

|            |                   |  | HOURS              |                |
|------------|-------------------|--|--------------------|----------------|
| 06/19/2017 | FLN               | Reviewed Certificate of Sale; and documents in file. | 0.20               |                |
|            |                   | FOR CURRENT SERVICES RENDERED                        | 0.20               | 39.00          |
|            |                   | RECAPITULATION                                       |                    |                |
|            | <u>TIMEKEEPER</u> | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
|            | FARAH L. NERETTE  | 0.20   | \$195.00           | \$39.00        |
|            |                   | TOTAL CURRENT WORK                                   |                    | 39.00          |
|            |                   | BALANCE DUE  |                    | <u>\$39.00</u> |

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CITY OF BOYNTON BEACH  
 100 East Boynton Beach Boulevard  
 Boynton Beach FL 33425

Attn: Lynn Swanson

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 ACCOUNT NO: 306-9905206  
 STATEMENT NO: 15835

adv. Secured Holdings, Inc.

|            |     |  |       |       |
|------------|-----|--|-------|-------|
| 06/30/2017 | JAC | Review release form opposing attorney. | HOURS |       |
|            |     |  | 0.20  |       |
|            |     | FOR CURRENT SERVICES RENDERED          | 0.20  | 39.00 |

|                   |                |                    |              |  |
|-------------------|----------------|--------------------|--------------|--|
|                   | RECAPITULATION |                    |              |  |
| <u>TIMEKEEPER</u> | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u> |  |
| JAMES A. CHEROF   | 0.20           | \$195.00           | \$39.00      |  |

|                                |                |
|--------------------------------|----------------|
| Photocopies                    | 2.10           |
| TOTAL EXPENSES THRU 06/30/2017 | 2.10           |
| TOTAL CURRENT WORK             | 41.10          |
| BALANCE DUE                    | <u>\$41.10</u> |

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Boynton Beach FL 33425

ACCOUNT NO:  
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07/03/2017  
306-9905211  
15836

Attn: Lynn Swanson

adv. Lewis Longman & Walker, P.A. (Robinson,  
Nathaniel)

|            |     |  | HOURS |          |
|------------|-----|--|-------|----------|
| 06/01/2017 | FLN | Met with Jim Cherof to discuss file and City's position re: terms of Escrow Agmt; drafted and sent email to Mark Woods and Vestiguerne Pierre in Community Standards re: this matter.  | 1.00  |          |
| 06/05/2017 | FLN | T/Cs with Doak Campbell; with Escrow agent/attorney Ken Dodge; with Mark Woods and Vestiguerne Pierre re: settlement terms; exchanged related emails with Mark Woods before and after T/C with M. Woods and V. Pierre.                         | 1.10  |          |
| 06/06/2017 | FLN | Reviewed email from Ken Dodge re: Escrow Agent's costs and fees; T/C with Doak Campbell re: terms of settlement; sent follow-up email to Ken Dodge.  | 0.80  |          |
| 06/08/2017 | FLN | T/C with Doak Campbell re: settlement terms.   | 0.20  |          |
| 06/09/2017 | FLN | T/C w/ Doak Campbell re: his client's agmt with City and Escrow Agent's proposed settlement; detailed follow up email to Ken Dodge w/ Lewis, Longman, et al. re: parties' settlement and next steps; email update on settlement to Jim Cherof. | 0.90  |          |
|            | JAC | Review settlement.   | 0.30  |          |
| 06/14/2017 | FLN | Reviewed Settlement Agreement and Release received from Ken Dodge; T/Cs with Doak Campbell re: proper party (only previous seller) able to obtain escrow disbursement; sent email to Ken with revision; discussed with Jim Cherof.             | 1.00  |          |
| 06/22/2017 | FLN | Sent email to Doak Campbell's office re: our receipt of executed agmt; sent detailed advice email to City Manager re: this matter with request for execution of stipulated agreement.  | 0.70  |          |
| 06/23/2017 | FLN | Communicated via email with City Manager and with Ken Dodge re: status of execution of agreement by City manager.  | 0.40  |          |
|            |     | FOR CURRENT SERVICES RENDERED  | 6.40  | 1,248.00 |

|                 | RECAPITULATION |       |             |         |
|-----------------|----------------|-------|-------------|---------|
|                 |                | HOURS | HOURLY RATE | TOTAL   |
| TIMEKEEPER      |                | 0.30  | \$195.00    | \$58.50 |
| JAMES A. CHEROF |                |       |             |         |

CITY OF BOYNTON BEACH

adv. Lewis Longman & Walker, P.A. (Robinson,  
Nathaniel)

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| <u>TIMEKEEPER</u> | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
|-------------------|--------------|--------------------|--------------|
| FARAH L. NERETTE  | 6.10         | 195.00             | 1,189.50     |

|                    |          |
|--------------------|----------|
| TOTAL CURRENT WORK | 1,248.00 |
|--------------------|----------|

|             |                   |
|-------------|-------------------|
| BALANCE DUE | <u>\$1,248.00</u> |
|-------------|-------------------|

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905212  
STATEMENT NO: 15837

adv. James B. Nutter & Company (Estate of Hazel  
Clemmons, et al.)

|                |                   |   | HOURS        |                    |
|----------------|-------------------|---|--------------|--------------------|
| 06/02/2017     | FLN               | Reviewed Plaintiff's filed affidavit on constructive service.                   | 0.10         |                    |
| 06/07/2017     | FLN               | Reviewed proof of constructive service by publication; reviewed file documents. | 0.30         |                    |
|                |                   | FOR CURRENT SERVICES RENDERED   | 0.40         | 78.00              |
| RECAPITULATION |                   |   |              |                    |
|                | <u>TIMEKEEPER</u> |   | <u>HOURS</u> | <u>HOURLY RATE</u> |
|                | FARAH L. NERETTE  |   | 0.40         | \$195.00           |
|                |                   |   |              | <u>TOTAL</u>       |
|                |                   |   |              | \$78.00            |
|                |                   | TOTAL CURRENT WORK  |              | 78.00              |
|                |                   | BALANCE DUE   |              | <u>\$78.00</u>     |

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CITY OF BOYNTON BEACH  
 100 East Boynton Beach Boulevard  
 Boynton Beach FL 33425

Attn: Lynn Swanson

adv. Federal National Mortgage Association  
 (Moskoff, Eric)

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 07/03/2017  
 ACCOUNT NO: 306-9905227  
 STATEMENT NO: 15838

|                    |                   |   |              |                    |                |
|--------------------|-------------------|---|--------------|--------------------|----------------|
| 06/21/2017         | FLN               | Reviewed file documents, drafted and sent closing memo to City staff. | HOURS        |                    |                |
|                    |                   |   | 0.50         |                    |                |
|                    |                   | FOR CURRENT SERVICES RENDERED   | 0.50         |                    | 97.50          |
| RECAPITULATION     |                   |   |              |                    |                |
|                    | <u>TIMEKEEPER</u> |   | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
|                    | FARAH L. NERETTE  |   | 0.50         | \$195.00           | \$97.50        |
| TOTAL CURRENT WORK |                   |   |              |                    | 97.50          |
| BALANCE DUE        |                   |   |              |                    | <u>\$97.50</u> |

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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905250  
STATEMENT NO: 15839

Freedom Mortgage Corporation (Price, Perry A.)

|            |                    |   | HOURS              |                |
|------------|--------------------|---|--------------------|----------------|
| 06/08/2017 | SCW                | Review file and clerk's site to determine the status of the case. | 0.20               |                |
|            |                    | FOR CURRENT SERVICES RENDERED                                     | 0.20               | 39.00          |
|            |                    | RECAPITULATION  |                    |                |
|            | <u>TIMEKEEPER</u>  | <u>HOURS</u>  | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
|            | SHARI C. WALLEN    | 0.20  | \$195.00           | \$39.00        |
|            | TOTAL CURRENT WORK |   |                    | 39.00          |
|            | BALANCE DUE        |   |                    | <u>\$39.00</u> |

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100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905251  
STATEMENT NO: 15840

adv. Seminole Lakes Homeowners Association, Inc.  
(IH4 Property Florida, LP a Delaware Limited  
Partnership)

|                               |     |   | HOURS              |                |
|-------------------------------|-----|---|--------------------|----------------|
| 06/08/2017                    | SCW | Review file and clerk's site to determine the status of the case. | 0.20               |                |
| FOR CURRENT SERVICES RENDERED |     |   | 0.20               | 39.00          |
| RECAPITULATION                |     |   |                    |                |
| <u>TIMEKEEPER</u>             |     | <u>HOURS</u>  | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
| SHARI C. WALLEN               |     | 0.20  | \$195.00           | \$39.00        |
| TOTAL CURRENT WORK            |     |   |                    | 39.00          |
| BALANCE DUE                   |     |   |                    | <u>\$39.00</u> |

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE



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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

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07/03/2017  
ACCOUNT NO: 306-9905252  
STATEMENT NO: 15841

Attn: Lynn Swanson

adv. Sharon R. Bock, as Clerk and Comptroller for  
Palm Beach County, Florida  
(Ganoe, William & Blanchard, Joshua)

|            |     |   | HOURS |        |
|------------|-----|---|-------|--------|
| 06/08/2017 | SCW | Review file and clerk's site to determine the status of the case.   | 0.20  |        |
| 06/12/2017 | FLN | Reviewed file documents and pleadings; T/C with County attorney's office re: settlement terms; discussed file and next steps with Shari Wallen.   | 1.30  |        |
|            | SCW | Review file. Evaluate settlement request. Draft correspondence to Lori LaVerriere. Draft correspondence to Rachel Fahey from Palm Beach County. Evaluate correspondence received from Ms. LaVerriere. Telephonic conference with Ms. Fahey.   | 1.50  |        |
| 06/13/2017 | SCW | Review trial and mediation order.   | 0.20  |        |
| 06/15/2017 | SCW | Evaluate correspondence received from Rachel Fahey regarding Motion for Summary Judgment. Draft correspondence to Ms. Fahey.  | 0.40  |        |
| 06/19/2017 | FLN | Reviewed Motion for Summary Judgment received from County Attorney's office; reviewed file documents to confirm status of CM's approval of settlement per email from Lori LaVerriere to Shari Wallen; discussed City's requested revisions via T/C and email with Assist. Co. Attny Rachel Fahey. | 1.20  |        |
|            |     | FOR CURRENT SERVICES RENDERED   | 4.80  | 936.00 |

|                   | HOURS | HOURLY RATE | TOTAL    |
|-------------------|-------|-------------|----------|
| <u>TIMEKEEPER</u> |       |             |          |
| FARAH L. NERETTE  | 2.50  | \$195.00    | \$487.50 |
| SHARI C. WALLEN   | 2.30  | 195.00      | 448.50   |

TOTAL CURRENT WORK 936.00

BALANCE DUE \$936.00

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

Page: 1  
07/03/2017  
ACCOUNT NO: 306-9905260  
STATEMENT NO: 15842

HUD Housing Discrimination-Group Homes Moratorium

|            |     |   | HOURS |
|------------|-----|---|-------|
| 06/06/2017 | SHB | Telephone conference with Wilshanna Cooper and JAC re: HUD investigation. Listen to Rumpf presentation from P&D meeting. Update Rumpf and Mack.   | 1.00  |
|            | JAC | Conference call with investigator and follow up.  | 1.40  |
| 06/13/2017 | JAC | Review group homes draft from staff; prepare response to investigation.   | 1.20  |
| 06/14/2017 | JAC | Preparation with SB re: draft order and staff analysis.   | 0.70  |
| 06/15/2017 | JAC | Review agenda item and documents to go to investigator.   | 0.80  |
| 06/19/2017 | JAC | Conference call interview by investigator and Mayor Grant; conference with MR; review with SB; email investigator re: pending ordinance and request for feedback.   | 1.20  |
|            | SHB | Discuss pending investigation matters with JAC. Telephone conference with JAC, Mayor Grant, and Investigator Cooper. Review and review notes re: conference call. Transmit group homes agenda item, ordinance, and backup to Investigator Cooper. Research re: City of Hollywood pending HUD complaint. | 4.00  |
| 06/21/2017 | JAC | Review MR follow up questions on draft ordinance; conference with SB re: research and distance issue.   | 1.20  |
| 06/22/2017 | JAC | Follow up preparation re: meeting with staff and manager re: 2nd reading issues and revision; conference with SB re: supplement.  | 1.80  |
|            | SHB | Follow up re: status of complaint; telephone conference with Rumpf. Discuss pending matters with JAC.   | 1.30  |
| 06/27/2017 | SHB | Receive and review pending group home applications. Discuss ordinance matters with JAC.   | 0.60  |
| 06/28/2017 | SHB | Additional research re: group home matters. Meeting with JAC. Telephone conference with Rumpf re: ordinance and HUD matters.  | 2.00  |
|            | JAC | Preparation re: supplemental position statement; research and conference with SB re: same.  | 3.40  |
| 06/29/2017 | SHB | Prepare for meeting at City Hall re: investigation matters. Telephone conference with Rumpf and Investigator Cooper.  | 4.50  |

CITY OF BOYNTON BEACH

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07/03/2017

ACCOUNT NO: 306-9905260  
STATEMENT NO: 15842

HUD Housing Discrimination-Group Homes Moratorium

|                    |     |  | HOURS              |                   |
|--------------------|-----|--|--------------------|-------------------|
| 06/30/2017         | JAC | Review for Monday conference with SB and review legal opinion. | 1.30               |                   |
|                    |     | FOR CURRENT SERVICES RENDERED                                  | 26.40              | 5,148.00          |
| RECAPITULATION     |     |  |                    |                   |
| <u>TIMEKEEPER</u>  |     | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u>      |
| JAMES A. CHEROF    |     | 13.00  | \$195.00           | \$2,535.00        |
| SHANA H. BRIDGEMAN |     | 13.40  | 195.00             | 2,613.00          |
| TOTAL CURRENT WORK |     |  |                    | 5,148.00          |
| BALANCE DUE        |     |  |                    | <u>\$5,148.00</u> |

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

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07/03/2017  
ACCOUNT NO: 306-9905262  
STATEMENT NO: 15843

Attn: Lynn Swanson

City of Boynton Beach s/t Habitat for Humanity of  
South Palm Beach County, Inc.  
(1118 NE 2nd St., NE 11th Ave., 1114 NE 2nd St.  
& NE 12th Ave.)

|                |                   |   | HOURS        |                    |
|----------------|-------------------|---|--------------|--------------------|
| 06/05/2017     | DNT               | Review status of contract with Habitat for Humanity for sale of property. | 0.40         |                    |
|                |                   | FOR CURRENT SERVICES RENDERED   | 0.40         | 78.00              |
| RECAPITULATION |                   |   |              |                    |
|                | <u>TIMEKEEPER</u> |   | <u>HOURS</u> | <u>HOURLY RATE</u> |
|                | DAVID N. TOLCES   |   | 0.40         | \$195.00           |
|                |                   |   | <u>TOTAL</u> | <u>\$78.00</u>     |
|                |                   | TOTAL CURRENT WORK  |              | 78.00              |
|                |                   | BALANCE DUE   |              | <u>\$78.00</u>     |

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Boynton Beach FL 33425

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07/03/2017  
ACCOUNT NO: 306-9905263  
STATEMENT NO: 15844

Attn: Lynn Swanson

Town Square Development

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/01/2017 | JAC | Contract review conference and calls with TH and CG; review project costs / timetable and revised agreement.   | 2.20  |
|            | DNT | Telephone conference call with Colin Groff re: fees for phase 1 services; dictate and revise agreement for phase 1 services.   | 1.30  |
| 06/02/2017 | DNT | Review and revise agreement with E2L for phase one services; t/c/c with Dan Nelson re: requirements for agreement and resolution.  | 0.90  |
|            | JAC | Continue preparation and discuss; review OHS issues; review revised draft with DT.   | 2.80  |
| 06/05/2017 | JAC | Review draft agreements and conference with TH and LL and CG; discussion with DT; review CDD options.  | 2.40  |
| 06/07/2017 | JAC | Calls re: contract status and meeting agenda; outline exit options and prepare to discuss with Commissioners.  | 3.50  |
| 06/08/2017 | DNT | Attend meeting at City Hall to discuss phase 1 services agreement with City Manager, JAC, Tim Howard, and Colin Groff; review and revise phase 1 services agreement; dictate and revise resolutions approving phase 1 services agreement and ILA with CRA for funding.   | 6.00  |
|            | JAC | On site conferences and document preparation.  | 7.00  |
| 06/09/2017 | DNT | Dictate and revise agreement for phase 1 services; t/c/c with JAC, Colin Groff, Lori Laverriere, and Tim Howard re: agreement for phase 1 services; t/c/c with Mark Hefferin and city staff re: agreement for phase 1 services; review and revise ILA with CRA for funding.                                      | 6.00  |
|            | JAC | Continued conference calls, review and revise Phase 1 Agreement.   | 6.20  |
| 06/12/2017 | DNT | Attend meetings at city hall with commissioner Romelus and Casello to discuss phase 1 services agreement with City Manager, JAC, Tim Howard, and Colin Groff; attend meeting at CRA to discuss phase 1 agreement with Mayor Grant; review and revise phase 1 services agreement; attend City Commission meeting. | 8.00  |
|            | JAC | Onsite conferences with Commissioners and prepare for and attend Special Meeting to approve contract; follow up preparation re: agreement and research bonding issues.   | 7.50  |
| 06/13/2017 | DNT | Dictate revisions to termination provisions of agreement with E2L and  |       |

## Town Square Development

|            |     |   | HOURS |           |
|------------|-----|---|-------|-----------|
|            | JAC | transmit to city staff and developer's representative.  | 0.90  |           |
|            | JAC | Continue rewrite and emails re: separation fee and Article 10; conference with DT to review legal issues.   | 2.20  |           |
| 06/14/2017 | DNT | Review revisions to termination provisions.   | 0.50  |           |
| 06/15/2017 | DNT | Review revised language re: section 10.3. Dictate and review emails re: revised language.   | 0.50  |           |
|            | JAC | Emails, calls, follow up re: termination article and separation fee.  | 1.30  |           |
| 06/16/2017 | JAC | Redraft; calls with LL and TH; conference call with developer; rework agreement.  | 2.70  |           |
|            | DNT | Telephone conference call with JAC and Tim Howard re: termination provision; dictate and revise termination language in agreement.  | 2.00  |           |
| 06/19/2017 | JAC | Conference call re: Article 10 - separation fee and related issues; re-draft and review.  | 2.20  |           |
|            | DNT | Telephone conference with City Manager, Tim Howard, Colin Groff and JAC re: revisions to agreement with E2L; t/c/c with Dan Nelson re: development agreement; t/c/c with Jeff Bahnsen re: development agreement t/c/c with Mark Herferin and city staff re: revisions to agreement with E2L; revise agreement with E2L and transmit to city and to E2L. | 2.30  |           |
| 06/22/2017 | JAC | Follow up on agreement and prepare checklist - monitoring process.  | 1.10  |           |
| 06/30/2017 | JAC | Review exhibits and completed contract; review for next step in process.  | 0.80  |           |
|            |     | FOR CURRENT SERVICES RENDERED   | 70.30 | 13,708.50 |

## RECAPITULATION

| TIMEKEEPER      | HOURS | HOURLY RATE | TOTAL      |
|-----------------|-------|-------------|------------|
| JAMES A. CHEROF | 41.90 | \$195.00    | \$8,170.50 |
| DAVID N. TOLCES | 28.40 | 195.00      | 5,538.00   |

|                                |                    |
|--------------------------------|--------------------|
| Color photocopies              | 0.35               |
| Photocopies                    | 78.40              |
| TOTAL EXPENSES THRU 06/30/2017 | 78.75              |
| TOTAL CURRENT WORK             | 13,787.25          |
| BALANCE DUE                    | <u>\$13,787.25</u> |

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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

ACCOUNT NO:  
STATEMENT NO:

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07/03/2017  
306-9905264  
15845

Attn: Lynn Swanson

adv. Deutsche Bank National Trust Company vs.  
Ocwen Loan Servicing (GMAC Mortgage)

|                    |     |   | HOURS              |                 |
|--------------------|-----|---|--------------------|-----------------|
| 06/21/2017         | FLN | Reviewed file documents; sent email to Mark Woods re: status of lien against GMAC; reviewed email from Lynn Swanson re: city's practice to record liens against mortgagees when properties are in default; started review of relevant research to ensure city's code is enforceable as drafted. | 1.50               |                 |
|                    |     | FOR CURRENT SERVICES RENDERED   | 1.50               | 292.50          |
| RECAPITULATION     |     |   |                    |                 |
| <u>TIMEKEEPER</u>  |     | <u>HOURS</u>  | <u>HOURLY RATE</u> | <u>TOTAL</u>    |
| FARAH L. NERETTE   |     | 1.50  | \$195.00           | \$292.50        |
| TOTAL CURRENT WORK |     |   |                    | 292.50          |
| BALANCE DUE        |     |   |                    | <u>\$292.50</u> |

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

ACCOUNT NO:  
STATEMENT NO:

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07/03/2017  
306-9905265  
15846

Attn: Lynn Swanson

adv. Nationstar Mortgage, LLC (McBride, Cheryl)

|            |                    |   | HOURS              |                |
|------------|--------------------|---|--------------------|----------------|
| 06/14/2017 | FLN                | Reviewed Notice of Hearing on Defendant, Owner's Motion for Enlargement of time, reviewed file documents to confirm status of matter. | 0.30               |                |
| 06/23/2017 | FLN                | Reviewed Certificate of Service of/and Order granting Defendant McBride's Motion for Enlargement of Time.                             | 0.20               |                |
|            |                    | FOR CURRENT SERVICES RENDERED   | 0.50               | 97.50          |
|            |                    | RECAPITULATION  |                    |                |
|            | <u>TIMEKEEPER</u>  | <u>HOURS</u>  | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
|            | FARAH L. NERETTE   | 0.50  | \$195.00           | \$97.50        |
|            | TOTAL CURRENT WORK |   |                    | 97.50          |
|            | BALANCE DUE        |   |                    | <u>\$97.50</u> |

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE



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CITY OF BOYNTON BEACH  
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Boynton Beach FL 33425

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07/03/2017  
ACCOUNT NO: 306-9905269  
STATEMENT NO: 15847

Attn: Lynn Swanson

adv. U.S. Bank National Association (Maxi, Kinson  
& Noncent, Ouze)

|            |                    |   | HOURS              |                |
|------------|--------------------|---|--------------------|----------------|
| 06/05/2017 | FLN                | Reviewed file and answer draft prior to efilng.                   | 0.30               |                |
| 06/19/2017 | FLN                | Reviewed Defendant property owner's Motion for Extension of Time. | 0.20               |                |
|            |                    | FOR CURRENT SERVICES RENDERED                                     | 0.50               | 97.50          |
|            |                    | RECAPITULATION  |                    |                |
|            | <u>TIMEKEEPER</u>  | <u>HOURS</u>  | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
|            | FARAH L. NERETTE   | 0.50  | \$195.00           | \$97.50        |
|            | TOTAL CURRENT WORK |   |                    | 97.50          |
|            | BALANCE DUE        |   |                    | <u>\$97.50</u> |

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Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905270  
STATEMENT NO: 15848

adv. Prime Property of the Palm Beaches, Inc.  
(Peterson, Steven & Pamela)

|            |     |   | HOURS |        |
|------------|-----|---|-------|--------|
| 06/05/2017 | FLN | Reviewed file and answer draft prior to efilng.   | 0.30  |        |
| 06/06/2017 | FLN | Reviewed Plaintiff's Motions for Default against Defendant Owner, City of Riviera Beach and Prime Property; proof of return of service of pleadings at the property.                                      | 0.30  |        |
| 06/14/2017 | FLN | Reviewed Plaintiff's Motion for Clerk's Default against Calethea Barnes; Reviewed City of West Palm Beach's filed Answer.   | 0.30  |        |
| 06/20/2017 | FLN | Reviewed Amended Return of Service on mother of registered agent for Defendant Prime Property; Reviewed Amended Motions for Clerk's Default against Prime Property of the Palm Beaches and Kevin Ballard. | 0.40  |        |
|            |     | FOR CURRENT SERVICES RENDERED   | 1.30  | 253.50 |

|                   | RECAPITULATION |                    |              |
|-------------------|----------------|--------------------|--------------|
| <u>TIMEKEEPER</u> | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u> |
| FARAH L. NERETTE  | 1.30           | \$195.00           | \$253.50     |

TOTAL CURRENT WORK 253.50

BALANCE DUE \$253.50

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

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Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905271  
STATEMENT NO: 15849

adv. U.S. Bank Trust, N.A. (Luoto, Kaija)

|                    |                   |  | HOURS              |                 |
|--------------------|-------------------|--|--------------------|-----------------|
| 06/07/2017         | FLN               | Reviewed summons and complaint; drafted answer and affirmative defenses. | 2.00               |                 |
| 06/19/2017         | FLN               | Reviewed and finalized responsive pleadings before filing.               | 0.40               |                 |
|                    |                   | FOR CURRENT SERVICES RENDERED  | 2.40               | 468.00          |
| RECAPITULATION     |                   |  |                    |                 |
|                    | <u>TIMEKEEPER</u> | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u>    |
|                    | FARAH L. NERETTE  | 2.40   | \$195.00           | \$468.00        |
| TOTAL CURRENT WORK |                   |  |                    | 468.00          |
| BALANCE DUE        |                   |  |                    | <u>\$468.00</u> |

AMOUNTS PREVIOUSLY BILLED NOT INCLUDED ABOVE

Goren, Cherof, Doody & Ezrol, P.A. - June 2017

Risk Cases

|  |                  |
|--|------------------|
| Andrews, Spencer (BBPD Employees)        | 0.00             |
| Kimsey, Erin (MVA)                       | 0.00             |
| Ford, Sharron(Negligence arrest)         | 39.00            |
| Laster, Torami(Slip & Fall)              | 0.00             |
| Mina, German (Slip & Fall)               | 175.50           |
| Gregory, Mola (Slip & Fall)              | 214.50           |
| Oldham, Dana (Fall)                      | 3,783.00         |
| Robinson, Bennie(False Arrest)           | 526.50           |
| Galindez, Dennis(Slip & Fall)            | 16,278.50        |
| Caliskan, Hasan(MVA)                     | 3,625.11         |
| Jenkins, Gail & Leon(Demolition)         | 136.50           |
| Venegas, Jesusa                          | 253.50           |
| Blutcher, Pamela (MVA)                   | 2,343.95         |
| Goldman, Barry(Bike/grate accident)      | 10,872.55        |
| Braswell, Jeffrey(Excessive Force)       | 0.00             |
| Jackson-Evancich, Deborah                | 0.00             |
| Broberg, Leif Complaint(2015)            | 58.50            |
| Dunn, Jonathan(arrest w/o probable)      | 0.00             |
| Wade, George(auto accident)              | 760.50           |
| Caliendo, Giovanni & Emily(Code)         | 360.00           |
| Coupet, Kenson (Parent of child injured) | 2,323.65         |
| Shevlin, Patrick(false arrest)           | 273.00           |
| Ryan, Ronald(whistleblower)              | 1,151.35         |
| Estime, Robens(Police Deadly Force)      | 0.00             |
| Barthelmy, Clorena (Vehicle Accident)    | 39.00            |
| Hill, Ashley(excessive force)            | 39.00            |
| Gonzalez, Maria de Jesus (Police)        | 19.50            |
| Clemens, Jennifer (Personal Injury)      | 4,187.45         |
| Bolt, Barbara Dilger (MVA)               | 253.50           |
| Pickney, Elliott (Excessive force)       | 0.00             |
| Louithelmy, Daphnee                      | 78.00            |
| Hickman, Walteanna                       | 58.50            |
| TOTAL Goren,Cherof Risk Legal Costs      | <u>47,850.56</u> |

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905029  
STATEMENT NO: 15850

adv. Ford, Sharron (negligence arrest)

Billing Category 18-RLO

|                    |                   |  | HOURS              |                |
|--------------------|-------------------|--|--------------------|----------------|
| 06/22/2017         | TAD               | Telephone conference with outside counsel re: settlement issues and trial setting. | 0.20               |                |
|                    |                   | FOR CURRENT SERVICES RENDERED  | 0.20               | 39.00          |
| RECAPITULATION     |                   |  |                    |                |
|                    | <u>TIMEKEEPER</u> | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
|                    | TRACEY A. DECARLO | 0.20   | \$195.00           | \$39.00        |
| TOTAL CURRENT WORK |                   |  |                    | 39.00          |
| BALANCE DUE        |                   |  |                    | <u>\$39.00</u> |

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905062  
STATEMENT NO: 15851

adv. Mina, German (slip & Fall)

Billing Category: 18-RLO  
Claim #001470-000340-GB-01

|                   |     |  | HOURS        |                    |
|-------------------|-----|--|--------------|--------------------|
| 06/09/2017        | TAD | Telephone conference with plaintiff. Confer with city re: offer to settle.   | 0.30         |                    |
| 06/22/2017        | TAD | Receipt and review of notice of change of address, motion for extension of time and notice of compliance from plaintiff. | 0.30         |                    |
| 06/28/2017        | TAD | Receipt of notice of appearance and prepare correspondence to the City re: same.   | 0.30         |                    |
|                   |     | FOR CURRENT SERVICES RENDERED  | 0.90         | 175.50             |
| RECAPITULATION    |     |  |              |                    |
| <u>TIMEKEEPER</u> |     |  | <u>HOURS</u> | <u>HOURLY RATE</u> |
| TRACEY A. DECARLO |     |  | 0.90         | \$195.00           |
|                   |     |  |              | <u>TOTAL</u>       |
|                   |     |  |              | \$175.50           |
|                   |     | TOTAL CURRENT WORK   |              | 175.50             |
|                   |     | BALANCE DUE  |              | <u>\$175.50</u>    |

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100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905066  
STATEMENT NO: 15852

adv. Gregory, Mola (slip & fall)

Billing Category: 18-RLO  
Claim #001470-000341-GB-01

|                    |     |  | HOURS              |              |                 |
|--------------------|-----|--|--------------------|--------------|-----------------|
| 06/05/2017         | TAD | Receipt and review of correspondence from plaintiff re: mediation. Receipt of correspondence from City re: information needed for response to discovery. Confer with Florida Medical re: information required for subpoena response. | 0.30               |              |                 |
| 06/06/2017         | TAD | Receipt and review of correspondence from plaintiff re: witness statement and depositions.   | 0.20               |              |                 |
| 06/16/2017         | TAD | Receipt and review of order setting case management conference.  | 0.10               |              |                 |
| 06/22/2017         | TAD | Telephone conference with plaintiff counsel re: status and mediation. Receipt of correspondence from plaintiff re: witness deposition.   | 0.30               |              |                 |
| 06/30/2017         | TAD | Receipt and review of correspondence re: status from adjuster and prepare update report.   | 0.20               |              |                 |
|                    |     | FOR CURRENT SERVICES RENDERED  | 1.10               |              | 214.50          |
| RECAPITULATION     |     |  |                    |              |                 |
| <u>TIMEKEEPER</u>  |     | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u> |                 |
| TRACEY A. DECARLO  |     | 1.10   | \$195.00           | \$214.50     |                 |
| TOTAL CURRENT WORK |     |  |                    |              | 214.50          |
| BALANCE DUE        |     |  |                    |              | <u>\$214.50</u> |

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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905069  
STATEMENT NO: 15853

adv. Oldham, Dana (fall)

Billing Category 18-RLO  
Claim #001470-000346-GB-01

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/06/2017 | TAD | Receipt and review of correspondence re: issues with plaintiff deposition and prepare response to same.  | 0.20  |
| 06/07/2017 | TAD | Receipt and review of second renote of deposition of plaintiff.  | 0.10  |
| 06/12/2017 | TAD | Attend deposition of plaintiff. Confer with defense counsel re: mediation.   | 5.80  |
| 06/14/2017 | TAD | Prepare pre-mediation report and report on deposition of the plaintiff. Confer with City re: mediation and prepare certificate of mediation appearance.                      | 1.80  |
| 06/15/2017 | TAD | Receipt and review of correspondence from Any Kind counsel re: attendance at mediation. Revise pre-mediation report to include additional medical and liability information. | 1.30  |
| 06/16/2017 | TAD | Review plaintiff medical and damage information and prepare for mediation of matter. Receipt of correspondence re: mediation appearance by Any Kind.                         | 0.80  |
| 06/20/2017 | TAD | Receipt and review of notice of compliance re: mediation of matter.  | 0.10  |
| 06/22/2017 | TAD | Receipt and review correspondence from City and adjuster re: mediation issues.   | 0.20  |
| 06/23/2017 | JAC | Case review / pre-mediation.   | 0.30  |
|            | TAD | Review photographs and claims and prepare for mediation of matter.   | 0.80  |
| 06/27/2017 | TAD | Confer with JAC re: mediation issues. Receipt of correspondence from Any Kind counsel re mediation. Telephone conference with the City re: mediation issues.                 | 0.50  |
| 06/28/2017 | TAD | Attendance at mediation of matter.   | 7.30  |
| 06/30/2017 | TAD | Prepare correspondence to adjuster re: mediation.  | 0.20  |



adv. Oldham, Dana (fall)

|                               |  |              |                    |              |                   |
|-------------------------------|--|--------------|--------------------|--------------|-------------------|
| FOR CURRENT SERVICES RENDERED |  |              |                    | <u>HOURS</u> |                   |
|                               |  |              |                    | 19.40        | 3,783.00          |
| RECAPITULATION                |  |              |                    |              |                   |
| <u>TIMEKEEPER</u>             |  | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |                   |
| JAMES A. CHEROF               |  | 0.30         | \$195.00           | \$58.50      |                   |
| TRACEY A. DECARLO             |  | 19.10        | 195.00             | 3,724.50     |                   |
| TOTAL CURRENT WORK            |  |              |                    |              | 3,783.00          |
| BALANCE DUE                   |  |              |                    |              | <u>\$3,783.00</u> |

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07/03/2017  
ACCOUNT NO: 306-9905073  
STATEMENT NO: 15854

Attn: Lynn Swanson

adv. Robinson, Bennie (false arrest)

Billing Category 18-RLO  
Claim #001470-000336-GB-01

|            |     |   | HOURS |        |
|------------|-----|---|-------|--------|
| 06/08/2017 | TAD | Receipt and review of correspondence from outside counsel re: settlement issues. Review case law re: issues with proposal for settlement.   | 1.20  |        |
| 06/12/2017 | TAD | Receipt and review of correspondence from Harris counsel re: deposition of passenger and witness. Receipt of correspondence from Plaintiff re: mediation.   | 0.20  |        |
| 06/14/2017 | TAD | Receipt and review of correspondence re: mediation and prepare response to same.  | 0.20  |        |
| 06/16/2017 | TAD | Receipt and review of correspondence from plaintiff and outside counsel re: mediation. Receipt of correspondence to mediator re: mediation issues and response from mediator re: same. Telephone conference with City re: mediation.  | 0.30  |        |
| 06/19/2017 | TAD | Receipt and review of correspondence from mediator and prepare response to same. Receipt of correspondence from Harris counsel re: settlement offer. Telephone conference with Harris counsel re: status of discussions re: settlement offer.   | 0.50  |        |
| 06/22/2017 | TAD | Receipt and review of correspondence re: pre-mediation conference and prepare response to same. Receipt of correspondence from mediator and notice of mediation. Prepare correspondence to City re: mediation. Receipt of correspondence from plaintiff re: notice of designation of mediator and notice. | 0.30  |        |
|            |     | FOR CURRENT SERVICES RENDERED   | 2.70  | 526.50 |

| RECAPITULATION    |              |                    |              |
|-------------------|--------------|--------------------|--------------|
| <u>TIMEKEEPER</u> | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
| TRACEY A. DECARLO | 2.70         | \$195.00           | \$526.50     |

CITY OF BOYNTON BEACH

adv. Robinson, Bennie (false arrest)

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07/03/2017  
ACCOUNT NO: 306-9905073  
STATEMENT NO: 15854

|                    |        |
|--------------------|--------|
| TOTAL CURRENT WORK | 526.50 |
|--------------------|--------|

|             |                 |
|-------------|-----------------|
| BALANCE DUE | <u>\$526.50</u> |
|-------------|-----------------|

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Boynton Beach FL 33425

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07/03/2017  
ACCOUNT NO: 306-9905083  
STATEMENT NO: 15855

Attn: Lynn Swanson

adv. Galindez, Dennis (slip & fall)

Billing Category: 18-RLO  
Claim #001470-000330-GB-01

|            |     |   | HOURS |
|------------|-----|---|-------|
| 06/01/2017 | IR  | Conference with TAD regarding trial preparation and latest order of calendar call, filed 5.31.17;   | 0.40  |
|            | TAD | Review plaintiff exhibit and witness list re: trial issues. Receipt of order setting calendar call. Receipt of correspondence from plaintiff re: Williams deposition. Receipt of second correspondence from plaintiff re: additional depositions of City former employees and First Genesis representatives. Receipt of correspondence from City's workers compensation attorney re: lien information. Receipt of request for production to plaintiff.  | 2.90  |
| 06/02/2017 | IR  | Conference with TAD regarding preparation for trial and preparation for remaining depositions, in advance of trial and the discovery cut-off date of June 20, 2017; reviewed Plaintiff's deposition transcript and deposition summary for physician information and prepared email regarding physician deposition in advance of June 20, 2017 deadline; review of prior set notice of deposition of Dr. Sukienik from 2015 and prepared email regarding same; preparation of ticklers to follow up on trial projects and deadlines; | 1.30  |
|            | TAD | Prepare memorandum re: trial issues and prepare pre-mediation report. Review case law re: damage claims for mediation.  | 3.80  |
| 06/05/2017 | TAD | Receipt and review of correspondence from plaintiff re: First Genesis depositions and mediation. Continue preparation of pre-mediation report.  | 2.20  |
| 06/06/2017 | IR  | Review Order Re-Setting Jury Trial and Directing Pretrial and Mediation Procedures, entered by the Court on 2.28.17 and compared deadlines with Plaintiff's 3rd Fact Witness List, [which disclosure deadline date was May 1, 2017].  | 0.70  |
|            | TAD | Revise correspondence to adjuster to include additional information. Review testimony of Brode and Le Blanc and update case law. Prepare motion for partial summary judgment and supporting memorandum of law   | 3.60  |
| 06/07/2017 | IR  | Continued preparation of memoranda to TAD, specifying issues with Plaintiff's late filing of their 3rd set of trial disclosures, as well as Plaintiff's 5th set of interrogatories propounded upon the City of Boynton Beach; extensive review of the City's various responses and objections to Plaintiff's  |       |

adv. Galindez, Dennis (slip &amp; fall)

|            |     |   | HOURS |
|------------|-----|---|-------|
|            |     | numerous sets of discovery requests; review and research Fla.R.Civ.P. 1.340 as preparation of the City's legal citation in its Motion to Strike Plaintiff's discovery; continuation of trial preparation.   | 1.30  |
|            | TAD | Confer with Dr.Sukienk office re: deposition and prepare correspondence to plaintiff and first genesis re:same.   | 0.30  |
| 06/08/2017 | IR  | Continued to prepare memoranda pertaining to trial deadlines and Plaintiffs' continued efforts to file trial disclosures; conference with TAD regarding same; trial exhibit lists reviewed and compared with June 5, 2017 filing and our last trial exhibits list; reviewed and compared Plaintiff's Third Trial Witness List against various discovery and prepared revised memoranda; extensive review of pleadings for additional deposition notices, as well as update of discovery tracking;   | 2.20  |
|            | TAD | Confer with IVR re: trial preparation. Receipt of correspondence re: depositions of City employees and prepare response to same. Prepare subpoena to Dr. Sukienik and notice of deposition for same.  | 0.70  |
| 06/09/2017 | TAD | Prepare certificate of mediation authority. Prepare correspondence to mediator re: mediation. Prepare for mediation of matter. Review prior pre-trial stipulation re: revisions to same. Review additional case law re: motion for partial summary judgment and revise same to include additional arguments.  | 3.60  |
| 06/12/2017 | IR  | Continuation of trial preparation, organized trial exhibits, and retrieved deposition transcripts and exhibits thereto in order of the City's disclosure of same to the Court.  | 2.70  |
| 06/13/2017 | IR  | Preparation of trial witness file folders for numerous city and others; organized deposition transcripts, deposition exhibits, deposition summaries and notices of filing deposition transcripts with the court [extensive]; reviewed deadlines from trial order and update of same.  | 6.20  |
| 06/14/2017 | IR  | Preparation for trial, prepared trial files for each of Plaintiffs' trial witnesses, prepared deposition summary on Paula Le Blanc continuation deposition of May 22, 2017; update of trial witness tracking log, which includes City of Boynton Beach's trial witnesses and Plaintiff's witnesses with document that specifically relate to each witness.  | 4.80  |
|            | TAD | Receipt and review of request for production to First Genesis and receipt of Motion to Shorten Time.  | 0.30  |
| 06/15/2017 | IR  | Continuation of trial preparation, focusing on specifically disclosed trial witnesses listed by Plaintiffs and by the City [from 2015, 2016 and from Plaintiffs' most recently filed 2017 trial disclosures] and created remainder of files of same, for use at trial; research and retrieval of accompanying relevant documents pertaining to each listed trial witness; continued to prepare deposition summary on Paula Le Blanc from her May 22, 2017 testimony; retrieved and organized deposition transcripts with exhibits from witness depositions, 2015 through current; | 3.70  |
|            | TAD | Confer with the City re: mediation.   | 0.20  |
| 06/16/2017 | IR  | Continuation of trial preparation, focusing on specifically disclosed trial witnesses listed by Plaintiffs and by the City [from 2015, 2016 and from  |       |

adv. Galindez, Dennis (slip &amp; fall)

|            |     |   | HOURS |
|------------|-----|---|-------|
|            |     | Plaintiffs' most recently filed 2017 trial disclosures] and created remainder of files of same, for use at trial; research and retrieval of accompanying relevant documents pertaining to each listed trial witness; continued deposition summary on Paula Le Blanc from her May 22, 2017 testimony; retrieved and organized deposition transcripts with exhibits from witness depositions, 2015 through current;   | 3.30  |
|            | TAD | Revise motion for partial summary judgment. Prepare report to mediator re: claims and defenses and issues for mediation. Receipt of correspondence from plaintiff and First Genesis re: depositions and prepare response to same. Receipt of correspondence from mediator re: mediation issues. Receipt of First Genesis Motion for Summary Judgment and exhibits to same.  | 2.80  |
| 06/19/2017 | IR  | Receipt and review Plaintiffs' Motion for Final Summary Judgment as to Duty and/or in the Alternate Proximate Causation, filed with the court late Friday June 16, 2017; continued review and summary of Paula Le Blanc, former City of Boynton Beach Facilities Management Supervisor, from 8.19.15 continued deposition; researched Anthony Williams name with First Genesis and cross-referenced with recent discovery in this matter and recently revised trial disclosures [Plaintiffs' new trial witness 6.5.17 Amended Trial Witness List Disclosure]; ran entity search of First Genesis Lawn Service with State of FL, Division of Corporations for officer / director information.            | 5.10  |
|            | TAD | Attend mediation of matter. Receipt of mediation report and correspondence from mediator re: same.  | 6.30  |
| 06/20/2017 | IR  | Continued trial preparation, continued review and organization of of trial exhibits, which including numerous deposition transcripts with respective exhibits, relevant to each parties' listed trial disclosures; continuation of deposition summaries of May 2017 depositions [continuation depositions and new depositions taken, in preparation for trial and witness files].   | 4.80  |
| 06/21/2017 | IR  | Continued, reviewed / revised and finalized deposition summaries, for use at trial, scheduled for July 10, 2017; online review Judge Barkdull's trial calendar for July special set trials; reviewed trial exhibit of contract between City of Boynton Beach and First Genesis Lawn Service regarding their custodial services provided to the City entered on September 20, 2012 for two years [Bid No: 063-2511-10/JMA]; review of Anthony Williams searches [following Plaintiff's requests for information]; additional trial preparation; reviewed Dr. Sukienik deposition file folder and prepared notes for TAD, to utilize at his June 22, 2017 deposition; conference with TAD regarding same. | 5.70  |
|            | TAD | Receipt and review of correspondence from plaintiff re: depositions of Turner and First Genesis employee. Prepare response to same. Confer with city re: settlement issues.   | 0.60  |
| 06/22/2017 | TAD | Attend deposition of Dr. Sukienk (not reached due to scheduling issues). Prepare correspondence to counsel re: reset of deposition of plaintiffs physician.   | 2.40  |
| 06/23/2017 | TAD | Review information on Murray and Turner and prepare for depositions of same. Review contract documents re: depositions.   | 2.30  |

adv. Galindez, Dennis (slip &amp; fall)

|            |     |   | HOURS  |           |
|------------|-----|---|--------|-----------|
| 06/26/2017 | TAD | Begin preparation of proposed jury instructions for trial. Reveiw case law re: negligence issues for jury instructions.   | 2.40   |           |
| 06/27/2017 | IR  | Conferences with TAD regarding Calendar Call, set for June 30, 2017 and preparation for same; continuation of index to and documents for trial binder; extensive reviews of pleadings and court docket to ascertain most recent filings of all parties; extensive reviewing of operative pleadings for use in organizing trial binders.   | 4.40   |           |
| 06/28/2017 | IR  | Finalized trial notebook, for use at calendar call scheduled before Judge Barkdull Friday June 30, 2017 ay 9:00 a.m., index to same, with cover sheet; revised our internal Trial Order Outline noting revised dates per trial order and Order Setting Calendar Call, entered on May 31, 2017; reviewed and confirmed trial disclosures, and other trial preparation with hard copies of discovery responses and documents received from all parties; extensive review with notations of operative pleadings [through second amended complaint by Plaintiff and two defendants' answers, affirmative defenses and amendments to answers], | 5.90   |           |
|            | TAD | Telephone conference with Plaintiff counsel re: status and trial issues. Prepare re-notice of deposition duces tecum for plaintiff's doctor.  | 0.60   |           |
| 06/29/2017 | IR  | Continued trial preparation with continued organization of all parties' trial exhibits and preparation of additional trial notebooks for use the Court and client;  | 5.70   |           |
|            | TAD | Review case law re: jury instructions and pre-trial motions. Continue preparation of jury instructions and verdict form for trial. Review witness and exhibit information re: trial preparation.  | 4.20   |           |
| 06/30/2017 | IR  | Prepared several emails to videographers provide us with the Mack McClendon deposition of 10.17.16; continued to prepare for trial, retrieved numerous trial exhibits and followed listing of the lists and amended lists filed with the court, from 2015 through current 2017; telephone conferences with several videographers regarding deposition video, in advance of trial;   | 3.70   |           |
|            | TAD | Attend calendar call.   | 4.60   |           |
|            |     | FOR CURRENT SERVICES RENDERED   | 105.70 | 16,278.50 |

## RECAPITULATION

| <u>TIMEKEEPER</u> | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
|-------------------|--------------|--------------------|--------------|
| INGRID RIERA      | 61.90        | \$125.00           | \$7,737.50   |
| TRACEY A. DECARLO | 43.80        | 195.00             | 8,541.00     |

|                                |           |
|--------------------------------|-----------|
| Photocopies                    | 626.50    |
| TOTAL EXPENSES THRU 06/30/2017 | 626.50    |
| TOTAL CURRENT WORK             | 16,905.00 |

CITY OF BOYNTON BEACH

adv. Galindez, Dennis (slip & fall)

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ACCOUNT NO: 306-9905083  
STATEMENT NO: 15855

BALANCE DUE

\$16,905.00



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07/03/2017  
ACCOUNT NO: 306-9905092  
STATEMENT NO: 15856

Attn: Lynn Swanson

adv. Caliskan, Hasan (MVA)

Billing Category: 18-RLO  
Claim #001470-000354-AB-02

|            |     |   | HOURS |
|------------|-----|---|-------|
| 06/01/2017 | IR  | Continuation of retrieval of legal research, in preparation for the City's Opposition to the Plaintiff's Motion to Strike special set hearing of June 13, 2017;   | 2.80  |
|            | TAD | Receipt and review of correspondence from investigator re: deposition issues.   | 0.20  |
| 06/02/2017 | IR  | Finalized package for the court, with enclosed legal research and preparatoin for June 13, 2017 hearing on Plaintiff's Motion to Strike our Affirmative Defense and our Response in Opposition to Plaintiff's Motion to Strike; email to court reporters, requesting status of deposition transcripts from Plaintiffs' June 2016 depositions; revised ticklers for receipt of deposition transcripts, originally ordered 5.15.17. | 1.90  |
|            | TAD | Telephone conference with City re: CME of Caliskan. Prepare correspondence to expert re: CME.   | 0.20  |
| 06/05/2017 | IR  | Receipt and quick review of contents of two deposition transcripts from the City's court reporter, from over the weekend; draft email and correspondence to Dr. Zeide enclosing both deposition transcripts, with accompanying color exhibits from both Plaintiffs' depositions of June 15, 2016; received responsive email from Dr. Zeide's administrative assistant and pdf of all documents received.                          | 1.20  |
| 06/06/2017 | TAD | Prepare correspondence to expert re: CME issues and medical claims.   | 0.20  |
| 06/07/2017 | TAD | Meet with investigator re: deposition issues and report in preparation for deposition.  | 0.90  |
| 06/08/2017 | IR  | Conference with TAD regarding our private investigator's deposition next Tuesday and other scheduled events for June 13, 2017, including the Plaintiff's CME with Dr. Zeide [confirmed Dr. Zeide received two packages from our office, to ensure he is prepared for next week's CME].  | 0.30  |
|            | TAD | Review plaintiffs motion to strike city's affirmative defenses and case law and prepare for hearing on same. Prepare for deposition of Obradavich.  | 1.30  |

adv. Caliskan, Hasan (MVA)

|            |     |  | HOURS |          |
|------------|-----|--|-------|----------|
| 06/09/2017 | TAD | Receipt and review of plaintiffs motion to strike witness fee and prepare correspondence re: same.   | 0.30  |          |
| 06/13/2017 | IR  | Receipt, review and exchanged emails with Dr. Zeide's administrative assistant regarding supplemental records; reviewed file for said information and responded to Dr. Zeide's office regarding same   | 0.60  |          |
|            | TAD | Attend hearing on motion to strike witness fees. Attend hearing on motion to strike City's Affirmative Defenses (not reached due to Courts calendar issues). Confer with Plaintiff re: settlement issues. Prepare correspondence to plaintiff counsel re: release. Attend deposition of Obravich.  | 7.80  |          |
| 06/16/2017 | IR  | Reviewed tickler regarding status of Defendant's Notice of Production of Non-Party subpoenas that were addressed to seven [7] entities, for records due to the City of Boynton Beach on June 22, 2017; reviewed return of service on 7 medical subpoenas, to ensure legal service had been effectuated; prepared second tickler to confirm records must be received no later than June 23, 2017, to be compliance with the City's subpoenas. | 0.80  |          |
|            | TAD | Receipt and review of response to subpoena re: plaintiff medical care. Prepare correspondence to expert re: CME.   | 0.30  |          |
| 06/19/2017 | TAD | Receipt and review of plaintiff's motion in limine re: City's defense.   | 0.30  |          |
| 06/22/2017 | TAD | Receipt and review of correspondence re: Chiro Med response to subpoena. Receipt of correspondence from JFk re: response to subpoena. Receipt of correspondence from process server re: issues with service.   | 0.30  |          |
| 06/27/2017 | TAD | Prepare notice of filing returns of service on plaintiff providers.  | 0.10  |          |
| 06/30/2017 | TAD | Receipt and review of release document. Receipt of correspondence from plaintiff re: same. Prepare correspondence to the City re: settlement. Receipt of correspondence from adjuster re: same.  | 0.60  |          |
|            |     | FOR CURRENT SERVICES RENDERED  | 20.10 | 3,387.50 |

## RECAPITULATION

| <u>TIMEKEEPER</u> | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
|-------------------|--------------|--------------------|--------------|
| INGRID RIERA      | 7.60         | \$125.00           | \$950.00     |
| TRACEY A. DECARLO | 12.50        | 195.00             | 2,437.50     |

|                                |        |
|--------------------------------|--------|
| Photocopies                    | 173.60 |
| TOTAL EXPENSES THRU 06/30/2017 | 173.60 |

|            |                              |       |
|------------|------------------------------|-------|
| 05/15/2017 | ASAP Courier - Invoice 16485 | 35.59 |
|            |                              | 35.59 |

|            |               |       |
|------------|---------------|-------|
| 06/13/2017 | Parking - TAD | 12.00 |
|------------|---------------|-------|

adv. Caliskan, Hasan (MVA)

|            |                                       |                          |
|------------|---------------------------------------|--------------------------|
|            | Parking -                             | <u>12.00</u>             |
| 06/27/2017 | MD now Medical Centers - Invoice 7078 | <u>16.42</u>             |
|            |                                       | 16.42                    |
|            | TOTAL ADVANCES THRU 06/30/2017        | <u>64.01</u>             |
|            | TOTAL CURRENT WORK                    | 3,625.11                 |
|            | BALANCE DUE                           | <u><u>\$3,625.11</u></u> |

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100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905093  
STATEMENT NO: 15857

adv. Jenkins, Gail and Leon (Demolition)

Billing Code: 18-RLO  
Claim #001470-000382-GD-01

|                |                   |   | HOURS        |                    |
|----------------|-------------------|---|--------------|--------------------|
| 06/16/2017     | TAD               | Receipt and review of order setting case management conference. | 0.10         |                    |
| 06/27/2017     | JAC               | Check - renew case status.                                      | 0.60         |                    |
|                |                   | FOR CURRENT SERVICES RENDERED                                   | 0.70         | 136.50             |
| RECAPITULATION |                   |   |              |                    |
|                | <u>TIMEKEEPER</u> |   | <u>HOURS</u> | <u>HOURLY RATE</u> |
|                | JAMES A. CHEROF   |   | 0.60         | \$195.00           |
|                | TRACEY A. DECARLO |   | 0.10         | 195.00             |
|                |                   |   |              | <u>TOTAL</u>       |
|                |                   |   |              | \$117.00           |
|                |                   |   |              | 19.50              |
|                |                   | TOTAL CURRENT WORK  |              | 136.50             |
|                |                   | BALANCE DUE   |              | <u>\$136.50</u>    |

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905098  
STATEMENT NO: 15858

adv. Venegas, Jesusa

Billing Category 18-RLO  
Claim #001470-000367-AB-01

|                |                   |   | HOURS        |                    |
|----------------|-------------------|---|--------------|--------------------|
| 06/12/2017     | TAD               | Receipt and review of correspondence from adjuster and City re: demand package. Review demand package including medical and damage information. | 1.30         |                    |
|                |                   | FOR CURRENT SERVICES RENDERED   | 1.30         | 253.50             |
| RECAPITULATION |                   |   |              |                    |
|                | <u>TIMEKEEPER</u> |   | <u>HOURS</u> | <u>HOURLY RATE</u> |
|                | TRACEY A. DECARLO |   | 1.30         | \$195.00           |
|                |                   |   |              | <u>TOTAL</u>       |
|                |                   |   |              | \$253.50           |
|                |                   | TOTAL CURRENT WORK  |              | 253.50             |
|                |                   | BALANCE DUE   |              | <u>\$253.50</u>    |

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07/03/2017  
ACCOUNT NO: 306-9905102  
STATEMENT NO: 15859

Attn: Lynn Swanson

adv. Blutcher, Pamela (MVA)

Billing Category - 18RLO  
Claim #001470-000369-AB-01

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/02/2017 | IR  | Conference with TAD regarding discovery and projects pertaining to same; extensive review of Plaintiff's discovery notes from review of Plaintiff's discovery, initial preparation of numerous Notices of Production from Non-Party[ies], subpoenas duce tecum and HIPPA compliance to accompany respective subpoenas; performed online searches to locate Plaintiff's missing information from her discovery responses and update of tracking logs that pertain to same.  | 2.10  |
| 06/05/2017 | IR  | Continued to research and investigate information relevant to the City's preparation of approximately 26 subpoenas duces tecum, with accompanying Notice of Production from Non-Parties; continuation of update to the tracking log relevant to the 26 subpoenas, to accomplish service of process on 26 medical and other providers of Plaintiff and the City's Notice of Production of Non-Parties.  | 6.20  |
| 06/06/2017 | IR  | Finalized draft of 27 subpoenas duces tecum to Plaintiff's various medical and other providers; revised Notice of Production to Non-Parties listing said 27 entities, and medical providers; received directives to prepare motion to compel and for contempt, including sanctions requested by the court, against the Plaintiff for failure to comply with the court's agreed order to timely provide discovery; several revisions to the 27 non-party subpoenas duces tecum, including 26 HIPAA statements; online searches [final information needed] for substantive service of process information, relevant to said subpoenas who treated Pamela Blutcher over the years; conferences with TAD regarding same. | 5.30  |
| 06/07/2017 | IR  | Finalized discovery review, which included revisions made to 27 sets of subpoenas;   | 2.10  |
| 06/08/2017 | TAD | Receipt of plaintiffs request for records.   | 0.10  |
| 06/09/2017 | IR  | Preparation of the City's Renewed Motion to Compel Discovery, requesting Sanctions including attorneys' fees and costs against the Plaintiff; prepared four sets of exhibits to the City's Renewed Motion; review pleadings to   |       |

adv. Blutcher, Pamela (MVA)

|            |    |  | HOURS |          |
|------------|----|--|-------|----------|
|            |    | confirm dates of discovery requests and responses received, cross-referenced with discovery timeline regarding discovery; prepared ticklers for hearing date; went through the City's Notice of Production from Non-Party with 27 corresponding subpoenas, with HIPAA attachments thereto.         | 1.80  |          |
| 06/12/2017 | IR | Reviewed Plaintiff's Request for Copies of City of Boynton Beach's Notice of Production from Non-Party with 27 subpoenas and preparation of tickler to follow-up regarding same; initial preparation to update records custodian tracking log regarding subpoenas responses from various entities. | 0.40  |          |
| 06/22/2017 | IR | Online review of court docket regarding status of discovery and subpoenas duces tecum [Plaintiff waived objections, by seeking copies of documents received]; prepared ticklers regarding follow up to same for June 30, 2017.   | 0.20  |          |
|            |    | FOR CURRENT SERVICES RENDERED  | 18.20 | 2,282.00 |

## RECAPITULATION

| <u>TIMEKEEPER</u> | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
|-------------------|--------------|--------------------|--------------|
| INGRID RIERA      | 18.10        | \$125.00           | \$2,262.50   |
| TRACEY A. DECARLO | 0.10         | 195.00             | 19.50        |

|                                |                   |
|--------------------------------|-------------------|
| Photocopies                    | 61.95             |
| TOTAL EXPENSES THRU 06/30/2017 | 61.95             |
| TOTAL CURRENT WORK             | 2,343.95          |
| BALANCE DUE                    | <u>\$2,343.95</u> |

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Boynton Beach FL 33425

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07/03/2017  
ACCOUNT NO: 306-9905111  
STATEMENT NO: 15860

Attn: Lynn Swanson

adv. Goldman, Barry (bike/grate accident)

Billing Category: 18-RLO  
Claim #001470-000373-GB-01

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/01/2017 | IR  | Reviewed file for photographs to be utilized at trial; conference with TAD regarding trial preparation and trial exhibits; telephone conferences and emails to and from Trial Graphix regarding additional demonstrative evidence in preparation for trial; conference with TAD regarding trial witnesses and exhibits to depositions and conferences regarding Plaintiff's use of an expert, directives from TAD pertaining to additional trial preparation projects. | 1.80  |
|            | TAD | Receipt and review order on motion in limine. Receipt of order regarding trial subpoenas.  | 0.20  |
| 06/02/2017 | IR  | Receipt and review of trial exhibit from Trial Graphix and prepared email regarding same; compared trial exhibits, in preparation for trial commencing June 26, 2017; review   | 0.70  |
| 06/06/2017 | IR  | Receipt and review of email from TAD regarding trial exhibits and conference with TAD regarding same; reviewed deposition exhibits and photographs for use at trial and to contact Trial Graphix.  | 0.40  |
| 06/07/2017 | IR  | Continuation of deposition summary of Colin Groff, P.E. in preparation for trial;  | 2.40  |
|            | TAD | Confer with City witness re: information on status and trial preparation. Telephone conference with police department and City re: information on Prince for subpoena. Prepare subpoena for trial. Review proposed revisions to trial exhibits and confer with IVR re: status of trial preparation.  | 1.30  |
| 06/08/2017 | IR  | Reviewed notes contained in trial exhibits and prepared for meeting with Trial Graphix set for June 9, 2017.   | 0.60  |
| 06/09/2017 | IR  | Online reviews for other litigation set for Judge Rowe's calendar for the period commencing June 26, 2017 trial line up for period commencing June 26, 2017 ; telephone conferences with several attorneys and paralegal regarding the status of their respective files for trial; prepared tickler to follow up again next Friday; conferences with TAD for updates of same; preparation of emails to and from Trial Graphix regarding conference set for             |       |



adv. Goldman, Barry (bike/grate accident)

|            |     |   | HOURS |
|------------|-----|---|-------|
|            |     | today, trial exhibits; other trial preparation. Continuation of deposition summary of Andrew Magidson, Plaintiff's supplemental trial witness deposition on 5.2.17.   | 3.40  |
|            | TAD | Review trial documents and revise opening and vior dire re:additional testimony and evidence since last setting. Review and edit direct of witness re: pre trial preparation meeting.   | 3.80  |
| 06/12/2017 | IR  | Prepared for and attendance at Trial Graphix conference call regarding trial exhibits; receipt and reviewed revised boards for use at June 26, 2017 trial; reviewed CDs from Plaintiff's counsel of x-rays taken various dates, compared against Plaintiff's trial exhibits disclosures [3 separately dated exhibits disclosures filed with the court]; prepared status email to TAD regarding same and noted in Plaintiff's trial exhibit file folders for use at trial. | 1.60  |
|            | TAD | Receipt and review of correspondence from plaintiff re: objections and prepare response to same. Receipt of correspondence from court reporter re: Florek deposition.   | 0.30  |
| 06/14/2017 | SCW | Prepare medical information/cross for trial. Meeting with Tracey DeCarlo retrial issues.  | 2.00  |
|            | TAD | Receipt and review of correspondence from process server re: service on Prince. Prepare correspondence re: same. Review exhibits re: witnesses and continue preparation of exhibits for each witness for trial.   | 2.20  |
| 06/15/2017 | SCW | Research case kaw re: physician testimony for trial. Meeting with Tracey DeCarlo regarding trial.   | 2.90  |
|            | IR  | Conference with TAD regarding trial preparation and projects, which include trial exhibits and trial witness files; reviewed file for Father Florek deposition transcript [errata sheet sent to him 6.8.17]; prepared ticklers to follow up on items to be completed prior to the week of trial, June 26, 2017; reviewed and updated trial witness folders.   | 1.40  |
|            | TAD | Review testimony of Groff and revise direct examination for trial and meeting. Confer with SBW re: medical issues and medical witness cross examination. Prepare additional arguments for opening and closing based upon recent depositions. Review medical claims and revise cross examination of orthopedic doctor for trial. Confer with judicial assistant re: status of trial setting.   | 6.30  |
| 06/16/2017 | IR  | Receipt and review of email regarding Judge Rowe's trial line up for the trial period commencing June 26, 2017 through July 24, 2017 [City is #4 in the listed line-up for trial, but is not the oldest case of the 4]; receipt, review and responded to Trial Graphix email pertaining to updating exhibits for use at trial; prepared tickler to follow up again by June 21, 2017;  | 0.80  |
|            | TAD | Review plaintiff's expert deposition and objections. Review case law from plaintiff and perform legal research re: issues with testimony in preparation for meeting re: edit of trial testimony. Revise vior dire re: recent issues with City and witnesses.  | 4.10  |
| 06/19/2017 | IR  | Review directions from clerk and created document folders required for use at trial [from trial witness file folders and from trial exhibits].  | 1.30  |
|            | TAD | Receipt and review of case law re: expert testimony and damage claims re: meeting with Plaintiff re: trial testimony edits and for trial.   | 1.30  |

adv. Goldman, Barry (bike/grate accident)

|                               |     |  | HOURS |           |
|-------------------------------|-----|--|-------|-----------|
| 06/20/2017                    | IR  | Online searches of Judge Rowe's June 26, 2017 trial docket and telephone conferences with all counsel set for trial with this matter; prepared email status memoranda regarding same; updated trial witness tracking log; conferences with TAD regarding trial preparation.  | 1.40  |           |
|                               | TAD | Review all treatment records for Dr. Selzer and Dr. Hyan and prepare cross examination and exhibits for trial. Attend telephone conference with Plaintiff re: objections and editing of video deposition. Review additional records re: Dr. Simon treatment for trial and prepare revisions to cross and exhibits for trial. Prepare order of proof for trial exhibits.  | 4.80  |           |
| 06/21/2017                    | JAC | Review and pre-trial matters.  | 0.60  |           |
|                               | TAD | Confer with responding officer re: trial setting and testimony. Review deposition of before and after witness and prepare cross for trial. Prepare correspondence to witnesses and city re: trial setting.   | 2.30  |           |
| 06/22/2017                    | IR  | Continuation of trial preparation, online searches of Judge Rowe's trial calendar and conferences with TAD regarding same; emails to and from Trial Graphix regarding additional trial boards for June 26, 2017; conferences regarding Father Florek's deposition transcript, for use at trial [and summaries]; cross-referenced trial witness testimony with trial exhibits and prepared chart of same for attorneys at trial; telephone conferences with trial attorneys / paralegals regarding status of their trials, on Judge Rowe's docket the week of June 19 through June 23, 2017 [if called for trial, as judicial assistant noted on judge's trial calendar]; | 4.70  |           |
|                               | TAD | Attend meeting with Assistant City Manager to review trial testimony. Prepare correspondence to police liaison re: trial subpoena and receipt of correspondence re same. Revise direct of Groff for trial. Review case law re: damage claims for trial.  | 4.80  |           |
| 06/23/2017                    | IR  | Continuation of trial preparation, updating witness files; prepared emails regarding deposition transcripts and Trial Graphix, for trial preparation [uncertain trial status throughout the day]; telephone conferences with other cases on court's docket for trial, commencing the week of June 26, 2017 [had not yet heard from judicial assistant as of 4:00p.m. June 23, 2017]; prepared status memoranda to team; reviewed trial exhibits and updated list of trial witnesses, to cross-reference each other, so as to enter identified trial exhibits into the trial record.  | 6.20  |           |
| 06/27/2017                    | IR  | Receipt and review of Order Re-Setting Case for Jury Trial entered by the Court 6.26.17, with new calendar call date of October 6, 2017 at 9:00 a.m.; removed case from trial docket this week [as forth case on judge's online trial docket list]; re-scheduled new dates for Trial Graphix and other deadlines to prepare for next set of trial on the court's mid-Fall 2017 docket with new dates.  | 1.40  |           |
| 06/29/2017                    | TAD | Receipt and review of order resetting case for trial. Prepare correspondence to adjuster re: same.   | 0.30  |           |
| FOR CURRENT SERVICES RENDERED |     |  | 65.30 | 10,766.50 |

adv. Goldman, Barry (bike/grate accident)

|                   | RECAPITULATION |                    |              |
|-------------------|----------------|--------------------|--------------|
| <u>TIMEKEEPER</u> | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u> |
| JAMES A. CHEROF   | 0.60           | \$195.00           | \$117.00     |
| INGRID RIERA      | 28.10          | 125.00             | 3,512.50     |
| TRACEY A. DECARLO | 31.70          | 195.00             | 6,181.50     |
| SHARI C. WALLEN   | 4.90           | 195.00             | 955.50       |

|                                |                        |
|--------------------------------|------------------------|
| Photocopies                    | 106.05                 |
| TOTAL EXPENSES THRU 06/30/2017 | 106.05                 |
| <br>TOTAL CURRENT WORK         | <br>10,872.55          |
| <br>BALANCE DUE                | <br><u>\$10,872.55</u> |

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Boynton Beach FL 33425

Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905124  
STATEMENT NO: 15861

Broberg, Leif Complaint (2015)

Billing Category: 18-RLO  
Claim #001470-000390-EP-01

|                    |                   |  | HOURS              |                |
|--------------------|-------------------|--|--------------------|----------------|
| 06/22/2017         | TAD               | Receipt and review of correspondence from outside counsel re: motion to strike. Review motion to strike and prepare correspondence re: same. | 0.30               |                |
|                    |                   | FOR CURRENT SERVICES RENDERED  | 0.30               | 58.50          |
| RECAPITULATION     |                   |  |                    |                |
|                    | <u>TIMEKEEPER</u> | <u>HOURS</u>   | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
|                    | TRACEY A. DECARLO | 0.30   | \$195.00           | \$58.50        |
| TOTAL CURRENT WORK |                   |  |                    | 58.50          |
| BALANCE DUE        |                   |  |                    | <u>\$58.50</u> |

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905132  
STATEMENT NO: 15862

adv. Wade, George (auto accident)

Billing Category: 18-RLO  
Claim #001470-000380-AB-01

|                               |     |   | HOURS        |                    |                 |
|-------------------------------|-----|---|--------------|--------------------|-----------------|
| 06/08/2017                    | TAD | Receipt and review of correspondence and report from Dr. Zeide re: additional records for plaintiff.  | 0.30         |                    |                 |
| 06/29/2017                    | TAD | Receipt of correspondence from adjuster re: status. Prepare litigation status report. Review case law and reported verdicts re: information for report. Prepare revised budget for claim. | 3.60         |                    |                 |
| FOR CURRENT SERVICES RENDERED |     |   | 3.90         |                    | 760.50          |
| RECAPITULATION                |     |   |              |                    |                 |
| <u>TIMEKEEPER</u>             |     |   | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u>    |
| TRACEY A. DECARLO             |     |   | 3.90         | \$195.00           | \$760.50        |
| TOTAL CURRENT WORK            |     |   |              |                    | 760.50          |
| BALANCE DUE                   |     |   |              |                    | <u>\$760.50</u> |

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Page: 1  
07/03/2017  
ACCOUNT NO: 306-9905171  
STATEMENT NO: 15863

Attn: Lynn Swanson

adv. Caliendo, Giovanni & Emily (code violation)

Billing Category: 18-RLO  
Claim #001470-000400-PI-01

|                               |     |  | HOURS |  |        |
|-------------------------------|-----|--|-------|--|--------|
| 06/16/2017                    | IR  | Reviewed tickler this date, regarding City's responses and/or objections to Plaintiff from their Interrogatories and Request for Production due 6.16.17; prepared email regarding City of Boynton Beach's responses and objections to Plaintiffs' discovery requests; re-review discovery propounded to City [4 interrogatories and 37 requests for production]; initial draft of email to opposing counsel requesting extension of time within which to file responses / objections; revised tickler for Tuesday 6.20.17. | 1.10  |  |        |
| 06/22/2017                    | IR  | Online court docket searches to check if Plaintiffs filed their discovery responses by the agreed upon extension date [negative]; draft email to opposing counsel regarding the City of Boynton Beach's request for extension of time within which to file its Answers and/or Objections to interrogatories and its Responses and/or Objections to Plaintiffs' Request for Production; prepared email to our Team regarding same;  | 0.40  |  |        |
|                               | TAD | Receipt and review of correspondence from plaintiff re: mediation and depositions and prepare response to same.  | 0.30  |  |        |
| 06/23/2017                    | IR  | Preparation of ticklers, to provide Plaintiffs with the City's answers to interrogatories and responses to request for production, now due on July 24, 2017.   | 0.20  |  |        |
| 06/27/2017                    | IR  | Review discovery responses draft to Plaintiff and prepared email regarding same;   | 0.40  |  |        |
| 06/30/2017                    | TAD | Receipt and review of correspondence re:depositions and mediation and prepare response to same.  | 0.20  |  |        |
| FOR CURRENT SERVICES RENDERED |     |  | 2.60  |  | 360.00 |

|                   |  | RECAPITULATION |             |          |
|-------------------|--|----------------|-------------|----------|
| TIMEKEEPER        |  | HOURS          | HOURLY RATE | TOTAL    |
| INGRID RIERA      |  | 2.10           | \$125.00    | \$262.50 |
| TRACEY A. DECARLO |  | 0.50           | 195.00      | 97.50    |

CITY OF BOYNTON BEACH

adv. Caliendo, Giovanni & Emily (code violation)

Page: 2  
07/03/2017  
ACCOUNT NO: 306-9905171  
STATEMENT NO: 15863

|                    |        |
|--------------------|--------|
| TOTAL CURRENT WORK | 360.00 |
|--------------------|--------|

|             |                 |
|-------------|-----------------|
| BALANCE DUE | <u>\$360.00</u> |
|-------------|-----------------|

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905186  
STATEMENT NO: 15864

adv. Shevlin, Patrick (false arrest)

Billing Category: 18-RLO  
Claim #001470-000395-PP-01

|                               |     |  | HOURS        |                    |                 |
|-------------------------------|-----|--|--------------|--------------------|-----------------|
| 06/02/2017                    | TAD | Extended telephone conference with plaintiff re: potential settlement.                     | 0.30         |                    |                 |
| 06/27/2017                    | TAD | Extended telephone conference with the Plaintiff re: settlement.                           | 0.30         |                    |                 |
| 06/28/2017                    | TAD | Review claims from plaintiff re: information for status report and recommendation to city. | 0.80         |                    |                 |
| FOR CURRENT SERVICES RENDERED |     |  | 1.40         |                    | 273.00          |
| RECAPITULATION                |     |  |              |                    |                 |
| <u>TIMEKEEPER</u>             |     |  | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u>    |
| TRACEY A. DECARLO             |     |  | 1.40         | \$195.00           | \$273.00        |
| TOTAL CURRENT WORK            |     |  |              |                    | 273.00          |
| BALANCE DUE                   |     |  |              |                    | <u>\$273.00</u> |



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07/03/2017  
ACCOUNT NO: 306-9905213  
STATEMENT NO: 15865

Attn: Lynn Swanson

adv. Coupet, Kenson (parent of child injured)

Billing Category: 18 - RLO  
Claim #001470-000405-GB-01

|                               |     |   | HOURS |          |
|-------------------------------|-----|---|-------|----------|
| 06/01/2017                    | TAD | Telephone conference with Layne adjuster re: complaint. Review case law re:: non-delegable duty. Review contract documents re: indemnification issues . Draft motion to dismiss with supporting case law for claims against City. Receipt of claim package with medical expenses, claim letter and photographs. Prepare correspondence to City re: police and fire reports. | 4.50  |          |
| 06/02/2017                    | TAD | Extended telephone conference with Layne counsel re: indemnity demand and response to complaint. Review correspondence from City re: construction project.  | 0.40  |          |
| 06/05/2017                    | TAD | Receipt and review of incident report from fire rescue and CAD report. Receipt of correspondence from City re: medical records. Telephone conference with parks manager re: claim. Receipt of construction project management contract re: potential third party claim. Prepare initial interrogatories and request for production to plaintiff.                            | 3.60  |          |
| 06/06/2017                    | TAD | Prepare memorandum re: information from Layne counsel. Review contract documents and specifications re: indemnity issues. Confer with utilities manager re: information on construction manager and on Layne issues.  | 2.30  |          |
| 06/08/2017                    | TAD | Receipt and review of correspondence from Layne counsel re: response to complaint.  | 0.20  |          |
| 06/27/2017                    | TAD | Revise motion to dismiss plaintiff's complaint to include additional arguments. Prepare correspondence re: status of demand.  | 0.90  |          |
| FOR CURRENT SERVICES RENDERED |     |   | 11.90 | 2,320.50 |

| RECAPITULATION    |              |                    |              |
|-------------------|--------------|--------------------|--------------|
| <u>TIMEKEEPER</u> | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
| TRACEY A. DECARLO | 11.90        | \$195.00           | \$2,320.50   |

adv. Coupet, Kenson (parent of child injured)

|                                |                   |
|--------------------------------|-------------------|
| Photocopies                    | 3.15              |
| TOTAL EXPENSES THRU 06/30/2017 | 3.15              |
| TOTAL CURRENT WORK             | 2,323.65          |
| BALANCE DUE                    | <u>\$2,323.65</u> |

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Page: 1  
07/03/2017  
ACCOUNT NO: 306-9905216  
STATEMENT NO: 15866

Attn: Lynn Swanson

adv. Ryan, Ronald (whistleblower PD)

Billing Category: 18 - RLO  
Claim #001470-000410-EP-01

|                               |     |   | HOURS              |              |  |
|-------------------------------|-----|---|--------------------|--------------|--|
| 06/07/2017                    | TAD | Receipt and review of additional records re: Plaintiffs prior fitness for duty evaluations; review pre-employment evaluation. Revise timeline for deposition of plaintiff. Receipt of correspondence from City re: plaintiffs employment and wages. | 1.70               |              |  |
| 06/09/2017                    | TAD | Receipt and review of information on federal action against plaintiff. Revise report to adjuster and City re: status. Telephone conference with City re: report issues.   | 0.80               |              |  |
| 06/14/2017                    | IR  | Meeting with TAD regarding discovery to Plaintiff; telephone conference with opposing counsel's office; revise response to request for production ; follow up meeting with TAD regarding updates.   | 2.30               |              |  |
|                               | TAD | Receipt and review of correspondence from plaintiff re: production. Confer with IVR re: issues with production and resolution.  | 0.30               |              |  |
| 06/15/2017                    | IR  | Conference with TAD regarding discovery issues; prepared email to Plaintiff's counsel regarding update and receipt and review of his response to same; prepared tickler Re:: revised response.  | 1.20               |              |  |
| 06/20/2017                    | IR  | Receipt, review and response to email from Plaintiff's counsel [paralegal]; conference with TAD regarding same; review of list of responsive documents sent to Plaintiff in May 2017 Re: revised response.  | 1.20               |              |  |
| FOR CURRENT SERVICES RENDERED |     |   | 7.50               | 1,133.50     |  |
| RECAPITULATION                |     |   |                    |              |  |
| <u>TIMEKEEPER</u>             |     | <u>HOURS</u>  | <u>HOURLY RATE</u> | <u>TOTAL</u> |  |
| INGRID RIERA                  |     | 4.70  | \$125.00           | \$587.50     |  |
| TRACEY A. DECARLO             |     | 2.80  | 195.00             | 546.00       |  |

Photocopies

17.85

CITY OF BOYNTON BEACH

adv. Ryan, Ronald (whistleblower PD)

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07/03/2017  
ACCOUNT NO: 306-9905216  
STATEMENT NO: 15866

|                                |                   |
|--------------------------------|-------------------|
| TOTAL EXPENSES THRU 06/30/2017 | 17.85             |
| TOTAL CURRENT WORK             | 1,151.35          |
| BALANCE DUE                    | <u>\$1,151.35</u> |

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Page: 1  
07/03/2017  
ACCOUNT NO: 306-9905232  
STATEMENT NO: 15867

Attn: Lynn Swanson

adv. Barthelmy, Clorena (Vehicle Accident)

Billing Category: 18 - RLO  
Claim #001470-000415-AB-01

|                |                   |   | HOURS        |                    |
|----------------|-------------------|---|--------------|--------------------|
| 06/05/2017     | TAD               | Receipt and review of correspondence from adjuster and city re: release.<br>Receipt of release. | 0.20         |                    |
|                |                   | FOR CURRENT SERVICES RENDERED   | 0.20         | 39.00              |
| RECAPITULATION |                   |   |              |                    |
|                | <u>TIMEKEEPER</u> |   | <u>HOURS</u> | <u>HOURLY RATE</u> |
|                | TRACEY A. DECARLO |   | 0.20         | \$195.00           |
|                |                   |   |              | <u>TOTAL</u>       |
|                |                   |   |              | \$39.00            |
|                |                   | TOTAL CURRENT WORK  |              | 39.00              |
|                |                   | BALANCE DUE   |              | <u>\$39.00</u>     |

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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905233  
STATEMENT NO: 15868

adv. Hill, Ashley (Police-excessive force)

Billing Category: 18 - RLO  
Claim #001470-000378-PP-02

|                |                   |   | HOURS        |                    |
|----------------|-------------------|---|--------------|--------------------|
| 06/08/2017     | TAD               | Receipt of correspondence from outside counsel and release documents. | 0.20         |                    |
|                |                   | FOR CURRENT SERVICES RENDERED   | 0.20         | 39.00              |
| RECAPITULATION |                   |   |              |                    |
|                | <u>TIMEKEEPER</u> |   | <u>HOURS</u> | <u>HOURLY RATE</u> |
|                | TRACEY A. DECARLO |   | 0.20         | \$195.00           |
|                |                   |   |              | <u>TOTAL</u>       |
|                |                   |   |              | \$39.00            |
|                |                   | TOTAL CURRENT WORK  |              | 39.00              |
|                |                   | BALANCE DUE   |              | <u>\$39.00</u>     |

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100 East Boynton Beach Boulevard  
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Attn: Lynn Swanson

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07/03/2017  
ACCOUNT NO: 306-9905234  
STATEMENT NO: 15869

adv. Gonzalez, Maria de Jesus (police)

Billing Category: 18 - RLO  
Claim #001470-000-416-PP-01

|            |                    |  |              |                    |              |
|------------|--------------------|--|--------------|--------------------|--------------|
| 06/07/2017 | TAD                | Receipt and review of correspondence re: claims status from City.<br>FOR CURRENT SERVICES RENDERED | HOURS        |                    |              |
|            |                    |  | 0.10         |                    |              |
|            |                    |  | 0.10         |                    | 19.50        |
|            |                    | RECAPITULATION   |              |                    |              |
|            | <u>TIMEKEEPER</u>  |  | <u>HOURS</u> | <u>HOURLY RATE</u> | <u>TOTAL</u> |
|            | TRACEY A. DECARLO  |  | 0.10         | \$195.00           | \$19.50      |
|            | TOTAL CURRENT WORK |  |              |                    | 19.50        |
|            | BALANCE DUE        |  |              |                    | \$19.50      |

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Page: 1  
07/03/2017  
ACCOUNT NO: 306-9905237  
STATEMENT NO: 15870

Attn: Lynn Swanson

adv. Clemens, Jennifer ( Personal Injury)

Billing Category: 18 - RLO  
Claim #001470-000417-GB-01

|            |     |  | HOURS |
|------------|-----|--|-------|
| 06/06/2017 | TAD | Receipt and review of complaint and discovery to City from Plaintiff. Review information on claim from GB and risk department. Prepare correspondence to the public works director re: information needed to evaluate liability claims.  | 2.80  |
| 06/08/2017 | TAD | Prepare correspondence to City re: information on sidewalk and claim. Receipt of response to same.   | 0.30  |
| 06/13/2017 | TAD | Meet and confer with public works director re: claims and ownership issues. Review documents and photographs and web information on the area. Confer with City re: franchise agreement with FPI re: response to complaint.   | 1.50  |
| 06/14/2017 | TAD | Receipt and review of complaint and discovery. Review case law re: motion to dismiss. Review claim file re: information on claim.  | 1.90  |
| 06/20/2017 | TAD | Receipt and review of franchise agreement and FPL acceptance. Revise demand letter. Review case law re: plaintiff claims for response to complaint.  | 2.40  |
| 06/23/2017 | TAD | Prepare answer, affirmative defenses and cross claim against FPL. Review case law re: cross claim. Prepare draft answers and objections to request for admissions to City.   | 5.30  |
| 06/26/2017 | TAD | Prepare correspondence to FPL counsel re: claim. Prepare correspondence to city re: claim information and response from FPL. Prepare draft answers and objections to interrogatories.  | 2.70  |
| 06/27/2017 | TAD | Receipt and review of correspondence from FPL counsel re: indemnity demand. Prepare correspondence to city re: response to complaint and information from FPL. Receipt of correspondence from public works re: information for discovery responses and prepare correspondence re: status update. Telephone conference with City re: defense of claims. | 1.60  |
|            | TAD | Prepare correspondence to city re: notice of appearance. Prepare notice of abating action.   | 0.30  |



adv. Clemens, Jennifer ( Personal Injury)

|            |    |  | HOURS |          |
|------------|----|--|-------|----------|
| 06/28/2017 | IR | Review pleadings and Attorney Hoecker's recent Notice of Appearance on behalf of the City of Boynton Beach; created notes file and checked if any discovery propounded by the Plaintiff. | 0.70  |          |
|            |    | FOR CURRENT SERVICES RENDERED  | 19.50 | 3,753.50 |

|                   | RECAPITULATION |             |          |  |
|-------------------|----------------|-------------|----------|--|
| TIMEKEEPER        | HOURS          | HOURLY RATE | TOTAL    |  |
| INGRID RIERA      | 0.70           | \$125.00    | \$87.50  |  |
| TRACEY A. DECARLO | 18.80          | 195.00      | 3,666.00 |  |

|                                |       |
|--------------------------------|-------|
| Photocopies                    | 33.95 |
| TOTAL EXPENSES THRU 06/30/2017 | 33.95 |

|            |  |                   |
|------------|--|-------------------|
| 06/28/2017 | Clerk of the Court - E-Filing - 58252707 | 400.00            |
|            |  | 400.00            |
|            | TOTAL ADVANCES THRU 06/30/2017           | 400.00            |
|            | TOTAL CURRENT WORK                       | 4,187.45          |
|            | BALANCE DUE                              | <u>\$4,187.45</u> |

GOREN, CHEROF, DOODY & EZROL, P.A.  
Attorneys at Law  
3099 East Commercial Boulevard  
Suite 200  
Fort Lauderdale, Florida 33308  
Telephone (954) 771-4500

CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Page: 1  
07/03/2017  
ACCOUNT NO: 306-9905253  
STATEMENT NO: 15871

Attn: Lynn Swanson

adv. Bolt, Barbara Dilger (MVA)

Billing Category: 18 - RLO  
Claim #001470-000422-AB-01

|                |                   |  | HOURS        |                    |
|----------------|-------------------|--|--------------|--------------------|
| 06/08/2017     | TAD               | Receipt and review of correspondence from City and adjuster re: claims.<br>Review demand package and medical information re: issues for discussion<br>with Risk. | 1.30         |                    |
|                |                   | FOR CURRENT SERVICES RENDERED  | 1.30         | 253.50             |
| RECAPITULATION |                   |  |              |                    |
|                | <u>TIMEKEEPER</u> |  | <u>HOURS</u> | <u>HOURLY RATE</u> |
|                | TRACEY A. DECARLO |  | 1.30         | \$195.00           |
|                |                   |  |              | <u>TOTAL</u>       |
|                |                   |  |              | \$253.50           |
|                |                   | TOTAL CURRENT WORK   |              | 253.50             |
|                |                   | BALANCE DUE  |              | <u>\$253.50</u>    |

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CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

Page: 1  
07/03/2017  
ACCOUNT NO: 306-9905268  
STATEMENT NO: 15872

adv. Louithelmy, Daphnee

Billing Category: 18 - RLO  
Claim #001470-000425-AB-01

|                    |     |   | HOURS              |                |
|--------------------|-----|---|--------------------|----------------|
| 06/08/2017         | TAD | Receipt and review of correspondence re: claim from adjuster and City.      | 0.20               |                |
| 06/22/2017         | TAD | Receipt and review of correspondence from City re: information on accident. | 0.20               |                |
|                    |     | FOR CURRENT SERVICES RENDERED   | 0.40               | 78.00          |
| RECAPITULATION     |     |   |                    |                |
| <u>TIMEKEEPER</u>  |     | <u>HOURS</u>  | <u>HOURLY RATE</u> | <u>TOTAL</u>   |
| TRACEY A. DECARLO  |     | 0.40  | \$195.00           | \$78.00        |
| TOTAL CURRENT WORK |     |   |                    | 78.00          |
| BALANCE DUE        |     |   |                    | <u>\$78.00</u> |

GOREN, CHEROF, DOODY & EZROL, P.A.  
Attorneys at Law  
3099 East Commercial Boulevard  
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Fort Lauderdale, Florida 33308  
Telephone (954) 771-4500

CITY OF BOYNTON BEACH  
100 East Boynton Beach Boulevard  
Boynton Beach FL 33425

Attn: Lynn Swanson

Page: 1  
07/03/2017  
ACCOUNT NO: 306-9905273  
STATEMENT NO: 15873

adv. Hickman, Walteanna

Billing Category: 18 - RLO  
Claim # 001470-000426-GB-01

|                |                   |   | HOURS        |                    |
|----------------|-------------------|---|--------------|--------------------|
| 06/23/2017     | TAD               | Receipt and review of correspondence from adjuster and city re: claim information from claimant attorney. | 0.30         |                    |
|                |                   | FOR CURRENT SERVICES RENDERED   | 0.30         | 58.50              |
| RECAPITULATION |                   |   |              |                    |
|                | <u>TIMEKEEPER</u> |   | <u>HOURS</u> | <u>HOURLY RATE</u> |
|                | TRACEY A. DECARLO |   | 0.30         | \$195.00           |
|                |                   |   |              | <u>TOTAL</u>       |
|                |                   |   |              | \$58.50            |
|                |                   | TOTAL CURRENT WORK  |              | 58.50              |
|                |                   | BALANCE DUE   |              | <u>\$58.50</u>     |

|   |  |                 |
|---|--|-----------------|
| Risk-Outside Counsel                              |  |                 |
| Robert C Okon, P.A.                               |  |                 |
| Harris v City, Martinez                           |  | 0.00            |
| Lewis, Stroud & Deutsch, PL - May 2017            |  |                 |
| Hill v City                                       |  | 0.00            |
| Harris v City                                     |  | 0.00            |
|   |  | <hr/> 0.00      |
| Roberts, Reynolds, Bedard & Tuzzio, PLLC-May 2017 |  |                 |
| Yesnick v City                                    |  | 630.30          |
| Braswell v City                                   |  | 0.00            |
| Boynton Old School v City                         |  | 656.90          |
| Andrews v Haugh                                   |  | 0.00            |
| Hill v City                                       |  | 0.00            |
| Kimsey v City & Brooks                            |  | 308.00          |
| Harris v City                                     |  | 0.00            |
| Broberg v City                                    |  | 9,086.38        |
|   |  | <hr/> 10,681.58 |
| TOTAL May 2017 Outside Counsel - Risk             |  | 10,681.58       |

# ROBERTS, REYNOLDS, BEDARD & TUZZIO, PLLC

470 Columbia Drive, Suite C-101  
West Palm Beach, Florida 33409

Telephone (561)688-6560  
Tax ID No. 65-0004867

City of Boynton Beach  
Attn: Julie Oldbury  
P.O. Box 310  
Boynton Beach, FL 33425-0310

June 16, 2017  
Bill No. 37441

CLIENT: City of Boynton Beach  
MATTER: Boynton Old School v. Boynton Beach

032  
13214

Claim #N/A  
BILL FOR FEES AND COSTS THROUGH 05/31/17

## PROFESSIONAL SERVICES

| Date     | Services  | Attorney | Hours |
|----------|---|----------|-------|
| 05/06/17 | Receipt and review of e-mail from David Sales, counsel for Plaintiff, re: request for extension to file initial brief.  | AGA      | 0.30  |
| 05/08/17 | Receipt and review of e-mail from (follow-up email from) David Sales, counsel for Plaintiff, re: request for extension to file initial brief.   | LHR      | 0.30  |
| 05/08/17 | Preparation of email response to David Sales, counsel for Plaintiff, re: granting extension to file initial brief.  | LHR      | 0.30  |
| 05/09/17 | Receipt and review of Plaintiff's Notice of Agreed Extension of Time to File Initial Brief.   | LHR      | 0.30  |
| 05/10/17 | Correspondence to City Risk Manager Julie Oldbury re: Plaintiff's Notice of Agreed Extension of Time to File Initial Brief.   | LHR      | 0.20  |
| 05/25/17 | Receipt and review of e-mail from David Vitale, Plaintiff's counsel re: questions concerning if we had retained court reporter for July 11, 2016 special set hearing on the Motion to Dismiss.                                  | LHR      | 0.20  |
| 05/25/17 | Preparation of email response to David Vitale, Plaintiff's counsel re: answering his questions and advising Florida Court Reporting was retained court reporter for July 11, 2016 special set hearing on the Motion to Dismiss. | LHR      | 0.20  |
| 05/26/17 | Receipt and review of e-mail from David Sales, counsel for Plaintiff, re: supplementing the appeal record with a hearing transcript.  | AGA      | 0.20  |
| 05/26/17 | Preparation of email response to (initial email) David Sales, counsel for Plaintiff, re: supplementing the appeal record with a hearing transcript.   | AGA      | 0.20  |

Client: City of Boynton Beach  
Matter: 13214 - Boynton Old School v. Boynton Beach

June 16, 2017  
Page 2

### PROFESSIONAL SERVICES

| Date     | Services   | Attorney | Hours |
|----------|--|----------|-------|
| 05/27/17 | Preparation of email response to David Sales, counsel for Plaintiff, re: supplementing the appeal record with a hearing transcript.                    | GPR1     | 0.20  |
| 05/30/17 | Receipt and review of transcript of hearing on City's Motion to Dismiss Plaintiff's Third Amended Complaint held before Judge Keyser on July 11, 2016. | LHR      | 0.90  |

### PROFESSIONAL SERVICES SUMMARY

| Code                               | Name                               | Hours       | Rate   | Amount          |
|------------------------------------|------------------------------------|-------------|--------|-----------------|
| AGA                                | Andrea G. Amigo, Partner           | 0.70        | 165.00 | 115.50          |
| GPR1                               | George P. Roberts, Jr., Of Counsel | 0.20        | 165.00 | 33.00           |
| LHR                                | Lyman H. Reynolds, Jr., Partner    | 2.40        | 165.00 | 396.00          |
| <b>Total Professional Services</b> |                                    | <b>3.30</b> |        | <b>\$544.50</b> |

### DISBURSEMENTS

| Date                       | Description   | Amount          |
|----------------------------|---|-----------------|
| 05/26/17                   | Court Reporter #172271: Condensed depo of Judge Gregory Keyser, backordered from 7/11/16. - Florida Court Reporting | 112.40          |
| <b>Total Disbursements</b> |   | <b>\$112.40</b> |

|                                      |                  |
|--------------------------------------|------------------|
| <b>CURRENT BILL TOTAL AMOUNT DUE</b> | <b>\$ 656.90</b> |
|--------------------------------------|------------------|

|                  |        |
|------------------|--------|
| Balance Forward: | 247.50 |
|------------------|--------|

|                         |       |
|-------------------------|-------|
| Payments & Adjustments: | -0.00 |
|-------------------------|-------|

|                   |                  |
|-------------------|------------------|
| <b>Total Due:</b> | <b>\$ 904.40</b> |
|-------------------|------------------|

**Please return this page with remittance**

to

Roberts, Reynolds, Bedard & Tuzzio, PLLC  
470 Columbia Drive, Suite C-101  
West Palm Beach, Florida 33409

**Bill Number:** 37441  
**Bill Date:** June 16, 2017  
**Client Code:** 032  
**Client Name:** City of Boynton Beach  
**Matter Code:** 13214  
**Matter Name:** Boynton Old School v. Boynton Beach

|                                      |                  |
|--------------------------------------|------------------|
| Total Professional Services          | 544.50           |
| Total Disbursements                  | 112.40           |
| <b>CURRENT BILL TOTAL AMOUNT DUE</b> | <b>\$ 656.90</b> |
| Balance Forward:                     | 247.50           |
| Payments & Adjustments:              | -0.00            |
| <b>Total Due:</b>                    | <b>\$ 904.40</b> |
| Past Due Balance                     | 247.50           |
| <b>TOTAL AMOUNT DUE</b>              | <b>\$904.40</b>  |



# ROBERTS, REYNOLDS, BEDARD & TUZZIO, PLLC

470 Columbia Drive, Suite C-101  
West Palm Beach, Florida 33409

Telephone (561)688-6560  
Tax ID No. 65-0004867

City of Boynton Beach  
Attn: Julie Oldbury  
P.O. Box 310  
Boynton Beach, FL 33425-0310

June 16, 2017  
Bill No. 37442

CLIENT: City of Boynton Beach  
MATTER: Yesnick v. Boynton Beach

032  
13300

Claim #N/A

BILL FOR FEES AND COSTS THROUGH 05/31/17

## PROFESSIONAL SERVICES

| Date     | Services  | Attorney | Hours |
|----------|---|----------|-------|
| 05/01/17 | Review of file materials in preparation of upcoming hearing on Plaintiff's Motion to Withdraw as Counsel.                   | AGA      | 0.60  |
| 05/02/17 | Attendance at hearing on Plaintiff's Motion to Withdraw as Counsel before Judge French at the Palm Beach County Courthouse. | AGA      | 2.50  |
| 05/02/17 | Correspondence to Julie Oldbury, re: outcome of hearing on Plaintiff's Motion to Withdraw as Counsel before Judge French.   | AGA      | 0.30  |
| 05/03/17 | Receipt and review of Court's executed Order on Plaintiff's Motion to Withdraw as Counsel.                                  | LHR      | 0.20  |
| 05/31/17 | Receipt and review of Court's executed Order Setting Hearing on Plaintiff's Request for Extension to Obtain Counsel.        | LHR      | 0.20  |

## PROFESSIONAL SERVICES SUMMARY

| Code | Name                               | Hours       | Rate   | Amount          |
|------|------------------------------------|-------------|--------|-----------------|
| AGA  | Andrea G. Amigo, Partner           | 3.40        | 165.00 | 561.00          |
| LHR  | Lyman H. Reynolds, Jr., Partner    | 0.40        | 165.00 | 66.00           |
|      | <b>Total Professional Services</b> | <b>3.80</b> |        | <b>\$627.00</b> |

## DISBURSEMENTS

| Date     | Description   | Amount |
|----------|---|--------|
| 05/03/17 | Costs Advanced WPB: Parkng, attend hearing, Plf's M/Withdraw as Counsel. - Andrea Amigo | 3.00   |
|          | Photocopies thru 05/31/17   | 0.30   |

Client: City of Boynton Beach  
Matter: 13300 - Yesnick v. Boynton Beach

June 16, 2017  
Page 2

**DISBURSEMENTS**

| <b>Date</b> | <b>Description</b>                   | <b>Amount</b>           |
|-------------|--------------------------------------|-------------------------|
|             | <b>Total Disbursements</b>           | <u><b>\$3.30</b></u>    |
|             | <b>CURRENT BILL TOTAL AMOUNT DUE</b> | <u><b>\$ 630.30</b></u> |
|             | Balance Forward:                     | 346.50                  |
|             | Payments & Adjustments:              | -0.00                   |
|             | <b>Total Due:</b>                    | <u><b>\$ 976.80</b></u> |

**Please return this page with remittance**

to  
Roberts, Reynolds, Bedard & Tuzzio, PLLC  
470 Columbia Drive, Suite C-101  
West Palm Beach, Florida 33409

**Bill Number:** 37442  
**Bill Date:** June 16, 2017  
**Client Code:** 032  
**Client Name:** City of Boynton Beach  
**Matter Code:** 13300  
**Matter Name:** Yesnick v. Boynton Beach

|                                      |                  |
|--------------------------------------|------------------|
| Total Professional Services          | 627.00           |
| Total Disbursements                  | 3.30             |
| <b>CURRENT BILL TOTAL AMOUNT DUE</b> | <b>\$ 630.30</b> |
| Balance Forward:                     | 346.50           |
| Payments & Adjustments:              | -0.00            |
| <b>Total Due:</b>                    | <b>\$ 976.80</b> |
| Past Due Balance                     | 346.50           |
| <b>TOTAL AMOUNT DUE</b>              | <b>\$976.80</b>  |

# ROBERTS, REYNOLDS, BEDARD & TUZZIO, PLLC

470 Columbia Drive, Suite C-101

West Palm Beach, Florida 33409

Telephone (561)688-6560

Tax ID No. 65-0004867

City of Boynton Beach  
Attn: Julie Oldbury  
P.O. Box 310  
Boynton Beach, FL 33425-0310

June 16, 2017  
Bill No. 37443

CLIENT: City of Boynton Beach  
MATTER: Broberg v. Boynton Beach et al.

032  
15414

Claim #001470-000390-EP-01

BILL FOR FEES AND COSTS THROUGH 05/31/17

## PROFESSIONAL SERVICES

| Date     | Services   | Attorney | Hours |
|----------|--|----------|-------|
| 05/01/17 | Preparation of e-mail to Plaintiff's counsel, Adrian Alvarez, and co-counsel for Defendant, Boynton Beach, re: hearing on Motion to Request Privacy Act Order.   | LHR      | 0.20  |
| 05/02/17 | Preparation of e-mail to Plaintiff's counsel, Adrian Alvarez, re: hearing on Motion to Request Privacy Act Order.  | LHR      | 0.20  |
| 05/02/17 | Drafting of Notice of Hearing on Motion to Request Privacy Act Order.  | LHR      | 0.20  |
| 05/02/17 | Telephone conference with Harriett Lewis, counsel for Crawford, re: her questions concerning status of Asst. Chief Crawford and our understanding she is out of the case.  | LHR      | 0.30  |
| 05/02/17 | Correspondence to Federal Bureau of Investigation, George Piro, re: Notice of Hearing on Motion to Request Privacy Act Order.  | LHR      | 0.20  |
| 05/02/17 | Receipt and review of e-mail from with attached correspondence from attorney Harriet Lewis to Plaintiff's counsel, Adrian Alvarez, re: dismissal of case against Defendant, Assistant Chief Suzanne Crawford and service of documents.                   | LHR      | 0.20  |
| 05/02/17 | Receipt and review of e-mail from excess carrier representative Christine O'Brien re: her questions concerning estimation of 40-50 percent chance of full defense verdict in latest update evaluation.   | LHR      | 0.20  |
| 05/02/17 | Preparation of email response to excess carrier representative Christine O'Brien re: answering her questions and providing additional analysis as to rationale behind provided 40-50 percent chance of full defense verdict in latest update evaluation. | LHR      | 0.30  |

**PROFESSIONAL SERVICES**

| <b>Date</b> | <b>Services</b>   | <b>Attorney</b> | <b>Hours</b> |
|-------------|---|-----------------|--------------|
| 05/02/17    | Receipt and review of second e-mail from excess carrier representative Christine O'Brien re: acknowledging input as to estimated changes of defense verdict.  | LHR             | 0.20         |
| 05/02/17    | Preparation of second e-mail response to excess carrier representative Christine O'Brien re: status of case.  | LHR             | 0.20         |
| 05/03/17    | Drafting of proposed order on Motion to Request Privacy Act Order.  | LHR             | 0.20         |
| 05/03/17    | Legal research in support of Motion to Strike Plaintiff's Reply to City's Affirmative Defenses.   | JHL             | 4.20         |
| 05/04/17    | Initial preparation of City's Motion to Strike Plaintiff's Reply to City's Affirmative Defenses.  | JHL             | 5.70         |
| 05/15/17    | Research Judge Gillen's judicial procedures in order to prepare package on Motion for a Privacy Act Order.  | JHL             | 0.30         |
| 05/15/17    | Review the deposition of Leif Broberg for citations in support of City's Motion for Summary Judgment.   | JHL             | 4.40         |
| 05/16/17    | Review audio of statement of Suzanne Crawford for use in City's Motion for Summary Judgment.  | JHL             | 0.60         |
| 05/17/17    | Research issues of adverse action and retaliation for City's Motion for Summary Judgment.   | JHL             | 3.50         |
| 05/18/17    | Review Plaintiff's Complaint, Answers and Responses to Interrogatories and Requests for Production, emails provided by City of Boynton Beach, Plaintiff's personnel file, and other case materials to prepare potential exhibits for use at deposition of Chief Jeffrey Katz. | RKD             | 0.80         |
| 05/18/17    | Preparation of initial statement of facts in City's Motion for Summary Judgment.  | JHL             | 2.30         |
| 05/19/17    | Initial drafting of memorandum of law with analysis in City's Motion for Summary Judgment.  | JHL             | 7.80         |
| 05/19/17    | Review Plaintiff's Complaint, Plaintiff's Answers and Responses to discovery responses, emails and documents received from City, and other case materials to prepare potential exhibits for use at Plaintiff's deposition of Chief Jeffrey Katz.                              | RKD             | 0.50         |
| 05/20/17    | Preparation of e-mail to Tracey DeCarlo, counsel for City, re: affirmative defenses.  | AGA             | 0.20         |
| 05/22/17    | Correspondence to Judge Gillen re: Defendant, City of Boynton Beach's Motion to Request Privacy Act Order.  | AGA             | 0.30         |
| 05/22/17    | Extensive telephone conference with Tracey DeCarlo re Collective Bargaining Agreement, reply to Plaintiff's response to our Affirmative Defenses and defense strategies.  | AGA             | 0.40         |
| 05/22/17    | Further drafting of memorandum of law/analysis in City's Motion for Summary Judgment.   | JHL             | 5.60         |
| 05/22/17    | Preparation for Plaintiff's deposition of Chief Jeffrey Katz the next day.  | LHR             | 1.20         |

**PROFESSIONAL SERVICES**

| <b>Date</b> | <b>Services</b>   | <b>Attorney</b> | <b>Hours</b> |
|-------------|---|-----------------|--------------|
| 05/23/17    | Obtain addresses for serving subpoenas for records to Dr. Brodner, Dr. Eskenazi, and Delray Shooting Center for records pertaining to Plaintiff, Leif Broberg.  | RKD             | 0.30         |
| 05/23/17    | Attendance at Plaintiff's deposition of Chief Jeffrey Katz at City Hall in Boynton Beach, FL (deposition continued due to its length).  | LHR             | 6.80         |
| 05/24/17    | Receipt and review of e-mail from Plaintiff's counsel Cohen re: continued deposition of Chief Jeffrey Katz.   | LHR             | 0.20         |
| 05/24/17    | Preparation of e-mail to City Paralegal Lynn Swanson re: continued deposition of Chief Jeffrey Katz.  | LHR             | 0.20         |
| 05/24/17    | Obtain addresses for serving public records requests to Maitland Police Department, Seminole Tribe of Florida, Palm Springs Police Department, and Gulf Stream Police Department to retrieve records related to Leif Broberg.   | RKD             | 0.40         |
| 05/24/17    | Preparation of initial draft of public records requests to Maitland Police Department, Seminole Tribe of Florida, and Gulf Stream Police Department to retrieve records related to Leif Broberg's alleged applications submitted for positions within their police departments. | AGA             | 1.20         |
| 05/24/17    | Preparation of initial draft of subpoena for records duces tecum to Delray Shooting Center for records pertaining to Leif Broberg's alleged applications submitted for positions, consulting positions previously held, and any memberships held by Plaintiff.                  | AGA             | 0.40         |
| 05/25/17    | Preparation of authorization for release of US military records pertaining to Plaintiff Leif Broberg for Plaintiff's execution of same.   | AGA             | 0.30         |
| 05/25/17    | Preparation of City of Boynton Beach's Second Request to Produce to Plaintiff, Leif Broberg.  | LHR             | 1.10         |
| 05/25/17    | Preparation of City of Boynton Beach's Second Set of Interrogatories to Plaintiff, Leif Broberg.  | LHR             | 1.20         |
| 05/25/17    | Receipt and review of e-mail from Plaintiff's counsel Cohen re: status of continued deposition of Chief Katz.   | LHR             | 0.20         |
| 05/25/17    | Preparation of email response to Plaintiff's counsel Cohen re: status of continued deposition of Chief Katz.  | LHR             | 0.20         |
| 05/26/17    | Receipt and review of Plaintiff's Second Request for Production of Documents to Defendant City of Boynton Beach.  | LHR             | 0.50         |
| 05/30/17    | Preparation of Statement of Assurance (HIPAA) to Dr. Robert Brodner pertaining to Plaintiff, Leif Broberg.  | LHR             | 0.10         |
| 05/30/17    | Preparation of Statement of Assurance (HIPAA) to Delray Shooting Center pertaining to Plaintiff, Leif Broberg.  | LHR             | 0.10         |
| 05/30/17    | Preparation of Statement of Assurance (HIPAA) to Spine Institute of South Florida pertaining to Plaintiff, Leif Broberg.  | LHR             | 0.10         |
| 05/30/17    | Preparation of Notice of Production from Non-Party directed to Dr. Robert Brodner pertaining to Plaintiff, Leif Broberg.  | LHR             | 0.20         |

**PROFESSIONAL SERVICES**

| <b>Date</b> | <b>Services</b>  | <b>Attorney</b> | <b>Hours</b> |
|-------------|--|-----------------|--------------|
| 05/30/17    | Preparation of Notice of Production from Non-Party directed to Delray Shooting Center pertaining to Plaintiff, Leif Broberg.                                 | LHR             | 0.20         |
| 05/30/17    | Preparation of Notice of Production from Non-Party directed to Spine Institute of South Florida pertaining to Plaintiff, Leif Broberg.                       | LHR             | 0.20         |
| 05/30/17    | Preparation of Notice of Production from Non-Party directed to Dr. Robert Brodner pertaining to Plaintiff, Leif Broberg.                                     | LHR             | 0.20         |
| 05/30/17    | Preparation of subpoena duces tecum directed to Dr. Robert Brodner pertaining to Plaintiff, Leif Broberg.  | LHR             | 0.20         |
| 05/30/17    | Preparation of subpoena duces tecum directed to Delray Shooting Center pertaining to Plaintiff, Leif Broberg.  | LHR             | 0.20         |
| 05/30/17    | Preparation of subpoena duces tecum directed to Dr. Robert Brodner pertaining to Plaintiff, Leif Broberg.  | LHR             | 0.20         |
| 05/30/17    | Preparation of e-mail to City Paralegal Lynn Swanson re: follow up for continued deposition of Chief Jeffrey Katz.   | LHR             | 0.20         |
| 05/30/17    | Receipt and review of email response from City Paralegal Lynn Swanson re: status of continued deposition of Chief Jeffrey Katz.                              | LHR             | 0.20         |
| 05/30/17    | Receipt and review of second e-mail from City Paralegal Lynn Swanson re: continued deposition of Chief Jeffrey Katz.   | LHR             | 0.20         |
| 05/30/17    | Preparation of e-mail to Plaintiff's counsel Matt Cohen re: continued deposition of Chief Jeffrey Katz.  | LHR             | 0.20         |
| 05/30/17    | Preparation of second e-mail response to City Paralegal Lynn Swanson re: continued deposition of Chief Jeffrey Katz.   | LHR             | 0.20         |
| 05/30/17    | Preparation of public records request pertaining to Plaintiff, Leif Broberg, to Maitland Police Department.  | LHR             | 0.40         |
| 05/30/17    | Preparation of public records request pertaining to Plaintiff, Leif Broberg, to Seminole Tribe of Florida Police Department.                                 | LHR             | 0.40         |
| 05/30/17    | Preparation of public records request pertaining to Plaintiff, Leif Broberg, to Gulf Stream Police Department.   | LHR             | 0.40         |
| 05/30/17    | Preparation of public records request pertaining to Plaintiff, Leif Broberg, to Palm Springs Police Department.  | LHR             | 0.40         |
| 05/30/17    | Review/Analyze City's Motion for Privacy Act Order, the exhibits thereto, and the case law cited therein in order to prepare for the hearing on said Motion. | NSM             | 2.00         |
| 05/31/17    | Receipt and review of e-mail from Plaintiff's counsel Alvarez re: continued deposition of Chief Katz in July.  | LHR             | 0.20         |
| 05/31/17    | Preparation of email response to Plaintiff's counsel Alvarez re: continued deposition of Chief Katz in July.   | LHR             | 0.20         |
| 05/31/17    | Preparation of e-mail to City Attorney Lynn Swanson re: continued deposition of Chief Katz.  | LHR             | 0.20         |

Client: City of Boynton Beach  
Matter: 15414 - Broberg v. Boynton Beach et al.

June 16, 2017  
Page 5

### PROFESSIONAL SERVICES

| Date     | Services  | Attorney | Hours |
|----------|---|----------|-------|
| 05/31/17 | Receipt and review of email response from City Paralegal Lynn Swanson re: advising Chief Katz has no availability in July for his continued deposition and status of providing August dates for same. | LHR      | 0.20  |
| 05/31/17 | Preparation of second e-mail response to Plaintiff's counsel Alvarez re: issues with continued deposition of Chief Katz in July and status of August availability.                                    | LHR      | 0.20  |

### PROFESSIONAL SERVICES SUMMARY

| Code                               | Name                            | Hours        | Rate   | Amount            |
|------------------------------------|---------------------------------|--------------|--------|-------------------|
| AGA                                | Andrea G. Amigo, Partner        | 2.80         | 165.00 | 462.00            |
| JHL                                | Jordan H. Lewis, Associate      | 34.40        | 140.00 | 4,816.00          |
| LHR                                | Lyman H. Reynolds, Jr., Partner | 19.30        | 165.00 | 3,184.50          |
| NSM                                | Nicholas S. Madsen, Associate   | 2.00         | 140.00 | 280.00            |
| RKD                                | Rebecca K. Davis, Paralegal     | 2.00         | 80.00  | 160.00            |
| <b>Total Professional Services</b> |                                 | <b>60.50</b> |        | <b>\$8,902.50</b> |

### DISBURSEMENTS

| Date                       | Description  | Amount          |
|----------------------------|--|-----------------|
| 05/23/17                   | Travel Boynton Beach: attend Plf's depo, Chief Jeffrey Katz, at City Hall. Mileage 48 x .535 = \$25.68. - Lyman H. Reynolds, Jr. | 25.68           |
| 05/23/17                   | Costs Advanced Boynton Beach: attend Plf's depo, Chief Jeffrey Katz. - Lyman H. Reynolds, Jr.                                    | 17.50           |
| 05/31/17                   | Photocopies  | 33.30           |
| 05/31/17                   | Photocopies Color copies   | 107.40          |
| <b>Total Disbursements</b> |  | <b>\$183.88</b> |

|                                      |                     |
|--------------------------------------|---------------------|
| <b>CURRENT BILL TOTAL AMOUNT DUE</b> | <b>\$ 9,086.38</b>  |
| Balance Forward:                     | 5,972.80            |
| Payments & Adjustments:              | -0.00               |
| <b>Total Due:</b>                    | <b>\$ 15,059.18</b> |



**Please return this page with remittance**

to  
Roberts, Reynolds, Bedard & Tuzzio, PLLC  
470 Columbia Drive, Suite C-101  
West Palm Beach, Florida 33409

**Bill Number:** 37443  
**Bill Date:** June 16, 2017  
**Client Code:** 032  
**Client Name:** City of Boynton Beach  
**Matter Code:** 15414  
**Matter Name:** Broberg v. Boynton Beach et al.

|                                      |                     |
|--------------------------------------|---------------------|
| Total Professional Services          | 8,902.50            |
| Total Disbursements                  | 183.88              |
| <b>CURRENT BILL TOTAL AMOUNT DUE</b> | <b>\$ 9,086.38</b>  |
| Balance Forward:                     | 5,972.80            |
| Payments & Adjustments:              | -0.00               |
| <b>Total Due:</b>                    | <b>\$ 15,059.18</b> |
| Past Due Balance                     | 5,972.80            |
| <b>TOTAL AMOUNT DUE</b>              | <b>\$15,059.18</b>  |

# ROBERTS, REYNOLDS, BEDARD & TUZZIO, PLLC

470 Columbia Drive, Suite C-101

West Palm Beach, Florida 33409

Telephone (561)688-6560

Tax ID No. 65-0004867

City of Boynton Beach  
Attn: Julie Oldbury  
P.O. Box 310  
Boynton Beach, FL 33425-0310

June 22, 2017  
Bill No. 37657

CLIENT: City of Boynton Beach  
MATTER: Kimsey v. Boynton Beach & Brooks

032  
12364

Claim #N/A

BILL FOR FEES AND COSTS THROUGH 05/31/17

## PROFESSIONAL SERVICES

| Date     | Services   | Attorney | Hours |
|----------|--|----------|-------|
| 05/24/17 | Research the court docket to determine whether the Estate for Kimsey has been opened.                                  | SAK      | 0.20  |
| 05/24/17 | Research the sanction of dismissal in preparation of drafting the Defendant's Motion to Dismiss Plaintiff's Complaint. | SAK      | 0.90  |
| 05/24/17 | Draft/Revise Defendant's Motion to Dismiss Plaintiff's Complaint.  | SAK      | 1.10  |

## PROFESSIONAL SERVICES SUMMARY

| Code | Name                               | Hours       | Rate   | Amount          |
|------|------------------------------------|-------------|--------|-----------------|
| SAK  | Scott A. Kantor, Associate         | 2.20        | 140.00 | 308.00          |
|      | <b>Total Professional Services</b> | <b>2.20</b> |        | <b>\$308.00</b> |

**CURRENT BILL TOTAL AMOUNT DUE** **\$ 308.00**

Balance Forward: 112.50

Payments & Adjustments: -0.00

**Total Due:** **\$ 420.50**

**Please return this page with remittance**

to

Roberts, Reynolds, Bedard & Tuzzio, PLLC  
470 Columbia Drive, Suite C-101  
West Palm Beach, Florida 33409

**Bill Number:** 37657  
**Bill Date:** June 22, 2017  
**Client Code:** 032  
**Client Name:** City of Boynton Beach  
**Matter Code:** 12364  
**Matter Name:** Kimsey v. Boynton Beach & Brooks

|                                      |                  |
|--------------------------------------|------------------|
| Total Professional Services          | 308.00           |
| Total Disbursements                  | 0.00             |
| <b>CURRENT BILL TOTAL AMOUNT DUE</b> | <b>\$ 308.00</b> |
| Balance Forward:                     | 112.50           |
| Payments & Adjustments:              | -0.00            |
| <b>Total Due:</b>                    | <b>\$ 420.50</b> |
| Past Due Balance                     | 112.50           |
| <b>TOTAL AMOUNT DUE</b>              | <b>\$420.50</b>  |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Accept the Fiscal Year 2016-2017 Budget Status Report of the General Fund and the Utilities Fund for the eight (8) month period ended May 31, 2017.

---

**EXPLANATION OF REQUEST:**

This report summarizes the adopted funding sources and expenditure budgets for the City's General Fund and Utility Fund for the eight (8) month period ended May 31, 2017 (67% of the fiscal year). The analysis compares:

- Actual results for the current period to the annual budget
- Actual results for the same period of the prior year annual budget

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

The annual budget is what provides and controls the resources for City programs and services.

**FISCAL IMPACT:**

The annual budget and results to date for the General Fund and Utility Fund.

**GENERAL FUND**

|                      | FY 2016-17    |                       |     | FY 2015-16    |                       |     | FY 2017 vs. 2016 |          |
|----------------------|---------------|-----------------------|-----|---------------|-----------------------|-----|------------------|----------|
|                      | Annual Budget | Actual to Date Amount | %   | Annual Budget | Actual to Date Amount | %   | Budget %         | Actual % |
| Revenues & Transfers | \$ 79,401     | \$ 65,261             | 82% | \$ 76,518     | \$ 63,325             | 83% | 3.8%             | 3.1%     |
| Expenditures         | \$(79,401)    | \$(54,666)            | 69% | \$(76,518)    | \$(53,743)            | 70% | 3.8%             | 1.7%     |
| Excess (Deficit)     | \$ -          | \$ 10,595             |     | \$-           | \$ 9,582              |     |                  |          |

The General Fund chart above reflects revenue in excess of expenditures (dollars in thousand) yielding a \$10.6M surplus for the period ending May 31, 2017.

**Revenues & Transfers (Exhibit A) – Budgeted Funding Sources:** Property taxes and other revenues provide funding sources of \$64.6M or 81% of our total \$79.4M General Fund budget estimate for FY 2016-17. Transfers from other funds (non-revenues) provide \$14.8M or 19% of the total funding sources to balance our \$79.4M General Fund budgeted expenditures.

These three major estimated funding sources are summarized as follows:

1. 40% - \$ 31.6M – Property taxes less Tax Increment Financing to the CRA
2. 41% - \$ 33.0M – All other revenues plus General Fund Balance
3. 19% - \$ 14.8M – Transfers from other funds
- 100% - \$ 79.4M – Total funding sources

The property tax rate for FY 2016-17 is 7.9000 mills, no change from the prior year; the net property taxes of \$31.6M in FY 2016-17 represent an 7.48% increase in property tax revenue or an increase of \$2.2M from FY 2015-16.

To balance the budget in FY 2016-17, it required transfers from other funds of \$14.8M representing 19% of all funding sources.

**Actual Funding Sources Realized:** At the end of the eighth month in FY 2016-17, revenues and transfers realized are approximately \$65.2M of the budget estimate compared to \$63.3M realized to date in FY 2015-16.

**Ad Valorem Taxes, net of discounts and TIF taxes to the CRA,** received to date was \$30.5M as compared to \$28.6M for FY 2015-16, as noted on Exhibit A.

### **Expenditures (Exhibit B)**

**Budgeted Expenditures:** Overall, appropriations increased approximately 3.8% from \$76.5M to \$79.4M. The budget increase was due to the cost of doing business, providing funding related to wage increases, equipment and additional personnel.

**Actual Expenditures** – General Fund expenditures for the eight month period ending May 31 (67% of the fiscal year) are \$54.6M which is 69% of the \$79.4M expenditure appropriation for FY 2016-17. Note: the City's annual pension obligations for General Employees, Fire, and Police are paid in the first month of the fiscal year.

The table at the top of Exhibit B displays actual expenditures of \$54.6M or 69% of the FY 2016-17 budget. At this point in the fiscal year, FY2016-17 spending levels are \$.9M ahead of the \$53.7M or 70% expended in FY 2015-16 for this same period.

### **UTILITY FUND**

The FY 2016-17 annual expenditure budget of \$42.24M represents a \$27K increase from the FY 2015-16 budget of \$42.21M. The operational forecast reflects an estimated increase of \$1.2M of the fund balance for FY 2016-17.

|                      | FY 2016-17    |                       |     | FY 2015-16    |                       |     | FY 2017 vs. 2016 |          |
|----------------------|---------------|-----------------------|-----|---------------|-----------------------|-----|------------------|----------|
|                      | Annual Budget | Actual to Date Amount | %   | Annual Budget | Actual to Date Amount | %   | Budget %         | Actual % |
| Revenues & Transfers | \$ 42,245     | \$ 29,998             | 71% | \$ 42,218     | \$ 29,821             | 71% | 0.1%             | 0.6%     |
| Expenditures         | \$(42,245)    | \$(27,279)            | 65% | \$(42,218)    | \$(26,950)            | 64% | 0.1%             | 1.2%     |
| Excess (Deficit)     | \$ -          | \$ 2,719              |     | \$ -          | \$ 2,871              |     |                  |          |

For the eight month period in FY 2016-17,

- Revenues realized are \$29.9M (71%) of the annual budget estimate.
- Expenditures incurred are \$27.2M (65%) of the annual appropriated budget.

This resulted in revenues in excess expenditures which yielded a surplus of approximately \$2.7M.

**Expenditures (Exhibit D)** – Utility Fund FY 2016-17 expenditures to date are \$27.2M or 65% of the annual appropriation compared to expenditures of \$26.9M or 64% for the prior fiscal year (which excludes

depreciation and the joint ventures expenditures).

**ALTERNATIVES:**

Discuss this Budget Status Report or request clarification at the City Commission meeting.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

---

**Is this a grant?**

**Grant Amount:**

---

**ATTACHMENTS:**

| Type                              | Description   |
|-----------------------------------|---|
| <input type="checkbox"/> Addendum | GF Financial Report - Revenues, ending May 31, 2017 |
| <input type="checkbox"/> Addendum | GF Financial Report - Expenses, ending May 31, 2017 |
| <input type="checkbox"/> Addendum | UF Financial Report - Revenues ending May 31, 2017  |
| <input type="checkbox"/> Addendum | UF Financial Report - Expenses, ending May 31, 2017 |

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                |
|--------------|------------------|----------|---------------------|
| Finance      | Howard, Tim      | Approved | 7/12/2017 - 1:39 PM |
| Finance      | Howard, Tim      | Approved | 7/12/2017 - 1:39 PM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:32 AM |

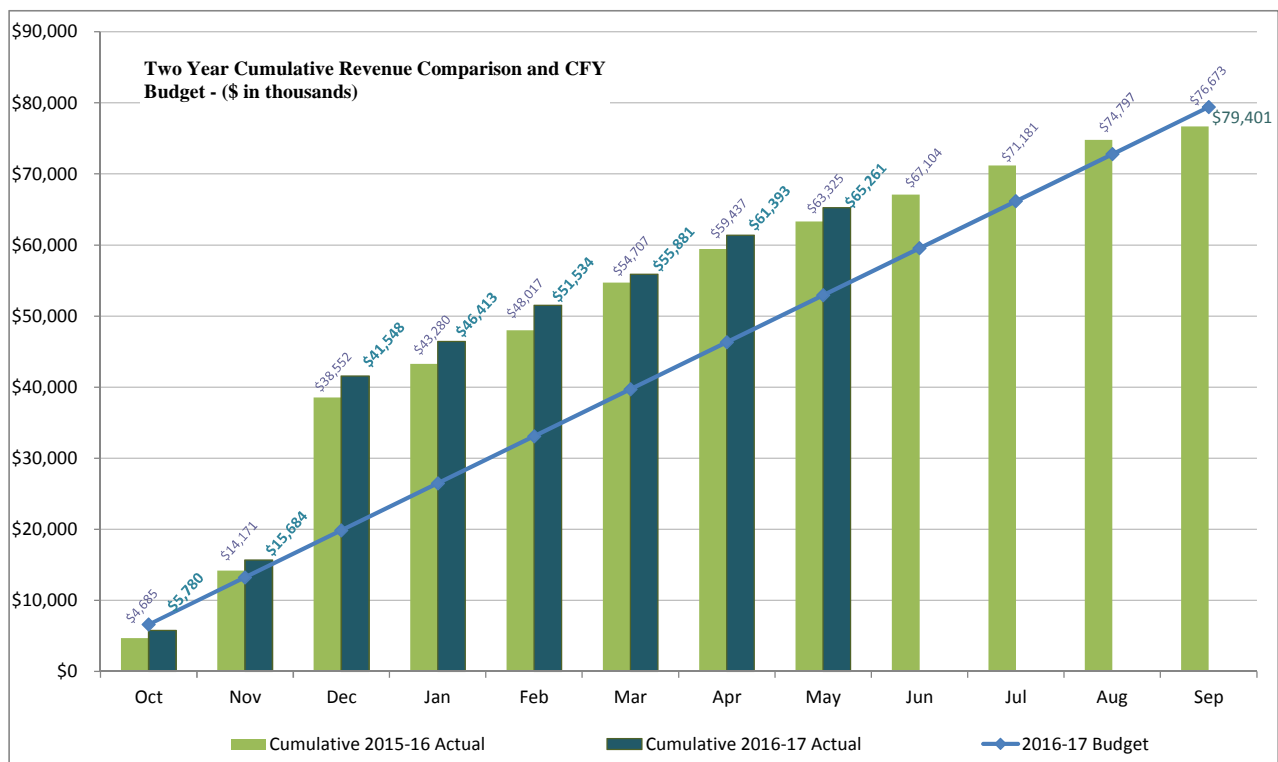
## CITY OF BOYNTON BEACH, FLORIDA

## GENERAL FUND ANALYSIS

## STATEMENT OF REVENUES - COMPARATIVE BUDGET TO ACTUAL

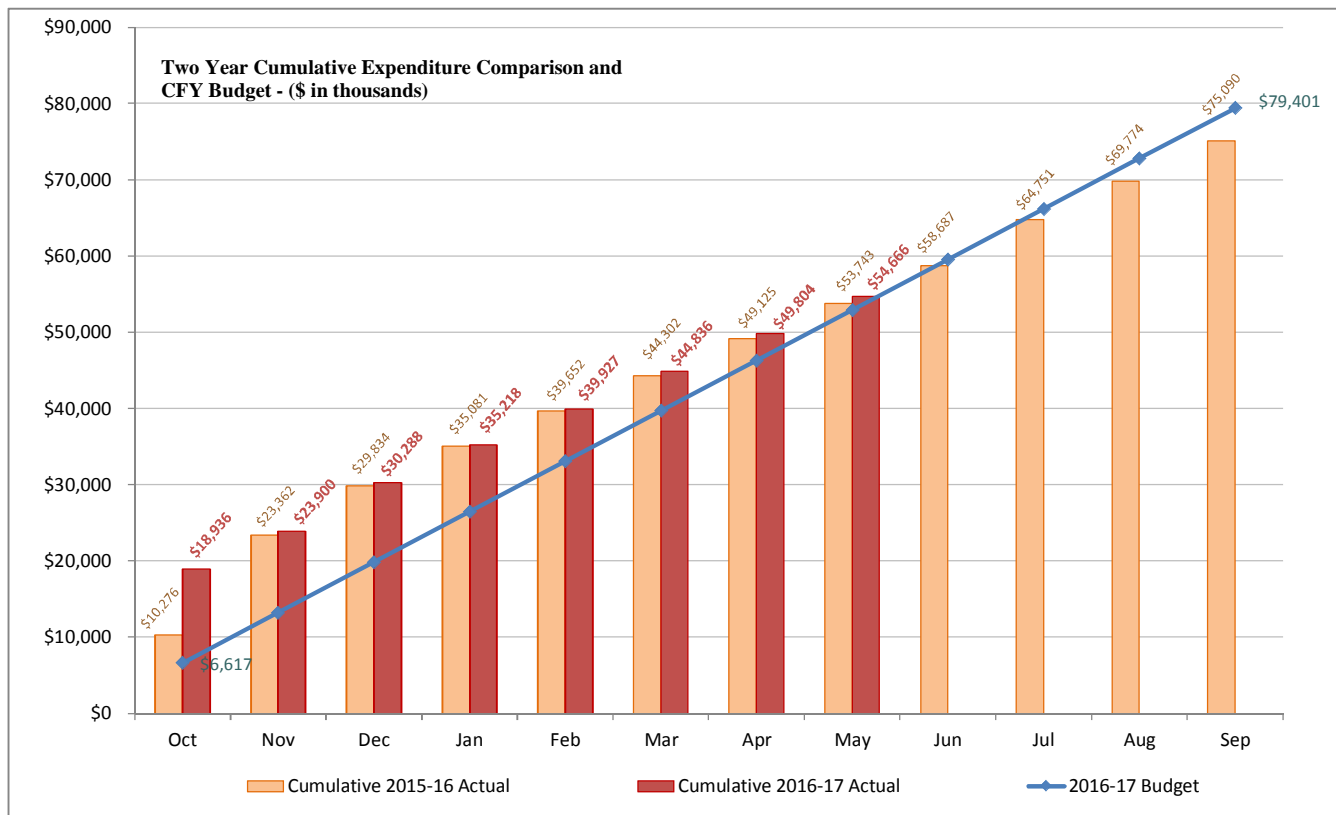
Fiscal Year Period Ended May 31, 2017 (67% of Fiscal Year)

| ACCOUNTS                           | REVENUES                         |                      |               |                                  |                     |               |
|------------------------------------|----------------------------------|----------------------|---------------|----------------------------------|---------------------|---------------|
|                                    | FY 2016-17<br>BUDGET<br>APPROVED | FY 2016-17 TO DATE   |               | FY 2015-16<br>BUDGET<br>APPROVED | FY 2015-16 TO DATE  |               |
|                                    |                                  | REVENUE<br>REALIZED  | %<br>REALIZED |                                  | REVENUE<br>REALIZED | %<br>REALIZED |
| AD VALOREM TAXES, net              | \$ 38,322,309                    | \$ 37,267,885        | 97%           | \$ 35,437,711                    | 34,592,038          | 98%           |
| LESS TIF TAXES TO CRA              | (6,682,137)                      | (6,682,137)          | 100%          | (5,985,241)                      | (5,985,241)         | 100%          |
| NET TAXES TO THE CITY              | 31,640,172                       | 30,585,748           | 97%           | 29,452,470                       | 28,606,797          | 97%           |
| <b>LICENSES AND PERMITS</b>        |                                  |                      |               |                                  |                     |               |
| BUSINESS TAXES                     | 1,656,000                        | 1,628,204            | 98%           | 1,545,000                        | 1,567,024           | 101%          |
| BUILDING PERMITS                   | 2,417,000                        | 1,528,206            | 63%           | 2,154,000                        | 1,531,441           | 71%           |
| FRANCHISE FEES                     | 5,065,000                        | 2,998,163            | 59%           | 4,830,000                        | 3,105,761           | 64%           |
| OTHR LICENSES, FEES & PER          | 218,000                          | 206,814              | 95%           | 180,000                          | 208,846             | 116%          |
| <b>INTERGOVERNMENTAL REVENUES</b>  |                                  |                      |               |                                  |                     |               |
| OTHER FEDERAL REVENUE              | 85,000                           | 9,170                | 11%           | 130,000                          | 25,811              | 20%           |
| STATE SHARED REVENUES              | 8,674,000                        | 5,149,491            | 59%           | 8,239,000                        | 5,513,169           | 67%           |
| SHRD REV FROM OTHR LCL             | 310,000                          | 93,161               | 30%           | 395,000                          | 109,844             | 28%           |
| <b>CHARGES FOR SERVICES</b>        |                                  |                      |               |                                  |                     |               |
| PYMTS IN LIEU OF TAXES             | 121,300                          | 134,833              | 111%          | 121,300                          | 120,133             | 99%           |
| CHRGs-GENERAL GOVT                 | 459,500                          | 334,215              | 73%           | 459,000                          | 317,684             | 69%           |
| PUBLIC SAFETY                      | 5,133,816                        | 5,265,680            | 103%          | 4,870,949                        | 4,219,237           | 87%           |
| PHYSICAL ENVIRONMENT               | 20,000                           | 1,850                | 9%            | 20,000                           | 12,059              | 60%           |
| CULTURE/RECREATION                 | 415,500                          | 325,249              | 78%           | 410,500                          | 302,124             | 74%           |
| <b>INTEREST &amp; MISC REVENUE</b> |                                  |                      |               |                                  |                     |               |
| LIBRARY FINES                      | 30,000                           | 14,757               | 49%           | 30,000                           | 10,596              | 35%           |
| VIOLATIONS LOCAL ORD.              | 720,000                          | 360,527              | 50%           | 595,000                          | 493,268             | 83%           |
| INTEREST EARNINGS                  | 50,000                           | 43,812               | 88%           | 50,000                           | 50,199              | 100%          |
| RENTS AND ROYALTIES                | 368,800                          | 326,746              | 89%           | 367,200                          | 234,864             | 64%           |
| SPECIAL ASSESSMENTS                | 5,541,500                        | 5,431,755            | 98%           | 5,541,500                        | 5,438,407           | 98%           |
| SALE OF SURPLUS MATERIAL           | 2,000                            | 1,599                | 80%           | 2,000                            | 1,187               | 59%           |
| OTHER MISC. REVENUE                | 625,000                          | 255,180              | 41%           | 233,000                          | 194,909             | 84%           |
| <b>INTERNAL FUND TRANSFERS</b>     |                                  |                      |               |                                  |                     |               |
| TRANSFERS                          | 14,842,000                       | 9,894,667            | 67%           | 16,442,000                       | 10,961,333          | 67%           |
| FUND BALANCE APPROPRIATED          | 1,006,726                        | 671,151              | 67%           | 450,645                          | 300,430             | 67%           |
| <b>Total Revenues</b>              | <b>\$ 79,401,314</b>             | <b>\$ 65,260,978</b> | <b>82%</b>    | <b>\$ 76,518,564</b>             | <b>63,325,123</b>   | <b>83%</b>    |



**CITY OF BOYNTON BEACH, FLORIDA**  
**GENERAL FUND ANALYSIS**  
**STATEMENT OF EXPENDITURES - COMPARATIVE BUDGET TO ACTUAL**  
Fiscal Year Period Ended May 31, 2017 (67% of Fiscal Year)

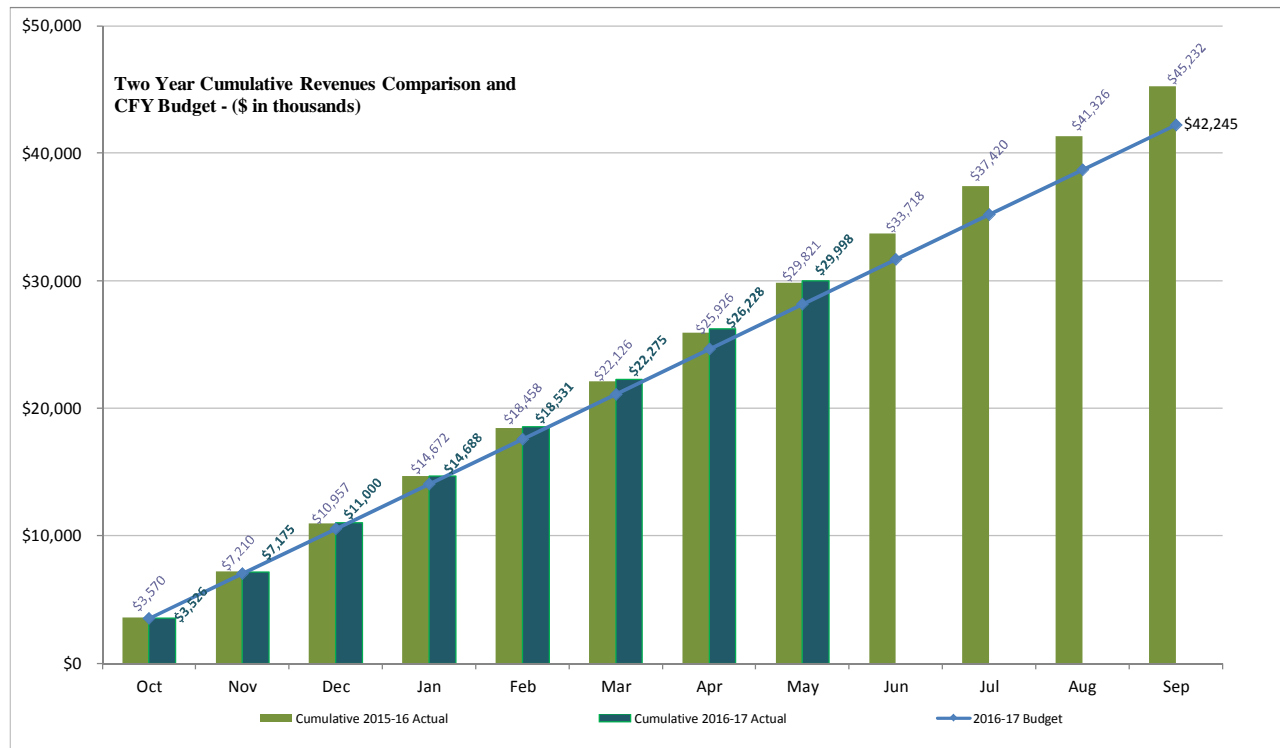
| ACCOUNTS                          | EXPENDITURES                     |                      |               |                                  |                      |               |
|-----------------------------------|----------------------------------|----------------------|---------------|----------------------------------|----------------------|---------------|
|                                   | FY 2016-17<br>BUDGET<br>APPROVED | FY 2016-17 TO DATE   |               | FY 2015-16<br>BUDGET<br>APPROVED | FY 2015-16 TO DATE   |               |
|                                   |                                  | EXPENDED             | %<br>EXPENDED |                                  | EXPENDED             | %<br>EXPENDED |
| <b>GENERAL GOVERNMENT</b>         |                                  |                      |               |                                  |                      |               |
| CITY COMMISSION                   | \$ 231,706                       | \$ 184,057           | 79%           | \$ 260,692                       | \$ 148,664           | 57%           |
| CITY MANAGER                      | 696,119                          | 523,910              | 75%           | 675,310                          | 461,111              | 68%           |
| CITY HALL/GEN. ADMIN.             | 4,039,726                        | 1,506,466            | 37%           | 2,441,639                        | 1,407,190            | 58%           |
| MARKETING/COMMUNICATIONS          | 314,841                          | 189,177              | 60%           | 234,811                          | 170,363              | 73%           |
| CITY CLERK                        | 605,165                          | 350,518              | 58%           | 611,709                          | 421,192              | 69%           |
| CITY ATTORNEY                     | 615,411                          | 317,154              | 52%           | 645,944                          | 369,910              | 57%           |
| FINANCIAL SERVICES                | 1,186,767                        | 738,853              | 62%           | 1,175,704                        | 847,598              | 72%           |
| ITS                               | 2,247,432                        | 1,408,992            | 63%           | 1,921,828                        | 1,332,069            | 69%           |
| HUMAN RESOURCES                   | 806,830                          | 497,115              | 62%           | 720,200                          | 456,731              | 63%           |
| <b>PUBLIC SAFETY</b>              |                                  |                      |               |                                  |                      |               |
| UNIFORM SERVICES                  | 16,197,211                       | 11,856,055           | 73%           | 15,809,178                       | 11,307,783           | 72%           |
| ADMINISTRATIVE SERVICES           | 3,715,348                        | 2,511,670            | 68%           | 5,269,636                        | 3,783,589            | 72%           |
| SUPPORT SERVICES                  | 9,151,124                        | 6,876,452            | 75%           | 8,782,483                        | 6,493,439            | 74%           |
| FIRE                              | 21,789,868                       | 16,197,595           | 74%           | 22,767,587                       | 16,224,569           | 71%           |
| COMMUNITY STANDARDS               | 2,191,683                        | 1,186,554            | 54%           | 0                                | 0                    | 0%            |
| EMERGENCY MANAGEMENT              | 22,870                           | 4,584                | 20%           | 81,914                           | 6,582                | 8%            |
| <b>BUILDING &amp; DEVELOPMENT</b> |                                  |                      |               |                                  |                      |               |
| DEVELOPMENT                       | 1,091,800                        | 793,400              | 73%           | 1,013,150                        | 728,543              | 72%           |
| BUILDING                          | 1,200,588                        | 884,424              | 74%           | 1,184,195                        | 763,816              | 65%           |
| ENGINEERING                       | 693,132                          | 468,016              | 68%           | 716,777                          | 505,759              | 71%           |
| PLANNING & ZONING                 | 733,234                          | 546,806              | 75%           | 757,498                          | 549,314              | 73%           |
| ECONOMIC DEVELOPMENT              | 231,749                          | 122,389              | 53%           | 245,731                          | 133,631              | 54%           |
| <b>PUBLIC WORKS</b>               |                                  |                      |               |                                  |                      |               |
| PUBLIC WORKS                      | 223,397                          | 173,893              | 78%           | 235,695                          | 163,518              | 69%           |
| FACILITIES MANAGEMENT             | 1,851,035                        | 1,056,273            | 57%           | 1,541,462                        | 1,033,295            | 67%           |
| STREETS MAINTENANCE               | 1,128,602                        | 660,734              | 59%           | 1,100,307                        | 694,229              | 63%           |
| <b>LEISURE SERVICES</b>           |                                  |                      |               |                                  |                      |               |
| LIBRARY                           | 2,253,461                        | 1,577,424            | 70%           | 2,261,401                        | 1,594,413            | 71%           |
| SCHOOLHOUSE MUSEUM SERV           | 269,372                          | 185,172              | 69%           | 301,653                          | 217,538              | 72%           |
| RECREATION                        | 2,960,081                        | 1,985,998            | 67%           | 2,990,094                        | 2,074,286            | 69%           |
| PARKS & GROUNDS                   | 2,952,762                        | 1,839,544            | 62%           | 2,771,966                        | 1,831,856            | 66%           |
| CRA REIMBURSABLE & RESERVES       | -                                | 23,100               | 0%            | -                                | 22,065               | 0%            |
| <b>Total Expenditures</b>         | <b>\$ 79,401,314</b>             | <b>\$ 54,666,325</b> | <b>69%</b>    | <b>\$ 76,518,564</b>             | <b>\$ 53,743,053</b> | <b>70%</b>    |





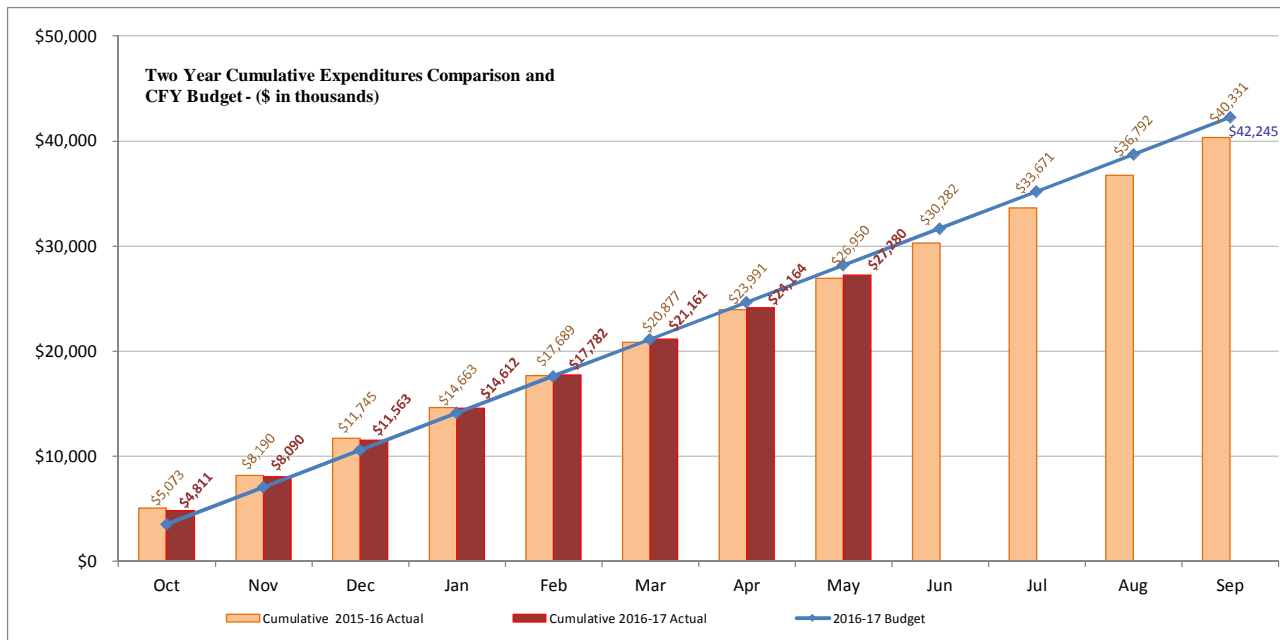
**CITY OF BOYNTON BEACH, FLORIDA**  
**UTILITY FUND ANALYSIS**  
**STATEMENT OF REVENUES - COMPARATIVE BUDGET TO ACTUAL**  
**Fiscal Year Period Ended May 31, 2017 (67% of Fiscal Year)**

| ACCOUNTS                         | REVENUES                         |                      |               |                                  |                      |               |
|----------------------------------|----------------------------------|----------------------|---------------|----------------------------------|----------------------|---------------|
|                                  | FY 2016-17<br>BUDGET<br>APPROVED | FY 2016-17 TO DATE   |               | FY 2015-16<br>BUDGET<br>APPROVED | FY 2015-16 TO DATE   |               |
|                                  |                                  | REVENUE<br>REALIZED  | %<br>REALIZED |                                  | REVENUE<br>REALIZED  | %<br>REALIZED |
| WATER SALES                      | \$ 20,250,000                    | \$ 14,801,016        | 73%           | \$ 19,490,000                    | \$ 13,977,093        | 72%           |
| WATER CONNECTION FEE             | 25,000                           | 57,262               | 229%          | 25,000                           | 33,600               | 134%          |
| WATER SERVICE CHARGE             | 750,000                          | 678,585              | 90%           | 750,000                          | 562,670              | 75%           |
| WTR-BACKFLOW PREVNTN TEST        | 10,000                           | 9,500                | 95%           | 5,000                            | 13,650               | 273%          |
| RECLAIMED WATER SALES            | 60,000                           | 47,088               | 78%           | 60,000                           | 38,763               | 65%           |
| SEWER SERVICE                    | 18,500,000                       | 12,641,337           | 68%           | 17,988,000                       | 12,553,584           | 70%           |
| STORMWATER UTILITY FEE           | 3,800,000                        | 2,550,525            | 67%           | 3,790,000                        | 2,518,799            | 66%           |
| TELEWISE SEWER LINES             | 3,500                            | 107                  | 3%            | 2,500                            | 5,180                | 207%          |
| FEES                             | 15,000                           | 4,150                | 28%           | 10,000                           | 18,730               | 187%          |
| INTEREST INCOME                  | 35,000                           | 8,600                | 25%           | 40,000                           | 22,293               | 56%           |
| SALE OF SURPLUS EQUIP.           | -                                | 1,655                | 0%            | -                                | 975                  | 0%            |
| OCEAN RGE UT TAX ADM CHG         | 800                              | 483                  | 60%           | 800                              | 555                  | 69%           |
| BAD DEBT RECOVERIES              | -                                | -                    | 0%            | 500                              | -                    | 0%            |
| MISCELLANEOUS INCOME             | -                                | 438                  | 0%            | -                                | 37,645               | 0%            |
| TRANSFER FROM SANITATION FUND    | -                                | -                    | 0%            | -                                | -                    | 0%            |
| FUND BALANCE DECREASE (INCREASE) | (1,204,004)                      | (802,669)            | 67%           | 56,108                           | 37,405               | 67%           |
| <b>TOTAL REVENUES</b>            | <b>\$ 42,245,296</b>             | <b>\$ 29,998,077</b> | <b>71%</b>    | <b>\$ 42,217,908</b>             | <b>\$ 29,820,942</b> | <b>71%</b>    |



**CITY OF BOYNTON BEACH, FLORIDA**  
**UTILITY FUND ANALYSIS**  
**STATEMENT OF EXPENDITURES - COMPARATIVE BUDGET TO ACTUAL**  
**Fiscal Year Period Ended May 31, 2017 (67% of Fiscal Year)**

| <b>EXPENDITURES</b>         |                                  |                      |               |                                  |                      |               |
|-----------------------------|----------------------------------|----------------------|---------------|----------------------------------|----------------------|---------------|
| ACCOUNTS                    | FY 2016-17<br>BUDGET<br>APPROVED | FY 2016-17 TO DATE   |               | FY 2015-16<br>BUDGET<br>APPROVED | FY 2015-16 TO DATE   |               |
|                             |                                  | EXPENDED             | %<br>EXPENDED |                                  | EXPENDED             | %<br>EXPENDED |
| WATER DISTRIBUTION          | \$ 1,814,027                     | \$ 1,331,037         | 73%           | \$ 1,659,754                     | \$ 1,157,508         | 70%           |
| PUBLIC WATER TREATMENT      | 5,677,432                        | 3,770,403            | 66%           | 5,691,571                        | 3,431,420            | 60%           |
| METER READING & SERVICES    | 1,068,186                        | 818,915              | 77%           | 1,208,362                        | 707,782              | 59%           |
| WASTEWATER COLLECTION       | 1,619,933                        | 996,125              | 61%           | 1,720,597                        | 1,083,861            | 63%           |
| WASTEWATER PUMPING STATIONS | 2,586,495                        | 1,609,847            | 62%           | 2,622,842                        | 1,679,016            | 64%           |
| SEWAGE TREATMENT            | 4,260,386                        | 1,744,856            | 41%           | 4,405,000                        | 2,403,051            | 55%           |
| WATER QUALITY               | 650,776                          | 367,661              | 56%           | 662,894                          | 450,403              | 68%           |
| UTILITY ADMINISTRATION      | 14,710,941                       | 9,700,323            | 66%           | 14,472,294                       | 9,436,997            | 65%           |
| UTILITIES ENGINEERING       | 1,365,747                        | 1,041,119            | 76%           | 1,150,746                        | 874,719              | 76%           |
| STORMWATER MAINTENANCE      | 966,364                          | 653,808              | 68%           | 978,291                          | 633,958              | 65%           |
| CUSTOMER RELATIONS          | 1,446,521                        | 964,323              | 67%           | 1,562,822                        | 979,460              | 63%           |
| DEBT SERVICE                | 6,078,488                        | 4,281,114            | 70%           | 6,082,735                        | 4,112,070            | 68%           |
| <b>Total Expenditures</b>   | <b>\$ 42,245,296</b>             | <b>\$ 27,279,531</b> | <b>65%</b>    | <b>\$ 42,217,908</b>             | <b>\$ 26,950,245</b> | <b>64%</b>    |





## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Approve the one-year extension for RFPs/Bids and/ or piggy-backs for the procurement of services and/or commodities as described in the written report for July 18, 2017 - "Request for Extensions and/or Piggybacks"

### EXPLANATION OF REQUEST:

As required, the Finance/Procurement Department submits requests for award to the Commission; requests for approval to enter into contracts and agreements as the result of bid solicitations; and to piggy-back governmental contracts. Options to extend or renew are noted in the "Agenda Request Item" presented to Commission as part of the initial approval process. Procurement seeks to provide an accurate and efficient method to keep the Commission informed of pending renewals and the anticipated expenditure by reducing the paperwork of processing each renewal and/or extension individually and summarizing the information in a monthly report (as required).

| VENDOR(S)   | COMMODITY/SERVICE  | RFP/BID NUMBER                                    | RENEWAL TERM                         |
|---|--|---|--------------------------------------|
| Grainger  | MRO: Facilities Maintenance Supplies (WSCA)  | State of Florida No. 450-000-11-ACS               | July 1, 2017 thru December 31, 2017  |
| Rehrig Pacific Company  | Supply of Injection Molded Refuse Containers and Parts   | 048-2510-15/JMA                                   | July 20, 2017 thru July 19, 2018     |
| Canteen Vending   | Vending Machine (Revenue Generating Contract)  | 070-1410-16/JMA                                   | August 1, 2017 thru July 31, 2018    |
| Anchors Emergency Board-up  | Board-up and/or Secure Services  | Q-058-2111-15/JMA                                 | August 1, 2017 thru July 31, 2018    |
| MedaPoint, Inc.   | AdvanceClaim EMS/Ambulance Billing Software  | Two-Party Agreement signed 8/12/14; Reso. R14-065 | August 12, 2017 thru August 11, 2018 |
| Lou Bachrodt Freightliner   | Annual supply of Original Equipment Manufacturer (OEM) Service and Parts for Freightliner Vehicles and Equipment | 060-1412-16/MFD                                   | August 17, 2017 thru August 16, 2018 |
| Eagle Auto Parts; Kenworth of South Florida; L & L Distributors; Lou Bachrodt Freightliner; Truck Pro | Annual Supply of Large/Heavy Duty Vehicle Aftermarket Parts, Accessories and Supplies                            | 059-1412-16/MFD                                   | August 17, 2017 thru August 16, 2018 |
| CH2M Hill   | Hydrogeological Consulting Services  | 065-2821-16/DJL                                   | August 19, 2017 thru August 18, 2018 |

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

This renewal report will be used for those bids, contracts/agreements and piggy-backs that are renewed/extended with the same terms and conditions and pricing as the initial award.

**FISCAL IMPACT:** Funds have been budgeted under line items as noted on the attached report.

**ALTERNATIVES:** Not approve renewals and require new bids to be issued.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**ATTACHMENTS:**

| Type                                | Description                       |
|-------------------------------------|-----------------------------------|
| <input type="checkbox"/> Attachment | Grainger Renewal                  |
| <input type="checkbox"/> Attachment | Rehrig Pacific Renewal Interest   |
| <input type="checkbox"/> Attachment | Canteen Vending Renewal Interest  |
| <input type="checkbox"/> Attachment | Anchors Board-up Renewal Interest |
| <input type="checkbox"/> Attachment | MedaPoint Renewal Interest        |
| <input type="checkbox"/> Attachment | Lou Bachrodt Renewal Interest - 2 |
| <input type="checkbox"/> Attachment | Eagle Auto Renewal Interest       |
| <input type="checkbox"/> Attachment | Kenworth Renewal Interest         |
| <input type="checkbox"/> Attachment | L&L Renewal Interest              |
| <input type="checkbox"/> Attachment | Lou Bachrodt Renewal Interest     |
| <input type="checkbox"/> Attachment | Truck Pro Renewal Interest        |
| <input type="checkbox"/> Attachment | CH2M Hill Renewal Interest        |

**REVIEWERS:**

| Department             | Reviewer         | Action   | Date                 |
|------------------------|------------------|----------|----------------------|
| Finance                | Howard, Tim      | Approved | 7/10/2017 - 3:58 PM  |
| Finance                | Howard, Tim      | Approved | 7/10/2017 - 3:58 PM  |
| Assistant City Manager | Howard, Tim      | Approved | 7/10/2017 - 3:59 PM  |
| Legal                  | Swanson, Lynn    | Approved | 7/12/2017 - 10:07 AM |
| City Manager           | LaVerriere, Lori | Approved | 7/14/2017 - 9:33 AM  |



FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

**state purchasing**

We serve those who serve Florida

**AMENDMENT NO.: 13**

**Contract Amendment**

**Alternate Contract Source No.: 450-000-11-ACS**

**Contract Name: MRO: Facilities Maintenance Supplies (WSCA)**

This Amendment ("Amendment"), to the MRO: Facilities Maintenance Supplies (WSCA) Contract No. 450-000-11-ACS (Alternate Contract Source "ACS" or "Contract"), between the State of Florida, Department of Management Services ("Department") and W.W. Grainger, Inc. "Contractor", collectively referred to herein as the "Parties", shall be effective July 1, 2017.

**WHEREAS**, the Department originally entered into the ACS with W.W. Grainger, Inc. based on the Western States Contract Alliance (WSCA) State of Nevada Contract No. 1862 on September 2, 2011; and was subsequently renewed on February 28, 2014; extended on February 28, 2017 and, is scheduled to expire on June 30, 2017, and,

**WHEREAS**, The WSCA State of Nevada Contract No. 1862 was amended to extend to June 30, 2017; and was subsequently extended again with a new expiration date of June 30, 2018.

**WHEREAS**, in accordance with Section 287.057(12), F.S., and by mutual agreement, The Parties wish to extend the Contract for a period not exceeding six (6) months,

**THEREFORE**, in consideration of the mutual promises contained below, and other good and valuable consideration, receipt, and sufficiency of which are hereby acknowledged, the Parties agree to the following:

1. **Contract Extension.** The Department hereby executes an extension for a period of six months, effective July 1, 2017 through December 31, 2017. This extension shall be terminated at the end of six months.

2. **Contractor Certification.** If the Contract exceeds \$1,000,000.00 in total, not including renewal years, Contractor certifies that it is not listed on either the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List created pursuant to sections 215.473, F.S. and 215.4725 F.S, respectively. Pursuant to section 287.135(5), F.S., and 287.135(3), F.S., Contractor agrees the Department may immediately terminate the Contract for cause if the Contractor is found to have submitted a false certification or if Contractor is placed on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, or is engaged in a boycott of Israel during the term of the Contract.

3. To the extent any of the terms of this Amendment conflict with the terms of the ACS, the terms of this Amendment shall control.

4. Each person signing this Amendment warrants that he or she is duly authorized to do so and to bind the respective party.

**IN WITNESS WHEREOF**, the Parties have executed this amendment by their duly authorized representatives.

**State of Florida:**  
Department of Management Services

By: 

Name: David Zeckman

Title: Chief of Staff

Date: 6/6/2017

**Contractor:**  
W.W. Grainger, Inc.

By: 

Name: Kevin Sandt

Title: Sr. Government Sales Manager

Date: 5/25/17

# ***The City of Boynton Beach***

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Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316

June 6, 2017

Lisa Perkins, Municipal Contract Manager  
REHRIG PACIFIC  
7452 Presidents Drive  
Orlando, FL 32809

VIA EMAIL TRANSMITTAL TO: lperkins@rehrig.com

**BID: SUPPLY OF INJECTION MOLDED MOBILE REFUSE CONTAINERS AND PARTS**  
**BID No.: 048-2510-15/JMA**

**CURRENT CONTRACT PERIOD: JULY 20, 2015 THRU JULY 19, 2017**

Dear Ms. Perkins:

The Contract for "Supply of Injection Molded Mobile Refuse Containers and Parts" will expire on July 19, 2017. This contract allows for three (3) additional one-year renewals under the same terms and conditions. The City of Boynton Beach would like to renew this contract with Rehrig Pacific Company for an additional one-year term under the same terms and conditions.

Please indicate your response on the following page and return it via email to [triestmani@bbfl.us](mailto:triestmani@bbfl.us) at your earliest convenience. If you should have any questions, please do not hesitate to contact Ilyse Triestman, Purchasing Manager at (561) 742-6322. Thank you.

Sincerely,

Tim W. Howard  
Assistant City Manager - Administration  
Director of Financial Services

cc: Joseph Franklin – Solid Waste Supervisor, Public Works  
File





*Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316*

**BID: SUPPLY OF INJECTION MOLDED MOBILE REFUSE CONTAINERS AND PARTS**  
**BID No.: 048-2510-15/JMA**

**CONTRACT RENEWAL PERIOD: JULY 20, 2017 THRU JULY 19, 2018**

X  
\_\_\_\_ Yes, I agree to renew the existing agreement with the same Terms and Conditions for the renewal period of July 20, 2017 thru July 19, 2018.

\_\_\_\_\_ No, I do not wish to renew the agreement for the following reason(s): \_\_\_\_\_

**REHRIG PACIFIC COMPANY**

Rehrig Pacific Company

---

NAME OF COMPANY

Matt Callier  
NAME OF REPRESENTATIVE  
(Please print)

6/7/17  
DATE

MCallier@Rehrig.com  
E-MAIL ADDRESS

Lisa Herken

SIGNATURE Lisa Perkins, Municipal Contract Mgr.

Sales Representative - Florida  
TITLE

904-528-6139

---

(AREA CODE) TELEPHONE NUMBER

# ***The City of Boynton Beach***

---



*Procurement/Financial Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316*

June 6, 2017

Art Martin, District Operations Manager  
Canteen Vending  
16565 NW 15 Avenue  
Miami, FL 33169

VIA EMAIL TRANSMISSION TO: ART.MARTIN@COMPASS-USA.COM

RE: "FIVE YEAR CONTRACT FOR VENDING MACHINES AT VARIOUS CITY LOCATIONS"  
RFP No.: 053-1410-11/CJD

**CURRENT AGREEMENT TERM: AUGUST 1, 2016 THROUGH JULY 31, 2017**

Dear Mr. Martin:

The Agreement for Vending Services between the City of Boynton Beach and Family Vending Co., Inc. (now Canteen Vending) will expire July 31, 2017. The Agreement allows for optional renewals for two (2) additional one-year terms with the same terms and conditions.

The City of Boynton Beach would like to renew the existing Agreement under the same terms and conditions for an additional year as allowed in the RFP documents and the Agreement.

Please indicate your response on the following page and return it to Financial Services at your earliest convenience. If you should have any questions, please do not hesitate to contact Ilyse Triestman, Purchasing Manager at (561) 742-6322 or E-mail: [triestmani@bbfl.us](mailto:triestmani@bbfl.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Tim W. Howard".

Tim W. Howard  
Assistant City Manager - Administration  
Director of Financial Services

Enclosure  
pc: Central File  
File

# The City of Boynton Beach



Procurement/Financial Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316

RE: "FIVE YEAR CONTRACT FOR VENDING MACHINES AT VARIOUS CITY LOCATIONS"  
RFP No.: 053-1410-11/CJD

Agreement between the CITY OF BOYNTON BEACH and CANTEEN VENDING

**AGREEMENT RENEWAL TERM: AUGUST 1, 2017 THROUGH JULY 31, 2018**

☒ Yes, I agree to renew the existing Agreement under the same Terms, Conditions for an additional year.

☐ No, I do not wish to renew the Agreement for the following reason(s): \_\_\_\_\_

## CANTEEN VENDING

NAME OF COMPANY \_\_\_\_\_

Ramiro Gonzalez  
NAME OF REPRESENTATIVE  
(Please print)

DATE

8/6/2017

SIGNATURE

TITLE

Regional Director  
305-624-5100  
(AREA CODE) TELEPHONE NUMBER

E-MAIL ADDRESS

Ramiro.Gonzalez@Compass-USA.COM

# The City of Boynton Beach



Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316

QUOTE NAME: **BOARD-UP AND/OR SECURE SERVICES**  
QUOTE NO.: **Q-058-2111-15/JMA**

**CONTRACT RENEWAL PERIOD: AUGUST 1, 2017 THRU JULY 31, 2018**



Yes, I agree to renew the existing agreement with the same prices, terms and conditions for the renewal period of August 1, 2017 thru July 31, 2018.

No, I do not wish to renew the agreement for the following reason(s): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## ANCHORS EMERGENCY BOARD-UP

NAME OF COMPANY

KEVIN L. ANCHORS

NAME OF REPRESENTATIVE  
(Please print)

7/6/2017

DATE

ANCHORSBOARDUP@BELLSOUTH.NET  
E-MAIL ADDRESS

Kevin L. Anchors  
SIGNATURE

PRESIDENT  
TITLE

954-336-7353  
(AREA CODE) TELEPHONE NUMBER

# **The City of Boynton Beach**



Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316

May 22, 2017

Eric Becker, President and COO  
MedaPoint, Inc.  
3005 South Lamar Avenue  
Suite D109-136  
Austin, TX 78704

VIA EMAIL TRANSMITTAL TO: [eric.becker@medapoint.com](mailto:eric.becker@medapoint.com)

**RE: Agreement Between Medapoint, Inc. and City of Boynton Beach for  
AdvanceClaim EMS/Ambulance Billing Software; Resolution R14-065**

**RENEWAL TERM: AUGUST 12, 2017 TO AUGUST 11, 2018**

Dear Mr. Becker:

The Software License Agreement for use of the AdvanceClaim EMS/Ambulance Billing Software will expire on August 11, 2017 and the City of Boynton Beach would like to renew this Agreement for an additional one year term with the same terms, conditions and pricing.

To clarify the Annual AdvanceClaim Base Fees:

**Annual renewal rate of \$3,900.00 includes system licensing, unlimited logins, and online training;**

**Usage Fees are \$0.89 per billable claim, invoiced monthly.**

Please indicate your response on the following page and return it to Financial Services. If you should have any questions, please do not hesitate to contact Ilyse Triestman, Purchasing Manager, at (561) 742-6322.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tim W. Howard".

Tim W. Howard  
Assistant City Manager - Administration  
Director of Financial Services

c: Vicki Dornieden, Administration and Finance Officer  
File

# The City of Boynton Beach



Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316

**RE: AGREEMENT BETWEEN MEDAPOINT AND CITY OF BOYNTON BEACH FOR  
ADVANCECLAIM EMS/AMBULANCE BILLING SOFTWARE; RESOLUTION R14-065**

Agreement between the CITY OF BOYNTON BEACH and MEDAPOINT, INC.

**CONTRACT RENEWAL PERIOD: AUGUST 12, 2017 TO AUGUST 11, 2018**

☒ Yes, I agree to renew the existing Agreement with the same Terms, Conditions and Fees for an additional year.

☐ No, I do not wish to renew the Agreement for the following reason(s): \_\_\_\_\_

**MEDAPOINT, INC.**

NAME OF COMPANY

ERIC BECKER

NAME OF REPRESENTATIVE  
(Please print)

DATE

6/16/17

E-MAIL ADDRESS

ERIC.BECKER@MEDAPOINT.COM

SIGNATURE

PRESIDENT AND COO

TITLE

(AREA CODE) TELEPHONE NUMBER

512-297-8408



# ***The City of Boynton Beach***

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*Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316*

May 17, 2017

Lou Bachrodt Freightliner  
1801 W. Atlantic Blvd.  
Pompano Beach, FL. 33064

ATTN: Chris Poulin

**RE: "ANNUAL SUPPLY OF ORIGINAL EQUIPMENT MANUFACTURER (OEM) SERVICE AND  
PARTS FOR FREIGHTLINER VEHICLES AND EQUIPMENT"  
BID #: 060-1412-16/MFD**

Dear Mr. Poulin:

The above referenced Bid will expire on August 16, 2017. The Bid Documents allow for a one year renewal. Therefore, the City of Boynton Beach would like to renew the existing agreement under the same terms and conditions for an additional year.

We appreciate your quality service, and if you agree, with Commission approval, the Bid will be extended for an additional year.

Please indicate your response on the following page and email it to Michael Dauta, Warehouse Manager, at [dautam@bbfl.us](mailto:dautam@bbfl.us). We look forward to continue working with you. If you should have any questions, please contact Michael Dauta, Warehouse Manager, via email at [dautam@bbfl.us](mailto:dautam@bbfl.us)

Thank you.

Sincerely,

Tim W. Howard  
Assistant City Manager, Administrative Services

c: Michael Dauta – Warehouse Manager  
Central File

BID NAME: "ANNUAL SUPPLY OF ORIGINAL EQUIPMENT MANUFACTURER (OEM) SERVICE AND PARTS FOR FREIGHTLINER VEHICLES AND EQUIPMENT"

BID NO.: 060-1412-16/MFD

Contract Renewal Period: AUGUST 17, 2017 THROUGH AUGUST 16, 2018

Agreement between the City of Boynton Beach, and Lou Bachrodt Freightliner;

☒ Yes, I agree to extend the existing Bid for the Annual Contract for OEM Parts and Service for Freightliner under the same Terms and Conditions for an additional year: August 17, 2017 through August 16, 2018.

☐ No, I do not wish to renew the agreement for the following reason(s): \_\_\_\_\_

LOU BACHRODT FREIGHTLINER

Chris Poulin  
SIGNATURE

Chris Poulin  
NAME OF REPRESENTATIVE  
(please print)

Parts Director  
TITLE

6/13/17  
DATE

954-545-1000  
(AREA CODE) TELEPHONE NUMBER



# The City of Boynton Beach

---



Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316

May 17, 2017

Eagle Auto Parts Inc.  
1230 Hypoluxo Road  
Lantana, FL. 33462

ATTN: Steven Brand'l

**RE: "ANNUAL SUPPLY OF LARGE/HEAVY DUTY VEHICLE AFTERMARKET PARTS,  
ACCESSORIES AND SUPPLIES"  
BID #: 059-1412-16/MFD**

Dear Mr. Brand'l:

The above referenced Bid will expire on August 16, 2017. The Bid Documents allow for a one year renewal. Therefore, the City of Boynton Beach would like to renew the existing agreement under the same terms and conditions for an additional year.

We appreciate your quality service, and if you agree, with Commission approval, the Bid will be extended for an additional year.

Please indicate your response on the following page and email it to Michael Dauta, Warehouse Manager, at [dautam@bbfl.us](mailto:dautam@bbfl.us). We look forward to continue working with you. If you should have any questions, please contact Michael Dauta, Warehouse Manager, via email at [dautam@bbfl.us](mailto:dautam@bbfl.us)  
Thank you.

Sincerely,

Tim W. Howard  
Assistant City Manager, Administrative Services

c: Michael Dauta – Warehouse Manager  
Central File

BID NAME: "ANNUAL SUPPLY OF LARGE/HEAVY DUTY VEHICLE AFTERMARKET PARTS, ACCESSORIES AND SUPPLIES"

BID NO.: 059-1412-16/MFD

Contract Renewal Period: AUGUST 17, 2017 THROUGH AUGUST 16, 2018

Agreement between the City of Boynton Beach, and Eagle Auto Parts;

☒ Yes, I agree to extend the existing Bid for the Annual Contract for Supply of Large Aftermarket Parts under the same Terms and Conditions for an additional year: August 17, 2017 through August 16, 2018.

☐ No, I do not wish to renew the agreement for the following reason(s): \_\_\_\_\_

**EAGLE AUTO PARTS**

Steven R Brandt

NAME OF REPRESENTATIVE  
(please print)

6/15/17  
DATE

[Signature]

SIGNATURE

President / Owner  
TITLE

(954) 520-5768  
(AREA CODE) TELEPHONE NUMBER

BID NAME: "ANNUAL SUPPLY OF LARGE/HEAVY DUTY VEHICLE AFTERMARKET PARTS, ACCESSORIES AND SUPPLIES"

BID NO.: 059-1412-16/MFD

Contract Renewal Period: AUGUST 17, 2017 THROUGH AUGUST 16, 2018

Agreement between the City of Boynton Beach, and Kenworth of South Florida;

X Yes, I agree to extend the existing Bid for the Annual Contract for Supply of Large Aftermarket Parts under the same Terms and Conditions for an additional year: August 17, 2017 through August 16, 2018.

\_\_\_\_\_ No, I do not wish to renew the agreement for the following reason(s): \_\_\_\_\_

KENWORTH OF SOUTH FLORIDA

Paul F. Ahrens  
SIGNATURE

Paul F. Ahrens  
NAME OF REPRESENTATIVE  
(please print)

Parts Director  
TITLE

6/5/17  
DATE

954-523-5484  
(AREA CODE) TELEPHONE NUMBER

# ***The City of Boynton Beach***

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*Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316*

May 17, 2017

L & L Distributors  
1511 North Powerline Road  
Pompano Beach, FL. 33069

ATTN: Anthony Bormett

**RE: "ANNUAL SUPPLY OF LARGE/HEAVY DUTY VEHICLE AFTERMARKET PARTS,  
ACCESSORIES AND SUPPLIES"  
BID #: 059-1412-16/MFD**

Dear Mr. Bormett:

The above referenced Bid will expire on August 16, 2017. The Bid Documents allow for a one year renewal. Therefore, the City of Boynton Beach would like to renew the existing agreement under the same terms and conditions for an additional year.

We appreciate your quality service, and if you agree, with Commission approval, the Bid will be extended for an additional year.

Please indicate your response on the following page and email it to Michael Dauta, Warehouse Manager, at [dautam@bbfl.us](mailto:dautam@bbfl.us). We look forward to continue working with you. If you should have any questions, please contact Michael Dauta, Warehouse Manager, via email at [dautam@bbfl.us](mailto:dautam@bbfl.us)

Thank you.

Sincerely,

Tim W. Howard  
Assistant City Manager, Administrative Services

c: Michael Dauta – Warehouse Manager  
Central File



# ***The City of Boynton Beach***

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100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316*

May 17, 2017

Lou Bachrodt Freightliner  
1801 W. Atlantic Blvd.  
Pompano Beach, FL. 33064

ATTN: Chris Poulin

**RE: "ANNUAL SUPPLY OF LARGE/HEAVY DUTY VEHICLE AFTERMARKET PARTS,  
ACCESSORIES AND SUPPLIES"  
BID #: 059-1412-16/MFD**

Dear Mr. Poulin:

The above referenced Bid will expire on August 16, 2017. The Bid Documents allow for a one year renewal. Therefore, the City of Boynton Beach would like to renew the existing agreement under the same terms and conditions for an additional year.

We appreciate your quality service, and if you agree, with Commission approval, the Bid will be extended for an additional year.

Please indicate your response on the following page and email it to Michael Dauta, Warehouse Manager, at [dautam@bbfl.us](mailto:dautam@bbfl.us). We look forward to continue working with you. If you should have any questions, please contact Michael Dauta, Warehouse Manager, via email at [dautam@bbfl.us](mailto:dautam@bbfl.us)

Thank you.

Sincerely,

Tim W. Howard  
Assistant City Manager, Administrative Services

c: Michael Dauta – Warehouse Manager  
Central File

BID NAME: "ANNUAL SUPPLY OF LARGE/HEAVY DUTY VEHICLE AFTERMARKET PARTS, ACCESSORIES AND SUPPLIES"

BID NO.: 059-1412-16/MFD

Contract Renewal Period: AUGUST 17, 2017 THROUGH AUGUST 16, 2018

Agreement between the City of Boynton Beach, and Lou Bachrodt Freightliner;

☒ Yes, I agree to extend the existing Bid for the Annual Contract for Supply of Large Aftermarket Parts under the same Terms and Conditions for an additional year: August 17, 2017 through August 16, 2018.

☐ No, I do not wish to renew the agreement for the following reason(s): \_\_\_\_\_

**LOU BACHRODT FREIGHTLINER**

Chris Poulin  
SIGNATURE

Chris Poulin  
NAME OF REPRESENTATIVE  
(please print)

Parts Director  
TITLE

6/13/17  
DATE

\_\_\_\_\_  
(AREA CODE) TELEPHONE NUMBER

# The City of Boynton Beach

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Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316

May 17, 2017

Truck Pro  
324 Sunshine Road  
West Palm Beach, FL. 33411

ATTN: Marc Gold

**RE: "ANNUAL SUPPLY OF LARGE/HEAVY DUTY VEHICLE AFTERMARKET PARTS,  
ACCESSORIES AND SUPPLIES"**  
**BID #: 059-1412-16/MFD**

Dear Mr. Gold:

The above referenced Bid will expire on August 16, 2017. The Bid Documents allow for a one year renewal. Therefore, the City of Boynton Beach would like to renew the existing agreement under the same terms and conditions for an additional year.

We appreciate your quality service, and if you agree, with Commission approval, the Bid will be extended for an additional year.

Please indicate your response on the following page and email it to Michael Dauta, Warehouse Manager, at [dautam@bbfl.us](mailto:dautam@bbfl.us). We look forward to continue working with you. If you should have any questions, please contact Michael Dauta, Warehouse Manager, via email at [dautam@bbfl.us](mailto:dautam@bbfl.us)

Thank you.

Sincerely,

Tim W. Howard  
Assistant City Manager, Administrative Services

c: Michael Dauta – Warehouse Manager  
Central File



BID NAME: "ANNUAL SUPPLY OF LARGE/HEAVY DUTY VEHICLE AFTERMARKET PARTS, ACCESSORIES AND SUPPLIES"

BID NO.: 059-1412-16/MFD

Contract Renewal Period: AUGUST 17, 2017 THROUGH AUGUST 16, 2018

Agreement between the City of Boynton Beach, and Truck Pro;

☒ Yes, I agree to extend the existing Bid for the Annual Contract for Supply of Large Aftermarket Parts under the same Terms and Conditions for an additional year: August 17, 2017 through August 16, 2018.

☐ No, I do not wish to renew the agreement for the following reason(s): \_\_\_\_\_

**TRUCK PRO**

Marc Gold  
NAME OF REPRESENTATIVE  
(please print)

06-05-17  
DATE

SIGNATURE

TITLE

Store Manager  
561-798-8900  
(AREA CODE) TELEPHONE NUMBER

# ***The City of Boynton Beach***

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Finance/Procurement Services  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone No: (561) 742-6310  
FAX: (561) 742-6316

June 1, 2017

Gerrit Bulman, Project Manager  
CH2M Hill  
550 W. Cypress Creek Road  
Suite 400  
Fort Lauderdale, FL 33309

VIA EMAIL TRANSMISSION TO: Gerrit.Bulman@CH2M.com

**RE: RFQ No. 029-2821-13/DJL; HYDROGEOLOGICAL CONSULTING SERVICES**

**CURRENT CONTRACT PERIOD: August 19, 2016 through August 18, 2017**

Dear Mr. Bulman:

The Agreement between the City of Boynton Beach and CH2M Hill for "Hydrogeological Consulting Services" by way of individual task orders expires August 18, 2017. The RFQ documents and the Agreement allow for an additional one-year renewal. The City of Boynton Beach would like to continue to utilize and extend this Agreement for the third and final one-year renewal term at the same terms, conditions and hourly rates.

Please indicate your response on the following page and return it to Finance/Procurement Services at your earliest convenience. Please submit an updated Certificate of Insurance in full accordance with the Contract requirements at your earliest convenience.

If you should have any questions, please feel free to call me at (561) 742-6310. Thank you.

Sincerely,

Tim W. Howard  
Assistant City Manager – Administrative Services  
Director of Financial Services

cc: Michael Low, Manager, Technical Services  
Bevis Pigott, Manager, Water Quality and Treatment  
Central File  
File



Agreement between the City of Boynton Beach and **CH2M HILL**

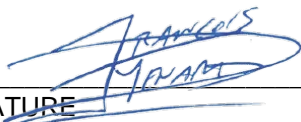
**NEW CONTRACT PERIOD: AUGUST 19, 2017 to AUGUST 18, 2018**

  X   Yes, I agree to extend the existing Agreement under the same Terms and Conditions and Rates for an additional one-year term.

       No, I do not wish to extend the Agreement as explained below:

\_\_\_\_\_  
\_\_\_\_\_

CH2M HILL \_\_\_\_\_

  
SIGNATURE \_\_\_\_\_

Francois Didier Menard, P.E.  
NAME OF REPRESENTATIVE  
*Please Print*

Vice President  
TITLE

6/6/2017  
DATE

(407) 650-2104  
(AREA CODE) TELEPHONE NUMBER

Didier.Menard@ch2m.com  
E-MAIL ADDRESS



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Accept the written report to the Commission for purchases over \$10,000 for the month of June 2017.

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**EXPLANATION OF REQUEST:**

Per Ordinance No.01-66, Chapter 2, Section 2-56.1 Exceptions to competitive bidding, Paragraph b, which states: "Further, the City Manager, or in the City Manager's absence, the Acting City Manager is authorized to execute a purchase order on behalf of the City for such purchases under the \$25,000 bid threshold for personal property, commodities, and services, or \$75,000 for construction. The City Manager shall file a written report with the City Commission at the second Commission meeting of each month listing the purchase orders approved by the City Manager, or Acting City Manager. Below is a list of the purchases for June 2017:

| <u>Purchase Order</u> | <u>Vendor</u>                   | <u>Amount</u> |
|-----------------------|---------------------------------|---------------|
| 171171                | Palm Beach Aluminum, Inc.       | \$ 24,889.95  |
| 171204                | Tribune Direct                  | \$ 23,520.00  |
| 171216                | Compressed Air Supplies & Equip | \$ 14,649.70  |
| 171228                | Mako Pools, Inc.                | \$ 12,376.00  |
| 171233                | AMJ – Trinova – FL              | \$ 12,845.84  |
| 171246                | Bennett Fire Products           | \$ 17,448.00  |

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** Ordinance No.01-66, Chapter 2, Section 2-56.1 assists departments in timely procurement of commodities, services, and personal property. Administrative controls are in place with the development of a special processing form titled "Request for Purchases over \$10,000" and each purchase request is reviewed and approved by the Department Director, Finance Department, and City Manager.

**FISCAL IMPACT:** Budgeted This Ordinance provides the impact of reducing paperwork by streamlining processes within the organization. This allows administration to maintain internal controls for these purchases, reduce the administrative overhead of processing for approval, and allow for making more timely purchases.

**ALTERNATIVES:** None.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

## CLIMATE ACTION DISCUSSION:

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Is this a grant? No

Grant Amount:

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### ATTACHMENTS:

| Type                                | Description                      |
|-------------------------------------|----------------------------------|
| <input type="checkbox"/> Attachment | Purchases over \$10K - June 2017 |

### REVIEWERS:

| Department   | Reviewer         | Action   | Date                |
|--------------|------------------|----------|---------------------|
| Finance      | Howard, Tim      | Approved | 7/10/2017 - 4:48 PM |
| Finance      | Howard, Tim      | Approved | 7/10/2017 - 4:48 PM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:34 AM |



**CITY OF BOYNTON BEACH  
APPROVED REQUESTS FOR PURCHASES OVER \$10,000  
FOR JUNE 2017**

|  |                       |                         |                              |
|--|-----------------------|-------------------------|------------------------------|
| <b>1. Vendor:</b> Palm Beach Aluminum, Inc.  |                       | <b>Purchase Amount:</b> | \$24,889.95                  |
| <b>Requesting Department:</b>  | Utilities             | <b>Contact Person:</b>  | Howard Kerr                  |
|  |                       | <b>Date:</b>            | 6/6/17                       |
| <b>Brief Description of Purchase:</b><br>Replace hurricane shutters at the East Water Treatment Plant.   |                       |                         |                              |
| <b>Source for Purchase:</b>  | Three Written Quotes  | <b>Fund Source:</b>     | 403-5000-533-65-02<br>WTR020 |
| <b>2. Vendor:</b> Tribune Direct   |                       | <b>Purchase Amount:</b> | \$23,520.00                  |
| <b>Requesting Department:</b>  | City Manager's Office | <b>Contact Person:</b>  | Eleanor Krusell              |
|  |                       | <b>Date:</b>            | 6/14/17                      |
| <b>Brief Description of Purchase:</b><br>Water quality report printing and mailing services.   |                       |                         |                              |
| <b>Source for Purchase:</b>  | Three Written Quotes  | <b>Fund Source:</b>     | 401-2819-536-47-10           |
| <b>3. Vendor:</b> Compressed Air Supplies & Equipment  |                       | <b>Purchase Amount:</b> | \$14,649.70                  |
| <b>Requesting Department:</b>  | Fire                  | <b>Contact Person:</b>  | Deputy Fire Chief Hoggatt    |
|  |                       | <b>Date:</b>            | 6/16/17                      |
| This purchase is for the conversion of the compressors at Fire Station #4 & #5.  |                       |                         |                              |
| <b>Source for Purchase:</b>  | Three Written Quotes  | <b>Fund Source:</b>     | 001-2210-522-64-06           |
| <b>4. Vendor:</b> Mako Pools, Inc.   |                       | <b>Purchase Amount:</b> | \$12,376.00                  |
| <b>Requesting Department:</b>  | Recreation            | <b>Contact Person:</b>  | Wally Majors                 |
|  |                       | <b>Date:</b>            | 6/23/17                      |
| <b>Brief Description of Purchase:</b><br>Emergency replacement of pool filter system at Denson pool. System non operable and required pool to be closed. Cannot repair because of age. Needed to replace in order to re-open the pool. |                       |                         |                              |
| <b>Source for Purchase:</b>  | Emergency purchase    | <b>Fund Source:</b>     | 001-2710-572-64-03           |

|   |  |                         |                              |
|---|--|-------------------------|------------------------------|
| <b>5. Vendor:</b> AMJ - Trinova - FL  |  | <b>Purchase Amount:</b> | \$12,845.84                  |
| <b>Requesting Department:</b>   | Utilities                                | <b>Contact Person:</b>  | Leon Liberus                 |
|   |  | <b>Date:</b>            | 6/27/17                      |
| <b>Brief Description of Purchase:</b><br>Replacement pumps for sodium hypochlorite & caustic feed system. |  |                         |                              |
| <b>Source for Purchase:</b>   | Sole Source                              | <b>Fund Source:</b>     | 403-5000-533-65-02<br>WTR020 |
| <b>6. Vendor:</b> Bennett Fire Products Company   |  | <b>Purchase Amount:</b> | \$17,448.00                  |
| <b>Requesting Department:</b>   | Fire                                     | <b>Contact Person:</b>  | Vicki Dorneiden              |
|   |  | <b>Date:</b>            | 6/28/17                      |
| <b>Brief Description of Purchase:</b><br>Purchase uniforms/fire rescue gear for Firefighters.             |  |                         |                              |
| <b>Source for Purchase:</b>   | Piggyback Lake Co.<br>Contract #12-0806B | <b>Fund Source:</b>     | 001-2210-522-52-23           |

PURCHASE ORDER  
**CITY OF BOYNTON BEACH, FLORIDA**

PROCUREMENT SERVICES DEPARTMENT  
100 EAST BOYNTON BEACH BOULEVARD  
P.O. BOX 310  
BOYNTON BEACH, FLORIDA 33425-0310

P.O. #: 171171  
DATE: 06/06/17

VENDOR 10438

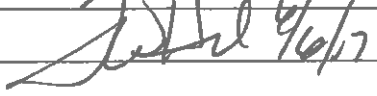
TO: PALM BEACH ALUMINUM, INC.  
1400 WEST 13TH STREET  
RIVIERA BEACH, FL 33404

SHIP TO:  
City of Boynton Beach  
EAST UTILITY ADMIN  
124 E. WOOLBRIGHT ROAD  
BOYNTON BEACH, FL 33435

|                       |                                     |                      |   |
|-----------------------|-------------------------------------|----------------------|---|
| REQUISITION NO. 69123 | ORDERING DEPARTMENT: UTIL ADMIN/HLK |                      | INQUIRIES REGARDING<br>PURCHASE ORDER CALL<br>(561)742-6310 |
| DATE NEEDED:          | BID NO:                             | COMMISSION APPROVED: |   |

| LINE# | QUANTITY | UOM | ITEM NO. AND DESCRIPTION                     | UNIT COST | EXTENDED COST |
|-------|----------|-----|--|-----------|---------------|
| 1     | 82.00    | EA  | ACCORDION HURRICANE SHUTTERS FOR 82 OPENINGS | 303.5360  | 24889.95      |

REMARKS:  
HURRICANE SHUTTERS FOR EWTP.  
SEE ATTACHED QUOTE DATED 5/12/17

|                                   |  |  |             |          |
|-----------------------------------|--|--|-------------|----------|
| PROCUREMENT SERVICES:             |  |  | P.O. TOTAL: | 24889.95 |
| ACCOUNT NO.<br>403-5000-533.65-02 | PROJECT<br>WTR020  |  |             |          |





**CITY OF BOYNTON BEACH**  
**REQUEST FOR PURCHASE OVER \$10,000**

Date: 5-Apr-17

Requesting Department: Utilities

Contact Person: Howard Kerr

**Explanation for Purchase:**

The East Water Treatment Plant (EWTP) is in need of hurricane hardening in terms of replacing faulty or defunct hurricane shutters.

**Recommended Vendor** Palm Beach Aluminium

**Dollar Amount of Purchase** \$24,890.00

**Source for Purchase (check and attach backup materials):**

|                          |                                     |               |                                     |
|--------------------------|-------------------------------------|---------------|-------------------------------------|
| Three Written Quotations | <input checked="" type="checkbox"/> | GSA           | <input type="checkbox"/>            |
| State Contract           | <input type="checkbox"/>            | PRIDE/RESPECT | <input type="checkbox"/>            |
| SNAPS                    | <input type="checkbox"/>            | Sole Source   | <input type="checkbox"/>            |
| Piggy-Back               | <input type="checkbox"/>            | Budgeted Item | <input type="checkbox"/>            |
| Emergency Purchase       | <input type="checkbox"/>            | Other         | <input checked="" type="checkbox"/> |

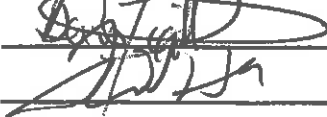


Contract Number: \_\_\_\_\_

NOTE: Pricing proposal for purchase must be presented in the same detail contained within the contract.

**Fund Source for Purchase:**

Account #403-5000-533-65-02

**Approvals:**

Department Head   
Purchasing Agent   
Asst City Manager \_\_\_\_\_  
City Manager 

Date 5-19-17  
Date 6/5/17  
Date \_\_\_\_\_  
Date 6/15/17

PURCHASE REQUISITION NBR: 0000069123

REQUISITION BY: UTIL ADMIN/HLK  
SHIP TO LOCATION: EAST UTILITY ADMIN  
STATUS: DEPT APPROVAL  
REASON: HURRICANE SHUTTERS NEEDED FOR EAST WTP  
SUGGESTED VENDOR: 10438 PALM BEACH ALUMINUM, INC.  
DATE: 5/18/17  
DELIVER BY DATE: 6/18/17

LINE  
NBR DESCRIPTION

| QUANTITY | UOM | UNIT<br>COST | EXTEND<br>COST | VENDOR PART NUMBER |
|----------|-----|--------------|----------------|--------------------|
| 82.00    | EA  | 303.5360     | 24889.95       |                    |

1 ACCORDION HURRICANE SHUTTERS FOR 82 OPENINGS  
COMMODITY: HURRICANE STOCK  
SUBCOMMOD: HURRICANE E.O.C OFFICES

REQUISITION TOTAL: 24889.95

REQUISITION QUOTES

| SELECTED VENDOR: | VENDOR NAME                     |
|------------------|---------------------------------|
| 24890.0000       | 10438 PALM BEACH ALUMINUM, INC. |
| 28220.0000       | GUARDIAN STORM PROTECTION       |
| 44545.0000       | CASTLE IMPACT WINDOWS           |

ACCOUNT INFORMATION

| LINE # | ACCOUNT        | UTIL CONST IN PROGRESS | PROJECT                   | AMOUNT   |
|--------|----------------|------------------------|---------------------------|----------|
| 1      | 40350005336502 | R&R - WATER            | WTR020                    | 24889.95 |
|        |                |                        | Water Plant Rprs-Mechanic |          |
|        |                |                        |                           | 100.00   |

REQUISITION IS IN THE CURRENT FISCAL YEAR.

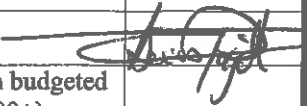
REQUISITION COMMENTS:

The East Water Treatment Plant (East WTP) is in need of hurricane hardening in terms of replacing faulty or defunct hurricane shutters.

APPROVALS  
Manager - JLF Date 6/11/17  
Finance Dept JLF Date 6/5/17  
Risk Manager MIM Date 6-2-17  
City Attorney Date

24889.95  
24889.95  
fs 5/24/17

# REQUEST FOR REQUISITION

|  |   |
|--|---|
| <b>H.T.E. ENTRY DATE:</b>                                  | <b>5/18/2017</b>  |
| <b>H.T.E. REQUISITION #</b>                                | <b>69123</b>  |
| <b>Contract Coordinator</b>                                | <b>HLK</b>  |
| <b>Procurement Ass't:</b>                                  |   |
| <b>Director:</b>   |  |
| <b>City Manager (non budgeted capital and/or \$5000+):</b> |   |

|   |  |                  |                                  |
|---|--|------------------|----------------------------------|
| <b>Reason For Purchase: The East Water Treatment Plant (East WTP) is in the need of hurricane hardening in terms of replacing faulty or defunct hurricane shutters.</b> |  |                  |                                  |
|   |  |                  |                                  |
| <b>VENDOR INFORMATION:</b>  |  | <b>DIVISION:</b> |                                  |
| Name: Palm Beach Aluminum   |  | Admin. ( x )     | <b>OTHER INFORMATION:</b>        |
|   |  | Engineering ( )  | Date: 04/13/2017      ASAP ( x ) |
| Address: 1400 West 13 <sup>th</sup> Street, Riviera Beach , FL 33404  |  | Cust. Rel. ( )   | Date Needed:      Confirm. ( )   |
|   |  | Distribution ( ) | ASAP/Conf. ( )                   |
| Phone (contact): 561-844-8285   |  | Water Qual. ( )  | <b>BACKUP DOCS. SUBMITTED:</b>   |
|   |  | Pumping ( )      | Quotes/Verbal ( )                |
| Vendor Number: 10438  |  | PWTreat. ( )     | Quotes/Written ( x )             |
|   |  | Meter Serv. ( )  | Bid Docs. ( )                    |
| <b>INITIATOR: Howard Kerr</b>   |  | Sewage ( )       | Sole Source Ltr. ( )             |
| <b>APPROVED:</b>  |  | Strmwtr. ( )     | Insurance Requirements: ( )      |
|   |  |                  | <b>DELIVERY:</b>                 |
|   |  |                  | E. Admin. 40 ( x )               |
|   |  |                  | E. WTP 41 ( )                    |
|   |  |                  | W. WTP 42 ( )                    |
|   |  |                  | P/U 99 ( )                       |
|   |  |                  | Special Instructions:            |
|   |  |                  | Project Number: <u>WTR020</u>    |

| Quan. | Unit Price | Description & Part Number | Fund | Dept | Basic | Elem | Obj | Amount   |
|-------|------------|---------------------------|------|------|-------|------|-----|----------|
| 82    | \$303.54   | Accordion Shutters        | 403  | 5000 | 533   | 65   | 02  | \$24,890 |
|       |            |                           |      |      |       |      |     |          |
|       |            |                           |      |      |       |      |     |          |
|       |            |                           |      |      |       |      |     |          |
|       |            | Total                     |      |      |       |      |     | \$24,890 |
|       |            |                           |      |      |       |      |     |          |
|       |            |                           |      |      |       |      |     |          |
|       |            |                           |      |      |       |      |     |          |
|       |            |                           |      |      |       |      |     |          |

# *The City of Boynton Beach*



*Utilities Department  
124 E. Woolbright Road  
Boynton Beach, Florida 33435  
Phone (561) 742-6400  
FAX: (561) 742-6298*

## **OFFICE OF THE DIRECTOR OF UTILITIES**

### **QUOTATIONS**

**ITEMS REQUESTED:** Accordion Hurricane Shutters for 82 openings

**VENDOR #1:** Palm Beach Aluminum

**DATE:** 04/13/2017

**CONTACT PERSON:** Darren Allfrey

**PHONE NUMBER:** 561-844-8285

**QUOTE:** \$24,890.00

**VENDOR#2:** Guardian Storm Protection

**DATE:** 04/13/2017

**CONTACT PERSON:** Brett Furshman

**PHONE NUMBER:** 561-358-1982

**QUOTE:** \$28,220.00

**VENDOR #3:** Castle Impact Windows

**DATE:** 04/13/2017

**CONTACT PERSON:** Dan Carr

**PHONE NUMBER:** 561-683-4811

**QUOTE:** \$44,545.00

**ATTACH THE ABOVE QUOTATIONS TO REQUISITION AND SEND TO  
PURCHASING DEPT.**

# Palm Beach Aluminum, Inc.

1400 West 13th Street • Riviera Beach, Florida 33404 - 6625

Screen Enclosures • Hurricane Protection • Fence • Windows & Doors

License #U-18423

License #U-21004

Fully Licensed, Insured & Bonded

Bus: (561) 844-8285 - Fax: (561) 844-0939

Call/frey@palmbeachaluminum.com

Office@palmbeachaluminum.com

Date 5/12/17

Howard Kerr 742-6497

CELL # \_\_\_\_\_ FAX # \_\_\_\_\_

SOLD TO Boynton Beach Utilities WORK # \_\_\_\_\_ HOME # \_\_\_\_\_

MAILING ADDRESS 124 P. Woolbright Rd CITY BB ZIP 33435

INSTALLATION ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_

SUBDIVISION \_\_\_\_\_

CUSTOMER EMAIL KERRH@BBFL.US

## ACCORDION SHUTTERS:

# OF OPENINGS: 82

COLOR: WHITE BRONZE IVORY BEIGE

CLEAR BLADES: \_\_\_\_\_

ROLL-UPS: \_\_\_\_\_

# OF OPENINGS: \_\_\_\_\_

ELECTRIC: ☐

MANUAL: ☐ CRANK ☐ PULL DOWN ☐

COLOR: WHITE BRONZE IVORY BEIGE

## STORM PANELS:

# OF OPENINGS: \_\_\_\_\_

MILL FINISH PANELS: \_\_\_\_\_

WHITE PANELS: \_\_\_\_\_ CLEAR PANELS: \_\_\_\_\_

PANEL THICKNESS:

.063 ALUM.: ☐ .050 ALUM.: ☐

24 GAUGE STEEL: ☐

HEADERS & SILLS?: ☐ YES ☐ NO

COLOR: WHITE BRONZE

PANELMATES: ☐ H HEADER: ☐

FLUSH MOUNT: ☐

2 X 2 STUD ANGLE: ☐

F-TRACK: ☐

COLOR: \_\_\_\_\_ NUMBER OF OPENINGS \_\_\_\_\_

BAHAMA SHUTTERS: \_\_\_\_\_

COLONIAL SHUTTERS: \_\_\_\_\_

SLATTED AWNINGS: \_\_\_\_\_

IMPACT: ☐ DECORATIVE: ☐

HARDWARE: CERAMIC ☐ STAINLESS ☐

WE ARE NOT RESPONSIBLE FOR  
DAMAGED LANDSCAPING, ROOF TILES,  
FLOOR TILES OR STUCCO

Palm Beach Aluminum is not responsible for any  
leaks due to shutter installation. It is the homeowner's  
responsibility to patch existing holes due to previous  
shutter installation. We are not responsible for damaged  
landscaping, roof tiles, floor tiles, stucco or any exterior  
decorative shutters.

I / we have read the contract and accept the terms and  
conditions of this contract as stated on all pages.

Purchaser X \_\_\_\_\_ Date \_\_\_\_\_

Co-Purchaser X \_\_\_\_\_ Date \_\_\_\_\_

Palm Beach Aluminum Sales Rep. X R. Casper

SHUTTER CONTRACT

DOORS / REMOVABLE TRACK: ☐ YES ☐ NO

Does not include 3 Accordion  
behind equipment on east side of  
east building

- 1) 33 @ 4' x 4'
- 2) 24 @ 3' x 3'
- 3) 37 x 68 x 24 ct
- 4) 4 x 4' x 3'
- 5) 1 x 51 x 49
- 6) 126 x 48 x 7

"RBA" Accordion shutters

Option 5/19 = \$29,376

\$24,890

Permit by B. B. Utilities

Credit card number: \_\_\_\_\_

Expires mo./yr.: \_\_\_\_\_

All hurricane shutters sold by Palm Beach Aluminum, Inc. meets all  
Florida and Dade County building codes. All advertised discounts,  
penalties and taxes are included in contract price.

P.O. TB ISSUED

CONTRACT PRICE

\$24,890

50% DEPOSIT

50% BALANCE DUE DAY OF INSTALL  
AT FINAL INVOICE

\$24,890

WHITE - SIGN & RETURN - YELLOW - CUSTOMER - PINK FILE

Page 1 of 2

*Palm Beach Aluminum, Inc.*  
1400 West 13<sup>th</sup> Street, Riviera Beach, FL 33404  
561-844-8285

Screen Enclosures ♦ Custom Railings ♦ Hurricane Protection ♦ Impact Windows & Doors  
Fully Licensed, Insured & Bonded  
U-21004 & U-18423

Dear valued customer,

Thank you for the opportunity to provide you with an estimate on your new project. Please feel free to contact us anytime to discuss the details of your estimate. We will also make any necessary adjustments to the estimate in order to satisfy all of your needs.

We can assist you with one or more of the following: Pool & Patio Screen Enclosures, Impact Windows and Doors, Accordion Shutters, Storm Panels, Roll-Ups, Colonial and Bahama Shutters, Custom Concrete, Pavers, Aluminum Fences, Decorative Gates, PVC Fences & more.

Palm Beach Aluminum, Inc. is a "family" owned and operated business. We only use quality materials, such as powder coated aluminum, ceramic coated (rust prohibitive), Nylo-Tek or stainless steel hardware, Phifer screening products, Window Craftsman, Eastern Metal and PGT Windows. We have a perfect standing with the Better Business Bureau of Southeast Florida and we provide outstanding customer service throughout your entire project.

Palm Beach Aluminum, Inc. is proud of building the strongest "Rigid Beam Enclosures" in the industry. All products sold meet or exceed all of Florida's most stringent building codes. We are proud to be one of the only companies in Southeast Florida to manufacture accordion shutters with *Clear Full-View Blades*.

Financing is also available upon request.

After we complete your job, we are sure you'll agree that you made the right decision by choosing Palm Beach Aluminum, Inc. Where quality, experience and affordability come together.

We look forward to doing business with you!

Sincerely,  
Darren Alfrey  
Owner/President

| QUANTITY<br>QUOTED | ▲<br>UNIT | PRODUCT NUMBER | PRODUCT DESCRIPTION   | T<br>X | PRICE PER UNIT<br>OF MEASURE | EXTENSION |
|--------------------|-----------|----------------|---|--------|------------------------------|-----------|
| 1                  | EA        | DH350W         | DH350 IN 500 WHITE<br>A: OAFR 75 1/2"X120"<br>DOOR OPENING 72"X84"<br>BUTT HINGES PAIR SWING OUT<br>JACKSON 2086 REGULAR PANIC<br>TUBULAR PULL, KEY ON EXT.<br>ADA THRESH. 8" BOTTOM RAIL<br>PREP FOR OVERHEAD CONCEALED CL<br>9/16" GREY LG-LM-PREGLAZED<br>PSF +/- 75<br>CLOSER BODY 105 DEGREES<br>NO HOLD OPEN ADJUSTABLE<br>ALUMINUM VO-TYPE OFFSET ARM<br>WSURFACE MOUNT SLIDE-TRACK<br>* INSTALLATION SUPPLIES<br>* AVAILABLE IF NEEDED.<br>* BACKER ROD, SHIMS SILICONE |        |                              |           |
| 2                  | EA        | CRL6772        |   |        |                              |           |
| 2                  | EA        | CRL8020V0XAL   |   |        |                              |           |
| 5                  |           |                |   |        |                              |           |

# GUARDIAN STORM PROTECTION



"Striving to be the best in the industry"

9030 Bellhurst Way, Suite 120 • West Palm Beach, Florida 33411

Phone: (561) 683-2622 • Fax: (561) 828-2215

www.gsphurricanes shutters.com

email: guardianstormprotection@yahoo.com • ak.storm@hotmail.com

Certified Shutter Contractor

Palm Beach# U-19979/U-21712 Broward# 11-SOP17443-R Martin# MCHS4217

## SALES AGREEMENT

Purchaser City of Boynton Beach Water Utilities

Address 124 E Woolbright Road

Date 2/27/17

City Boynton Beach

Zip \_\_\_\_\_

Delivery Approx. 10-12 Weeks

Cell: \_\_\_\_\_

Alt. Tel: \_\_\_\_\_

E-mail: Kerrh@bbfl.us

Gated: Y/N Code: \_\_\_\_\_

Development Name/HOA Contact: \_\_\_\_\_

☐ BAHAMA/COLONIAL SHUTTERS ☐ IMPACT WINDOWS/DOORS ☐ SFR - 1 STORY ☐ SFR - 2 STORY ☐ TOWNHOUSE ☐ CONDOMINIUM

☐ CLEAR STORM PANELS ☒ TOWN & COUNTRY ACCORDIONS ☐ ROLL-UPS ☐ HURRICANE SCREENS ☐ ELECTRIC

☐ ALUMINUM PANELS COLOR: White \_\_\_\_\_ Ivory \_\_\_\_\_ Beige \_\_\_\_\_ Bronze \_\_\_\_\_ NUMBER OF STORIES \_\_\_\_\_

Installation of top of the line Town and Country brand, Miami-Dade county approved accordion shutters.

- 210 mph rated; strongest system available.
- Special round walk-over tracks on all doors.
- Double lock system using a "backup" turn screw knob on all shutters.
- All openings larger than 8 feet will have double locks and knobs.
- Our patented double hinge system will offer the neatest, tightest stacks in the industry.
- Much easier system to operate than others and virtually maintenance free system.

- No deposit and no money due until job is fully complete and passed inspection. We are the Direct Manufacturer.

- We will match or beat any price with a comparable product.
- 10 year warranty on parts and labor.
- We will assist in obtaining all necessary homeowner association approvals.
- The work performed under this contract is covered by worker's compensation and general liability insurance.
- All installers are uniformed company employees who drive our company vehicles.

\*Pending Field Engineering Verification

### NOTES:

\*Price includes Angie's list discount.

Rear of main buildings

30 # of openings

Color To be determined

\*Price \$ 11,400.00

Permitting Fees \$ Actual cost

TOTAL PRICE \$ 11,400.00 plus permit fee

Deposit \$ 0

Balance Due

on Installation \$ 11,400.00 plus permit fee

Andy Kobosko - Owner # 561-541-8114

Brian Greene - General Manager # 561-436-8181

Brett Furshman - Operation Manager # 561-358-1982

Executed This \_\_\_\_\_ Day Of \_\_\_\_\_ Year \_\_\_\_\_

Purchaser \_\_\_\_\_

I acknowledge and Agree To The Conditions on the Reverse Side



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Certified Shutter Contractor

Palm Beach# U-19979/U-21712 Broward# 11-SOP17443-R Martin# MCHS4217

## SALES AGREEMENT

Purchaser City of Boynton Beach Water Utilities

Address 124 E Woolbright Road

Date 2/27/17

City Boynton Beach

Zip \_\_\_\_\_

Delivery Approx. 10-12 Weeks

Cell: \_\_\_\_\_

Alt. Tel: \_\_\_\_\_

E-mail: Kerrh@bbfl.us

Gated: Y/N Code: \_\_\_\_\_

Development Name/HOA Contact: \_\_\_\_\_

- ☐ BAHAMA/COLONIAL SHUTTERS   ☐ IMPACT WINDOWS/DOORS   ☐ SFR - 1 STORY   ☐ SFR - 2 STORY   ☐ TOWNHOUSE   ☐ CONDOMINIUM  
☐ CLEAR STORM PANELS   ☒ TOWN & COUNTRY ACCORDIONS   ☐ ROLL-UPS   ☐ HURRICANE SCREENS   ☐ ELECTRIC  
☐ ALUMINUM PANELS   COLOR:   White \_\_\_\_\_ Ivory \_\_\_\_\_ Beige \_\_\_\_\_ Bronze \_\_\_\_\_   NUMBER OF STORIES \_\_\_\_\_

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- 10 year warranty on parts and labor.
- We will assist in obtaining all necessary homeowner association approvals.
- The work performed under this contract is covered by worker's compensation and general liability insurance.
- All installers are uniformed company employees who drive our company vehicles.

\*Pending Field Engineering Verification

### NOTES:

\*Price includes Angie's list discount.

Pump Station

10 # of openings

Color To be determined

\*Price \$ 5800.00

Permitting Fees \$ Actual cost

TOTAL PRICE \$ 5800.00 plus permit fee

Deposit \$ 0

Balance Due

on Installation \$ 5800.00 plus permit fee

Andy Kobosko - Owner # 561-541-8114

Brian Greene - General Manager # 561-436-8181

Brett Furshman - Operation Manager # 561-358-1982

Executed This \_\_\_\_\_ Day Of \_\_\_\_\_ Year \_\_\_\_\_

Purchaser \_\_\_\_\_

I acknowledge and Agree To The Conditions on the Reverse Side

"BUYERS RIGHT TO CANCEL" IF THIS IS A HOME, SOLICITED SALE AND IF YOU DO NOT WANT THE GOODS OR SERVICES YOU MAY CANCEL THIS AGREEMENT BY-MAILING A NOTICE TO THE SELLER. THIS NOTICE MUST INDICATE THAT YOU DO NOT WANT THE GOODS OR SERVICES AND MUST BE POSTMARKED BEFORE MIDNIGHT OF THE THIRD BUSINESS DAY AFTER YOU SIGN THIS AGREEMENT. IF YOU CANCEL THIS AGREEMENT, THE SELLER MAY KEEP ALL OR PART OF ANY CASH DOWN PAYMENTS NOT TO EXCEED THE LESSER OF 5 PERCENT OF THE PURCHASE PRICE OR \$50.

**MATERIAL BELONGS TO GUARDIAN STORM PROTECTION, INC. UNTIL BALANCE IS PAID IN FULL.**

WRITTEN WARRANTY IS THIS CONTRACT AND BECOMES EFFECTIVE WHEN TOTAL BALANCE IS PAID IN FULL.

The parties to this Agreement are subject to the following terms:

The products hereby ordered are to be custom built to fit purchasers requirements and this order is NON CANCELLABLE other than as provided by law.

This instrument constitutes the entire Contract between the parties, and no statement, representation or agreement, Written or oral, expressed or implied, not herein expressly set forth shall be considered as part of this contract or binding upon the parties hereto.

Any changes to this contract must be in writing, signed by all parties, and referred to in the contract which it amends.

Title to the goods covered hereby shall remain in seller until payment in full therefore is made and said goods shall remain and be considered as personal property, subject to repossession by seller in case of default by purchaser, Irrespective of being attached to or made part of any realty. Seller also retains the right to claim and enforce any and all contractors, mechanic's and/or material men's lien against any realty to which said goods may be attached OF become a part to which it may be entitled under the law. Upon such default the seller may at his option declare the entire unpaid balance immediately due and owing. Such default shall also entitle the seller to repossess the property with or without notice and retain all sums previously paid. The purchaser hereby agrees that the seller shall have the right and authority to enter the premises with or without notice for the purpose of enforcing the seller's rights and removing such property, and the purchaser waives any rights or actions he may have against seller arising out of such entry and repossession of any damages by removal of the above described property from the premises. All materials belong to Guardian Storm Protection Inc. and has right to remove material until paid in full.

It is understood that the terms of payment are as specified on the front of this contract and that time is of the essence. This contract shall be considered to be in default in the event that payment is not timely made. All payments due hereunder shall, after default, bear interest from date of default at the maximum legal rate of interest.

In the event the monies due hereunder have to be collected upon demand of any attorney, or suit has to be instituted for the enforcement hereof, the purchaser agrees to pay all costs thereof, including reasonable attorney's fee.

Proper venue for any action taken pursuant to this agreement shall be Palm Beach County, Florida. It is further understood that all payments due under this contract shall be made at the company offices in Palm Beach County, Florida.

All agreements herein imposed upon seller shall be subject to prior sale, war, governmental regulations and requirements, embargoes, material shortages, labor strikes, fuel shortages and other factors beyond the sellers control which prevent or delay performance by the seller.

The Buyer hereby acknowledges and agrees that Guardian Storm will assist in obtaining the necessary consents or approvals from any controlling bodies such as a condominium association, co-operative association, or homeowners association, and Buyer does, by execution of this agreement, agree to indemnify the Seller from, all liability and hold it harmless from any costs and expenses incurred, including, but not limited to attorney's fees, arising from claims, actions or demands due to Buyers failure to obtain said consents or approvals. GUARDIAN STORM PROTECTION, INC. will do our best effort to assist in obtaining approvals.

This company reserves the right to reject any contract which does not conform to its standards of design, pricing, available merchandise or other materials within the discretion of company officials.

Delivery Installation date is determined by product availability and prevailing weather conditions, and not a factor guaranteed by Seller.

GUARDIAN STORM PROTECTION, INC. is not responsible for any malfunctions of existing windows, unforeseen water penetration, walls, doors and roof damage which will require storm shutter installations.

GUARDIAN STORM PROTECTION, INC. is not responsible for roof tile damage, landscaping damage resulting in accessing windows and/or doors, unforeseen damage from an act of God.

Our shutters are designed, installed and inspected to meet all local building codes, however we will not be responsible for damages from an unforeseen act of God

It is the Homeowner's responsibility to open and close every shutter upon completion to understand how to operate/secure and to verify that everything is operational.

# GUARDIAN

## STORM PROTECTION



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Certified Shutter Contractor

Palm Beach# U-19979/U-21712 Broward# 11-SOP17443-R Martin# MCHS4217

### SALES AGREEMENT

Purchaser: City of Boynton Water Utilities  
 Address: 124 E Woolbright Rd Date: 2/27/17  
 City: Boynton Beach Zip: \_\_\_\_\_ Delivery Approx. 10-12 Weeks  
 Cell: \_\_\_\_\_ Alt. Tel: \_\_\_\_\_  
 E-mail: Kerrh@bbf.us Gated: Y/N Cod  
 Development Name/HOA Contact: \_\_\_\_\_ **\*Revised\***

- ☐ BAHAMA/COLONIAL SHUTTERS ☐ IMPACT WINDOWS/DOORS ☐ SFR - 1 STORY ☐ SFR - 2 STORY ☐ TOWNHOUSE ☐ CONDOMINIUM  
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- All installers are uniformed company employees who drive our company vehicles.

\*Pending Field Engineering Verification

NOTES:

\*Price includes Angie's list discount.

47 # of openings

Color

To Be determined

\*Price

\$93200<sup>00</sup> plus permit fee

Permitting Fees

\$ Actual Cost

TOTAL PRICE

\$9320 plus permit

Deposit

\$ 0

Balance Due

on Installation

\$9320 plus permit

*Office Building*

Andy Kobosko - Owner # 561-541-8114

Brian Greene - General Manager # 561-436-8181

Brett Furshman - Operation Manager # 561-358-1982

Executed This \_\_\_\_\_ Day Of \_\_\_\_\_ Year \_\_\_\_\_

Purchaser \_\_\_\_\_

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Any changes to this contract must be in writing, signed by all parties, and referred to in the contract which it amends.

Title to the goods covered hereby shall remain in seller until payment in full therefore is made and said goods shall remain and be considered as personal property, subject to repossession by seller in case of default by purchaser, irrespective of being attached to or made part of any realty. Seller also retains the right to claim and enforce any and all contractors, mechanic's and/or material men's lien against any realty to which said goods may be attached OF become a part to which it may be entitled under the law. Upon such default the seller may at his option declare the entire unpaid balance immediately due and owing. Such default shall also entitle the seller to repossess the property with or without notice and retain all sums previously paid. The purchaser hereby agrees that the seller shall have the right and authority to enter the premises with or without notice for the purpose of enforcing the seller's rights and removing such property, and the purchaser waives any rights or actions he may have against seller arising out of such entry and repossession of any damages by removal of the above described property from the premises. All materials belong to Guardian Storm Protection Inc. and has right to remove material until paid in full.

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GUARDIAN STORM PROTECTION, INC. is not responsible for roof tile damage, landscaping damage resulting in accessing windows and/or doors, unforeseen damage from an act of God.

Our shutters are designed, installed and inspected to meet all local building codes, however we will not be responsible for damages from an unforeseen act of God.

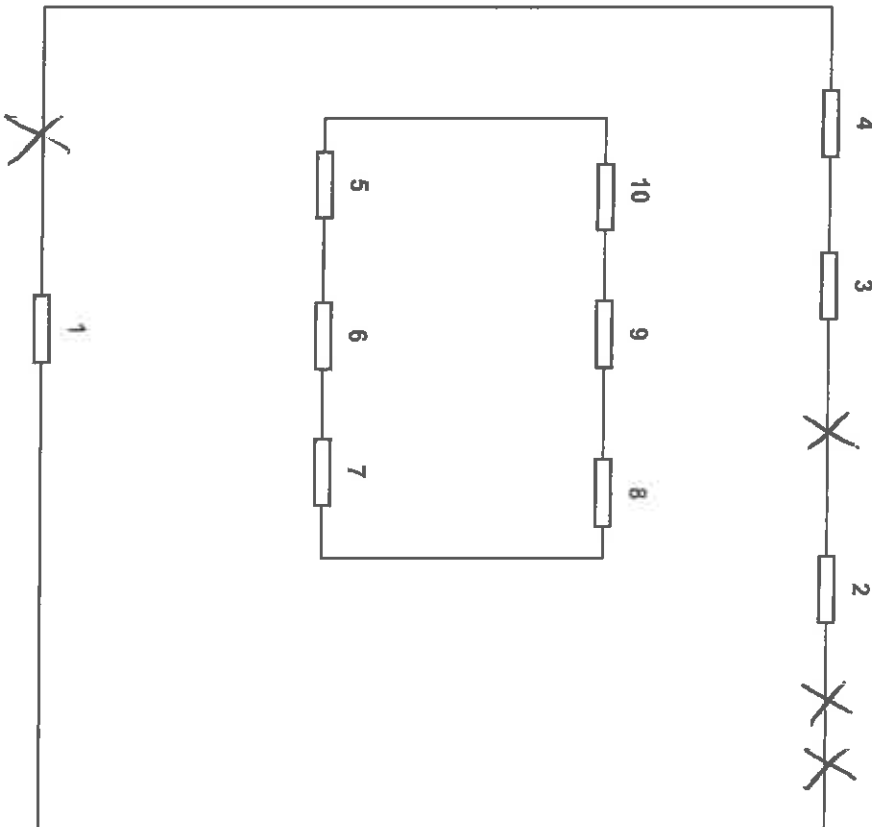
It is the Homeowner's responsibility to open and close every shutter upon completion to understand how to operate/secure and to verify that everything is operational.



# Opening

Size  
(W x H)

1. Accordion Shutters
2. Accordion Shutters
3. Accordion Shutters
4. Accordion Shutters
5. Accordion Shutters
6. Accordion Shutters
7. Accordion Shutters
8. Accordion Shutters
9. Accordion Shutters
10. Accordion Shutters



## City of Boynton Beach

124 E Woolbright Road  
Rear of Main Buildings  
Boynton Beach

CONTAINER EXTERIOR/SECTION

SCALE:

NOT TO SCALE

DATE:

Feb 27, 2017

PAGE DESCRIPTION:

Site Plan

PAGE:

OF 4

"BUYERS RIGHT TO CANCEL" IF THIS IS A HOME, SOLICITED SALE AND IF YOU DO NOT WANT THE GOODS OR SERVICES YOU MAY CANCEL THIS AGREEMENT BY-MAILING A NOTICE TO THE SELLER. THIS NOTICE MUST INDICATE THAT YOU DO NOT WANT THE GOODS OR SERVICES AND MUST BE POSTMARKED BEFORE MIDNIGHT OF THE THIRD BUSINESS DAY AFTER YOU SIGN THIS AGREEMENT. IF YOU CANCEL THIS AGREEMENT, THE SELLER MAY KEEP ALL OR PART OF ANY CASH DOWN PAYMENTS NOT TO EXCEED THE LESSER OF 5 PERCENT OF THE PURCHASE PRICE OR \$50.

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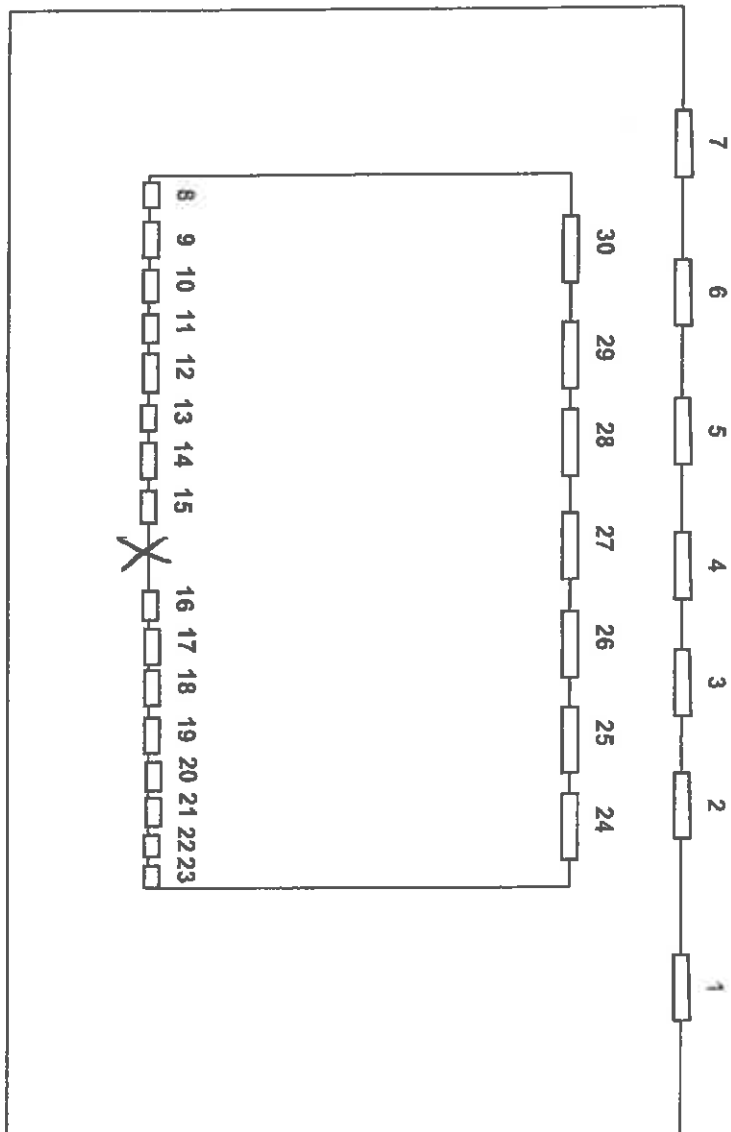
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# Opening

Size  
(W x H)

1. Accordion Shutter
2. Accordion Shutter
3. Accordion Shutter
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6. Accordion Shutter
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25. Accordion Shutter
26. Accordion Shutter
27. Accordion Shutter
28. Accordion Shutter
29. Accordion Shutter
30. Accordion Shutter



## City of Boynton Beach

124 E Woolbright Road  
Rear of Main Buildings  
Boynton Beach

SEPARATE ESTIMATION  
SCALE:

NOT TO SCALE

DATE:

Feb 27, 2017

DATE REVISION:

Site Plan

PAGE:

OF 1





"Striving to be the best in the industry"

9030 Bellhurst Way, Suite 120 • West Palm Beach, Florida 33411

Phone: (561) 683-2622 • Fax: (561) 828-2215

www.gsphurricanes shutters.com

email: guardianstormprotection@yahoo.com • ak.storm@hotmail.com

Certified Shutter Contractor

Palm Beach# U-19979/U-21712 Broward# 11-SOP17443-R Martin# MCHS4217

## SALES AGREEMENT

Purchaser City of Boynton Beach Water Utilities

Address 124 E Woolbright Road

Date 2/27/17

City Boynton Beach

Zip \_\_\_\_\_

Delivery Approx. 10-12 Weeks

Cell: \_\_\_\_\_

Alt. Tel: \_\_\_\_\_

E-mail: Kerrh@bbfl.us

Gated: Y/N Code: \_\_\_\_\_

Development Name/HOA Contact: \_\_\_\_\_

- ☐ BAHAMA/COLONIAL SHUTTERS  
 ☐ IMPACT WINDOWS/DOORS  
 ☐ SFR - 1 STORY  
 ☐ SFR - 2 STORY  
 ☐ TOWNHOUSE  
 ☐ CONDOMINIUM  
☐ CLEAR STORM PANELS  
☒ TOWN & COUNTRY ACCORDIONS  
☐ ROLL-UPS  
☐ HURRICANE SCREENS  
☐ ELECTRIC  
☐ ALUMINUM PANELS  
 COLOR:  
 White \_\_\_\_\_  
 Ivory \_\_\_\_\_  
 Beige \_\_\_\_\_  
 Bronze \_\_\_\_\_  
 NUMBER OF STORIES \_\_\_\_\_

Installation of top of the line Town and Country brand, Miami-Dade county approved accordion shutters.

- 210 mph rated; strongest system available.
- Special round walk-over tracks on all doors.
- Double lock system using a "backup" turn screw knob on all shutters.
- All openings larger than 8 feet will have double locks and knobs.
- Our patented double hinge system will offer the neatest, tightest stacks in the industry.
- Much easier system to operate than others and virtually maintenance free system.

- No deposit and no money due until job is fully complete and passed inspection. We are the Direct Manufacturer.

- We will match or beat any price with a comparable product.
- 10 year warranty on parts and labor.
- We will assist in obtaining all necessary homeowner association approvals.
- The work performed under this contract is covered by worker's compensation and general liability insurance.
- All installers are uniformed company employees who drive our company vehicles.

### NOTES:

\*Pending Field Engineering Verification

\*Price includes Angie's list discount.

Office Building

2 # of openings

Color To be determined

\*Price \$ 1700.00

Permitting Fees \$ Actual cost

TOTAL PRICE \$ 1700.00 plus permit fee

Deposit \$ 0

Balance Due

on Installation \$ 1700.00 plus permit fee

Andy Kobosko - Owner # 561-541-8114

Brian Greene - General Manager # 561-436-8181

Brett Furshman - Operation Manager # 561-358-1982

Executed This \_\_\_\_\_ Day Of \_\_\_\_\_ Year \_\_\_\_\_

Purchaser \_\_\_\_\_

I acknowledge and Agree To The Conditions on the Reverse Side

"BUYERS RIGHT TO CANCEL" IF THIS IS A HOME, SOLICITED SALE AND IF YOU DO NOT WANT THE GOODS OR SERVICES YOU MAY CANCEL THIS AGREEMENT BY-MAILING A NOTICE TO THE SELLER. THIS NOTICE MUST INDICATE THAT YOU DO NOT WANT THE GOODS OR SERVICES AND MUST BE POSTMARKED BEFORE MIDNIGHT OF THE THIRD BUSINESS DAY AFTER YOU SIGN THIS AGREEMENT. IF YOU CANCEL THIS AGREEMENT, THE SELLER MAY KEEP ALL OR PART OF ANY CASH DOWN PAYMENTS NOT TO EXCEED THE LESSER OF 5 PERCENT OF THE PURCHASE PRICE OR \$50.

**MATERIAL BELONGS TO GUARDIAN STORM PROTECTION, INC. UNTIL BALANCE IS PAID IN FULL.**

WRITTEN WARRANTY IS THIS CONTRACT AND BECOMES EFFECTIVE WHEN TOTAL BALANCE IS PAID IN FULL.

The parties to this Agreement are subject to the following terms:

The products hereby ordered are to be custom built to fit purchasers requirements and this order is NON CANCELLABLE other than as provided by law.

This Instrument constitutes the entire Contract between the parties, and no statement, representation or agreement, Written or oral, expressed or implied, not herein expressly set forth shall be considered as part of this contract or binding upon the parties hereto.

Any changes to this contract must be in writing, signed by all parties, and referred to in the contract which it amends.

Title to the goods covered hereby shall remain in seller until payment in full therefore is made and said goods shall remain and be considered as personal property, subject to repossession by seller in case of default by purchaser, Irrespective of being attached to or made part of any realty. Seller also retains the right to claim and enforce any and all contractors, mechanic's and/or material men's lien against any realty to which said goods may be attached OF become a part to which it may be entitled under the law. Upon such default the seller may at his option declare the entire unpaid balance immediately due and owing. Such default shall also entitle the seller to repossess the property with or without notice and retain all sums previously paid. The purchaser hereby agrees that the seller shall have the right and authority to enter the premises with or without notice for the purpose of enforcing the seller's rights and removing such property, and the purchaser waives any rights or actions he may have against seller arising out of such entry and repossession of any damages by removal of the above described property from the premises. All materials belong to Guardian Storm Protection Inc. and has right to remove material until paid in full.

It is understood that the terms of payment are as specified on the front of this contract and that time is of the essence. This contract shall be considered to be in default in the event that payment is not timely made. All payments due hereunder shall, after default, bear interest from date of default at the maximum legal rate of interest.

In the event the monies due hereunder have to be collected upon demand of any attorney, or suit has to be instituted for the enforcement hereof, the purchaser agrees to pay all costs thereof, including reasonable attorney's fee.

Proper venue for any action taken pursuant to this agreement shall be Palm Beach County, Florida. It is further understood that all payments due under this contract shall be made at the company offices in Palm Beach County, Florida.

All agreements herein imposed upon seller shall be subject to prior sale, war, governmental regulations and requirements, embargoes, material shortages, labor strikes, fuel shortages and other factors beyond the sellers control which prevent or delay performance by the seller.

The Buyer hereby acknowledges and agrees that Guardian Storm will assist in obtaining the necessary consents or approvals from any controlling bodies such as a condominium association, co-operative association, or homeowners association, and Buyer does, by execution of this agreement, agree to indemnify the Seller from, all liability and hold it harmless from any costs and expenses incurred, including, but not limited to attorney's fees, arising from claims, actions or demands due to Buyers failure to obtain said consents or approvals. GUARDIAN STORM PROTECTION, INC. will do our best effort to assist in obtaining approvals.

This company reserves the right to reject any contract which does not conform to its standards of design, pricing, available merchandise or other materials within the discretion of company officials.

Delivery Installation date is determined by product availability and prevailing weather conditions, and not a factor guaranteed by Seller.

GUARDIAN STORM PROTECTION, INC. is not responsible for any malfunctions of existing windows, unforeseen water penetration, walls, doors and roof damage which will require storm shutter installations.

GUARDIAN STORM PROTECTION, INC. is not responsible for roof tile damage, landscaping damage resulting in accessing windows and/or doors, unforeseen damage from an act of God.

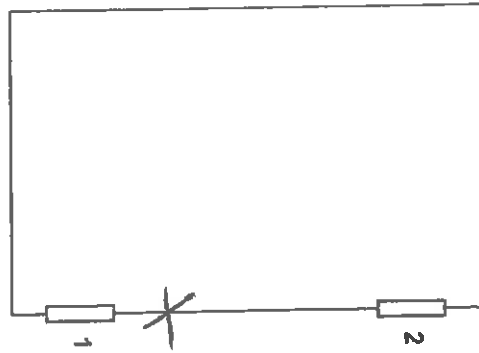
Our shutters are designed, installed and inspected to meet all local building codes, however we will not be responsible for damages from an unforeseen act of God

It is the Homeowner's responsibility to open and close every shutter upon completion to understand how to operate/secure and to verify that everything is operational.

Opening

Size  
(W x H)

1. Accordion Shutter
2. Accordion Shutter



City of Boynton Beach

124 E Woolbright Road

Boynton Beach

**GUARDIAN**  
STORM PROTECTION

COMPANY: E. TORRES & SONS, INC.  
SCALE:  
NOT TO SCALE

DATE:

Feb 27, 2017

PROJECT DESCRIPTION:

Site Plan

DATE:

2

2



TELEPHONE

Stuart

(772) 286-2633

Delray to Ft. Lauderdale

(954) 427-8009

West Palm Beach

(561) 683-4811

Fax: (561) 640-8204

www.foldingshutters.com

REVISED ORDER

## FOLDING SHUTTER SYSTEM

7089 Hemstreet Place • West Palm Beach, FL 33413-1640

Job # 02162017003

NAME City of Boynton Beach Attn: Howard 561-742-6497  
 CITY STATE ZIP

BILLING ADDRESS 124 EAST WOLBRIGHT RD. Boynton Beach FL 33435  
 CITY STATE ZIP

JOB ADDRESS 124 EAST WOLBRIGHT RD. Boynton Beach FL 33435  
 CITY STATE ZIP

CIRCLE COLOR: White Bronze Beige Ivory OTHER

| QUANTITY  | WINDOW | DOOR | GLASS | ROOM      | OPENING SIZE WD X HT | CURVED | TRACK | ABUT | OUT | REMOVABLE | NUMBER | RAIL | GUARD | STACK | INSIDE | LOCKS | KEY | LOCKS | FINISHED SIZE WD X HT | PRICE              |
|---|--------|------|-------|-----------|----------------------|--------|-------|------|-----|-----------|--------|------|-------|-------|--------|-------|-----|-------|-----------------------|--------------------|
| 1st   | X      |      |       | South     | 132x55               |        |       |      |     |           |        |      |       |       |        | X     |     |       | 153x60                |                    |
| 3rd   | X      |      |       | Building  | 126x55               |        |       |      |     |           |        |      |       |       |        | X     |     |       | 146x60                | 6280               |
| 3rd   | X      |      |       | Building  | 126x55               |        |       |      |     |           |        |      |       |       |        | X     |     |       | 146x60                |                    |
|   |        |      |       |           |                      |        |       |      |     |           |        |      |       |       |        |       |     |       |                       | 525                |
|   |        |      |       |           |                      |        |       |      |     |           |        |      |       |       |        |       |     |       |                       | 270                |
| 6th   | X      |      |       | * REVISED | 50x80                |        |       |      |     |           |        |      |       |       |        | X     |     |       | 64x86                 |                    |
| 13th  | X      |      |       | EAST Bld. | 36x36                |        |       |      |     |           |        |      |       |       |        | X     |     |       | 48x42                 |                    |
| 16th  | X      |      |       |           | 36x70                |        |       |      |     |           |        |      |       |       |        | X     |     |       | 48x76                 | 12,685             |
| 1st   | X      |      |       |           | 22x40                |        |       |      |     |           |        |      |       |       |        | X     |     |       | 22x40                 |                    |
| 1st   | X      |      |       |           | 25x36                |        |       |      |     |           |        |      |       |       |        | X     |     |       | 90x36                 |                    |
|   |        |      |       |           |                      |        |       |      |     |           |        |      |       |       |        |       |     |       |                       | 200                |
|   |        |      |       |           |                      |        |       |      |     |           |        |      |       |       |        |       |     |       |                       | 2600               |
| 16th  | X      |      |       | WEST      | 36x70                |        |       |      |     |           |        |      |       |       |        |       |     |       | 48x76                 |                    |
| 16th  | X      |      |       | Building  | 38x41                |        |       |      |     |           |        |      |       |       |        |       |     |       | 51x47                 | 15,335             |
| 16th  | X      |      |       |           | 48x55                |        |       |      |     |           |        |      |       |       |        |       |     |       | 12x60                 |                    |
|   |        |      |       |           |                      |        |       |      |     |           |        |      |       |       |        |       |     |       |                       | 2300               |
|   |        |      |       |           |                      |        |       |      |     |           |        |      |       |       |        |       |     |       |                       | 2900               |
|   |        |      |       |           |                      |        |       |      |     |           |        |      |       |       |        |       |     |       |                       | 1450               |
| < Total number of openings to be covered. Units are numbered from left to right as viewed from INSIDE <input type="checkbox"/> OUTSIDE <input type="checkbox"/> |        |      |       |           |                      |        |       |      |     |           |        |      |       |       |        |       |     |       | INST.                 | 8 WEEKS + 10 WEEKS |

FOLDING SHUTTER CORPORATION SHALL FABRICATE AND INSTALL THE SHUTTERS PURSUANT TO THE TERMS AND CONDITIONS OF THIS AGREEMENT. OUR LIMITED WARRANTY BECOMES A PART OF THE AGREEMENT UPON FINAL PAYMENT AS PROVIDED IN THIS CONTRACT.

**CUSTOMER'S RIGHT TO CANCEL**-This is a home solicitation sale. If you do not want the goods or services, you may cancel this agreement by providing written notice to the seller in person, by telegram, or by mail. This notice must indicate that you do not want the goods or services and must be delivered or postmarked before midnight of the third business day after you sign this agreement. If you cancel this agreement, the seller may not keep all or part of any cash down payment. CUSTOMER ACKNOWLEDGES READING THE FRONT AND BACK SIDES OF THIS AGREEMENT AND AGREES TO BE BOUND BY ALL TERMS AND CONDITIONS AS SET FORTH ON BOTH SIDES.

TOTAL PRICE Job total \$ 44,545  
 DEPOSIT \$  
 PROGRESS PAYMENT \$  
 BALANCE DUE AT INSTALLATION \$  
 DATE 5/17/17  
 CUSTOMER SIGNATURE X  
 FACTORY REPRESENTATIVE SIGNATURE AN CARL 561-723-8992

Unless signed by customer the price quoted can be guaranteed for thirty (30) days only from

In owner's absence, name and phone number of contact for measuring, installation and payment.

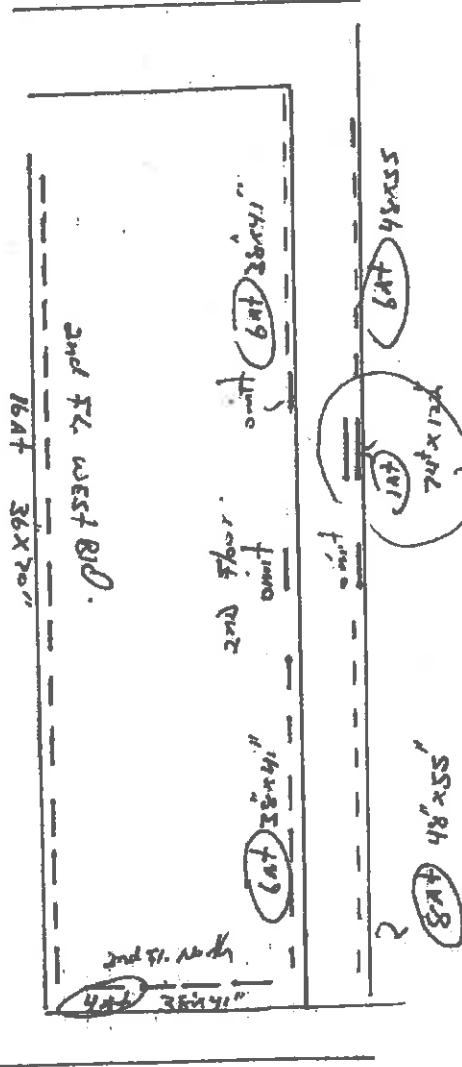
ALL CHECKS PAYABLE TO  
FOLDING SHUTTER CORPORATION

CONTRACT SUBJECT TO ADDITIONAL  
TERMS ON REVERSE SIDE

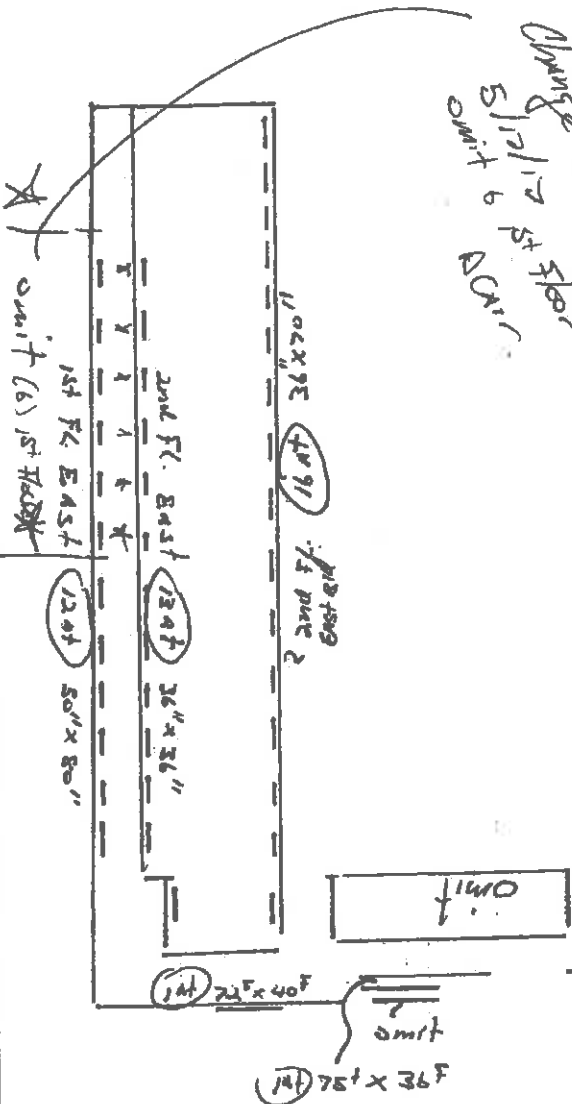
11/2/17

Order  
35000

13 HPS  
Entrance Unit  
SEACVEST



Change order  
S1717 & E101  
omit 6 DOWNS



Attn: Howard Kern

124 East Woburn

CUSTOMER NAME

BY:

DATE:

8/22/17

WORK ORDER NO.

SHEET:

OF

FOLDING SHUTTER CORP. ENGINEERING LAYOUT SHEET

PURCHASE ORDER  
**CITY OF BOYNTON BEACH, FLORIDA**

PROCUREMENT SERVICES DEPARTMENT  
100 EAST BOYNTON BEACH BOULEVARD  
P.O. BOX 310  
BOYNTON BEACH, FLORIDA 33425-0310

P.O. #: 171204  
DATE: 06/14/17


VENDOR 15839

TO: TRIBUNE DIRECT  
TRIBUNE PUBLISHING CO  
333 SW 12TH AVENUE  
DEERFIELD BEACH, FL 33442

SHIP TO:  
City of Boynton Beach  
CITY MANAGER OFFICE  
100 E. BOYNTON BCH BLVD  
BOYNTON BEACH, FL 33435

|                       |                                  |                      |   |
|-----------------------|----------------------------------|----------------------|---|
| REQUISITION NO. 69268 | ORDERING DEPARTMENT: JOHN DURGAN |                      | INQUIRIES REGARDING<br>PURCHASE ORDER CALL<br>(561)742-6310 |
| DATE NEEDED:          | BID NO:                          | COMMISSION APPROVED: |   |

| LINE# | QUANTITY | UOM | ITEM NO. AND DESCRIPTION   | UNIT COST | EXTENDED COST |
|-------|----------|-----|--|-----------|---------------|
| 1     | 48000.00 | EA  | PRINT 2016 WATER QUALITY REPORT<br>PER BID<br>#047-2821-17/IT specifications | .2500     | 12000.00      |
| 2     | 48000.00 | EA  | MAILING SERVICES   | .0460     | 2208.00       |
| 3     | 48000.00 | EA  | POSTAGE SERVICES   | .1940     | 9312.00       |

|                                   |  |             |          |
|-----------------------------------|--|-------------|----------|
| PROCUREMENT SERVICES:             |  | P.O. TOTAL: | 23520.00 |
| ACCOUNT NO.<br>401-2819-536.47-10 | PROJECT  |             |          |

PURCHASE REQUISITION NBR: 0000069268

REQUISITION BY: JOHN DURGAN  
SHIP TO LOCATION: CITY MANAGER  
STATUS: DEPT APPROVAL  
REASON: WATER QUALITY REPORT PRINTING AND MAILING  
SUGGESTED VENDOR: 15839 TRIBUNE DIRECT

DATE: 6/12/17  
DELIVER BY DATE: 7/07/17

| LINE<br>NBR        | DESCRIPTION   | QUANTITY UOM | UNIT<br>COST | EXTEND<br>COST | VENDOR PART NUMBER |
|--------------------|---|--------------|--------------|----------------|--------------------|
| 1                  | PRINT 2016 WATER QUALITY REPORT PER BID<br>#047-2821-17/IT specifications<br>COMMODITY: PRINTING,SILK SCR,TYPSET<br>SUBCOMMOD: PRINT BOOKS,CAT, MAG | 48000.00 EA  | .2500        | 12000.00       |                    |
| 2                  | MAILING SERVICES<br>COMMODITY: COMMUNICATIONS/MEDIA SERV<br>SUBCOMMOD: MAILING SERVICES   | 48000.00 EA  | .0460        | 2208.00        |                    |
| 3                  | POSTAGE SERVICES<br>COMMODITY: SHIPPING AND HANDLING<br>SUBCOMMOD: SHIPPING & HANDLING  | 48000.00 EA  | .1940        | 9312.00        |                    |
| REQUISITION TOTAL: |   |              |              | 23520.00       |                    |

A C C O U N T I N F O R M A T I O N

| LINE # | ACCOUNT        | PROJECT            | %      | AMOUNT   |
|--------|----------------|--------------------|--------|----------|
| 1      | 40128195364710 | PRINTING & BINDING | 100.00 | 12000.00 |
| 2      | 40128195364710 | PRINTING & BINDING | 100.00 | 2208.00  |
| 3      | 40128195364710 | PRINTING & BINDING | 100.00 | 9312.00  |
|        |                |                    |        | 23520.00 |

REQUISITION IS IN THE CURRENT FISCAL YEAR.

APPROVALS

City Manager [Signature] Date 6/13/17  
Finance Dept [Signature] Date 6/12/17  
Risk Management [Signature] Date 6/15/17  
City Attorney [Signature] Date



# CITY OF BOYNTON BEACH

## REQUEST FOR PURCHASE OVER \$10,000

Date: 7-Jun-17

Requesting Department: City Manager

Contact Person: Eleanor Krusell

**Explanation for Purchase:**

Water Quality Report Printing and Mailing Services

**Recommended Vendor** Tribune Direct - Sun Sentinel

**Dollar Amount of Purchase** \$23,520.00

**Source for Purchase (check and attach backup materials):**

Three Written Quotations

☒

GSA

☐

State Contract

☐

PRIDE/RESPECT

☐

SNAPS

☐

Sole Source

☐

Piggy-Back

☐

Budgeted Item

☐

Emergency Purchase

☐

Other

☐

Contract Number: Bid Number: 047-2821-17/IT

NOTE: Pricing proposal for purchase must be presented in the same detail contained within the contract.

**Fund Source for Purchase:**

401-2819-536-47.10

**Approvals:**

Department Head [Signature]

Date 6/7/17

Purchasing Agent [Signature]

Date 6/7/17

Asst City Manager [Signature]

Date 6/7/17

City Manager [Signature]

Date 6/7/17





316442

**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YYYY)  
6/1/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|   |   |
|---|---|
| <b>PRODUCER</b><br>Commercial Lines - (813) 639-3000<br>Wells Fargo Insurance Services USA, Inc.<br>2502 N. Rocky Point Drive, Suite 400<br>Tampa, FL 33607 | <b>CONTACT NAME:</b> Certificate Department<br><b>PHONE (A/C, No, Ext):</b> 813-639-3000<br><b>E-MAIL ADDRESS:</b> clw.certrequest@wellsfargo.com<br><b>FAX (A/C, No):</b> 855-299-7117   |
| <b>INSURED</b><br>tronc, Inc.<br>Sun-Sentinel Company, LLC<br>333 SW 12th Avenue<br>Deerfield Beach, FL 33442   | <b>INSURER(S) AFFORDING COVERAGE</b><br><b>INSURER A:</b> ACE American Insurance Company<br><b>INSURER B:</b> Travelers Property Casualty Co of America<br><b>INSURER C:</b><br><b>INSURER D:</b><br><b>INSURER E:</b><br><b>INSURER F:</b> |

**COVERAGES****CERTIFICATE NUMBER:** 11854549**REVISION NUMBER:** See below

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE  | ADDL SUBR INSD WVD | POLICY NUMBER                         | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS   |
|----------|--|--------------------|---------------------------------------|-------------------------|-------------------------|--|
| A        | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br>Contractual Liability<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC<br><input checked="" type="checkbox"/> OTHER: Contractual Liability | X                  | HDOG27856457<br>Terrorism Included    | 08/04/2016              | 08/04/2017              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000<br>MED EXP (Any one person) \$ 5,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 5,000,000<br>PRODUCTS - COM/OP AGG \$ 1,000,000<br>Liquor Liability \$ 1,000,000 |
| A        | <b>AUTOMOBILE LIABILITY</b><br><input checked="" type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS<br><input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY   |                    | ISAH09045132                          | 08/04/2016              | 08/04/2017              | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>\$  |
| B        | <input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR<br><input type="checkbox"/> EXCESS LIAB CLAIMS-MADE<br>DED <input checked="" type="checkbox"/> RETENTION \$ 10,000  |                    | ZUP21N5105716NF<br>Terrorism Included | 08/04/2016              | 08/04/2017              | EACH OCCURRENCE \$ 1,000,000<br>AGGREGATE \$ 1,000,000<br>\$   |
| A        | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below  | Y/N<br>N           | WLRC48611345<br>Terrorism Included    | 08/04/2016              | 08/04/2017              | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER<br>E.L. EACH ACCIDENT \$ 1,000,000<br>E.L. DISEASE - EA EMPLOYEE \$ 1,000,000<br>E.L. DISEASE - POLICY LIMIT \$ 1,000,000   |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Bid 047-281-17/IT; Water Quality Report and Printing and Mailing Services

City of Boynton Beach is named as additional insured as it relates to general liability in accordance with the terms and conditions of the policy.

**CERTIFICATE HOLDER****CANCELLATION**City of Boynton Beach  
Attn: Ilyse Triestman  
100 E Boynton Beach Blvd  
Boynton Beach, FL 33435

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2016/03)

(This certificate replaces certificate# 11854547 issued on 6/1/2017)

**REQUEST FOR BID  
FOR  
WATER QUALITY REPORT  
PRINTING AND MAILING SERVICES  
SPECIFICATIONS**

The following specifications are for the Water Quality Report – 2016. The Vendor must mail the Water Quality Reports to the public no later than July 7, 2017.

For reference, please view the 2015 Water Quality Report at:  
[https://issuu.com/cityofboynton/docs/2015\\_water\\_quality\\_report](https://issuu.com/cityofboynton/docs/2015_water_quality_report)

A file print ready electronic file of the Water Quality Report will be delivered to awarded vendor after Commission approval.

**Please place a check mark (✓) on the blank line next to each item if a specification is met. If exception is taken (alternatives), bidder must explain using a separate sheet of paper. Bidder must submit specifications "check-off" sheets with the bid proposal in order for a bid to be considered.**

**PRINTING SERVICES:**

- ☒ 8 pages plus 4 page cover for a total of 12 pages; vertical format
- ☒ Flat size: 11" tall x 17" wide
- ☒ Folded size: 11" tall x 8 1/2" wide
- ☒ Cover Pages: 100 lb., white or off-white  
4/4 – Process + OGV, full bleed
- ☒ Inside pages: 100 lb., text white or off-white  
4/4 – Process + SGV (two sided), full bleed
- ☒ Finishing: Trim, score, fold, collate, staple
- ☒ The vendor shall print an estimated total of 48,000 Water Quality Reports.
- ☒ Vendor should submit a sample of the actual paper to be utilized to print the final report with its bid submittal. If sample paper is not submitted with bid, vendor shall submit within two (2) business days after request by the City. Failure to comply with this timeline may be grounds to deem vendor non-responsive and ineligible for award.
- ☒ Vendor should submit with its bid at least one (1) example of full-color work printed on proposed paper or similar. If example is not submitted with bid, vendor shall submit within two (2) business days after request by the City. Failure to comply with this timeline may be grounds to deem vendor non-responsive and ineligible for award.

Sealed bids or proposals received by the City in response to an invitation to bid are exempt from public records disclosure requirements until the City provides a notice of decision or thirty (30) days after the opening of the proposal/bid. If the City rejects all bids or proposals submitted in response to an invitation to bid or request for proposals and the City concurrently provides notice of its intent to reissue the competitive solicitation, the rejected bids or proposals remain exempt from public records disclosure until such time as the City provides notice of a decision or intended decision concerning the competitive solicitation or until the City withdraws the reissued competitive solicitation. A bid, proposal, or reply is not exempt for longer than twelve (12) months after the initial City notice rejecting all bids, proposals, or replies. Requests for bid or proposal documents should be submitted to the City Clerk's Office. Documents may be inspected without charge, but a charge will be incurred to obtain copies.

#### **CONE OF SILENCE**

Pursuant to Palm Beach County Section 2-355 after the deadline to respond to this Bid, members of the City Commission are prohibited from communicating directly or indirectly with bidders regarding a particular request for proposal, request for qualification, bid, or any other competitive solicitation until such time as the City Commission (1) awards or approves a contract, (2) rejects all responses, or (3) otherwise takes action which ends the solicitation process. Improper communications during this "Cone of Silence" period may result in a penalty as outlined in Palm Beach County Code Section 2-357.

#### **SCOPE OF BID:**

The purpose of this bid is to solicit firm pricing for printing and mailing services for the Utilities Department 2016 "Water Quality Report."

**Reports must be printed and mailed no later than July 7, 2017.**

**Contact:** City of Boynton Beach Procurement Services  
100 E. Boynton Beach Boulevard  
Boynton Beach, FL 33435  
Ilyse Triestman, Purchasing Manager, E-mail: [triestmani@bbfl.us](mailto:triestmani@bbfl.us)  
(561) 742-6322

**Office Hours:** MONDAY – FRIDAY, 8:00 A.M. TO 5:00 P.M.

## BIDDER ACKNOWLEDGEMENT

Submit Bids To: **PROCUREMENT SERVICES**  
100 E. Boynton Beach Boulevard  
P.O. Box 310  
Boynton Beach, Florida 33425-0310  
Telephone: (561) 742-6310

Bid Title: **"WATER QUALITY REPORT PRINTING AND MAILING SERVICES"**

Bid Number: **047-2821-17/IT**

Bid Received By: **MAY 30, 2017, NO LATER THAN 2:30 P.M. (LOCAL TIME)**

Bids will be opened in Procurement Services unless specified otherwise. Bid receiving date and time is scheduled for: **MAY 30, 2017, no later than 2:30 P.M. (local time)** and may not be withdrawn within ninety (90) days after such date and time.

All awards made as a result of this bid shall conform to applicable sections of the charter and codes of the City.

Name of Vendor: Tribune Direct-Sun Sentinel

Federal I.D. Number: 36-3779720

A Corporation of the State of: Florida

Area Code: 954 Telephone Number: 425-1312 or 425-1787

Area Code: 954 FAX Number: 425-1978

Mailing Address: 333 SW 12th Ave

City/State/Zip: Deerfield Beach, Fl. 33442

Vendor Mailing Date: as required

E-Mail Address: peregana@tribunedirect.com

  
Authorized Signature

Peggy Regan  
Name Typed

THIS PAGE TO BE SUBMITTED FOR BID PACKAGE  
TO BE CONSIDERED COMPLETE AND ACCEPTABLE  
The City of Boynton Beach  
Bid No. 047-2821-17/IT

**PRICE PROPOSAL  
FOR WATER QUALITY REPORT  
PRINTING AND MAILING SERVICES**

**047-2821-17/IT**

The undersigned declares that he/she has carefully examined the specifications and is thoroughly familiar with its provisions and with the quality, type and grade of product/service called for.

**WATER QUALITY REPORT - 2016**

| ESTIMATED NUMBER OF<br>COPIES PRINTED | COST PER PIECE | TOTAL PRICE  |
|---------------------------------------|----------------|--------------|
| 48,000                                | \$ .25         | \$ 12,000.00 |

**MAILING/POSTAGE SERVICES**

The City of Boynton Beach requires vendor to provide a cost per piece to sort, sack, tray and deliver to post office and understands that the cost to mail each, via the USPS will not vary, but requires vendor to provide a cost to mail each piece.

| ESTIMATED NUMBER OF<br>COPIES PREPARED FOR<br>MAILING | COST PER PIECE TO SORT,<br>SACK TRAY AND DELIVER | TOTAL PRICE |
|---|--|-------------|
| 48,000  | \$ .048  | \$ 2,223.80 |

| ESTIMATED NUMBER OF<br>COPIES MAILING | POSTAGE COST PER PIECE | TOTAL PRICE |
|---------------------------------------|------------------------|-------------|
| 48,000                                | \$ .194                | \$ 9,312.00 |

**THE CITY RESERVES THE RIGHT TO PURCHASE ADDITIONAL QUANTITIES AT THE SAME PRICES, TERMS AND CONDITIONS, IF NEEDED, THRU SEPTEMBER 30, 2017.**

Tribune Direct-Sun Sentinel  
COMPANY NAME

  
SIGNATURE

Peggy Regan  
PRINTED NAME OF AUTHORIZED OFFICIAL

( 954 ) 425-1312  
TELEPHONE NUMBER

Sales Manager  
TITLE

( 954 ) 425-1978  
FAX NUMBER

peregana@tribunedirect.com  
E-MAIL ADDRESS

**THIS PAGE TO BE SUBMITTED FOR BID PACKAGE  
TO BE CONSIDERED COMPLETE AND ACCEPTABLE**

The City of Boynton Beach  
Bid No. 047-2821-17/IT

15

STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) : SS

By: [Signature]  
NAME / SIGNATURE

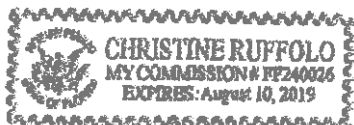
Sworn and subscribed before me  
this 24<sup>th</sup> day of May, 20 17

**Peggy Regan**  
NAME

**Sales Manager**

*Christine Ruffolo*  
NOTARY PUBLIC, State of Florida  
at Large

**Tribune Direct-Sun Sentinel**  
**COMPANY**



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**THIS PAGE TO BE SUBMITTED FOR BID PACKAGE  
TO BE CONSIDERED COMPLETE AND ACCEPTABLE**  
The City of Boynton Beach  
Bid No. 047-2821-17/IT

**NON COLLUSION AFFIDAVIT OF PRIME BIDDER**

State of FLORIDA )

County of BROWARD )

Peggy Regan, being first duly sworn, deposes and says that:

1) He/She is Sales Manager of Tribune Direct-Sun Sentinel  
(Title) (Name of Corporation or Firm)

the bidder that has submitted the attached bid: "WATER QUALITY REPORT PRINTING AND MAILING SERVICES"

- 2) He/She is fully informed respecting the preparation and contents of the attached bid and of all pertinent circumstances respecting such bid;
- 3) Said bid is genuine and is not a collusive or sham bid;
- 4) Further, the said bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other bidder, firm or person to submit a collusive or sham bid in connection with the Contract for which the attached bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communications or conference with any other bidder, firm or person to fix the price or prices in the attached bid or of any other bidder, or to fix any overhead, profit or cost element of the bid price or the bid price of any other bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Boynton Beach or any person interested in the proposed Contract; and
- 5) The price or prices quoted in the attached bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) [Signature]  
(Title) Sales Manager

Subscribed and sworn to before me

This 24<sup>th</sup> day of May, 2017

My commission expires 8/10/19

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THIS PAGE TO BE SUBMITTED FOR BID PACKAGE  
TO BE CONSIDERED COMPLETE AND ACCEPTABLE  
The City of Boynton Beach  
Bid No. 047-2821-17/IT

### CONFIRMATION OF MINORITY OWNED BUSINESS

**This requested form is to be made a part of our files for future use and information. Please fill out and indicate in the appropriate spaces provided which category best describes your company. Return this form with your bid proposal sheet making it an official part of your bid response.**

## Is your company a Minority Owned Business?

**Yes**

**x**

**No**

**If Yes, please indicate by an "X" in the appropriate box:**

- ( ) AMERICAN INDIAN

- ( ) **ASIAN**

- ( ) **BLACK**

- ( ) HISPANIC

- ## ( ) WOMEN

- ( ) OTHER

**(Specify)**

- (x) NOT APPLICABLE

**Do you possess a Certification qualifying your business as a Minority Owned Business?**

**YES** \_\_\_\_\_

NO Y

**If YES, Name the Organization from which this certification was obtained and date:**

Issuing Organization for Certification N/A

Date of Certification N/A

**THIS PAGE TO BE SUBMITTED FOR BID PACKAGE  
TO BE CONSIDERED COMPLETE AND ACCEPTABLE**  
The City of Boynton Beach  
Bid No. 047-2821-17/IT



## CONFIRMATION OF DRUG-FREE WORKPLACE

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the City of Boynton Beach or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing the bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employee that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or *nolo contendere* to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

  
Vendor's Signature

## **PALM BEACH COUNTY INSPECTOR GENERAL**

### **ACKNOWLEDGMENT**

#### **"WATER QUALITY REPORT PRINTING AND MAILING SERVICES"**

The Contractor is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of this contract, and in furtherance thereof may demand and obtain records and testimony from the Contractor and its subcontractors and lower tier subcontractors.

The contractor understands and agrees that in addition to all other remedies and consequences provided by law, the failure of the Contractor or its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the municipality to be a material breach of this contract justifying its termination.

Tribune Direct-Sun Sentinel  
VENDOR NAME

By Peggy Regan

Title: Sales Manager

Date: 5-24-17

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**THIS PAGE TO BE SUBMITTED FOR BID PACKAGE  
TO BE CONSIDERED COMPLETE AND ACCEPTABLE**

The City of Boynton Beach  
Bid No. 047-2821-17/IT

### STATEMENT OF NO BID

If you are not bidding this service/commodity, please complete and return this form to:  
PROCUREMENT SERVICES, City of Boynton Beach, 100 E. Boynton Beach Boulevard, P.O.  
Box 310, Boynton Beach, Florida 33425-0310.

Failure to respond may result in deletion of vendor's name from the qualified bidder's list  
for the City of Boynton Beach.

COMPANY NAME: \_\_\_\_\_ N/A

ADDRESS: \_\_\_\_\_ N/A

TELEPHONE: \_\_\_\_\_ N/A

SIGNATURE: \_\_\_\_\_ N/A

DATE: \_\_\_\_\_ N/A

WE, the undersigned have declined to bid on your Bid No.: 047-2821-17/IT for the "WATER  
QUALITY REPORT PRINTING AND MAILING SERVICES" because of the following reasons:

\_\_\_\_\_ Specifications too "tight", i.e., geared toward brand or manufacturer only  
(explain below)

\_\_\_\_\_ Insufficient time to respond to the Invitation to Bid

\_\_\_\_\_ We do not offer this product or an equivalent

\_\_\_\_\_ Our product schedule would not permit us to perform

\_\_\_\_\_ Unable to meet specifications

\_\_\_\_\_ Unable to meet bond requirements

\_\_\_\_\_ Specifications unclear (explain below)

\_\_\_\_\_ Other (specify below)

REMARKS: \_\_\_\_\_

\_\_\_\_\_

# PURCHASE ORDER CITY OF BOYNTON BEACH, FLORIDA

PROCUREMENT SERVICES DEPARTMENT  
100 EAST BOYNTON BEACH BOULEVARD  
P.O. BOX 310  
BOYNTON BEACH, FLORIDA 33425-0310

P.O. #: 171216  
DATE: 06/16/17

VENDOR 15907

TO: COMPRESSED AIR SUPPLIES & EQUI  
800 OLD GRIFFIN DRIVE, #3  
DANIA, FL 33004

SHIP TO:  
City of Boynton Beach  
FIRE STATION NO. 5  
2080 HIGH RIDGE ROAD  
BOYNTON BEACH, FL 33426

|                       |                                  |   |
|-----------------------|----------------------------------|---|
| REQUISITION NO. 69153 | ORDERING DEPARTMENT: OUIDA/ FIRE | INQUIRIES REGARDING<br>PURCHASE ORDER CALL<br>(561)742-6310 |
| DATE NEEDED:          | COMMISSION APPROVED:             |   |

| LINE# | QUANTITY | UOM | ITEM NO. AND DESCRIPTION   | UNIT COST | EXTENDED COST |
|-------|----------|-----|--|-----------|---------------|
| 1     | 1.00     | EA  | BAUER CFS-II 2 POSITION<br>CONVERSI./TO 5.5 TCOM TRL<br>VENDOR ITEM NO.- BAUER CFS II TCOM       | 6211.8000 | 6211.80       |
| 2     | 8.00     | EA  | SERVICE AGREEMT./LABOR RATE @ 75<br>AN HR.<br>VENDOR ITEM NO.- SERVICE AGREEMENT                 | 75.0000   | 600.00        |
| 3     | 1.00     | EA  | VARIOUS PADS, SPRINGS, RINGS,<br>BOLTS, ETC...<br>VENDOR ITEM NO.- VARIOUS HARDWARE              | 50.0000   | 50.00         |
| 4     | 1.00     | EA  | BAUER CFS-II 3 POSITION UNICUS<br>III UNITS 5.5 CABIN<br>VENDOR ITEM NO.- BAUER CFS- III<br>UNIT | 7137.9000 | 7137.90       |
| 5     | 8.00     | EA  | SERVICE AGREEMENT/ LABOR @<br>\$75.00 AN HR.<br>VENDOR ITEM NO.- SERVICE AGREEMENT               | 75.0000   | 600.00        |
| 6     | 1.00     | EA  | VARIOUS PADS, SPRINGS, RINGS,<br>BOLTS, ETC...<br>VENDOR ITEM NO.- VARIOUS HARDWARE              | 50.0000   | 50.00         |

REMARKS:  
UPGRADE SCBA MACHINES  
ESTIMATE #3785

|                                   |                        |             |          |
|-----------------------------------|------------------------|-------------|----------|
| PROCUREMENT SERVICES:             | <i>John H. 6/16/17</i> | P.O. TOTAL: | 14649.70 |
| ACCOUNT NO.<br>001-2210-522.64-06 | PROJECT                |             |          |

PURCHASE REQUISITION NBR: 0000069153

REQUISITION BY: OUIDA/ FIRE  
STATUS: DEPT APPROVAL  
REASON: UPGRADE OUR SCBA MACHINES

DATE: 5/23/17

SHIP TO LOCATION: FIRE STATION 5/EOC

SUGGESTED VENDOR: 15907 COMPRESSED AIR SUPPLIES & EQUI

DELIVER BY DATE: 5/11/18

| LINE<br>NBR | DESCRIPTION  | QUANTITY UOM | UNIT<br>COST | EXTEND<br>COST | VENDOR PART NUMBER  |
|-------------|--|--------------|--------------|----------------|---------------------|
| 1           | BAUER CFS-II 2 POSITION CONVERSI./TO 5.5 TCOM TRL<br>COMMODITY: SECURITY FIRE, SAFETY SERV<br>SUBCOMMOD: FIRE & SAFETY SERVICES  | 1.00 EA      | 6211.8000    | 6211.80        | BAUER CFS II TCOM   |
| 2           | SERVICE AGREEMENT/ LABOR RATE @ 75 AN HR.<br>COMMODITY: SECURITY FIRE, SAFETY SERV<br>SUBCOMMOD: FIRE & SAFETY SERVICES          | 8.00 EA      | 75.0000      | 600.00         | SERVICE AGREEMENT   |
| 3           | VARIOUS PADS, SPRINGS, RINGS, BOLTS, ETC.<br>COMMODITY: SECURITY FIRE, SAFETY SERV<br>SUBCOMMOD: FIRE & SAFETY SERVICES          | 1.00 EA      | 50.0000      | 50.00          | VARIOUS HARDWARE    |
| 4           | BAUER CFS-II 3 POSITION UNICUS III UNITS 5.5 CABIN<br>COMMODITY: SECURITY FIRE, SAFETY SERV<br>SUBCOMMOD: FIRE & SAFETY SERVICES | 1.00 EA      | 7137.9000    | 7137.90        | BAUER CFS- III UNIT |
| 5           | SERVICE AGREEMENT/ LABOR @ \$75.00 AN HR.<br>COMMODITY: SECURITY FIRE, SAFETY SERV<br>SUBCOMMOD: FIRE & SAFETY SERVICES          | 8.00 EA      | 75.0000      | 600.00         | SERVICE AGREEMENT   |
| 6           | VARIOUS PADS, SPRINGS, RINGS, BOLTS, ETC.<br>COMMODITY: SECURITY FIRE, SAFETY SERV<br>SUBCOMMOD: FIRE & SAFETY SERVICES          | 1.00 EA      | 50.0000      | 50.00          | VARIOUS HARDWARE    |

REQUISITION TOTAL: 14649.70

REQUISITION QUOTES

VENDOR NAME  
BREATHING AIR SYSTEMS

16674.7100

ACCOUNT INFORMATION

PROJECT

|        |                |                         |        |         |
|--------|----------------|-------------------------|--------|---------|
| LINE # | ACCOUNT        | PROJECT                 | %      | AMOUNT  |
| 1      | 00122105226406 | MACHINERY AND EQUIPMENT | 100.00 | 6211.80 |
| 2      | 00122105226406 | SAFETY EQUIPMENT        | 100.00 | 600.00  |
| 3      | 00122105226406 | MACHINERY AND EQUIPMENT | 100.00 | 50.00   |
| 4      | 00122105226406 | SAFETY EQUIPMENT        | 100.00 | 7137.90 |
| 5      | 00122105226406 | MACHINERY AND EQUIPMENT | 100.00 | 600.00  |
| 6      | 00122105226406 | SAFETY EQUIPMENT        | 100.00 | 50.00   |

APPROVALS

City Manager [Signature] Date 6/5/17  
Finance Dept. [Signature] Date 6/6/17  
Risk Manager [Signature] Date 6/6/17  
City Attorney [Signature] Date 6/6/17

\* See note next page.

14649.70

DATE: 5/23/17

DATE: 5/23/77

DELIVER BY DATE: 5/11/18

VENDOR PART NTMREF

VENDOR PART NTMREF



# CITY OF BOYNTON BEACH

## REQUEST FOR PURCHASE OVER \$10,000

Date: 6/13/2017

Requesting Department: Fire Rescue Contact Person: Ouida/ Hoggatt ext. 6329

Explanation for Purchase: For the conversion of the compressors at station #4 & #5.

Recommended Vendor Compressed Air Supplies & Equipment

Dollar Amount of Purchase \$14,649.70

Source for Purchase (check and attach backup materials):

|                          |                                     |             |                          |
|--------------------------|-------------------------------------|-------------|--------------------------|
| Three Written Quotations | <input checked="" type="checkbox"/> | GSA         | <input type="checkbox"/> |
| State Contract           | <input type="checkbox"/>            | PRIDE       | <input type="checkbox"/> |
| SNAPS                    | <input type="checkbox"/>            | RESPECT     | <input type="checkbox"/> |
| Piggy-Back               | <input type="checkbox"/>            | Sole Source | <input type="checkbox"/> |
| Emergency Purchase       | <input type="checkbox"/>            | Other       | <input type="checkbox"/> |

Contract Number: \_\_\_\_\_

NOTE: Pricing proposal for purchase must be presented in the same detail contained within the contract.

Fund Source for Purchase: Funds will be taken from acct#001-2210-522-64-06.

Approvals:

Department Head [Signature]  
Purchasing Agent [Signature]  
Asst City Manager \_\_\_\_\_  
City Manager [Signature]

Date 6/13/17  
Date 6/15/17  
Date \_\_\_\_\_  
Date 6/15/17

COMPRESSED AIR SUPPLIES & EQMT,  
INC

800 Old Griffin Road #3

Dania, Florida 33004

P: 954-929-4462

Info@compressedairsupplies.com

# Estimate

| Date      | Estimate No. |
|-----------|--------------|
| 5/31/2017 | 3785         |

Name/Address

City of Boynton Beach Fire Rescue

Greg Hoggatt

2080 High Ridge Road

Boynton Beach, FL 33426

| Item       | Description  | Qty | Rate     | Total    |
|------------|--|-----|----------|----------|
| Misc Items | Bauer CFS-II 2 position conversion to 5.5 Fill cabinet for TCOM trailer units. | 1   | 6,211.80 | 6,211.80 |
| Labor 75   | Service Agreement Labor Rate \$75.00 per hour                                  | 8   | 75.00    | 600.00   |
| Misc Items | Various pads, springs, rings, bolts, ect.                                      | 1   | 50.00    | 50.00    |
| Misc Items | Bauer CFS-II 3 position conversion to 5.5 Fill cabinet for Unicus III units.   | 1   | 7,137.90 | 7,137.90 |
| Labor 75   | Service Agreement Labor Rate \$75.00 per hour                                  | 8   | 75.00    | 600.00   |
| Misc Items | Various pads, springs, rings, bolts, ect.                                      | 1   | 50.00    | 50.00    |

Estimate is good for 30 days from date shown.

**Total** \$14,649.70





## BREATHING AIR SYSTEMS

Division of Sub-Aquatics, Inc.

5555 S.E. Hwy 441, Unit 10-04, Ocala, FL 34480

Sales: (352) 629-7712 Fax: (352) 401-9501 Net: [www.breathingair.com](http://www.breathingair.com)

Reynoldsburg, OH • Ocala, FL • Chattanooga, TN • Moweaqua, IL • Morgan, PA

DATE: ~~October 6, 2016~~ June 5, 2017 June 12, 2017

**PROPOSAL**

SUBMITTED TO: CITY OF BOYNTON BEACH #2  
2615 W WOOLBRIGHT AVE  
BOYNTON BEACH, FL 33426

TERMS: Net 30

ITEMS QUOTED: Up-Grade to 5.5 Fill Stations

JOB LOCATION: City of Boynton Beach FD  
Sta. #4 and #5

ACCOUNT #: 210232

REQUESTED BY: Alvis Fernandez / Chief Hottatt

PHONE: (561) 742-6606

MOBILE PHONE: (561) 523-2877

FAX:

ESTIMATED DELIVERY TIME: 6-8 Weeks ARO

F.O.B.: Shipping Included

**NOTE: Warranty is as proposed. Two years on New Fill Stations Only.**

### QUOTE

| Part Number | Description   | Price       | Qty | Extended Price |
|-------------|---|-------------|-----|----------------|
| CFS5.5-3M   | Fill Station - three fill positions. Independently tested containment fill station meets NFPA 1901. Includes cylinder scuff guard - SCBA fill connection. Fill hose with bleed valve and safety door interlock. 5500 psi fill pressure. <b>Station #5 UNIII</b> | \$7,160.97  | 1   | \$7,160.97     |
| CFS5.5-2M   | Fill Station - dual fill. Independently tested containment fill station meets NFPA 1901. Includes cylinder scuff guard - SCBA fill connection. Fill hose with bleed valve and safety door interlock. 5500 psi fill pressure. <b>Station #4 TCOM</b>             | \$6,265.74  | 1   | \$6,265.74     |
| XLB         | Service labor per hour for 2 technicians including travel   | \$99.00     | 32  | \$3,168.00     |
| MISC        | Forklift rental 2 locations   | \$1,000.00  | 1   | \$1,000.00     |
| TRADE       | Trade in our your breathing air fill stations towards the purchase of a new 5.5 fill stations for Station #4 and #5.  | -\$2,000.00 | 1   | -\$2,000.00    |
| SHIPPING    | Shipping & Freight Charges  | \$1,080.00  | 1   | \$1,080.00     |

Alvis / Chief Hoggatt,  
If you have any questions, please call me on my cell. (352) 857-2783.  
Thank you,

Randy L Baker  
FL Branch Manager  
Breathing Air Systems FL  
Phone (352) 629-7712  
Fax (352) 401-9501  
[rbaker@breathingair.com](mailto:rbaker@breathingair.com)

**Quote Total \$16,674.71**

PAYMENT TO BE MADE AS FOLLOWS: (UNLESS OTHERWISE NOTED, TERMS ARE NET PAYMENT DUE WITHIN 30 DAYS AFTER DELIVERY)

Proposal Submitted By: Randy Baker Prices Good For 60 Days

PAYMENT TO BE MADE AS FOLLOWS: (UNLESS OTHERWISE NOTED, TERMS ARE NET PAYMENT DUE WITHIN 30 DAYS AFTER DELIVERY)  
Note: Payment by Credit Card will incur a convenience fee totaling 3.0% of the transaction amount on all transactions exceeding \$1,500.00.

PURCHASE ORDER  
**CITY OF BOYNTON BEACH, FLORIDA**

PROCUREMENT SERVICES DEPARTMENT  
100 EAST BOYNTON BEACH BOULEVARD  
P.O. BOX 310  
BOYNTON BEACH, FLORIDA 33425-0310

P.O. #: 171228  
DATE: 06/23/17

VENDOR 16480

TO: MAKO POOLS, INC  
16118 72ND RD. N.  
LOXAHATCHEE, FL 33470

SHIP TO:  
City of Boynton Beach  
JOHN DENSON POOL  
225 NW 12TH AVENUE  
BOYNTON BEACH, FL 33435

|                       |  |                      |   |
|-----------------------|--|----------------------|---|
| REQUISITION NO. 69343 | ORDERING DEPARTMENT: RECREATION/FIN/LK |                      | INQUIRIES REGARDING<br>PURCHASE ORDER CALL<br>(561)742-6310 |
| DATE NEEDED:          | BID NO:                                | COMMISSION APPROVED: |   |

| LINE# | QUANTITY UOM | ITEM NO. AND DESCRIPTION  | UNIT COST | EXTENDED COST |
|-------|--------------|---|-----------|---------------|
| 1     | 12376.00 DL  | EMERGENCY REPLACEMENT OF POOL<br>FILTER SYSTEM;<br>REMOVE EXISTING SAND FILTER<br>SYSTEM.<br>INSTALL (4) NEW HIGH RATE SAND<br>FILTERS WITH MULTI<br>PORT VALVES.<br>ALL SAND, PLUMBING, LABOR &<br>MATERIALS INCLUDED.<br>*FILTERS ARE WARRANTED FOR ONE<br>YEAR FOR<br>MANUFACTURERS DEFECT ONLY.<br><br>*ESTIMATE #34464 | 1.0000    | 12376.00      |

|                                   |                            |             |          |
|-----------------------------------|----------------------------|-------------|----------|
| PROCUREMENT SERVICES:             | <i>John Denson 6/23/17</i> | P.O. TOTAL: | 12376.00 |
| ACCOUNT NO.<br>001-2710-572.64-03 | PROJECT                    |             |          |



# CITY OF BOYNTON BEACH

## REQUEST FOR PURCHASE OVER \$10,000

Date: 6/29/2017

Requesting Department: Recreation & Parks

Contact Person: Crystal Quesada

### Explanation for Purchase:

Emergency replacement of pool filter system at Denson Pool. Includes removal of existing sand filter system; installation of four new high rate sand filters with multi-port valves; all sand, plumbing, labor and materials and one year warranty on filters. Approved as an emergency purchase w/po #171228 issued to same vendor working with staff on preventative maintenance; other vendors called, but unable to rectify the emergency situation.

Recommended Vendor Mako Pools, Inc.

Dollar Amount of Purchase \$12,376.00

### Source for Purchase (check and attach backup materials):

Three Written Quotations

☐

GSA

☐

State Contract

☐

PRIDE/RESPECT

☐

SNAPS

☐

Sole Source

☐

Piggy-Back

☐

Budgeted Item

☐

Emergency Purchase

☒

Other

☐

Contract Number: \_\_\_\_\_

NOTE: Pricing proposal for purchase must be presented in the same detail contained within the contract.

### Fund Source for Purchase:

Recreation Equipment/001-2710-572-64-03

### Approvals:

Department Head



Date

6-28-17

Purchasing Agent



Date

6/29/17

Asst City Manager



Date

City Manager



Date

7/3/17

PURCHASE REQUISITION NBR: 0000069343  
REQUISITION BY: RECREATION/FIN/LK  
SHIP TO LOCATION: DENSON POOL  
STATUS: DEPT APPROVAL  
REASON: EMERGENCY - REPLACE POOL FILTER SYSTEM  
SUGGESTED VENDOR: 16480 MAKO POOLS, INC  
DATE: 6/23/17  
DELIVER BY DATE: 6/30/17

| LINE NBR | DESCRIPTION   | QUANTITY UOM | UNIT COST | EXTEND COST | VENDOR PART NUMBER |
|----------|---|--------------|-----------|-------------|--------------------|
| 1        | EMERGENCY REPLACEMENT OF POOL FILTER SYSTEM;<br>REMOVE EXISTING SAND FILTER SYSTEM<br>INSTALL (4) NEW HIGH RATE SAND FILTERS WITH MULTI<br>PORT VALVES.<br>ALL SAND, PLUMBING, LABOR & MATERIALS INCLUDED.<br>*FILTERS ARE WARRANTED FOR ONE YEAR FOR<br>MANUFACTURERS DEFECT ONLY. | 12376.00     | DL 1.0000 | 12376.00    |                    |

\*ESTIMATE #34464  
COMMODITY: FILTERS  
SUBCOMMOD: POOL FILTER SYSTEM

REQUISITION TOTAL: 12376.00

| ACCOUNT INFORMATION |                |   |          |
|---------------------|----------------|---|----------|
| LINE #              | ACCOUNT        | PROJECT   | AMOUNT   |
| 1                   | 00127105726403 | MACHINERY AND EQUIPMENT<br>RECREATION EQUIPMENT | 12376.00 |

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

EMERGENCY REPLACEMENT OF POOL FILTER SYSTEM AT  
DENSON POOL. SYSTEM NON OPERABLE AND REQUIRED  
POOL TO BE CLOSED. CANNOT REPAIR BECAUSE OF AGE.  
NEED TO REPLACE IN ORDER TO RE-OPEN POOL.

APPROVALS  
City Manager [Signature] Date 6/23/17  
Finance Dept [Signature] Date 6/23/17  
Risk Manager See Next page  
City Attorney                      Date

PURCHASE REQUISITION NBR: 0000069343

REQUISITION BY: RECREATION/FIN/LK

STATUS: DEPT APPROVAL  
REASON: EMERGENCY - REPLACE POOL FILTER SYSTEM

SHIP TO LOCATION: DENSON POOL  
SUGGESTED VENDOR: 16480 MAKO POOLS, INC  
DATE: 6/23/17  
DELIVER BY DATE: 6/30/17

| LINE<br>NBR | DESCRIPTION  | QUANTITY UOM | UNIT<br>COST | EXTEND<br>COST | VENDOR PART NUMBER |
|-------------|--|--------------|--------------|----------------|--------------------|
| 1           | EMERGENCY REPLACEMENT OF POOL FILTER SYSTEM;<br>REMOVE EXISTING SAND FILTER SYSTEM.<br>INSTALL (4) NEW HIGH RATE SAND FILTERS WITH MULTI<br>PORT VALVES.<br>ALL SAND, PLUMBING, LABOR & MATERIALS INCLUDED.<br>*FILTERS ARE WARRANTED FOR ONE YEAR FOR<br>MANUFACTURERS DEFECT ONLY. | 12376.00     | DL 1.0000    | 12376.00       |                    |

\*ESTIMATE #34464  
COMMODITY: FILTERS  
SUBCOMMOD: POOL FILTER SYSTEM

REQUISITION TOTAL: 12376.00

A C C O U N T I N F O R M A T I O N

| LINE # | ACCOUNT        | PROJECT   | %      | AMOUNT   |
|--------|----------------|---|--------|----------|
| 1      | 00127105726403 | MACHINERY AND EQUIPMENT<br>RECREATION EQUIPMENT | 100.00 | 12376.00 |

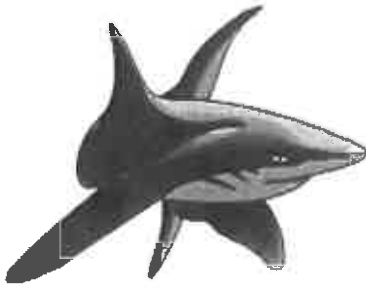
REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

EMERGENCY REPLACEMENT OF POOL FILTER SYSTEM AT  
DENSON POOL. SYSTEM NON OPERABLE AND REQUIRED  
POOL TO BE CLOSED. CANNOT REPAIR BECAUSE OF AGE.  
NEED TO REPLACE IN ORDER TO RE-OPEN POOL.

APPROVALS

City Manager \_\_\_\_\_ Date \_\_\_\_\_  
Finance Dept. \_\_\_\_\_ Date \_\_\_\_\_  
Risk Manager *Ham* 6-23-17  
City Attorney \_\_\_\_\_ Date \_\_\_\_\_



## MAKO POOLS, INC.

16118 72ND ROAD NORTH  
LOXAHATCHEE, FL. 33470

Phone (561) 641-2437

Fax (561) 333-2883

www.makopoolsinc.com

## Estimate

# 34464

6/22/2017

### BILL TO:

CITY OF BOYNTON BEACH  
225 NW 12TH AVENUE  
BOYNTON BEACH, FL. 33435

### FOR PROPERTY LOCATED:

CITY OF BOYNTON BEACH  
DENSON POOL  
225 NW 12TH AVENUE  
BOYNTON BEACH, FL 33435

### WE HEREBY SUBMIT SPECIFICATIONS TO: POOL

Qty

Total

REMOVE EXISTING SAND FILTER SYSTEM  
INSTALL (4) NEW HIGH RATE SAND FILTERS WITH MULTI  
PORT VALVES.  
ALL SAND, PLUMBING, LABOR & MATERIALS INCLUDED.

12,376.00

The filters are warranted for one year for manufacturers defect only.  
The manufacturer determines this. Any other failure is not covered  
under warranty.

50% Due before start, 50% Due upon completion.

Total

\$12,376.00

THIS ESTIMATE VALID FOR 60 DAYS.

ACCEPTANCE OF PROPOSAL - The above prices, specifications and conditions are satisfactory and hereby  
accepted. You are authorized to do the work.

ACCEPTED: \_\_\_\_\_ PRINTED NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

MAKO POOLS INC. \_\_\_\_\_

## Howard, Tim

---

**From:** LaVerriere, Lori  
**Sent:** Thursday, June 22, 2017 10:37 AM  
**To:** Groff, Colin  
**Cc:** Howard, Tim; Blackman, Amy; Majors, Wally  
**Subject:** RE: Pool closed - leak in filter

I will sign off asap so we can get it replaced immediately.



Lori LaVerriere  
City Manager  
City Manager's Office  
City of Boynton Beach  
100 E. Boynton Beach Blvd. | Boynton Beach, Florida 33435  
☎ 561-742-6010 | 📠 561-742-6011  
✉ LaVerriereL@bbfl.us | 🌐 <http://www.boynton-beach.org/>  
🐦 📘

## America's Gateway to the Gulfstream

Please be advised that Florida has a broad public records law and all correspondence to me via email may be subject to disclosure. Under Florida records law, email addresses are public records. Therefore, your e-mail communication and your e-mail address may be subject to public disclosure.

**From:** Groff, Colin  
**Sent:** Thursday, June 22, 2017 9:10 AM  
**To:** LaVerriere, Lori <LaVerriereL@bbfl.us>  
**Cc:** Howard, Tim <HowardT@bbfl.us>; Blackman, Amy <BlackmanA@bbfl.us>; Majors, Wally <MajorsW@bbfl.us>  
**Subject:** RE: Pool closed - leak in filter

Lori,

The commercial pool maintenance company has inspected the issue and it cannot be repaired. The filter equipment is no longer available on the market so the only solution is to replace the equipment. The replacement equipment meets current pool design guidelines which include redundancy so when filter issues occur, there is back-up filters available. Using standard procurement process, the project timeframe is between 5 and 7 weeks. We are proceeding with an emergency Purchase Order today and the company will start the work as soon as the PO is received. They will have the new equipment shipped immediately from the warehouse. If all goes well, the pool could reopen within 3-4 days.

Thanks

Colin Groff



Colin Groff, P.E.  
Assistant City Manager  
Public Services  
City of Boynton Beach  
100 E. Boynton Beach Blvd. | Boynton Beach, Florida 33435  
☎ 561-742-6401  
✉ GroffC@bbfl.us | 🌐 <http://www.boynton-beach.org/>  
🐦 📘

## America's Gateway to the Gulfstream

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**From:** LaVerriere, Lori  
**Sent:** Thursday, June 22, 2017 8:43 AM  
**To:** Grant, Steven; Casello, Joseph; McCray, Mack; Katz, Justin; Romelus, Christina  
**Cc:** Majors, Wally; Groff, Colin; Howard, Tim  
**Subject:** Pool closed - leak in filter

Mayor and Commissioners:

Wally informed me that we have a leak in the filter at the pool and unfortunately it requires the pool to be closed. The water can't be circulated properly and it becomes a sanitary hazard. The repairman is out there now assessing the extent of the repair needed. Once I know the details I will pass it on. Staff is working with AquaQuest and YMCA for use of their pool in the meantime for camp/lessons, etc. At this point Wally anticipates the pool to be closed for the remainder of this week.



Lori LaVerriere  
City Manager  
City Manager's Office  
City of Boynton Beach  
100 E. Boynton Beach Blvd. | Boynton Beach, Florida 33435  
☎ 561-742-6010 | 📠 561-742-6011  
✉ LaVerriereL@bbfl.us | 🌐 <http://www.boynton-beach.org/>  
🐦 📘

## America's Gateway to the Gulfstream

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**PURCHASE ORDER  
CITY OF BOYNTON BEACH, FLORIDA**

PROCUREMENT SERVICES DEPARTMENT  
100 EAST BOYNTON BEACH BOULEVARD  
P.O. BOX 310  
BOYNTON BEACH, FLORIDA 33425-0310

P.O. #: 171233  
DATE: 06/27/17

VENDOR 14678

TO: AMJ - TRINOVA - FL  
2401 DRANE FIELD RD  
LAKELAND, FL 33811

SHIP TO:  
City of Boynton Beach  
EAST UTILITY ADMIN  
124 E. WOOLBRIGHT ROAD  
BOYNTON BEACH, FL 33435

|                       |                                   |   |
|-----------------------|-----------------------------------|---|
| REQUISITION NO. 69297 | ORDERING DEPARTMENT: UTIL-WWTP MR | INQUIRIES REGARDING<br>PURCHASE ORDER CALL<br>(561)742-6310 |
| DATE NEEDED:          | BID NO: COMMISSION APPROVED:      |   |

| LINE# | QUANTITY | UOM | ITEM NO. AND DESCRIPTION  | UNIT COST | EXTENDED COST |
|-------|----------|-----|---|-----------|---------------|
| 1     | 1.00     | EA  | LIQUIFLO MAGNETIC DRIVE -<br>CHLORINE<br>145TC FRAME / MOTOR NOT INCLUDED<br>VENDOR ITEM NO.- P1LKKBB100BVU | 5306.4200 | 5306.42       |
| 2     | 1.00     | EA  | LIQUIFLO MAGNETIC DRIVE -<br>CAUSTIC<br>56C FRAME / MOTOR NOT INCLUDED<br>VENDOR ITEM NO.- P1LPPBB100BVU    | 5306.4200 | 5306.42       |
| 3     | 1.00     | EA  | FULL REPAIR KIT<br>VENDOR ITEM NO.-<br>KP1LPPBB100BVU   | 2233.0000 | 2233.00       |

REMARKS:  
REPLACEMENT PUMPS FOR SODIUM HYPOCHLORITE  
SOLE SOURCE VENDOR  
QUOTE #1700858

|                                   |                    |             |          |
|-----------------------------------|--------------------|-------------|----------|
| PROCUREMENT SERVICES:             | <i>JWH 6/24/17</i> | P.O. TOTAL: | 12845.84 |
| ACCOUNT NO.<br>403-5000-533.65-02 | PROJECT<br>WTR020  |             |          |

PURCHASE REQUISITION NBR: 0000069297  
STATUS: DEPT APPROVAL  
REASON: REPLACEMENT PUMPS FOR SODIUM HYPOCHLORITE  
SUGGESTED VENDOR: 14678 AMJ - TRINOVA - FL  
DATE: 6/16/17  
DELIVER BY DATE: 7/01/17

REQUISITION BY: UTIL-WWTP MR

SHIP TO LOCATION: EAST UTILITY ADMIN

- 1 LIQUIFLO MAGNETIC DRIVE - CHLORINE  
145TC FRAME / MOTOR NOT INCLUDED  
COMMODITY: EQUIP MAINT & REPAIR SERV  
SUBCOMMOD: PUMPS & PUMP ACCESSORIES  
1.00 EA 5306.4200 5306.42 P1LKBB100BVU
- 2 LIQUIFLO MAGNETIC DRIVE - CAUSTIC  
56C FRAME / MOTOR NOT INCLUDED  
COMMODITY: EQUIP MAINT & REPAIR SERV  
SUBCOMMOD: PUMPS & PUMP ACCESSORIES  
1.00 EA 5306.4200 5306.42 P1LPPBB100BVU
- 3 FULL REPAIR KIT  
COMMODITY: EQUIP MAINT & REPAIR SERV  
SUBCOMMOD: PUMPS & PUMP ACCESSORIES  
1.00 EA 2233.0000 2233.00 KP1LPPBB100BVU

REQUISITION TOTAL: 12845.84

ACCOUNT INFORMATION

| LINE # | ACCOUNT        | UTIL CONST IN PROGRESS | PROJECT                   | %      | AMOUNT   |
|--------|----------------|------------------------|---------------------------|--------|----------|
| 1      | 40350005336502 | R&R - WATER            | WTR020                    | 100.00 | 5306.42  |
| 2      | 40350005336502 | UTIL CONST IN PROGRESS | WTR020                    | 100.00 | 5306.42  |
| 3      | 40350005336502 | UTIL CONST IN PROGRESS | WTR020                    | 100.00 | 2233.00  |
|        |                | R&R - WATER            | Water Plant Rprs-Mechanic |        | 12845.84 |

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

sole source

APPROVALS  
City Manager [Signature] Date 6/20/17  
Finance Dept [Signature] Date 6/21/17  
Risk Manager [Signature] Date 6/21/17  
City Attorney [Signature] Date 6/21/17



**CITY OF BOYNTON BEACH**  
**REQUEST FOR PURCHASE OVER \$10,000**

Date: 16-Jun-17

Requesting Department: WWTP

Contact Person: Leon Liberus, Chief Operator

**Explanation for Purchase:**

Replacement pumps for Sodium Hypochlorite and Caustic feed system.  
Project #: WTR020

**Recommended Vendor** Trinova Florida-Fomerly AMJ

**Dollar Amount of Purchase** \$12,845.84

**Source for Purchase (check and attach backup materials):**

Three Written Quotations

☐

GSA

☐

State Contract

☐

PRIDE/RESPECT

☐

SNAPS

☐

Sole Source

☒

Piggy-Back

☐

Budgeted Item

☐

Emergency Purchase

☐

Other

☐

Contract Number: WTR020

NOTE: Pricing proposal for purchase must be presented in the same detail contained within the contract.

**Fund Source for Purchase:**

40350005336502 WTR020

CJR  
6/16/17

**Approvals:**

Department Head

[Signature]

Date June 16, 2017

Purchasing Agent

[Signature]

Date 6/20/17

Asst City Manager

\_\_\_\_\_

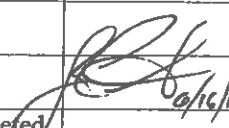
Date \_\_\_\_\_

City Manager

[Signature]

Date 6/20/17


# REQUEST FOR REQUISITION

|   |   |
|---|---|
| H.T.E. ENTRY DATE:                                  | 06/16/2017  |
| H.T.E. REQUISITION #                                | 69297   |
| Clerk:  | MR  |
| Procurement Ass't:                                  |   |
| Director:   |  |
| City Manager (non budgeted capital and/or \$5000+): |   |

## REASON FOR PURCHASE:

Replacement pumps for Sodium Hypochlorite and Caustic feed system.

Project #: WTR020                      sole source

|  |  |                  |  |   |  |
|--|--|------------------|--|---|--|
| <b>VENDOR INFORMATION:</b>   |  | <b>DIVISION:</b> |  | <b>OTHER INFORMATION:</b>                 |  |
| Name: TriNova, Inc. Florida  |  | Admin. ( )       |  | Date: 06/16/2017      ASAP (X)            |  |
| Address: 2401 Drain Field Road   |  | Engineering ( )  |  | Date Needed: 07/01/2017      Confirm. ( ) |  |
|  |  | Cust. Rel. ( )   |  | ASAP/Conf. ( )                            |  |
| Lakeland, FL 33811   |  | Distribution ( ) |  | <b>BACKUP DOCS. SUBMITTED:</b>            |  |
| Phone (contact): Eddie Fernandez   |  | Water Qual. ( )  |  | Quotes/Verbal ( )                         |  |
| Phone: 1-800-881-1487  |  | Pumping ( )      |  | Quotes/Written ( )                        |  |
| Fax: 1-863-687-0077  |  | PWTreat. (X)     |  | Bid Docs. ( )                             |  |
| Vendor Number :14678   |  | Meter Serv. ( )  |  | Sole Source Ltr. (X)                      |  |
| <b>INITIATOR: Leon Liberus, Chief Operator</b>   |  | Sewage ( )       |  | Insurance Requirements: ( )               |  |
| <b>APPROVED:</b>  |  | Strmwtr. ( )     |  | Special Instructions:                     |  |
|  |  |                  |  | Project Number: WTR020                    |  |

| Quan. | Unit Price | Description & Part Number   | Fund       | Dept        | Basic      | Elem      | Obj       | Amount             |
|-------|------------|---|------------|-------------|------------|-----------|-----------|--------------------|
| 1     | \$5,306.42 | P1LKKBB100BVU<br>LIQUIFLO MAGNETIC DRIVE - CHLORINE<br>145TC FRAME / MOTOR NOT INCLUDED | 403        | 5000        | 533        | 65        | 02        | \$5,306.42         |
| 1     | \$5,306.42 | P1LPPBB100BVU<br>LIQUIFLO MAGNETIC DRIVE - CAUSTIC<br>56C FRAME / MOTOR NOT INCLUDED    | 403        | 5000        | 533        | 65        | 02        | \$5,306.42         |
| 1     | \$2,233.00 | KP1LPPBB100BVU<br>FULL REPAIR KIT   | 403        | 5000        | 533        | 65        | 02        | \$2,233.00         |
|       |            |   |            |             |            |           |           |                    |
|       |            | Quote# 1700858  |            |             |            |           |           |                    |
|       |            |   |            |             |            |           |           |                    |
|       |            | <b>TOTAL</b>  | <b>403</b> | <b>5000</b> | <b>533</b> | <b>65</b> | <b>02</b> | <b>\$12,845.84</b> |

# ***The City of Boynton Beach***



**Utilities Department  
124 E. Woolbright Road  
Boynton Beach, Florida 33435  
Phone (561) 742-6400  
FAX: (561) 742-6298**

## **OFFICE OF THE DIRECTOR OF UTILITIES**

### **QUOTATIONS**

#### **ITEMS REQUESTED:**

Replacement pumps for Sodium Hypochlorite and Caustic feed system.

Project #: WTR020

#### **SOLE SOURCE**

**VENDOR #1:** TriNova Inc. Florida

**DATE:** 06/06/2017

**CONTACT PERSON:** Eddie Fernandez

**PHONE NUMBER:** 1-800-881-1487

**QUOTE:** \$12,845.84

**VENDOR#2:**

**DATE:**

**CONTACT PERSON:**

**PHONE NUMBER:**

**QUOTE:**

**VENDOR #3:**

**DATE:**

**CONTACT PERSON:**

**PHONE NUMBER:**

**QUOTE:**

**ATTACH THE ABOVE QUOTATIONS TO REQUISITION AND SEND TO  
PURCHASING DEPT.**



TRINOVA, INC - Florida  
2401 Drane Field Road  
Lakeland, FL 33811  
800-881-1487 Phone | 863-687-0077 Fax  
FLSales@trinovainc.com

# QUOTATION

Page: 1

## Quotation For:

CITY OF BOYNTON BEACH  
WEST WATER ADMIN  
5469 W BOYNTON BEACH BLVD  
BOYNTON BEACH FL 33437  
Ph: (561) 742-6953 Fx:

Quotation#: 1700858  
Revision#:   
Date: 06/06/17  
Prin Quote#:

Attn: LEON LIBERUS E-Mail: LIBERUSL@BBFL.US  
Ref:

## Please Address Order To:

TRINOVA FLORIDA, FORMERLY AMJ  
\*\* FLSALES@TRINOVAINC.COM \*\*  
LAKELAND FL 33811

FOB: FREIGHT IS INCLUDED  
Delivery: 2 Weeks, ARO  
Salesman: DENNIS PARKER  
Validity: 30 DAYS  
Terms: NET 30 DAYS

\*\*\*\*\*  
TRINOVA FLORIDA IS EXCITED TO ANNOUNCE, EFFECTIVE 8/1/16 WE HAVE A NEW ADDRESS:  
TRINOVA FLORIDA 2401 DRANE FIELD ROAD, LAKELAND FL 33811

| Item | Qty | Part#/Description   | Unit Price | Total Price |
|------|-----|---|------------|-------------|
| 1    | 1   | P1LKBB100BVU<br>LIQUIFLO MAGNETIC DRIVE<br>PFA LINED STAINLESS STEEL GEAR PUMP ANSI FLANGES<br>PEEK DRIVE GEAR<br>PEEK IDLER GEAR<br>SILICON CARBIDE WEAR PLATES/BEARINGS<br>.875" (NEMA 143/145TC) MOTOR FRAME<br>NO MOTOR INCLUDED<br>ALLOY-C/PFA-LINED CONTAINMENT CAN<br>SILICONE CARBIDE SHAFTS<br>VITON O-RINGS<br>(MCU) 75 IN-LBS MAGNETIC COUPLING<br><br>MEDIA: NaOCl<br>20 PSI<br>AMBIENT TEMPERATURE<br>6% 12 GPH-380RPM, 50GPH-1145 RPM, 80 GPH MAX<br>12% 12 GPH-300RPM, 50GPH-1065 RPM, 84 GPH MAX                      | 5,306.42   | 5,306.42    |
| 2    | 1   | P1LPPBB100BVU<br>LIQUIFLO MAGNETIC DRIVE<br>PFA LINED STAINLESS STEEL GEAR PUMP ANSI FLANGES<br>PEEK DRIVE GEAR<br>PEEK IDLER GEAR<br>SILICONE CARBIDE WAER PLATES/BEARINGS<br>.875" ( NEMA 56C ) MOTOR FRAME<br>NO MOTOR INCLUDED<br>ALLOY-C/PFA-LINED CONTAINMENT CAN<br>SILICONE CARBIDE SHAFTS<br>VITON O RINGS<br>(MCU) 75 IN-LBS MAGNETIC COUPLING<br><br>MEDIA: 50% CAUSTIC, 20 PSIG, APPROX. 100CPS VISCOSITY<br>AT AMBIENT.<br>MAX CAPACITY- 78 GPH ( 1.3 GPM )<br><br>NOTE: EITHER PUMP IS COMPATIBLE WITH EITHER CHEMICAL. | 5,306.42   | 5,306.42    |

\*\*\*\*\* CONTINUED ON PAGE 2 \*\*\*\*\*



TRINOVA, INC - Florida  
2401 Drane Field Road  
Lakeland, FL 33811  
800-881-1487 Phone | 863-687-0077 Fax  
FLSales@trinovainc.com

# QUOTATION

Page: 2

Quotation#: 1700858  
Revision#:   
Date: 06/06/17

| Item | Qty | Part#/Description  | Unit Price | Total Price |
|------|-----|--|------------|-------------|
| 3    | 1   | KP1LPPBB100BVU<br>FULL REPAIR KIT INCLUDING:<br>PEEK GEAR SET,SILICONE CARBIDE WEAR PLATES & BEARINGS<br>GASKETS AND O RINGS | 2,233.00   | 2,233.00    |

Quote Total: 12,845.84

Did you know that our service team can Commission/Start-Up and Troubleshoot all  
of your instrumentation? We would be happy to provide pricing.  
\*\*\* PLEASE SEND ORDERS AND INQUIRIES TO: FLSALES@TRINOVAINC.COM \*\*\*

By: EDDIE FERNANDEZ for DENNIS PARKER



**Liquiflo Equipment Company  
433 North Ave.  
Garwood NJ 07027**

**Sole Source Letter**

**To Leon Liberus:**

**Trinova is the sole source provider for the entire Liquiflo product offering for the Florida Peninsula in the municipal market. This includes new pumps and aftermarket sales and service of our products.**

**Sincerely,**

**Mike Arndt  
Sales  
Liquiflo Equipment Company**



**PURCHASE ORDER  
CITY OF BOYNTON BEACH, FLORIDA**

PROCUREMENT SERVICES DEPARTMENT  
100 EAST BOYNTON BEACH BOULEVARD  
P.O. BOX 310  
BOYNTON BEACH, FLORIDA 33425-0310

P.O. #: 171246  
DATE: 06/28/17

VENDOR 8462


TO: BENNETT FIRE PRODUCTS COMPANY  
195 STOCKWOOD DRIVE  
STE 170  
P.O. BOX 2458  
WOODSTOCK, GA 30188

SHIP TO:  
City of Boynton Beach  
FIRE STATION NO. 5  
2080 HIGH RIDGE ROAD  
BOYNTON BEACH, FL 33426

|                       |                                  |                      |   |
|-----------------------|----------------------------------|----------------------|---|
| REQUISITION NO. 69311 | ORDERING DEPARTMENT: OUIDA/ FIRE |                      | INQUIRIES REGARDING<br>PURCHASE ORDER CALL<br>(561)742-6310 |
| DATE NEEDED:          | BID NO:                          | COMMISSION APPROVED: |   |

| LINE# | QUANTITY | UOM | ITEM NO. AND DESCRIPTION  | UNIT COST | EXTENDED COST |
|-------|----------|-----|---|-----------|---------------|
| 1     | 8.00     | EA  | GLOBE GXTREME 3.0 JACKET BBFR<br>SPECIFICATIONS<br>VENDOR ITEM NO.- GLOBE GXTREME 3.0           | 1189.0000 | 9512.00       |
| 2     | 8.00     | EA  | GLOBE HARNESS READY TROUSER W/<br>NOMEX BELT SPECS.<br>VENDOR ITEM NO.- HARNESS READY<br>TROUSE | 992.0000  | 7936.00       |

REMARKS:  
PIGGYBACK LAKE CO FL CONTRACT #12-0806B  
EXP. 6/30/17

|                                   |  |             |          |
|-----------------------------------|--|-------------|----------|
| PROCUREMENT SERVICES:             |  | P.O. TOTAL: | 17448.00 |
| ACCOUNT NO.<br>001-2210-522.52-23 | PROJECT  |             |          |

PURCHASE REQUISITION NER: 0000069311

STATUS: INSUFFICIENT FUNDS  
REASON: UNIFORMS

REQUISITION BY: OUIDA/ FIRE

DATE: 6/19/17

SHIP TO LOCATION: FIRE STATION 5/EOC

SUGGESTED VENDOR: 8462 BENNETT FIRE PRODUCTS COMPANY

DELIVER BY DATE: 6/30/17

| LINE<br>NR | DESCRIPTION   | QUANTITY | UOM | UNIT<br>COST | EXTEND<br>COST | VENDOR PART NUMBER   |
|------------|---|----------|-----|--------------|----------------|----------------------|
| 1          | GLOBE GXTREME 3.0 JACKET BBFR SPECIFICATIONS<br>COMMODITY: SECURITY, FIRE, SAFETY SERV<br>SUBCOMMOD: FIRE & SAFETY SERVICES     | 8.00     | EA  | 1189.0000    | 9512.00        | GLOBE GXTREME 3.0    |
| 2          | GLOBE HARNESS READY TROUSER W/ NOMEX BELT SPECS.<br>COMMODITY: SECURITY, FIRE, SAFETY SERV<br>SUBCOMMOD: FIRE & SAFETY SERVICES | 8.00     | EA  | 992.0000     | 7936.00        | HARNESS READY TROUSE |

REQUISITION TOTAL: 17448.00

ACCOUNT INFORMATION

| LINE # | ACCOUNT        | PROJECT                 | %      | AMOUNT   |
|--------|----------------|-------------------------|--------|----------|
| 1      | 00122105226406 | MACHINERY AND EQUIPMENT | 100.00 | 9512.00  |
| 2      | 00122105226406 | SAFETY EQUIPMENT        | 100.00 | 7936.00  |
|        |                |                         |        | 17448.00 |

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

Please see Lake County Florida Contract Agreement.  
#12-0806B

Respectfully, *Exp. 6/30/17*

Ouida

APPROVALS

City Manager *[Signature]* Date *6/23/17*  
Finance Dept. *[Signature]* Date *6/26/17*  
Risk Manager \_\_\_\_\_ Date \_\_\_\_\_  
City Attorney \_\_\_\_\_ Date \_\_\_\_\_



# CITY OF BOYNTON BEACH

## REQUEST FOR PURCHASE OVER \$10,000

Date: 6/19/2017

Requesting Department: Fire Rescue Contact Person: Ouida ext. 6329

Explanation for Purchase: Purchasing uniforms/ fire rescue gear for Firefighters.

Recommended Vendor Bennett Fire Products Company

Dollar Amount of Purchase \$17448.00

Source for Purchase (check and attach backup materials):

Three Written Quotations ☐

GSA ☐

State Contract ☐

PRIDE ☐

SNAPS ☐

RESPECT ☐

Piggy-Back ☒

Sole Source ☐

Emergency Purchase ☒

Other ☐

Contract Number: LAKE CO FJ #12-0806B

NOTE: Pricing proposal for purchase must be presented in the same detail contained within the contract.

Fund Source for Purchase:

Acct #001-2210-522-~~64~~-06

52-23

Turnout Gear

Approvals:

Department Head [Signature]

Date 6/19/17

Purchasing Agent [Signature]

Date 6/21/17

Asst City Manager [Signature]

Date \_\_\_\_\_

City Manager [Signature]

Date 6/23/17

**E Quotation**  
**Bennett Fire Products Co., Inc.**



**www.BennettFireProducts.com**

June 19, 2017

Boynton Beach Fire Rescue  
2080 High Ridge Road  
Boynton Beach, FL 33426

*This price quote is valid until December 31, 2017.*

*Discount in reference to Lake County, FL Contract 17-0606, expires June 30, 2018, 42% from manufacturer's current 2017 list price for Globe Firesuits/Gxcel. Globe Price List dated 3/1/17 is in effect at time of Lake County Contract/quotation. Contract may be viewed in its entirety at [www.lakecountycl.gov](http://www.lakecountycl.gov). To find information regarding this contract, follow the instructions below.*

Globe Gxtreme 3.0 Jacket per BBFR specifications  
Retail Price - \$2,315.24  
Lake County Contract Discount – 42% - \$1,342.83

**Boynton Beach Volume Discount Price - \$1,189.00 each**

**8 Jackets @ \$1,189.00 = \$9,512.00**

Globe Internal Harness Ready Trousers with Nomex belt per BBFR specifications  
Retail Price - \$1,945.13  
Lake County Contract Discount – 42% - \$1,128.17

**Boynton Beach Volume Discount Price - \$992.00 each**

**8 Trousers @ \$992.00 = \$7,936**

FOB Boynton Beach, FL

Delivery: 60-75 days after receipt of order

Terms: net 30 days

Thanks for giving us the opportunity to serve you!

Danny Bennett, [bennettfire@att.net](mailto:bennettfire@att.net), 770/402-9910

Bob Reardon, [reardon7575@att.net](mailto:reardon7575@att.net), 561/644-5722

Instructions for downloading Lake County/Bennett Fire Products Company contract information: Visit the website [www.lakecountyfl.gov](http://www.lakecountyfl.gov).

1. View the left hand column, click on "Doing Business with Lake County". 2. View the left hand column, click on "View Term and Supplier Agreements". 3. Under the Search for Contracts space, type **Bennett Fire** 4. Contract 12-0806B will appear and the full contract or parts can be downloaded.

If you have trouble finding the information you need regarding this contract, or if you need additional information, please contact Danny Bennett at [bennettfire@att.net](mailto:bennettfire@att.net) or 770/402-9910.



LAKE COUNTY  
FLORIDA

MODIFICATION OF CONTRACT

|   |  |
|---|--|
| 1. Modification No.: 4<br>Effective Date: July 1, 2016  | 2. Contract No.: 12-0806B<br>Effective Date: June 12, 2012   |
| 3. Contracting Officer: Donna Villinis<br>Telephone Number: (352) 343-9765  | 5. Contractor Name and Address:<br>Bennett Fire Products Company, Inc.<br>PO Box 2458<br>Woodstock, GA 30188<br><br>Attn: Danny Bennett, President |
| 4. Issued By:<br>Procurement Services<br>Lake County Administration Building<br>315 W. Main St., Suite 441<br>Tavares, Florida 32778-7800   |  |
| 6. SPECIAL INSTRUCTIONS: Contractor is required to sign Block 8 showing acceptance of the below written modification and <u>return this form to address shown in Block 4 within ten (10) days after receipt</u> , preferably by certified mail to ensure a system of positive receipts. Retain a photocopy of the signed copy of this modification and attach to original of contract, which was previously provided. |  |
| 7. DESCRIPTION OF MODIFICATION:<br><br>Contract modification to extend contract for one (1) additional year, expiring June 30, 2017.  |  |
| 8. Contractor's Signature <b>REQUIRED</b><br>Name: <u>Danny Bennett</u><br>Title: <u>President</u><br>Date: <u>February 12, 2016</u>  | 9. Lake County, Florida<br>By: <u>[Signature]</u><br>Senior Contracting Officer<br><u>2-16-2016</u><br>Date  |
| 10. Distribution:<br><br>Original: Bid File<br>Cc: Vendor, Department   |  |

FISCAL AND ADMINISTRATIVE SERVICES/PROCUREMENT SERVICES  
P.O. BOX 7800 • 315 W. MAIN ST., TAVARES, FL 32778 • P 352.343.9839 • F 352.343.9473  
Board of County Commissioners • [www.lakecountyfl.gov](http://www.lakecountyfl.gov)

TIMOTHY I. SULLIVAN  
District 1

SEAN M. PARKS, AICP, QEP  
District 2

JIMMY CONNER  
District 3

LESLIE CAMPIONE  
District 4

WELTON G. CADWELL  
District 5

# G-XTREME® 3.0 STYLE JACKET

## OVERSIZE CHARGE - ADD 30% FOR SIZE 60+

With all the features of our original G-XTREME® including Globe's exclusive AXTION® Back and Sleeve, the new G-XTREME® 3.0 jacket is retailored in the chest, shoulder, and sleeve for even more mobility. The lower collar with a deeper neck opening is more flexible, less restrictive, and better fitting, even with your hood on. And like the original, G-XTREME® 3.0 comes in SHAPES to fit your body better.

### A OUTER SHELLS

|                                 | (1) G-XTREME® |
|---------------------------------|---------------|
| 07 BRIGADE™ 750 (aka NOMEX®)    | 770.00        |
| 12 GEMINI™ XT W/ MATRIX - GOLD  | 1,091.00      |
| 12 GEMINI™ XT W/ MATRIX - BLACK | 1,152.00      |
| 13 PBI MAX® - GOLD              | 1,105.00      |
| 13 PBI MAX® - BLACK             | 1,168.00      |
| 17 PIONEER™                     | 847.00        |
| 22 KOMBAT™ FLEX - GOLD          | 1,096.00      |
| 22 KOMBAT™ FLEX - BLACK         | 1,158.00      |
| 24 ARMOR™ AP                    | 854.00        |
| 27 ADVANCE™                     | 835.00        |
| 32 MILLENNIA™ XT                | 1,131.00      |
| 34 ARMOR™                       | 963.00        |
| 35 MILLENNIA™ XTL               | 993.00        |
| 37 BLACK PCA ADVANCE™           | 878.00        |
| 38 OMNI VANTAGE™                | 845.00        |
| 38 OMNI VANTAGE™ - BLACK        | 875.00        |
| 47 ULTRA™                       | 972.00        |

### B THERMAL LINERS

|                            | (1) G-XTREME® |
|----------------------------|---------------|
| 51 GLIDE™ PBI® G2          | 503.00        |
| 53 QUANTUM3D™ SL2i (2 Lyr) | 505.00        |
| 54 CALDURA® NPI            | 415.00        |
| 55 GLIDE™ GOLD             | 447.00        |
| 56 CALDURA® SL3i           | 496.00        |
| 57 CALDURA® SL2i           | 449.00        |
| 58 QUANTUM4i™              | 527.00        |
| 60 DEFENDER™ M SL2 (BRASS) | 392.00        |
| 68 SYNERGY®                | 390.00        |
| 78 ARALITE® SL2            | 387.00        |
| 79 ARALITE® SL3            | 446.00        |
| 81 DEFENDER™ M SL2         | 390.00        |
| 82 ARALITE® NP             | 336.00        |

### C MOISTURE BARRIERS

|                      | (1) G-XTREME® |
|----------------------|---------------|
| D GORE® RT7100       | 263.00        |
| E STEDAIR® 3000      | 237.00        |
| F CROSSTECH® 3-LAYER | 538.00        |
| G CROSSTECH® BLACK   | 381.00        |
| J STEDAIR® GOLD      | 371.00        |

### GORE® PARALLON™ LINER SYSTEM

|                                   |          |
|-----------------------------------|----------|
| XM-B GORE® PARALLON™ LINER SYSTEM | 1,205.00 |
|-----------------------------------|----------|

### D TRIM

|                    | SCOTCHLITE™ | SCOTCHLITE™ TripleTrim | BRILLIANCE® | BRILLIANCE® w/ STRIPE |
|--------------------|-------------|------------------------|-------------|-----------------------|
| NFPA Basic 3"      | 117.10      | 122.65                 | 109.45      | 109.45                |
| NYC 3"             | 153.75      | 160.80                 | 144.00      | 144.00                |
| NFPA Vert 3"       | 126.70      | 132.65                 | 118.45      | 118.45                |
| Project Fires      | 161.70      | 169.20                 | 151.35      | 151.35                |
| High Visibility    | 179.65      | 187.90                 | 168.25      | 168.25                |
| NFPA Vert II       | 118.80      | 124.30                 | 111.15      | 111.15                |
| Project Fires II   | 153.85      | 160.90                 | 144.10      | 144.10                |
| High Visibility II | 171.80      | 176.60                 | 161.00      | 161.00                |
| NFPA HV            | 144.65      | 151.35                 | 135.35      | 135.35                |
| NFPA HV II         | 136.75      | 143.00                 | 128.05      | 128.05                |

### E LETTERS

|                              |          |
|------------------------------|----------|
| SCOTCHLITE™ 2" & 3" L/Y, R/O | 2.45 ea. |
| BRILLIANCE® 2" & 3" L/Y      | 2.45 ea. |

### E LETTER PATCHES

|                | PIONEER™/BRIGADE™ 750/ADVANCE™ | All Other Shells |
|----------------|--------------------------------|------------------|
| Sew-On         | 17.40                          | 30.30            |
| Velcro         | 62.40                          | 75.30            |
| Hanging 5"x20" | 37.10                          | 46.20            |

### F SIDE POCKETS

|   | STD   | STD   |
|---|-------|-------|
| 2"x8"x8" Expansion Pockets w/Fleece Handwarmer                        | 26.60 | 38.70 |
| 2"x10"x6" Half High Expansion Pockets (Only pocket available for 26") | 9.20  | 15.30 |
| Pocket Divider  | 31.20 | 31.20 |
| End of Flap SILIZONE®   |       |       |

### G CLOSURES

|                             |       |       |
|-----------------------------|-------|-------|
| 5C Velcro In/Hook & Dee Out | N/C   | N/C   |
| 6C Zipper In/Hook & Dee Out | 5.50  | 5.50  |
| 7C Hook & Dee In/Velcro Out | 28.60 | 39.20 |
| 8C Zipper In/Velcro Out     | STD   | STD   |
| 17C Snap In/Hook & Dee Out  | N/C   | N/C   |
| ZIPPERGRIPPER™              | 16.10 | 16.10 |



| G-XTREME® 3.0 JACKET STANDARD FEATURES   |  |
|--|--|
| <b>Closure</b><br>Vislon zipper In/Velcro out  | <b>AXTION® Back</b>  |
| <b>Collar Height</b><br>3"   | <b>Pocket Size &amp; Style</b><br>2"x8"x8" Expansion; with fleece lined handwarmer |
| <b>Shoulder CCM</b><br>Size 3" in front, 7" in back full length along shoulder (3 piece construction) completely overedged | <b>Pocket Reinforcement</b><br>KEVLAR® Nail 3" up sewn to inside of pocket         |
| <b>32" Standard Length</b>   | <b>Adjustable sleeve well</b><br>Wrist on Liner                                    |

## G-XTREME® 3.0 JACKET OPTIONS

### H/A EXTRA POCKETS/OPTIONS

|   | PIONEER™/<br>BRIGADE™ 750/<br>ADVANCE™ | All Other<br>Shells |
|---|--|---------------------|
| Radio Pocket  | 48.40                                  | 63.60               |
| 13P-B 3" x 3.5" x 9"  |  |                     |
| 13P-K 2" x 3.5" x 7"  |  |                     |
| 13P-C 2" x 3.5" x 8"  |  |                     |
| 13P-L 2" x 3.5" x 9"  |  |                     |
| Antenna Notch in #13P Flap<br>specify location                                    | 2.50                                   | 2.50                |
| 6P 4" x 9" x 15" Face Mask Pouch**<br>**(Not available on 29" or shorter lengths) | 74.60                                  | 98.85               |
| 6P Detachable Face Mask Pouch   | 79.95                                  | 110.05              |
| 7P 2" x 3" x 7.5" Flashlight Pocket   | 34.85                                  | 43.95               |
| 8P 2" x 3" x 9" Flashlight Pocket   | 37.40                                  | 49.55               |

### J/K OTHER OPTIONS

|                              |       |       |
|------------------------------|-------|-------|
| Self Mic Strap               | 2.90  | 3.80  |
| Helmet Snap                  | 5.25  | 5.25  |
| Dee Ring on Suede Patch      | 3.85  | 3.85  |
| Helmet Snap & Strap w/Velcro | 11.20 | 14.20 |
| Sunlance Flashlight Holder   | 17.80 | 22.35 |
| Survivor Flashlight Holder   | 17.90 | 22.45 |
| Universal Clip               | 10.15 | 13.20 |
| Hanging Strap with D         | 4.60  | 6.80  |

### L WRISTERS

| 4" NOMEX® WRISTERS                 | STD   | STD   |
|------------------------------------|-------|-------|
| NOMEX® Hand & Wrist Guards         | 7.60  | 7.60  |
| KEVLAR® Hand & Wrist Guards        | 7.80  | 7.80  |
| PBI® Hand & Wrist Guards           | 29.40 | 29.40 |
| Grey NOMEX® Wrists                 | 2.80  | 2.80  |
| Grey NOMEX® Hand & Wrist Guards    | 8.55  | 8.55  |
| Thumb Loops (add to wrister price) | 15.50 | 15.50 |

### M REINFORCEMENTS

| POCKETS                          | PIONEER™/<br>BRIGADE™ 750/<br>ADVANCE™ | All Other<br>Shells |
|----------------------------------|--|---------------------|
| DRAGONHIDE® (Outside) Exp Pocket | 37.00                                  | 37.00               |
| Grey Suede (Outside) Exp Pocket  | 22.30                                  | 22.30               |
| Black Suede (Outside) Exp Pocket | 25.95                                  | 25.95               |
| ARA-SHIELD® (Outside) Exp Pocket | 27.85                                  | 27.85               |
| (Black, Grey, Gold)              |  |                     |
| KEVLAR® Twill (Pouch)            | 36.70                                  | 36.70               |

### CUFFS

| Grey Suede                      | STD   | STD   |
|---------------------------------|-------|-------|
| DRAGONHIDE®                     | 10.40 | 10.40 |
| Self Material                   | 4.30  | 12.65 |
| Black Suede                     | 1.70  | 1.70  |
| ARA-SHIELD® (Black, Grey, Gold) | 9.25  | 9.25  |

### ELBOWS W/ PADDING

|                                 |       |       |
|---------------------------------|-------|-------|
| DRAGONHIDE®                     | 34.75 | 34.75 |
| Self Material                   | 22.40 | 36.10 |
| Grey Suede                      | 17.80 | 17.80 |
| Black Suede                     | 19.40 | 19.40 |
| ARA-SHIELD® (Black, Grey, Gold) | 28.60 | 28.60 |

### SHOULDERS

|                                 |       |       |
|---------------------------------|-------|-------|
| DRAGONHIDE®                     | 19.90 | 19.90 |
| Self Material                   | 12.45 | 18.50 |
| Grey Suede                      | 13.55 | 13.55 |
| Black Suede                     | 14.90 | 14.90 |
| ARA-SHIELD® (Black, Grey, Gold) | 14.50 | 14.50 |
| Padded Shoulders                | 14.30 | 14.30 |

### UPPER BACK

|               |       |       |
|---------------|-------|-------|
| Self Material | 16.75 | 28.90 |
| Padded        | 14.00 | 14.00 |

### N MISC

|                      |       |       |
|----------------------|-------|-------|
| Liner Alert at Hem   | 27.20 | 34.65 |
| Embroidered Flag     | 16.65 | 16.65 |
| Individual Box       | 5.20  | 5.20  |
| Custom Printed Patch | 31.75 | 31.75 |

(Available in Black, Silver, Gold or Yellow)

HELMET SNAP&STRAP/VELCRO



SURVIVOR STRAP/HOOK



HANGING STRAP W/D-RING



SUNLANCE FLASHLIGHT HOLDER



### Four Backgrounds Now Available





# G-XTREME® 3.0 PANTS

## OVERSIZE CHARGE - ADD 30% FOR SIZE 60+

In this latest release of our best-selling style, we've retailored the waist, seat, and thigh for less bulk while making these pants much easier to get on and off. With all the features of our original G-XTREME® including Globe's exclusive AXTION® Seat and Knee, these pants fit like a pair of jeans and let you make all the right moves. And like the original, G-XTREME® 3.0 comes in SHAPES to fit your body better.

### A OUTER SHELLS

|                                 | (2) G-XTREME® |
|---------------------------------|---------------|
| 07 BRIGADE™ 750 (aka NOMEX®)    | 600.00        |
| 12 GEMINI™ XT W/ MATRIX - GOLD  | 859.00        |
| 12 GEMINI™ XT W/ MATRIX - BLACK | 909.00        |
| 13 PBI MAX® - GOLD              | 864.00        |
| 13 PBI MAX® - BLACK             | 916.00        |
| 17 PIONEER™                     | 662.00        |
| 22 KOMBAT™ FLEX - GOLD          | 864.00        |
| 22 KOMBAT™ FLEX - BLACK         | 914.00        |
| 24 ARMOR™ AP                    | 667.00        |
| 27 ADVANCE™                     | 652.00        |
| 32 MILLENIA™ XT                 | 892.00        |
| 34 ARMOR™                       | 753.00        |
| 35 MILLENIA™ XTL                | 780.00        |
| 37 BLACK PCA ADVANCE™           | 687.00        |
| 38 OMNI VANTAGE™                | 660.00        |
| 38 OMNI VANTAGE™ - BLACK        | 684.00        |
| 47 ULTRA™                       | 763.00        |

### B THERMAL LINERS

|                            | (2) G-XTREME® |
|----------------------------|---------------|
| 51 GLIDE™ PBI® G2          | 418.00        |
| 53 QUANTUM3D™ SL2i (2 Lyr) | 419.00        |
| 54 CALDURA® NPi            | 337.00        |
| 55 GLIDE™ GOLD             | 367.00        |
| 56 CALDURA® SL3i           | 412.00        |
| 57 CALDURA® SL2i           | 369.00        |
| 58 QUANTUM4i™              | 440.00        |
| 60 DEFENDER™ M SL2 (BRASS) | 317.00        |
| 68 SYNERGY®                | 316.00        |
| 78 ARALITE® SL2            | 312.00        |
| 79 ARALITE® SL3            | 366.00        |
| 81 DEFENDER™ M SL2         | 315.00        |
| 82 ARALITE® NP             | 266.00        |

### C MOISTURE BARRIERS

|                      | (2) G-XTREME® |
|----------------------|---------------|
| D GORE® RT7100       | 210.00        |
| E STEDAIR® 3000      | 187.00        |
| F CROSSTECH® 3-LAYER | 448.00        |
| G CROSSTECH® BLACK   | 310.00        |
| J STEDAIR® GOLD      | 303.00        |

### GORE® PARALLON™ LINER SYSTEM

|                                   |        |
|-----------------------------------|--------|
| XM-B GORE® PARALLON™ LINER SYSTEM | 997.00 |
|-----------------------------------|--------|

### D TRIM

|                 | SCOTCHLITE™ TripleTrim | SCOTCHLITE™ | BRILLIANCE® w/ STRIPE | BRILLIANCE® |
|-----------------|------------------------|-------------|-----------------------|-------------|
| 3" Around Cuffs | 33.35                  | 35.00       | 31.05                 | 31.05       |
| 3" Down Legs    | 50.15                  | 52.70       | 46.65                 | 46.65       |

### E LETTERS

|                              |          |
|------------------------------|----------|
| SCOTCHLITE™ 2" & 3" L/Y, R/O | 2.45 ea. |
| BRILLIANCE® 2" & 3" L/Y      | 2.45 ea. |

### E NUMBER PATCHES (4" X 5" STANDARD)

|        |       |       |
|--------|-------|-------|
| Sew-On | 7.15  | 10.20 |
| Velcro | 23.50 | 25.05 |

### F SIDE POCKETS

|  | PIONEER™/BRIGADE™ 750/ADVANCE™ | All Other Shells |
|--|--------------------------------|------------------|
| 2"x10"x10" Expansion                                 | STD                            | STD              |
| Pocket Divider                                       | 9.20                           | 15.30            |
| Split Flap   | 11.70                          | 17.80            |
| Wallet Pocket (single)                               | 17.60                          | 23.70            |
| (Size constraints with small waists & short inseams) |                                |                  |
| End of Flap SILZONE®                                 | 31.20                          | 31.20            |
| Tool 3 Compartment *                                 | 32.20                          | 32.20            |
| Tool 6 Compartment *                                 | 32.20                          | 32.20            |
| *(Available in ARA-SHIELD®, Suede or KEVLAR®)        |                                |                  |

### G CLOSURES

|                   |      |
|-------------------|------|
| Zipper/Velcro Fly | 9.35 |
| Velcro Fly        | STD  |



### G-XTREME® PANTS STANDARD FEATURES

#### Suspender Type

Black Padded Hi-Back  
Ripcord

#### Bib

No bib

#### Fly Shape

Straightfly

#### Closure

Velcro in/Black Aramid belt  
elasticized sides  
No extensions

#### Pocket Size & Style

2" x 10" x 10" Expansion

#### Pocket Reinforcement

KEVLAR® twill; 5" up sewn to  
inside of pocket

# G-XTREME® 3.0 PANTS OPTIONS

## H/I REINFORCEMENTS

### POCKETS

|                                  | PIONEER™/<br>BRIGADE™ 750/<br>ADVANCE™ | All Other<br>Shells |
|----------------------------------|--|---------------------|
| DRAGONHIDE® (Outside) Exp Pocket | 37.00                                  | 37.00               |
| Grey Suede (Outside) Exp Pocket  | 22.30                                  | 22.30               |
| Black Suede (Outside) Exp Pocket | 25.95                                  | 25.95               |
| ARA-SHIELD® (Outside) Exp Pocket | 27.85                                  | 27.85               |
| (Black, Grey, Gold)              |  |                     |
| KEVLAR® Twill (Pouch)            | 36.70                                  | 36.70               |

### CUFFS

|                                 | STD   | STD   |
|---------------------------------|-------|-------|
| Grey Suede                      |       |       |
| DRAGONHIDE®                     | 29.45 | 29.45 |
| Self Material                   | 10.25 | 25.50 |
| Black Suede                     | 2.45  | 2.45  |
| ARA-SHIELD® (Black, Grey, Gold) | 10.90 | 10.90 |

### KNEES (REQUIRED)

| DRAGONHIDE®                                 | 42.00 | 42.00 |
|---|-------|-------|
| Self Material                               | 22.65 | 37.85 |
| Grey Suede                                  | 27.70 | 27.70 |
| Black Suede                                 | 32.35 | 32.35 |
| ARA-SHIELD® (Black, Grey, Gold)             | 31.45 | 31.45 |
| SILIZONE® Padded Knee*                      | 35.70 | 35.70 |
| Padded Knees (ARAFIL® & Thermal Liner)      | 18.15 | 18.15 |
| Extra Layer #76 Knee Padding on Outer Shell | 14.20 | 14.20 |
| Extra Layer #76 Knee Padding on Liner Knee  | 10.40 | 10.40 |

\*Recommended placement is on the Thermal Liner

## J BACK BIBS

|             | PIONEER™/<br>BRIGADE™ 750/<br>ADVANCE™ | All Other<br>Shells |
|-------------|--|---------------------|
| 3" Back Bib | 17.40                                  | 23.50               |
| 6" Back Bib | 24.40                                  | 33.50               |
| No Bib      | STD                                    | STD                 |

## K SUSPENDERS (ALL LENGTHS)

### RIPCORD SUSPENDERS

|                             | STD | 17.00 add'l |
|-----------------------------|-----|-------------|
| Black Padded Ripcord H-Back |     |             |
| X-Back Suspenders           | N/C | 17.00 add'l |

## L MISC

|                          | PIONEER™/<br>BRIGADE™ 750/<br>ADVANCE™ | All Other<br>Shells |
|--------------------------|--|---------------------|
| Rappelling Harness Loops | 48.80                                  | 52.95               |
| Liner Alert at Cuffs     | 27.20                                  | 34.65               |
| Water Proof Dam at Cuffs | 35.90                                  | 35.90               |
| Spanner Pocket w/Suede   | 40.85                                  | 53.00               |
| Utility Loops            | 38.40                                  | 52.85               |
| Individual Box           | 5.20                                   | 5.20                |

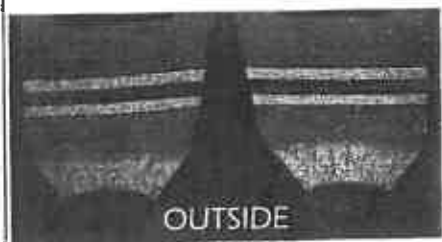
### REMOVABLE KNEES

| DRAGONHIDE® Knees                     | 78.80 | 78.8 |
|---------------------------------------|-------|------|
| Self Knees                            | 48.65 | 72.4 |
| Suede Knees                           | 39.05 | 39.0 |
| Black Suede                           | 43.70 | 43.7 |
| ARA-SHIELD® Knees (Black, Grey, Gold) | 62.70 | 62.7 |
| Padding for Knees                     | 18.15 | 18.1 |
| SILIZONE®                             | 35.70 | 35.7 |

WATERPROOF DAM  
AT CUFFS



INSIDE

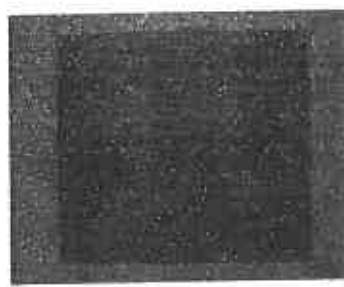


OUTSIDE

WALLET POCKET



ARA-SHIELD® TOOL6  
COMPARTMENT



SPANNER POCKET w/SUEDE  
Shown above trim



Escape belts are not available on this style.



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Approve the minutes from the Special City Commission meeting held on June 12, 2017 and Regular City Commission meeting held on June 20, 2017.

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**EXPLANATION OF REQUEST:**

The City Commission met on June 12 and 20, 2017 and minutes were prepared from the notes taken at the meetings. The Florida Statutes provide that minutes of all Commission meetings be prepared, approved and maintained in the records of the City of Boynton Beach.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** A record of the actions taken by the City Commission will be maintained as a permanent record.

**FISCAL IMPACT:** Non-budgeted N/A

**ALTERNATIVES:** Do not approve the minutes

**STRATEGIC PLAN:** High Performing City Organization

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**ATTACHMENTS:**

| Type                             | Description |
|----------------------------------|-------------|
| <input type="checkbox"/> Minutes | 06-12-17    |
| <input type="checkbox"/> Minutes | 06-20-17    |

**REVIEWERS:**

| Department | Reviewer         | Action   | Date                |
|------------|------------------|----------|---------------------|
| City Clerk | Stanzione, Tammy | Approved | 7/11/2017 - 4:04 PM |

**SPECIAL CITY COMMISSION MEETING HELD ON MONDAY  
JUNE 12, 2017, AT 6:00 P.M. IN COMMISSION CHAMBERS, CITY HALL  
100 E. BOYNTON BEACH BOULEVARD, BOYNTON BEACH, FLORIDA**

---

**PRESENT:**

Steven B. Grant, Mayor  
Justin Katz, Vice Mayor  
Mack McCray, Commissioner  
Christina Romelus, Commissioner  
Joe Casello, Commissioner

Lori LaVerriere, City Manager  
James Cherof, City Attorney  
Judith A. Pyle, City Clerk

**1. OPENINGS**

A. Call to Order - Mayor Steven B. Grant

Mayor Grant called the meeting to order at 6 p.m.

Invocation

Mayor Grant gave the invocation

Pledge of Allegiance to the Flag

Commissioner McCray led the Pledge of Allegiance to the Flag.

Roll Call

Judith A. Pyle, City Clerk, called the roll. A quorum was present.

Agenda Approval:

1. Additions, Deletions, Corrections

None

2. Adoption

**Motion**

Vice Mayor Katz moved to approve the agenda. Commissioner McCray seconded the motion.

**Vote**

The motion unanimously passed.

## 2. OTHER

### A. Staff presentation on update of Town Square

Mr. Colin Groff, Assistant City Manager, explained the purpose of the presentation was to review and approve a Resolution to amend the Town Square project. The City has gone through the Request for Qualification (RFQ) process. The development team has been selected. Phase I of the contract is ready to be approved, and once approved, the City will move into Phase I of the project. Once the Commission reviews and approves the Interlocal Agreement (ILA) with the CRA for \$2,100,000 for Phase I services for the Old High School and Town Square, the City can move forward with the project.

Mr. Groff pointed out the Commission needed to approve a Resolution to appropriate \$4,365,423 to fund Phase I services of which \$2,265,423 comes from the unappropriated fund balance. The Commission also needs to review and approve a Resolution authorizing the execution of the Phase I Services Agreement. Once approved, the City Commission will recess; the CRA Board will convene, approve a Resolution, adjourn and the City Commission will reconvene.

Mr. Groff continued that the project is a public private partnership designed to redevelop the 16.5 acres of land to be known as Town Square. As part of this project, the City, along with its private partners will construct a new Police and Fire station off campus. The project includes a New City Hall with all the associated parking, repurposing the Old High School and restoring it to its former grandeur; and using it as the City's new Civic Center. The City will also create open space, a park and play areas with associated parking. There will also be private uses including townhomes, apartments, a hotel and retail space. These areas will add the stimulus for public development.

Mr. Groff provided an estimate of cost to develop Town Square:

|                              |              |
|------------------------------|--------------|
| City Hall (50,000 SF)        | \$11,750,000 |
| Parking Garage (340 Spaces)  | \$ 5,900,000 |
| Library Renovations          | \$ 2,200,000 |
| Building Demolitions         | \$ 2,100,000 |
| Site Infrastructure          | \$12,500,000 |
| Police                       | \$19,200,000 |
| Fire Station #1              | \$ 3,900,000 |
| High school                  | \$10,100,000 |
| Parking Garage (900+ Spaces) | \$18,000,000 |

|  |                     |
|--|---------------------|
| Development Costs<br>(Real Est., Bonds, Lease, etc)                                  | \$ 2,000,000        |
| Soft Costs (not incl in D-B)<br>(Arch, Eng, Surveying, Fees, Legal, Public outreach) | \$ 2,275,000        |
| Finishes (Furniture, etc...)   | \$ 2,000,000        |
| Carrying Cost during Const.  | \$ 1,400,000        |
| Construction Contingency   | \$ 1,175,000        |
| <b>Total Public Project Cost</b>   | <b>\$94,500,000</b> |

Staff used the developer's numbers to create an estimated cost for all of the components to develop the Town Square. The calculated estimate is \$94,500,000. and the Town Square is a large project.. The City is going to leverage assets which are already owned and the project can be completed without any property tax increases.

An extensive overview was given of how the City is able to construct the Town Square project without raising property taxes. The estimated \$94,500,000 is the starting point. Then, the City can begin to subtract from that amount. The City has seven to eight acres of land that can be sold to a private developer. The estimated land sale is \$7 million dollars. In the current five-year CIP, the City has designated \$3.775 million to repair the existing buildings, But instead of repairing the buildings it would be better to allocate that money for the new buildings. There is \$2 million for water and sewer work which was delayed and budgeted. This project will be done in coordination with the Town Square project.

The City is looking at a Centralized District Energy Plant. The Chilled Water Plant would provide energy to the new buildings. It is much more efficient to provide energy through chilled water than non-chilled. The City can use the Centralized District Energy Plant to provide water and save money as well. It allows the City to build infrastructure out of utilities proceeds. The City will sell chilled water for a value that will come back and pay for the infrastructure.

The next line is \$10 million for a large parking garage, about half of which is private parking for the apartments and the condominiums. The City, working with the developers, would set up a Community Development District (CDD) which would pay for the entire parking garage and the High School. In return, the City would pay its portion of the Old High School and the garage to the bond funds. A Community Development District would be created and the private

development would pay assessments into the CDD. This would equal about \$10 million of cash into the project.

The CRA will set aside funding over the next few years to repair the Old High School. The City plans to clean and remove the material inside of the building and install a roof during the initial Phase I process. The City needs \$67 million dollars to begin the project. The project can be paid over a 25-year period; the cost would be at \$4.5 million for the City per year.

Mr. Groff said \$4.5 million a year is easier to process than \$94,000,000 and the City has identified four sources of funding to make those payments each year. The first one is the City. The next is the TIF Fund (Tax Increment Financing Fund) which is the difference in taxes for what the 16.5 acres is generating compared, to what it will generate when there is private development. Based on the estimate from the private developer, the City should realize \$1.3 million per year. Because this is a priority project for both the CRA and the City, the CRA has project funds to contribute to the project. Initially, the City will rely heavily on the CRA project funds. Mr. Groff explained that with a new project, cash is needed upfront, because revenue is not realized until after some of the projects are completed. The City will not have the revenue in the beginning of the project. The City will be relying on the CRA Project Funds. The last source of funding is the miscellaneous income from the project, such as rental rates, leases, money from the district energy excess revenue. Mr. Groff explained this model was chosen so that construction could be completed without increasing taxes or putting a strain on other projects that the City would like to get done.

Mr. Groff listed the project benefits. By selling the land for private development, it will increase the City/CRA tax base. This will also create downtown green spaces which provide multiple venues for activities. Mr. Groff explained that the City will create 1,600 parking spaces. He also said the adaptive reuse of the historic high school is for a public use. The project will become a catalyst for an energetic downtown and a distinct cultural district fulfilling the City's Strategic Plan. He explained that is the benefit and why staff is recommending that the City move forward with Phase I.

Moving forward, the City needs to develop building plans that meet the City's vision and needs, develop a master site plan, receive a development order for the site plan and develop 30% of the building plans which provides details for the contractor to guarantee the price to the City. Once the City gets the guarantee The City must develop the financing structure for the public infrastructure costs. It was noted the City will not issue bonds; the developer would. Once the contract is signed, the City will set dates for public input. At the end of phase one; a package to make a decision whether or not the Commission wants to move the project into construction will be made. The Commission will be given a financial and funding package and the building and the site plans will be approved.

Mayor Grant asked about the maximum price for the building, if it would be a normal building and if it would use the maximum density?



Mr. Groff responded the maximum guaranteed price will be on the public buildings based on the City's needs including the square footage which will be refined during Phase I. The guaranteed maximum price does not apply to the private development. Development will be in the TOD (Transit Oriented Development) area and there are some density bonuses that will play into the Workforce Housing Ordinance; however, the private side will develop those plans. The key to the project is to complete it as fast as possible including the public infrastructure.

What makes this project work is the private developer.

The total cost for Phase 1 is \$4,365,423 and of that, \$1.5 million is for the Old High School renovations. The City is asking the CRA to set aside \$600,000 for the Town Square Phase 1 expenses.

The City Commission will review and approve an ILA with the CRA for \$2,100,000 to cover the cost for Phase I services for the Old High School and Town Square. The City Commission will review and approve a Resolution to amend the FY16-17 budget to appropriate \$4,365,423 to fund Phase I services, of which \$2,265,423 is a budget amendment by Resolution from the unappropriated fund balance. The rest of the funding is there as a guarantee of payment if the City chooses not to move forward. The City will be moving forward and those funds will move into the project funds.

Mr. Groff announced public input will be in July and August and as an added convenience, the public will be able to make comments online. The presentations and the video will be available on a website set up for the Town Square project.

Commissioner Romelus asked if this will be made available on social media. Mr. Groff stated that the City will make available all information regarding the Town Square to the public via social media and all other outlets as well.

Mr. Groff reiterated what was needed was for the CRA to approve an agreement to reimburse the City for the Old High School renovation cost in the amount of \$2,100,000.

Commissioner McCray wanted to clarify what was said regarding when the conceptual plan began and advised the City has been going through this dilemma for years. He asked where the chillers were going to be placed. Mr. Groff stated that the chiller would be built into the site, on either one of the sites or the garage. He stated that this is very conceptual. The team is currently addressing where the chillers could be placed.

Commissioner McCray explained his concern with the property on High Ridge Road. The main reason the property was purchased on High Ridge Road was to give the police department a home.

### **3. ANNOUNCEMENTS, COMMUNITY & SPECIAL EVENTS & PRESENTATIONS**

#### **4. PUBLIC AUDIENCE**

**INDIVIDUAL SPEAKERS WILL BE LIMITED TO 3 MINUTE PRESENTATIONS (at the discretion of the Chair, this 3 minute allowance may need to be adjusted depending on the level of business coming before the City Commission)**

**Annette Gray, 3200 S. Congress Avenue**, asked if the buildings will be a green and environmental friendly so the City can add a revenue stream of federal funding, for some of these innovation technology and green initiatives.

Vice Mayor Katz commented the City is starting the ball rolling, on the funding aspect. The site plans will be ironed out between now and November and those types of amenities will come through either at the direction of the Commission and public input at various events. He stated that tonight the City is not covering specific items regarding the project or site plans, but it is something that should be submitted at public input for consideration.

Ms. Gray said that there is an entire funding source that could be identified; as part of the City's income, without specific numbers or specific design. There are federal grants that are out there, that can be conceptual as well as part of this process.

Vice Mayor Katz indicated, the board has expressed that they want to move in a greener, cleaner direction.

Mayor Grant was looking forward to getting those grants, but right now the City needs to assume that will not happen. The City will move forward with what the City can do.

**Mike Fitzpatrick, 175 NW 2<sup>nd</sup> Street**, explained his biggest concern is selling the land to the developer. The City has a compact area that is City property. He believes that should remain that way. He asked what is the difference in the cost of the development for a 99-year lease and selling the land. He said that the life span of a building is 50 years. He said that a 99-year lease is two cycles. Otherwise, this Commission is like the City Commission who sold Ocean Ridge away..

Mayor Grant felt staff could look into a 99-year lease, but that would mean that the City would need to issue a bond and increase taxes.

Mr. Groff interjected both the green energy grants and looking at leases is part of the detailed financial package that the developers will be submitting to the City. There are multiple options on how to proceed. He would pick the ones that are best for the City. The recommendation will be made, and the Commission will decide among the packages.

Commissioner McCray explained the meeting was for public input and to answer questions. The project should be clear to the public.

Commissioner Romelus asked if Mr. Groff could speak about the LEED certified building as well as the green initiative building.

Mr. Groff noted this was spelled out in the RFQ. The Commission wants the City buildings to be LEED certified and will look at alternative energy and solar shades as was done at Oceanfront Park. The district energy utility is much cheaper and the carbon footprint is much smaller. There may be grants that were not considered and are available for parts of the entire project developers can bring to the City.

### **Recess City Commission Meeting**

#### **Motion**

Commissioner McCray moved to approve to recess. Commissioner Romelus seconded the motion.

#### **Vote**

The motion unanimously passed. The meeting was recessed at 6:33 p.m.

### **Call Boynton Beach CRA Meeting to Order**

Chair Grant called the meeting to order at 6:33 p.m.

#### **Roll Call**

Deputy City Clerk Nieves called the roll. A quorum was present.

### **Consideration of CRA funding for the services provided under Town Square Project Phase I Services Agreement**

Mike Simon, Interim Executive Director, explained the items before the Board were to discuss the request by the City for a funding allocation of \$2.4 million to be processed through an ILA to contribute to the Town Square redevelopment project. Staff identified in the current fiscal year budget \$2.1 million from the following line items: the Town Square project, \$185,450; the Old High School, \$450,000; \$1.7 million made up of the dog park, unused fund balance; the sale of 211 East Ocean building; and the remainder of the Marina Phase I project. The Board took \$212,000 from the \$1.7 million and allocated some to economic development grants which left a balance of \$1.5 in this current fiscal year. The CRA Board was suggesting this be used for the Town Square project in conjunction with the \$185,450 and the \$450,000.

Mr. Simon explained the fiscal impact of the \$2,100,000 for FY 2016-2017 and unassigned fund balance for the 2017/2018 which begins October 1. The CRA has projected out the TIF revenue, the expenses for the general fund expense, the Marina and the current TIF agreement. Mr. Simon said these calculations were scheduled out to the year 2030. The current bond debt payment drops off in 2026 and the CRA will begin to see a decrease in debt.

This means an increase in revenue, because the TIF is being freed up. The CRA has a request from the City for \$2.5 million dollars for this upcoming fiscal year. Then \$3.7 million for the next three years, then \$2.25 million for the next five years, then \$1.5 million for the remainder of the 25 years. The developers have projected a TIF throw off, for the private sector development projects with the Town Square site areas. This is additional revenue of \$1.3 million per year that is not allowing for any increases or decreases in property tax value which is money that would go back into paying the debt for the overall project.

Mr. McCray explained that earlier there was a discussion regarding Sara Sims Park, and the \$600,000 that had been allocated in the budget. He did not see the allocated amount for the Sara Sims Park.

Mr. Simon explained that this is just a tab in the workbook and the budget to be voted on. What was on the screen were the various amounts of projects in the tabs.

Mr. McCray wanted it on record he wanted to ensure the funds were budgeted for the park.

Mr. Casello needed clarification on funds for the Community Caring Center incubator program funds. Mr. Simon responded he had made a note for both projects.

Mr. Casello questioned why Mr. McCray had a place holder and he did not.

Mr. Simon responded that the \$70,000 line item is a much smaller amount; we can find that amount easier than the \$600,000. It is of no preference to individual Board members.

Chair Grant pointed out the Board was discussing 2016/17 not 2017/2018. Mr. Simon agreed.

Ms. Romelus remarked, with all due respect to the Chair, she understood, if the Board will be looking at 2017/2018 and the Board is taking out \$2.5 million dollars for 2016/2017, it may impact some of the projects that were being contemplated. She believes it was time to have that discussion and asked about the allocation for this coming fiscal year for the neighborhood police patrol.

Mr. Simon responded \$275,000 has been requested for this coming fiscal year

Ms. Romelus speculated the amount did not include adding new officers. Mr. Simon concurred the budget that was submitted did not include adding additional police officers.

Ms. Romelus questioned if the CRA were to take \$2.5 million dollars for the Town Square project, if there would be \$2.8 million dollars which could fund the Neighborhood Police Officer Program and Sara Sims Park.

Mr. Simon explained the Board could discuss it tonight or over the next couple of years. It is a very relevant discussion because the CRA is committing to a 25-year plan. The fiscal year 2018/2019, 2019/2020 and 2020/2021 are significant portions of the CRA project funds. Mr.

Simon wanted the CRA Board to consider that a project of this magnitude, the \$3.7 million is not just to pay for Town Square, but it is a significant project that demands some upfront funding that is not available to the City. Ms. Romelus requested confirmation the CRA Board is approving \$2.5 million and \$3.7 million and every subsequent year.

Mr. Simon stressed the CRA Board was only approving \$2.1 million to be used for the Phase 1 services and the 30% drawings which are in the Phase I budget. The CRA will be committed as a funding source.

Ms. Romelus asked if the decision was only approving the \$2.1 million and at a later date, the CRA will have a conversation about the \$3.7 million dollars. Mr. Simon replied the City is asking for \$2.1 million that will take the City into five or six months' work. The CRA Board will be asked to dedicate \$2.5 million dollars toward the Town Square project in next year's budget.

Mr. Casello asked if the next three years would increase to \$3.7 million a year. Mr. Simon explained it would leave the CRA balance of \$1.3 million to \$1.5 million remaining, based on a modest 3% increase in the TIFF over the next 20 years.

Mr. McCray said the CRA is to reimburse the City \$2.1 million dollars as well as review and approve the ILA, under the items for consideration. He clarified this is what the \$2.1 million dollars was being allocated towards and he thanked Mr. Casello and Ms. Romelus for their input.

Vice Chair Katz agreed with the Chair and noted everyone had said their piece. He elected to reserve his statement until the CRA Budget meeting and thought there may be sticker shock looking at the allocations, either from the CRA or the City. Vice Chair Katz commented he was not prepared to raise our millage rate.

### **Motion**

Mr. Casello moved to approve, Vice Chair Katz seconded motion.

### **Vote**

The motion unanimously passed.

### **B. CRA BOARD ITEM:**

Consideration of Interlocal Agreement with the City of Boynton Beach to provide funding for services under the Town Square Project Phase I Services Agreement for an amount not to exceed \$2,100,000. **(See Attached CRA Agenda Item)**

### **Motion**

Vice Chair Katz moved to approve. Mr. McCray seconded the motion.

**Vote**

The motion unanimously passed.

**Adjourn Boynton Beach CRA Meeting 6:52 p.m.**

**Motion**

Ms. Romelus moved to adjourn. Mr. McCray seconded the motion.

**Vote**

The motion unanimously passed. The meeting was adjourned at 6:52 p.m.

**Reconvene the City Commission Meeting**

**Mayor Grant reconvened the meeting at 6:52 p.m.**

**E. PROPOSED RESOLUTION NO. R17-057** - Authorize the Mayor to sign an Interlocal Agreement between the City of Boynton Beach and Boynton Beach Community Redevelopment Agency (CRA) for the CRA funding of the Town Square Redevelopment Project for an amount not to exceed \$2,100,000.

**Motion**

Commissioner Casello moved to approve. Commissioner Romelus seconded the motion.

**Vote**

The motion unanimously passed.

**F. PROPOSED RESOLUTION NO. R17-058** - Amend the adopted FY 2016-2017 General Fund Budget from \$79,401,314 to \$83,766,737, an increase of \$4,365,423.

**Motion**

Commissioner Romelus moved to approve. Commissioner McCray seconded the motion.

**Vote**

The motion unanimously passed.

**G. PROPOSED RESOLUTION NO. R17-059** - Authorize the Mayor to sign the Town Square Redevelopment Phase I Services Agreement with E2L Real Estate Solutions, LLC of Winter Park, FL.

**Motion**

Approved subject to City Attorney Approval

**Vote**

The motion unanimously passed.

**15. ADJOURNMENT**

**Motion**

Vice Mayor Katz moved to adjourn. Commissioner Casello seconded motion.

**Vote**

The motion unanimously passed. The meeting was adjourned at 6:54 p.m.

CITY OF BOYNTON BEACH

\_\_\_\_\_  
Mayor - Steven B. Grant

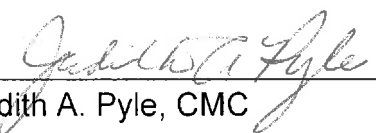
\_\_\_\_\_  
Vice Mayor - Justin Katz

\_\_\_\_\_  
Commissioner - Mack McCray

\_\_\_\_\_  
Commissioner - Christina Romelus

\_\_\_\_\_  
Commissioner - Joe Casello

ATTEST

  
\_\_\_\_\_  
Judith A. Pyle, CMC  
City Clerk

\_\_\_\_\_  
Queenester Nieves  
Deputy City Clerk



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD ON TUESDAY  
JUNE 20, 2017, AT 6:30 P.M. IN COMMISSION CHAMBERS, CITY HALL  
100 E. BOYNTON BEACH BOULEVARD, BOYNTON BEACH, FLORIDA**

---

**PRESENT:**

Steven B. Grant, Mayor  
Justin Katz, Vice Mayor  
Mack McCray, Commissioner  
Christina Romelus, Commissioner

Lori LaVerriere, City Manager  
James Cherof, City Attorney  
Judith A. Pyle, City Clerk

**ABSENT:**

Joe Casello, Commissioner

**1. OPENINGS**

A. Call to Order - Mayor Steven B. Grant

Mayor Grant called the meeting to order at 6:30 p.m.

Invocation

Sister Loraine Ryan of the Women's Circle offered the invocation.

Pledge of Allegiance to the Flag.

Vice Mayor Katz led the Pledge of Allegiance to the Flag.

**ROLL CALL**

Judith A. Pyle, City Clerk, called the roll. A quorum was present.

Agenda Approval:

1. Additions, Deletions, Corrections

Vice Mayor Katz added 3 items to future agenda items. He wanted to discuss FLSC LLC (Florida Textile Recycling Programs). He also wanted to discuss two parcels of lands that the City owns; one parcel located east of Leisureville, second parcel located behind Chapel Hill, a strip of land known as Girl Scout Park.

Mayor Grant added an item to the future agenda items, Traveling Sauna. He offered to work with the CRA to get this service to the City of Boynton Beach.

## 2. Adoption

### Motion

Commissioner McCray moved to approve the agenda as amended. Vice Mayor Katz seconded the motion.

### Vote

The motion unanimously passed.

## 2. OTHER

### A. Informational items by Members of the City Commission

Commissioner Romelus was happy to see the elected State representatives in attendance. She attended a Citizenship party that was hosted by the Women's Circle of Boynton Beach, attended the Treasure Coast Regional Planning Council; regarding some changes to the US 1 Corridor, attended Tech Trek camp hosted by AAUW (American Association of University of Woman) for young women and STEM (Science Technology Engineering Math). She attended a ribbon cutting ceremony at Yoga Fit located at One Boynton. She wished everyone a Happy Father's Day.

Mayor Grant attended the reception for Cocoanut Dreams at the Boynton Beach Library which showcased early 1900 pictures of Boynton Beach and the Ocean Ridge area. June 8<sup>th</sup> he attended Boynton Beach Chamber of Commerce Governance breakfast. June 9<sup>th</sup> he attended Tivoli Lakes for the Fairchild Garden Million Orchid Project. He was working to bring some orchids to Boynton Beach. June 12<sup>th</sup> Mayor Grant attended the MPO (Metropolitan Planning Organization) governance meeting. Currently the MPO was looking to go independent versus being part of the County. He attended the Delka of South Florida, to break the fast for Ramadan. He met with the Treasure Coast Regional Planning Council regarding the US 1 study, addressed Realtor association at Lennar Homes, attended a lunch and learn about RM Logitech. June 15<sup>th</sup> he attended the Florida League of City Institute of Civic Leadership. June 16<sup>th</sup> he attended legislative policy committee for land use and economic development. The Mayor stated that the municipalities are under attack from certain State Legislators in Tallahassee. He attended the CRA's School of Rock musical performance. June 17<sup>th</sup> he attended the Palm Beach County Housing authority meeting; while there, he informed them that the City of Boynton Beach was interested in development on property that Palm Beach County Housing authority owns. He also provided an update on Ocean Breese East. Lastly, he wished everyone a Happy Father's Day.

Commissioner McCray on June 13<sup>th</sup> he met with Palm Beach MPO regarding the US 1 Corridor Study. He met with Dr. Debra Robinson of Palm Beach County School Board.

Commissioner McCray announced there was a new Principal at Boynton Beach Community High School.

Vice Mayor Katz reported he attended the Treasure Coast Regional Planning Council meeting.

**3. ANNOUNCEMENTS, COMMUNITY and SPECIAL EVENTS and PRESENTATIONS**

- A. Announce that the July 5, 2017 Commission Meeting has been cancelled.
- B. Announce Budget workshops for the FY 17/18 budget are scheduled in the Library Program Room on the following dates and times:

Monday, July 17, 2017 @ 5:00 P.M.

Tuesday, July 18, 2017 @ 10:00 A.M.

Wednesday, July 19, 2017 @ 2:00 P.M.

Mayor Grant asked Ms. LaVerriere, City Manager for an update on what to expect on the first workshop day.

Ms. LaVerriere, explained that typically each of the department heads present all of their General Fund budgets, then the Utility Fund, other funds and will discuss capital improvements. This will be done over the three days. A tentative millage rate will be discussed. She said the City will begin discussing the fire assessment and adopt a preliminary rate resolution.

Mayor Grant asked if the City Manager's office could prepare the agenda.

Ms. LaVerriere explained that the City Manager's office will prepare the budget agenda. She explained that the smaller departments will be presented first. She stated that Police, Fire, Parks and Recreation usually go the first day.

Commissioner McCray asked the City Manager when the Commission could expect to have the proposed Budget

Ms. LaVerriere replied that the proposed budget books will be transmitted to the Commission by the week of July 4<sup>th</sup>.

- B. Senator Clemons and Representative Lori Berman will provide an update on the recent legislative sessions.

State Representative, Lori Berman, District 90, explained that she was going to focus on a few of the bills that were preempted by the State. This year was truly one of the greatest numbers of Bills that preempted local government authority. With regards to

Charter Schools, if a Charter School opened in certain specific facilities such as churches, theaters or community centers, the local government was prohibited from filing any zoning or site plan approvals.

Representative Berman reported there was a Construction Bill related to the design and construction or location of signs regarding the retail price of gasoline. As part of that bill there were some items regarding franchise signs.

She advised the State will preempt any regulation regarding drones. Local governments will have authority to enact and enforce local ordinances relating to nuisances, voyeurism, reckless endangerment, property damage and other illegal acts from the drones.

Representative Berman indicated Uber and Lyft were both preempted by the State. The State has set up framework and has certain requirements regarding fingerprints and safety. The entire transportation networks are regulated by the State.

Utilities are moving towards 5G upgrade. A Bill was passed if utilities wanted to co-locate the wireless communication infrastructure on an existing pole; the City is limited to collect a \$150 in fees.

Public Works projects preemption, if the local government takes 50% or more from State of Florida the local governments are restricted on any conditions that can be placed on contractors and subcontractors. She gave some examples.

Representative Berman noted the Senate overruled some of the vetoed items that helped the cause.

This session passed the sale of medical marijuana. She explained that it would be up to the local government whether or not the City wanted to have dispensaries within the Cities boundary. She stated the only requirement for medical marijuana was that the City cannot treat the dispensary any differently from any business that sells alcohol.

The budget was \$82.5 billion. The Legislatures were able to get some funding for new facilities for the Universities and some water projects. Representative Berman said there was a project for recidivism in the Glades regarding people released from prison, the program received \$500,000.

Senator Clemons stressed that he did not vote for most of the items. What he spent most of the legislative session working on was to bring some dollars home. He explained that Palm Beach County was able to get \$1 million for Lake Worth Lagoon cleanup. The entire state will benefit from the cleanup. Senator Clemons said that some landmark legislation passed in the last session. He has been working on the Sober Home legislation for the past 4 years. Dealing with recovery residences has changed. The State of Florida will pursue unethical marketing practices, and make sure

that residents are being treated with respect. Senator Clemons said that the State was able to refund the sober home/recovery home task force, which has been a success. Being able to use the statewide prosecutor would help to ensure that unethical sober homes are punished. Physicians must now report electronic opioid prescription within 24 hours.

Senator Clemons said that he was really disappointed in the public school funding. Palm Beach County was in the bottom 10% in the nation per student funding and Palm Beach County was last in mental health funding.

Mayor Grant asked since the Attorney General has control of the sober homes, will she make a ruling to determine if the sober homes are considered a rooming house for tourist developmental tax purposes.

Senator Clemons said that this has not been a part of the Attorney General's lexicon. If you believe that this was something that can be used in order to help keep a lid on some of the bad operators, he said that he would glad to reach out to the Attorney General. Senator Clemons asked if the Mayor could put that in writing.

Mayor Grant responded that the Commission will prepare a letter as well as provide the ordinance.

Senator Clemons responded that Attorney General Pam Bondi held a press conference in Tallahassee. The Attorney General cited the City of Boynton Beach ordinance and stated that this was the priority for her department.

Commissioner McCray asked the correct terminology for sober homes or group homes.

Senator Clemons stated the official term in State statute was Recovery Residence.

Commissioner Romelus inquired if there has been any word from the legislature to help with short term housing in terms of home away, and getting taxes back to the City. She explained this would offset some of the bed taxes.

Senator Clemons stated that he has been in conversation with the people who represent Airbnb. Airbnb does not have a problem with the taxation; as long as it does not ban them from doing business in certain communities. He said that they are competing with traditional hotels. They should be competing on a level playing field. Senator Clemons said that Airbnb and others like them are worried that communities are going to ban them. He said that Miami Beach for example has placed a fee for operating this type of business. The fines are prohibitive; between \$10,000 and \$20,000.

Representative Berman said there was discussion in the House regarding regulations; they wanted to go back to 2014, which was before they put regulations in place on

Airbnb. Doing this would have allowed the City to place more restrictions on what can be done at the houses.

Commissioner McCray requested additional information regarding the \$500,000 dollars for people coming out of prisons. He asked what would be the effect on one individual.

Representative Berman explained the individual would go to the Pahokee facility, live there full time and the individual will be re- integrated into society.

Commissioner Romelus asked if the purpose was to restore the rights of the parolee.

Representative Berman said that both she and the Senator would like to see the restoration of rights. The present sitting Governor was not for restoration of rights. She said there was a petition that was pending that could be on the ballot for 2018 to get the prisoners' rights restored.

Commissioner McCray asked about the Restoration of Rights Bill; was the legislative body pushing for the restoration of rights Bill.

Senator Clemons explained that he was the sponsor of the restoration of rights Bill in the Senate. The good news was the ability to put it on the ballot in 2018. He explained that the legislation has made it extremely difficult to place a citizen led initiative on the ballot. The Citizens are required to collect 600,000 signatures over the next 6 months. He said in order to get the signatures it usually entails hiring people. Senator Clemons stated that he sits on two committees in the Senate. There has been a bipartisan effort in the Senate to do serious criminal justice reform. He said the State of Florida needs to stop sending people to prison who are not violent. The State of Florida sends non violent criminals to prison for 20 years. These people must be housed, fed and treated for medical issues.

Commissioner McCray inquired about the cost to house a prisoner for 20 years.

Senator Clemons explained that the cost to house prisoners continues to rise. It depends on where the prisoner was housed, what type of facility. He said it was between \$19,000 to \$30,000 per year, per prisoner. There are better options, other than prisons. There are ways that the prisoners can be integrated back into our society. The good news was the State was trying to do some downward departure. The State has judges for a reason; give them the authority to use their judgment in setting prison terms. He said that the State has some mandatory minimum sentencing requirements. Senator Clemons said that putting people in jail does not stop crimes in the future.

C. Legislative session update from Mat Forrest, the City's Lobbyist.

Mat Forrest, Lobbyist, referred to the memo he sent back in May 2017. It was a very tough year. Mr. Forrest said that he pushed for \$950,000 in appropriation for the mangrove park water quality and access improvement. The City was not successful. Mr. Forrest said that the City of Boynton Beach was due for next year. He will be working with staff to put together not only an aggressive water project, but a parks project as well.

Mr. Forrest stated sober home was a huge Bill. He said people were approaching him in opposition to the Bill. He liked the idea of a rooming house ordinance and collecting a tourist development tax.

Mr. Forrest said that he highly recommended reviewing, HB687 the Micro Wireless infrastructure preemption. This Bill enforces rules regarding the placing and maintaining communication services lines/wireless facilities; prohibits authority regulation of facility co-location; authorizes authority to require registration process and permit fees. It also requires authority to process applications. It prohibits authority from requiring approval/fees for maintenance/placement of facilities; provides requirements for co-location on authority utility poles; requires authority to waive certain application and placement requirements; prohibits authority from adopting/enforcing certain regulations and imposing certain fees; authorizes wireless infrastructure provider to apply to place utility poles; authorizes authority to enforce certain local codes/rules/regulations under certain circumstances. This Bill allows for new discretion to the co-location of small utility facilities. The size of the structure was limited. The pole must be 15 feet or higher. He strongly recommends that the City Attorney and the Planning Department review the bill. This could potentially open the flood gates for small fly-by-night companies. The staff needs to be educated on what was allowed. The Bill will be very specific. The whole idea behind the 5G system was that the utilities are going beyond the standard cell phone tower. The utilities need the co-location on poles closer together. Mr. Forrest said he believes that there would be a lot more applications coming in.

Mr. Forrest mentioned in regards to vacation rentals; the Bill has two sides. The local authority wants to have the ability to regulate the vacation rentals. The vacation rentals company does not want to be regulated by local governmental offices. The Tax Collector wants the ability to audit the records of the vacation rentals. The Vacation Rental does not have a problem with the remittals but they have a problem with the Audit. Mr. Forrest said that he believes this will eventually be worked out.

There was no shortage of bad bills. Mr. Forrest said that HB 17 would prohibit certain local governments from imposing or adopting certain regulations on businesses, professions and occupations after a certain date. This bill Died in the Commerce Committee.

Mr. Forrest continued on, regarding the increase homestead property tax exemption other than school exemptions. He understands what it would mean to the local governments. The measure must pass by 60% because it would be an amendment to the constitution.

Continuing on, there was some good news regarding the Public Records law as it relates to local governments paying fees for frivolous Public Records law suits. Records being requested for an improper purpose was one in which a person requests records primarily to cause a violation of the public records law or for a frivolous purpose. If the court finds that a plaintiff requested records for an improper purpose, the court will require the plaintiff to pay the agency's attorney fees and costs.

The regular session ended on May 6th, the Special session ended on June 9<sup>th</sup>.

Mr. Forrest indicated medical marijuana was now a protected product. It was now in the Florida Constitution. Senate Bill 8A allows local governments to regulate the location of dispensing facilities and provides that local government may ban dispensaries within its borders. However, if a local government permits dispensing facilities, it may not impose limits on the number of dispensing facilities. Mr. Forrest stated that the dispensing facility cannot be more restrictive than that of a pharmacy. He said many cities have passed preemptive ordinances in the wake of the medical marijuana passage. Those ordinances need to be updated for compliance purposes.

Mr. Forrest announced that the 2018 session was fast approaching.

Commissioner McCray said he wanted to personally thank Mr. Forrest for all he has done.

- D. Erica Whitfield, PBC School Board Member District 4 to address the City Commission.

Ms. Erica Whitfield, Palm Beach County School Board Member, introduced Dr. Glenda Sheffield, Secondary Instructional Superintendent and, Maria Bishop, Elementary instructional Superintendent. They were present to answer any questions.

Ms. Whitfield explained that there have been many changes within the Palm Beach County School system. Ms. Whitfield stated one of the biggest changes was with the metrics and data. She gave the vision the School District of Palm Beach County. The School District of Palm Beach County envisions a dynamic, collaborative multi-cultural community where education and life-long learning are valued and supported and all learners reach their highest potential to succeed in the global economy. The School District of Palm Beach County was committed to providing a world-class education with excellence and equity to empower each student to reach his or her highest potential



with the most effective staff to foster the knowledge, skills, and ethics required for responsible citizenship and productive careers.

She stated the long term outcome in the school districts was for high school readiness; increase the high school graduation rates. The District wants to make sure that the students are prepared for colleges.

Ms. Whitfield indicated that there were several schools in Boynton Beach. The scores in Boynton Beach are based on a metric. The math scores increase 1% for white students, but went down for black and Hispanic students.

Attendance was a major issue for the school system. There was a direct collation between absences and graduation rates. She said the question for the schools, what was being done to address attendance. She said staff will contact the parents and or the guardians and provide steps for success for students and parents. Teachers must understand success looks different for every family. Inform parents how absenteeism was related to student future success.

Ms. Whitfield said that if students do not pass the SAT they are able to take the ACT test. The state was looking at increasing the passing score. This was a very big deal.

Commissioner McCray worried about transportation of the children to and from school. He said there should be centralized locations for school stops.

Ms. Whitfield asked If there was a tie up in traffic, please let her know and she can address the area. The schools try to have stops as close to the students homes as possible.

Commissioner McCray pointed out there are several areas of concern. One in particular was near the Hester Center.

Ms. Whitfield stated that people can view Edline to receive information about their student's grades and homework assignments.

Mayor Grant said that the Broward school district has a representative on the MPO; he asked if Palm Beach County was on the Board.

Mayor Grant open the issue for public comment

**Jerry Taylor, 1086 SW 26 Avenue**, said that the school district's goal to graduate 90% concerned him. The goal should be 100%.

Ms. Whitfield said that she agreed with him.

Commissioner Romelus said she wanted to say thank you to the School Board with the TPS (Temporary Protected Status) situation. There would not be any type of situation allowed for that family to have peace of mind.

Ms. Whitfield said if citizens were interested in the actual letter grade that was associated with each school, that grade should come out in mid-July.

Vice Mayor Katz said the issue of attendance was extremely important. He said especially as a teacher, when a student is chronically absent; the learning cannot be made up.

Commissioner McCray asked for a copy of the report.

- F. Announce the "Fishing for Fireworks?" event that will be held at Intracoastal Park, 2240 N. Federal Hwy., on SATURDAY, JULY 1ST. Activities will begin at 6 pm, and the fireworks are scheduled to start at 9 pm.

Mayor Grant announced the "Fishing for Fireworks?" event that will be held at Intracoastal Park, 2240 N. Federal Hwy., on Saturday, July 1<sup>st</sup>. Activities will begin at 6 pm, and the fireworks are scheduled to start at 9 pm.

Amy Blackman, Recreation and Parks Superintendent noted the Parks and Recreation Department was pretty excited about the Fishing for Fireworks event. She hopes that everyone would be in attendance. She said there would be great food, music and a lot of great fireworks.

Commissioner McCray said that he was disappointed that this celebration was being held on July 1, 2017. He will not be able to attend.

Mayor Grant suggested a name change to the Independence Day festival.

- G. Proclaim June 27, 2017 as National HIV Testing Day. Wisny Marcellus, HIV Outreach and Testing Coordinator, of Genesis Community Health will be present to accept the proclamation.

Mayor Grant read and presented the Proclamation to Mr. Wisny Marcellus.

Mr. Wisny Marcellus said that he wanted to thank the Commission. South Florida has been hit hard with the HIV epidemic. The response was to provide awareness of the HIV crisis. Genesis Community Health promote and provide healthcare to people of all economic levels with special sensitivity to the needs of economically disadvantaged people of diverse cultural backgrounds in and around Palm Beach County

Commissioner McCray said that in Broward County there was a mobile van, and inquired if Palm Beach County has a mobile van to go to the communities.

Mr. Wisny explained there was not a mobile van, but the Genesis Community Health Center does free screening at the Walgreens on Boynton Beach Boulevard.

H. Proclaim July as Parks and Recreation Month.

Mayor Grant read and presented the Proclamation to the Parks and Recreation Department.

Ms. Blackman thanked the Commission for recognizing the Parks and Recreation Department. She asked if staff or residents have pictures of people utilizing the parks or other buildings to please submit them. Ms. Blackman noted that 74% of our children do not get enough daily exercise to prevent childhood obesity. The Parks and Recreation Department, not only help keep children healthy, but fit as well. Most Americans agree that parks are a good value. Property values near a park are higher. Children that live around a park are 5 times more likely to have a healthier weight.

Ms. Blackman gave the hashtag information #playonjuly

I. Proclaim June 19-25, 2017 as Amateur Radio Week, Barry Porter will be present to accept the proclamation.

Mayor Grant read and presented the Proclamation to Barry Porter for Amateur Radio Week.

Mr. Porter advised this was the 25<sup>th</sup> anniversary of Hurricane Andrew. Every year the HAMs go out to the field to set up communication posts, to make sure there is communication with the outside world. This weekend there are three sites HAM radio use; promoting Okeeheelee Park, South Florida Science Museum and West Delray Park. This event will operate from noon to noon. There are 3000 licensed HAM operators. The operators are here to help as much as possible.

#### 4. PUBLIC AUDIENCE

**INDIVIDUAL SPEAKERS WILL BE LIMITED TO 3 MINUTE PRESENTATIONS (at the discretion of the Chair, this 3 minute allowance may need to be adjusted depending on the level of business coming before the City Commission)**

**Susan Oyer**, 140 SE 27<sup>th</sup> Way, said she was looking forward to Town Square. Ms. Oyer indicated that the City needs more jobs and office space. The City of Boynton Beach does not need senior assisted living; the city does not need more apartment or condos. There was a new building on 500 Ocean Avenue. When you think of the ocean, most people think blue and green. She was wondering why the building was allowed to be

painted terra cotta. Ms. Oyer said that Vice Mayor Katz spoke about an architectural review board. What needs to be done to get lights on at the pavilion at Betty Thomas Park? Ms. Oyer said she was at the Park about 10 pm and there was all type of drug deals going on because there are no light at the pavilion. Having lights would a deterrent.

Commissioner Romelus asked what could be done.

Wally Mayor, Parks and Recreation Director, said first he would need to get with the Public Works Department to determine if electric was available in the pavilion. He would need to get some feedback from the neighbors. The Recreation and Parks Advisory Board could discuss and bring back a recommendation.

Commissioner McCray recalled years ago it was mandatory to have to Commission input on colors for various projects. He stated that color swatches would be sent for selection. Maybe this process fell through the cracks.

Ms. Oyer further asked how many cars are allowed to park in a driveway. Her issue was the tenants/owners are parking on the street. There are multiple cars parking on the street. Commissioner McCray said this needs to go to Community Standards. Ms. Oyer replied it this had been reported to Community Standards. She informed the Commission that the tenants use the bathroom at another house. She just wanted to say that the rest of the neighborhood was really great.

## **5. ADMINISTRATIVE**

- A. Appoint eligible members of the community to serve in vacant positions on City advisory boards. The following Regular (Reg) and Alternate (Alt) Student (Stu) and Nonvoting Stu (N/V Stu) openings exist:

Arts Commission: 1 Alt

Building Board of Adjustments and Appeals: 3 Regs and 2 Alts

Library Bd: 2 Regs and 1 Alt

Recreation and Parks Bd: 1 Alts

Planning and Development Bd. - 1 Alt

Senior Advisory Bd: 2 Alts

Mayor Grant asked Commissioner Romelus if she wanted to wait until after the Planning and Development Board. He said one of the applicants was applying for Planning and Development Board.

Commissioner Romelus agreed.

Commissioner McCray said before he makes an appointment. He requested clarification regarding residents that are serving on multiple boards, how this affect an appointee.

Judith A. Pyle, City Clerk said she did look into this situation. This was reviewed in 2010. At that time, a motion was made to allow for a resident to serve on two boards. Ms. Pyle advised the appointee can serve on two boards; one as a regular board member and one as an alternate.

Commissioner Romelus wanted to know how this would affect Ms. Susan Oyer. She was already serving on two boards as regular members already.

Ms. Pyle said that she would need to become an alternate on one of the boards; if there was availability.

Commissioner McCray asked Ms. Oyer if she was selected; would she be willing to drop one of the other boards.

Ms. Oyer, had spoken with the Clerk regarding this matter. She would do whatever was needed.

Commissioner McCray said that he would nominate Susan Oyer as an alternate on the Planning and Development Board.

Ms. LaVerriere, said that this was something that changes with the Commission. This can be changed at any time by amending the ordinance.

### **Motion**

Commissioner McCray nominated Susan Oyer to the Planning and Development Board as an Alternate member. Motion seconded by Commissioner Romelus.

### **Vote**

Unanimously passed.

### **Motion**

Commissioner Romelus nominated Chris Simon as a regular Library Board member. Seconded by Commissioner McCray.

### **Vote**

Unanimously passed.

## **6. CONSENT AGENDA**

**Matters in this section of the Agenda are proposed and recommended by the City Manager for "Consent Agenda" approval of the action indicated in each item, with all of the accompanying material to become a part of the Public Record and subject to staff comments**

- A. **PROPOSED RESOLUTION NO. R17-060** - Approve and authorize the Mayor to sign the twelfth amendment to the Site Lease and Joint Use Agreement between the City, Palm Beach County, and New Cingular Wireless PCS, LLC (fka ATandT Wireless) to allow antenna modifications by Cingular and to update the tower schematics exhibit of the lease for the telecommunications tower at the Rolling Green Municipal Complex (515 NW 14th Court).
- B. **PROPOSED RESOLUTION NO. R17-061** - Authorize the City Manager to sign the grant application with the Division of Historical Resources - Special category Grant for a \$750,000 grant for the Historic Boynton Beach High School Rehabilitation and Adaptive Reuse project. (\$500,000 State funds and \$250,000 City/CRA funds)
- C. Accept second quarter report on operations of the Schoolhouse Children's Museum and Learning Center for FY16/17.
- D. Legal Expenses - May 2017 - Information at the request of the City Commission. No action required.
- E. Accept the written report to the Commission for purchases over \$10,000 for the month of May 2017.
- F. Approve the minutes from the Regular City Commission meeting held on June 6, 2017.

### **Motion**

Vice Mayor Katz moved to approve the Consent Agenda. Commissioner Romelus seconded the motion.

### **Vote**

Unanimously passed.

**7. BIDS AND PURCHASES OVER \$100,000**

- A. Approve the purchase of vehicles as approved in the FY2016/2017 budget in the estimated amount of \$691,397.55 by utilizing the following contracts: Florida Sheriff's Association Contract #FSA16-VEF12.0, Florida Sheriff's Association Contract #FSA16-VEH24.0, Florida Sheriff's Association Contract #FSA16-VEL14.0, GSA Federal Supply Group 84 Contract #GS-attached quotes.

Mayor Grant asked if the City was getting another electric vehicle.

Ms. LaVerriere, advised that not on the present list. She explained that \$524,000 of the \$691,000 was for a fire truck, a couple of utility vehicles, a wave runner for ocean rescue, a truck for the Facilities Department and two trash pumps for the trucks.

Commissioner McCray wanted to know what was going on with the trucks. He has received numerous complaints about the trucks not getting to the pick-up stops or getting there later than usual.

Jeff Livergood Director of Public Works, explained that the Public Works department has had problems in the past week with three out of the four automated trucks being down. He said for the past two months the Department was running on schedule. Mr. Livergood said if the Commission looks at the bids over \$10,000 dollars, the City rented equipment. He said this helped the City catch up on the backlog. They are anticipating four new vehicles that were purchased this year and the Public Works Department hired four new employees which helped tremendously.

Commissioner McCray requested when something like this happens please contact him to let him know. He would pass this information to the residents.

**Motion**

Commissioner McCray moved to approve. Motion seconded by Commissioner Romelus

**Vote**

Unanimously passed

**8. CODE COMPLIANCE and LEGAL SETTLEMENTS - None**

Commissioner McCray asked if we could change the title from Code Compliance to Community Standards. Ms. LaVerriere, said that the City Clerk, Judith Pyle would be making those changes.

**9. PUBLIC HEARING**

**7 P.M. OR AS SOON THEREAFTER AS THE AGENDA PERMITS**

**The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.**

- A. **PROPOSED ORDINANCE NO. 17-014 - FIRST READING - PUBLIC HEARING** - Approve amendments to the CODE OF ORDINANCES, Chapter 13. Licensing, and the LAND DEVELOPMENT REGULATIONS, Chapter 1. Article II. Definitions, Chapter 3. Article IV. Use Regulations, and Chapter 4. Article V. Minimum Off-Street Parking Requirements that provide necessary updates and new standards and justifications for the accommodation and regulation of group homes, and parking requirements for single- and two- family dwelling units.

Attorney Cherof read Proposed Ordinance No. 17-014, by title only on first reading.

Commissioner McCray asked if this ordinance would affect the house that Ms. Oyer commented on earlier in the meeting.

Mayor Grant affirmed that it may.

Mike Rumpf, Planning and Zoning Director, would discuss and explain a very complex and a very important topic. There are some very popular buzz words in the media such as sober homes. The City has a problem with criminal activity, drug overdoses, health issues, complaints, neighborhood impacts, corruption and over concentration. A moratorium was in affect as of January 17, 2017 until June 4, 2017. Staff conducted a study to evaluate the sober homes. Mr. Rumpf said that the records do not identify what type of group homes or who their clients are.

Mr. Rumpf explained the objectives, challenges of the proposed ordinance. The objective was to evaluate existing regulation processes, being aware of federal and social responsibility to preserve a neighborhood's character. Staff presented what was important in terms of regulations and benefits for all concerned. He reviewed the dynamics of the traditional families as well as the group home clients and residents. A 2015 AP (Associated Press) study presented facts about the aging population. The study addressed those homes accommodating those in sobriety programs as well as the elderly. He said the City does accommodate traditional nursing homes, but fewer each year. It means more will be seeking group homes. The standards must be neutral.

Mr. Rumpf emphasized the City needs to base information on factual evidence. The Courts are sensitive to fears and prejudices. The City needs to provide reasonable accommodation.



Mr. Rumpf explained that Delray Beach hired an expert to have a study done. Commissioner McCray asked if Mr. Rumpf had seen the report that was done for the City of Delray Beach.

Mr. Rumpf had seen the study and he explained that the City needed to eliminate potential discrimination, for consistency with other related use categories, to accurately describe the types or range of uses to be accommodated, as well as to promote the concept of continuum of care. The City will require all group homes to be certified. The State of Florida began using FARR (Florida Association of Recovery Residences) as a reviewing entity in their voluntary system for group homes. Teaming up with FARR the group home would need to deal with the State conditions if they want referrals from State entities. It must be a certified group home by FARR. Doing this will relieve the burden from the City staff.

FARR has a maximum of 2 person /bedroom up to 10. These homes are overseen, certified and operated according to quality standards. This also standardizes the City regulations. Type 2 group homes are limited to 15 in R-2, they must be on higher classification roadway. Type 3 will be allowed in the R-3; conditional use would be required; and on higher intensity a higher classification of roadway. Type 3 homes in MU1, 2 & 3. MU2 & 3 requires minimum 60% conventional units.

Mr. Rumpf gave a summary of proposed amendments. He said to enforce reasonable separation standards, 300 feet vs 1,000 feet increases parking requirement for all square feet and duplex. The new regulations limiting impervious surface in front yards, and provide parking standards. Mr. Rumpf said the regulations address a property appearance issue involving vehicle parking and property condition, to provide a standard applicable to home size, and to provide the appropriate tools to regulate all properties including those owned, rented and occupied by group homes.

Using FARR certified requirements to review group homes would be a recognized and reputable oversight. Certification requirement are neutral and more standardize. These are new regulations, these are unchartered. Mr. Rumpf said that certification was the foundation.

Mr. Rumpf farther explained that what was reasonable was not always easy to define. Sober homes have a right to come to the City as long as they are in compliance.

Commissioner Romelus had a few questions. She said she understands that 1000 feet was not defensible, but asked if there was a sweet spot in the middle. Mr. Rumpf indicated that if the City takes 300 feet that was the approximate distance. This would be about 4 houses of separation.

Mayor Grant asked if it was defensible to have one group home per block, some of the blocks are more than 500 feet. Mr. Rumpf agreed the blocks are not all the same and why the City was doing 300 feet.

Commissioner Romelus asked if the Commission needed to have a vote or a consensus of the board. Attorney Cherof, explained this was the first reading; the Commission does not need to do that at this particular time. The Commission can express points of view, but not take a vote.

Mayor Grant asked what was being done now if homes were closer than 300 feet. Mr. Rumpf said that homes would be grandfathered in, but would be required to obtain FARR certified. The home would be able to continue operation.

Commissioner McCray asked what about the group home or residences that are in operation now? What happens to the existing group homes? Mr. Rumpf advised the existing homes would be grandfathered. A certification process would be required for the older group homes. The older group homes will be given a year to comply.

Vice Mayor Katz wanted to applaud staff. It was important to note that the potential for abuse, purely for the purpose of profit, was great.

Mayor Grant opened to public comment.

**Sister Loraine Ryan, 912 SE 1 Street**, related the distance is very close to each other. This home has been there for over a year. On the other side of the street there was another one. She asked if the owners of the property across the street purchased the duplex, could the home now become another Sober Home. She asked how the Police Department is using some type of surveillance. She said she observed one time, a man standing in the median and receiving a bag from a car. She wanted to know the element of surveillance?

Mayor Grant asked about other types of certifications and inspection of the homes. Mr. Rumpf said that he was not the expert, but if the City wanted to inspect the home the occupants would need to leave.

### **Motion**

Commissioner McCray moved to approve. Motion seconded by Commissioner Romelus

### **Vote**

City Clerk, Judith A. Pyle called the roll  
*Vote 4-0 (Commission Casello Absent)*

- B. Approve Conditional Use request for the stockpiling of landscape debris for recycling purpose, on the vacant parcel north of 301 SE 10th Avenue in the M-1 (Industrial) zoning district. Applicant: Joe Mignano, Mignano Tree Care.

Attorney Cherof administered an oath to all those intending to testify.

Christian Mignano, from Mignano Tree Care, indicated the business has been in Boynton Beach since 1976. He said that they have two locations in Boynton Beach and employ approximately 90 employees. At the end of day the lawn debris is bought back and dumped at the site. The pile was centralized on the property. Around the property there are areca palms to create a buffer and act as a noise barrier as well. They also have a gate; the workers come inside to dump their load. The pile is turned daily. On the top of the pile is an irrigation hose to keep everything cool.

Mayor Grant asked about the current height limits.

Mr. Mignano replied that they keep the piles less than 10 feet. The PVC shown in the picture was 10 feet and they keep the piles under the PVC marker.

Vice Mayor Katz, went to the site and was given a tour. There was a complaint. He was very supportive of this area. This was a very good use of land which would not be used otherwise.

Mayor Grant said that this was a green economy company.

### **Motion**

Commissioner McCray offered a motion to approve. Seconded by Vice Mayor Katz

### **Vote**

Unanimously passed

- C. Approve request for Master Plan Modification to the Boynton Village and Town Center development to amend the previous approvals for the vacant tracts within Boynton Village and Town Center from 643 condominiums, 350 apartments and 115 single-family homes to 668 apartments and 115 single-family homes, on 106.499-acres located at the NE corner of Congress Avenue and Old Boynton Road. Applicant: Jeffrey Bartel, Berger Singerman LLP. ***(This request was withdrawn by the applicant to file a new application.)***
- D. Approve request to construct 318 apartments and related site improvements on SMU Parcel 3 of the Boynton Village and Town Center

master planned development, located on a 10.246-acre vacant tract on the west side of Renaissance Commons Boulevard, immediately south of the Boynton (C-16) Canal, in the SMU (Suburban Mixed Use) zoning district. Applicant: Jeffrey Bartel, Berger Singerman LLP. ***(This request was withdrawn by the applicant to submit a new application.)***

- E. Approve request for Master Site Plan Modification for Retail Building 1 of the Quantum Park and Village South Mixed Use Pod, including request for PID (Planned Industrial Development) district waiver to reduce the side setback along the west side of Retail Building 1 from 15 feet to 5 feet, on 14.27 acres located at 1080 Gateway Boulevard, in the PID (Planned Industrial Development) zoning district. Applicant: Dale Lyon, Olen Development Corp.

Attorney Cherof administered an oath to all those intending to testify.

John Lyon, representing Olen Properties and Olen Development Corporation, Director of Construction and Development for Florida, asked for a waiver to reduce the side setback from 15 feet to 5 feet, to increase the building footprint from 4000 to 4025 square feet. Mr. Lyon said that this was the last remaining property within this complex. This property can now be developed with confidence. Mr. Lyon said this space can be leased out to an upscale tenant. The pad was already in place, it was a super pad. This will be upscale dining; a good portion of the restaurant will have outside dining, with a covered patio. There are no tenants at the moment; they cannot begin negotiation until the variance is approved.

Commissioner McCray inquired about the purpose of requesting a set back from 15 feet to 5 Feet. Mr. Lyon responded it was to increase the outside seating area. There was a portion of the patio and roof that would have been encroaching onto an existing easement.

Commissioner McCray needed staff to ensure that there are no easement issues.

Mr. Lyon said that initially there were two easements. They were negotiated about four years ago. The easements have been vacated and recorded. There are two new easements in place. He stated that there was nothing encroaching. Even the drainage does not drain into the lake to keep away from erosion.

Ed Breese, Principal Planner, stated staff recommended approval. The PID (Planned Industrial Development) waiver that was requested does not have any impact.

Mayor Grant was concerned that the property was adjacent to a body of water. Mr. Lyon indicated that the company sprays for mosquitoes. If there was anything else, that would be handled by the tenant.

Commissioner Romelus asked if there were any safety barriers put in place. Mr. Lyon stated that currently there was a retaining wall; this property has been in place for a number of years. If there was a need for another barrier it can be addressed with the tenant.

Mr. Breese asserted the applicant has agreed to the seven (7) conditions of approval. The Planning and Development Board recommends approval of the request.

Mayor Grant opened to public comment.

**Susan Oyer, 140 SW 27<sup>th</sup> Way**, thought this was a great idea.

### **Motion**

Commissioner McCray moved to approve. Seconded by Commissioner Romelus.

### **Vote**

Unanimously Passed

- F. PROPOSED ORDINANCE NO. 17-015 - FIRST READING - PUBLIC HEARING** – Approve amendments to the LAND DEVELOPMENT REGULATIONS, Chapters 2, 3 and 4 to continue the implementation of the Community Redevelopment Plan with the establishment of the new Cultural District Overlay Zone regulating site development, uses, and urban design.

Attorney Cherof read Proposed Ordinance No. 17-015, by title only on first reading.

Amanda Bassiely, Senior Planner-Urban Designer, gave an overview on the New Cultural District Overlay zone. There are nine steps. Ms. Bassiely explained that the overlay sits over the zoning district.

The City adopted the Boynton Beach Redevelopment District. The P-4 was the Priority Land Development Regulation Amendments. The project was along Ocean Avenue, runs along Seacrest to the FCC NE 1<sup>st</sup> street to South to SE 2 Avenue. The regulations are comprised of nine different sets.

Ms. Bassiely explained one of the main difference between a zoning district and an overlay was that the zoning district can be used anywhere in the City. An overlay was tied to a specific location. She stated that this area will provide a mix of selected uses and activities to encourage the location of specialty retail, artist related uses and entertainment. This will also initiate implementation of CRA plan to ensure that redevelopment within this area, regardless of underlying zoning districts; will maintain

an appropriate development scale, improve overall livability. Ms. Bassiely noted that there are some prohibitive uses, such as car lots or big box stores.

Mayor Grant noted the prohibited uses included colleges, seminary and University. He asked if the University of Boynton will not be in the Cultural zone. Ms. Bassiely indicated that was correct. There are a couple of education uses that are still available. She continued, the modified building standard houses most of the development regulations, such as, lot area, lot frontage, pedestrian zone, builds to lines, building frontage, scale/heights, setbacks and public space. Ms. Bassiely highlighted two areas, which are the pedestrian zone and the scale and height.

The pedestrian zone was comprised of three parts. The first being the street tree area, adjacent to a sidewalk which was adjacent to an active area. Not all three portions are required on all roads. Ms. Bassiely said the reason why this was implemented was because it promotes dining, outdoor merchandise. She said the second would be scale and height. The overlay does not dictate over all height requirements. This was still housed in the zoning district. What this does was to create a cap on street level on certain roads, fence regulations that would promote activity, and added some pedestrian signage. Ms. Bassiely advised they are proposing the coastal village architectural design.

Vice Mayor Katz asked about the initial setbacks, does that allow for usable space on top, say if someone wanted to create outdoor dining. Ms. Bassiely replied that it does.

Commissioner Romelus inquired if the City implemented anything regarding living walls within the structures. Ms. Bassiely responded not within the overlay. She said that discussion comes up many times when the art theme comes up. One of the other items that were in the implementation was to review the sustainable guidelines.

Commissioner McCray asked about the architectural committee; what would be the function of the committee. Ms. Bassiely pointed out there was no other committee being created.

Vice Mayor Katz commented that his intent with all the development downtown, there are objections from many residents; not only in height and density, as well as appearance. In lieu of what Commissioner McCray stated that in past years the Commission was given the opportunity to review color swatches to weigh in, that has fallen by the wayside. The committee will have citizen input.

Mayor Grant asked regarding the color scheme, does the City have all the colors available that the City would approve. Ms. Bassiely replied the City does not have a color palette per se. When the applicant comes in through site plan approval, they are required to have color swatches and material boards. There are no actual set guidelines.

Mr. Rumpf stated that the City architectural color standards in the City LDR are more of compatibility standards. The City does not have a mandated palette.

Mayor Grant asked if the Commission could have the final color come through the board. Mr. Rumpf replied that was a requirement of the site plan review. The City requires a color sample. If applicant comes into office to change the color, this would be based on the major or minor changes.

Mayor Grant said that with One Boynton this must have been a minor change.

Mayor Grant asked if any new development in the cultural overlays or Boynton Beach come to the board. He asked if the issue with the color change considered major or minor. Mr. Rumpf stated that this would be considered minor. Mayor Grant inquired if this was okay with the board. It would only concern the overlay district. Mayor Grant said that any new changes to the overlay would be brought to the board, not just a review by staff.

Vice Mayor Katz said that it has become pretty clear that some of the colors are defiant for the district and the area.

Ms. Bassiely said there was a theme. The City was not over regulating. Staff can review with more teeth.

Commissioner Romelus understood there was nothing on the books regarding color review.

Ms. Bassiely stated that there are two conversations; one was overall, the process. There has always been a color swatch and a material board for the site plan review. Second, there was a compatibility check for the overall area. The Cultural overlay would require a color scheme based on the theme

Commissioner McCray remembered in the past the Commission was presented drawings of the building and the color. Then, the Commission voted on the color. Mayor Grant stated that the Commission requested that this should be continued. Ms. Bassiely reiterated that was a requirement and she would make sure those boards make it over to the Commission.

Ms. Bassiely explained that the modified building site regulation covers the bulk of the regulations. The regulation has a height and scale regulation which was similar to maximum height was a factor of zoning districts. Overlay adds a cap of 45 feet on Boynton Beach Boulevard frontages. Additional height must be stepped back a minimum of 10 feet. She explained that there was not a set scheme for the building design. On the parking, screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. Adapted sign regulations limit placement and size of monuments.

Mayor Grant asked for public comment.

**Cindy, De Falco, 316 NW 1 Ave**, stated she lives in the Cultural district area presented. She understands that the City possibly considering taking down some of the house. The houses are adjacent to Boynton Beach Boulevard. She wanted to know what the plans for the area are. She said that it would be nice to keeping with the old world. Ms. De Falco said that this was an area that has a lot of historical homes.

Ms. Bassiely said that this was an historical area. This area was highlighted as a potential historic district. This was for redevelopment purposes. No one would be kicked out of their homes.

**Susan Oyer, 140 SW 27 Way**, realized the coastal village theme came up once about a year ago; she does not believe that was what the residents wanted. The City of Boynton Beach has traditionally been a coastal town. She said she believes that it was appropriate near the marina, but not inland. It would not look in place at the children museum. Also, Ms. Oyer wanted additional information about the Pedestrian signs. Would the signs have a specific height limitation, something cute and quaint that gives the shops a nice atmosphere. Ms. Bassiely, remarked primarily Code only allows for the understory signs that hangs underneath the canopy. She said there are size requirement. Ms. Oyer said if this was going to be consistent throughout the City. Would individual signs by accepted. Ms. Bassiely clarified this was only for the overlay.

**Bonnie Miskel, on behalf of client land owners**, advised she represented private developers as well as governmental agencies. She commended staff did a very good job. If the Commission would look at the map, very little conforms to the overlay. Her clients are trying to redevelop some parcels. More restrictions do not encourage more development. She said the 150 feet corridor was not flexible.

Commissioner McCray asked in regards to NW 4<sup>th</sup> street, where the Dunkin Donut would be located. Ms. Miskel replied, if the client would move forward they would need to request a waiver.

Commissioner McCray remarked the area looks terrible. He was in favor of something coming in to enhance the area. Ms. Miskel said they will become a non-conforming parcel. If there was a fire or storm, they would need to redevelop in accordance with the Code. Again, everything that was not in green, unless they combine parcels, will make it harder to develop.

Vice Mayor Katz asked what the frontage Ms. Miskel was looking to accomplish. The walkability was being focused on. What would be a reasonable number? Ms. Miskel said there are many categories that are 50 feet. The other thing that was included was percentages; the City would require 75% for the building. It promotes a larger use. This would not promote the mom and pops shops. She advised the maximum was 100 feet.



Ms. Bassiely pointed out in the plan the recommendations were mix use low to mix use high. The mix use districts range from 100 feet to 200 feet. the recommendation was mix use low.

Mayor Grant asked if this range from the low to the high ends mix use zoning.

Ms. Bassiely clarified it was 100 feet to 200 feet. frontage.

Ms. Miskel contended in the urban core; this was extending from the tracks west to I -95 to the lower intensity, it was not the urban core lot size in a more suburban town. This was not necessarily the best approach.

Commissioner McCray questioned if this would have any bearing on east Boynton Beach Boulevard. Ms. Miskel said nothing was going to be non-conforming. Ms. Bassiely said that if there was a disaster, the owner would be able to rebuild. It would not have any effect on what was on the ground at this time.

Commissioner McCray reiterated that in regards the Dunkin Donuts, they would need to get a waiver. Ms. Bassiely stated they are already within the system. She said that anything the Commission feels would not detrimentally affect the intent of the overlay, a waiver can be requested.

Mayor Grant stated that 150 feet was significant. What the City was trying to do was to create the corridor for mix use. He asked if the coastal village was a defined theme, would that include Mediterranean. Ms. Bassiely replied that coastal village theme was for the cultural district. It was only for the six blocks. Mayor Grant asked if the Coastal Village include Mediterranean. Ms. Bassiely said that the Coastal Village was a defined theme in the overlay district.

Mayor Grant wanted to know if the engineering plans that were done by Kimley-Horn were in compliance with the new regulations. Ms. Bassiely stated the plan was from Seacrest east to Federal highway. A new plan was being redone.

Commissioner McCray requested staff get with Ms. Miskel and work with her regarding NE 4<sup>th</sup>. He said that that corner looks terrible. He emphasized that corner looks terrible. He wanted to see something on the lot.

Vice Mayor Katz asked if there has been any thought in scaling down those requirements as the mix use intensity lessens towards I-95. This potentially might seem like a compromise where the farther you get away from the mix use high and the downtown transit area, it becomes more residential.

Ms. Bassiely explained the plan recommends three different land uses. Staff can try and come with a scheme that relates to land uses. She said that this was done previously with some of the parking standards.

Commissioner Romelus asked about Ocean Avenue and the lot frontages in the cultural overlay. Ms. Bassiely indicated that the frontage in the cultural district was 100 feet. The lot frontage and lot area has something to do with the lot footage and lot area has some correlation to do with parking. The City does have parking reduction within the cultural overlay district.

Commissioner Romelus said based on what Ms. Miskel was saying, if the City was trying to encourage more of a coastal and little mom and pop shops on Ocean, this was where I would expect to see smaller lot frontage. From what she understands the City was trying to emulate more along the lines of Gateway Boulevard, PGA Boulevard and those types of corridors. Ms. Bassiely noted when looking at Gateway the lots frontage was really wide. Commissioner Romelus asked if Ms. Bassiely had the numbers. Ms. Bassiely replied the frontage was at least 200 feet. The designs make it appear smaller.

Commissioner McCray asked about mixed use on Boynton Beach Boulevard, would the City need to purchase land in order to complete the project.

Mayor Grant stated seeing on one else coming forward, public comment was closed.

### **Motion**

Commissioner McCray asks for a motion to approve.

### **Vote**

Ms. Pyle City Clerk, called the roll.

*Vote 4-0 (Commissioner Casello absent)*

- G. **PROPOSED ORDINANCE NO. 17- 016 - FIRST READING - PUBLIC HEARING** – Approve amendments to the LAND DEVELOPMENT REGULATIONS, Chapters 2 and 3 to continue the implementation of the Community Redevelopment Plan with the establishment of the new Boynton Beach Boulevard Overlay Zone regulating site development standards, uses, and urban design.

Attorney Cherof read Proposed Ordinance 17-016 by title only on first reading.

### **Motion**

Vice Mayor Katz moved to approve. Seconded by Commissioner Romelus

### **Vote**

Ms. Pyle City Clerk, called the roll.

*Vote 3-1*

*(Commissioner McCray dissenting and Commissioner Casello absent)*

**10. CITY MANAGER'S REPORT**

- A. The Town of Hypoluxo Council approved a potential expansion of the current interlocal agreement between the Town and the City to provide water service to approximately 500 customers currently receiving water from the Town of Manalapan. As an update to the City Commission, staff will work with the Town to develop the revised language for review and consideration by the City Commission.

Mr. Colin Groff, Assistant City Manager, said he wanted to bring the Commission up to date on the negotiation with the town of Manalapan and the Town of Hypoluxo about their water and sewer services. The Town of Manalapan was given a proposal; the Town of Manalapan decided to go on their own. The Town of Hypoluxo was in our service area, with an exception of about 500 customers that they receive water from Manalapan. The City will be negotiating a revision to the interlocal agreement.

Commissioner McCray mentioned the agreement would expire in 2020. Mr. Groff said they have a two year period in which they must begin the negotiations. Commissioner McCray asked for the monetary guesstimate. Mr. Groff stressed that whenever there are acquisitions the present customers will not see an increase in their rates. Those numbers are not available at this time. The City will acquire only 500 additional customers.

**11. UNFINISHED BUSINESS - None**

**12. NEW BUSINESS**

- A. Commissioner Romelus requests approval for \$1,000 dollars of her Community Support Funds to be donated to the Women's Circle's Building Fund for the new facility and expanded programs.

**Motion**

Commissioner McCray moved to approve. Seconded by Commissioner Romelus.

Sister Loraine explained that the Women's Circle was in the process of expanding; they are presently located on the south side of the building that was 1200 square feet. She said they are planning to move into the west side. They would have over 4000 square feet. She was very impressed with celebrating eight new U.S. citizens. She assists low income women and helps them get jobs. Also help them prepare for the U.S. citizenship examination. Commissioner Romelus came, and stood there as a very professional

and competent woman and told the women that they could be anything. She wanted to thank her for coming.

**Vote**

Unanimously passed

- B. Approve changing the date of the first meeting in September from Tuesday, September 5, 2017 at 6:30 pm to Thursday, September 7, 2017 at 6:30 pm to have First Public Budget Hearing on Proposed FY 17/18 Budget in accordance with the Truth in Millage (TRIM) calendar.

**Motion**

Commissioner Romelus moved to approve. Commissioner McCray seconded the motion.

**Vote**

Unanimously passed

- C. Discuss and decide the signing authority for the periods of time that both the Mayor and Vice Mayor are not available.

Motion to allow Commissioner Romelus to sign any documents in the absence of the Mayor and Vice Mayor.

**Motion**

Commissioner McCray moved to approve. Seconded by Vice Mayor Katz.

**Vote**

Unanimously passed

- D. Discussion on removal of advisory board member for absences and procedure to fill any vacancy.

Commissioner McCray said this was something that was already in place. If a member missed a certain amount of meetings the person was taking off of the board. Then the member position was replaced.

Ms. Pyle said that that was the attendance policy. However the resolution that was attached to the agenda states that when the CRAAB (Community Redevelopment

Agency Advisory Board) was created, the only way a member could be removed would be by vote of the Commission.

Commissioner McCray stated that the Commission needs to establish a policy that if a member misses 3 meetings the Commission can vote them off of the board.

Mayor Grant said that he was reading the County resolution; it said if they miss 3 consecutive meeting or more than 50% of yearly meetings. He asked if that was okay with the board. He explained that the member would be automatically taken off of the board.

Mayor Grant asked if it could be done universally for all boards.

Attorney Cherof, said yes, there would be one rule for all.

Vice Mayor Katz noted that the Commission was reducing all other boards from 4 to 3 absences.

Mayor Grant suggested consecutive absences or more than 50% of yearly meetings. He would suggest that this would be done in a calendar year beginning in January.

Commissioner McCray said that there was already a policy in place. Requested that Ms. Pyle provide an update to the Commission.

Ms. Pyle said that the policy does not indicate 3 consecutive days missed. The policy states 3 meeting that are missed, and then the 4<sup>th</sup> meeting they are taken off the board.

Mayor Grant said the 4<sup>th</sup> meeting they are removed.

Commissioner Romelus pointed out the members are to be removed by the Commissions discretion. This was why this was before the Commission.

Ms. Pyle reiterated this was coming before the Commission because this was different from the other boards. The resolution for the CRAAB states that members can only be removed by the Commission.

Vice Mayor Katz said he had no problem with modifying this policy.

Mayor Grant said that whatever the Commission votes on tonight, that was what the new policy will be. Whether it was consecutive or the 50% that is fine. Then the City will need a motion to remove Ms. Paula Meilley, from the CRAAB.

Vice Mayor Katz said that if we reduce it to 3, just to take note that the policy says 4 absences.

Commissioner Romelus said that the policy said 3 absences than if they miss a 4<sup>th</sup> then they are off.

Ms. Pyle said there are 3 absences then they are sent a letter, and then if they miss a 4<sup>th</sup>, the member will be terminated from the board.

Commissioner Romelus asked if there was communication with this board member.

Ms. Pyle stated the member was sent a letter.

Mayor Grant opened to public comment

**David Katz, 67 Midwood Lane**, noticed that one applicant did not live in the City. He spoke with the City Clerk, and she stated if an applicant has a business in the City, then they are able to sit on a board. He did not feel the person should be on the quasi-judicial board.

Commissioner Romelus said that this decision has nothing to do with the resident comment. She said that here are rules and regulations that should be respected. Mayor Grant said the Commission will continue the policy except that it will apply to all board including the CRAAB. They will be sent a letter after the 3<sup>rd</sup> absence.

Ms. Pyle stated that she does try to make contact. If a member was removed from the board, the member cannot serve on another board for 3 years.

Commissioner Romelus said that the language needed to be added to the CRAAB resolution.

### **Motion**

Mayor Grant requested a motion to terminate, to remove Ms. Paula Meilley, Commissioner McCray seconded the motion.

### **Vice**

Unanimously passed

## **13. LEGAL**

- A. **PROPOSED ORDINANCE NO. 17-017 - FIRST READING** - Approve the abandonment of an existing 12 feet. utility easement within the former Verzaal (landscape) Nursery Parcel located on Flavor Pict Road west of Military Trail.

Attorney Cherof read Proposed Ordinance No. 17-017, by title only on first reading.

Mayor Grant opened to public comment

### **Motion**

Commissioner Romelus moved to approve. Seconded by Commissioner McCray

### **Vote**

City Clerk, Judith A. Pyle called the roll

*Vote 4-0 (Commissioner Casello absent)*

- B. **PROPOSED ORDINANCE NO. 17-018 - FIRST READING** - Approve the abandonment of existing utility easement rights within a Residential Access Roadway - Tract R-5, within the Flavor Pict Townhomes Plat as recorded in Plat Book 121 Pages 193 - 201.

Attorney Cherof read Proposed Ordinance No. 17-018, by title only on first reading.

Commissioner McCray asked if this was a utility easement. Colin Groff, Assistant City Manager said the easement was no longer needed that was why it was being abandoned.

Mayor Grant opened to public comment

### **Motion**

Commissioner McCray moved to approve. Seconded by Commissioner Romelus

### **Vote**

City Clerk, Judith A. Pyle called the roll

*Vote 4-0 (Commissioner Casello absent)*

## **14. FUTURE AGENDA ITEMS**

- A. Monthly Departmental Presentations:  
ITS - July, 2017  
Public Works - August, 2017
- B. **Medical Cannabis Dispensary (CDRV 17-003)** – Approve amendments to the LAND DEVELOPMENT REGULATIONS, Chapter 1, Article II, Definitions, to add definitions that regulate the Medical Cannabis Dispensary Industry, and Chapter 3, Article IV, Use Regulations, Section 3.D, Use Matrix, Table 3-28 and Matrix Note #104 Medical Cannabis

Dispensary to add the provisions and standards that regulate the Medical Cannabis Dispensary Industry. Applicant: City-initiated. 7/18/17

- C. Discussion relating to the future of the Building Board of Adjustment and Appeals - TBD
- E. Draft workforce housing ordinance - August 2017
- F. Discuss non profit containers company, possibly of moving into Boynton Beach FLSC LLC( Florida Textile Recycling Programs)
- G. Parcel located east of Leisure Ville,
- H. Parcel of land behind Chapel Hill, a strip of land know as Girl Scout Park.
- I. Traveling Sauna

## 15. ADJOURNMENT

### **Motion**

Commissioner McCray made a motion to adjourn. Seconded by Commissioner Romelus

### **Vote**

Unanimously passed

*(Continued on next page)*



CITY OF BOYNTON BEACH

\_\_\_\_\_  
Mayor - Steven B. Grant

\_\_\_\_\_  
Vice Mayor - Justin Katz

\_\_\_\_\_  
Commissioner - Mack McCray

\_\_\_\_\_  
Commissioner - Christina Romelus

\_\_\_\_\_  
Commissioner - Joe Casello

ATTEST

  
\_\_\_\_\_  
Judith A. Pyle, CMC  
City Clerk

\_\_\_\_\_  
Queenester Nieves, Deputy City Clerk



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Modify the Code Compliance Magistrate's Lien Modification Order in Case #11-2475 signed June 21, 2017 reducing the fines in this case from \$56,734.12 to \$2,230.15.

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**EXPLANATION OF REQUEST:**

Pursuant to Chapter 2, Article V of the City of Boynton Beach Code of Ordinances, a Lien Modification Order is final unless a City Commissioner takes exception to the final order within seven (7) days from the rendition of the Order by requesting that the City Manager's office place the case on a City Commission Agenda for review.

*Surplus after tax deed sale*

This Property was sold at a public sale and there is \$43,385.98, less Clerk's fees and costs. Upon notice of the surplus from the Clerk, the City timely filed a Statement of Claim of \$58,744.34 to cover the accrued fines from the lien in Case 11-2475. Pursuant to Section 197.582 of the Florida statutes, if the property is purchased for an amount in excess of the statutory bid of the certificate holder, the excess must be paid over and disbursed by the clerk. The clerk shall distribute the excess to the governmental units for the payment of any lien of record held by a governmental unit against the property.

*Lien Modification Hearing/Order*

The current Property owner who acquired the property at the public sale, sought a reduction of the existing lien in order to bring the property in compliance and apply for needed permits. The property owner's manager communicated with the City Attorney's Office prior to the hearing and inquired on the status of the surplus. At the special magistrate hearing on the lien reduction, held on June 21, 2017, the Property owner's manager failed to inform the Special Magistrate of the existence of the surplus funds. The City Attorney's Office has verified the facts presented by the Property owner by listening to the hearing recording.

If the Lien Modification Order stands as is, with a reduced lien amount of \$2,230.15, the City's pending Statement of Claim to recover the Surplus will be null and void.

If the approximate \$40,000 in surplus funds are applied to the City's Code Lien, there would be a remaining balance of approximately \$16,734.12 which could then be considered for a reduction pursuant to the property owner's original application for a lien reduction.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

The property is in compliance and therefore has no impact on our programs or services.

**FISCAL IMPACT:** Non-budgeted

If the Special Magistrate's Lien Reduction Order is upheld, the City would be waiving its entitlement to approximately \$40,000 in surplus.

**ALTERNATIVES:**

Affirm the Special Magistrate's Order; or  
Modify the Special Magistrate's Order.

**STRATEGIC PLAN:****STRATEGIC PLAN APPLICATION:****CLIMATE ACTION:****CLIMATE ACTION DISCUSSION:**

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Is this a grant? No

Grant Amount:

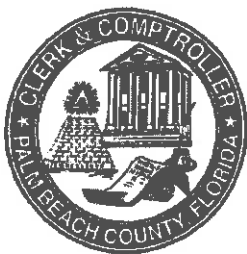
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**ATTACHMENTS:**

| Type                                | Description                          |
|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> Attachment | Statement of Claim                   |
| <input type="checkbox"/> Attachment | Order Imposing Penalties and Lien    |
| <input type="checkbox"/> Attachment | Lien Reduction Application           |
| <input type="checkbox"/> Attachment | Lien Reduction Order and Transmittal |

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                |
|--------------|------------------|----------|---------------------|
| Legal        | Swanson, Lynn    | Approved | 7/3/2017 - 10:19 AM |
| Finance      | Howard, Tim      | Approved | 7/7/2017 - 1:46 PM  |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:33 AM |



**SHARON R. BOCK**

Clerk & Comptroller  
Palm Beach County

**STATEMENT OF CLAIM**

STATE OF Florida  
COUNTY OF Palm Beach

Before me, the undersigned authority, personally  
appeared Tim W. Howard, who first being duly sworn, depose  
and say:

1. My name is Tim W. Howard. I am over the age of  
eighteen (18) years. If you represent a corporation, please fill in the  
following: I am the Assistant City Manager (Title)  
of City of Boynton Beach, Florida (Name of  
Corporation)
2. I hereby submit my claim for tax deed surplus held by the Clerk &  
Comptroller from the sale of property arising out of tax certificate  
number 162427-2011, which was sold by the Clerk &  
Comptroller of Palm Beach County on March 15, 2017.
3. I am making a claim in the amount of \$ 58,744.34.
4. I am entitled to the surplus being held by the Clerk & Comptroller by  
virtue of my interest in the property as (check one) Owner ☒ X  
Lienholder ☐ Mortgage Holder ☐ Other. Copies of documentation  
showing my interest in the property are attached and made a part hereof.  
(If you are a mortgage holder, please attach a payoff statement,  
reflecting payments made, the amount still owed, and calculated  
interest on the amount still owed.)
5. I hereby make claim to the surplus proceeds generated from the sale in the  
amount set forth in paragraph 3 above. I understand that the Clerk &  
Comptroller will subtract their fees from the sale pursuant to the Florida  
statutes. I further understand that if I am making a claim as the owner of  
the property, any valid liens and mortgages in the property will be paid  
before I am entitled to any of the surplus. I also understand the Clerk &  
Comptroller will hold the funds for ninety (90) days before determining  
who is entitled to payment.

**Tax Deeds &  
Foreclosures Department**

205 N. Dixie Hwy., Rm. 3.2300  
West Palm Beach, FL 33401

P.O. Box 484  
West Palm Beach, FL 33402

Tax Deeds Phone: 561-355-2962  
Foreclosures Phone: 561-355-2986

Fax: 561-355-7060  
[www.mypalmbeachclerk.com](http://www.mypalmbeachclerk.com)

6. If I am making a claim as the owner of the property before the sale, and there are mortgages or liens shown on the Ownership & Encumbrance Report in the Clerk & Comptroller's file, I understand that I will need to submit further documentation to the Clerk & Comptroller, proving that any mortgages or liens reflected on the Ownership & Encumbrance Report have either been satisfied, or prove by affidavit that they do not encumber the property sold by the Clerk & Comptroller.

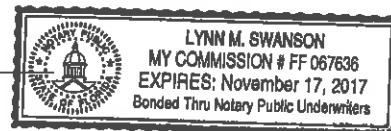
FURTHER, AFFIANT SAYETH NAUGHT.

**(IF A CORPORATION,  
PLEASE  
INCLUDE CORPORATE  
SEAL AND  
ATTACH CORPORATE  
DOCUMENTS)**

Signature of Claimant- Tim W. Howard - Assistant City Manager - Administrative Services

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day  
of April, 2017,  
by Tim W. Howard, Assistant City Manager of Administrative Services  
who X is personally known to me or      who has  
produced \_\_\_\_\_ as identification, and who  
did/did not take an oath. /

~~Notary Public~~



**PLEASE MAIL CHECK TO:**

City of Boynton Beach

Attn: Finance Department

100 East Boynton Beach Blvd.

Boynton Beach, FL 33435

**CONTACT NUMBER IN CASE OF ANY QUESTIONS:**

561-742-6053

P. O. Box 484, West Palm Beach, FL 33402  
(561) 355-2962



OFFICE OF THE  
**CLERK & COMPTROLLER**  
PALM BEACH COUNTY

CITY OF BOYNTON BEACH  
CITY CLERK'S OFFICE  
17 MAR 23 PM 4:55

**Sharon R. Bock**  
Clerk & Comptroller

**CERTIFICATE NUMBER:** 16427-2011

**DESCRIPTION OF PROPERTY:** 08-43-45-28-10-014-0221  
BOYNTON HEIGHTS ADD REVISED PL LT 22 (LESS W 8 FT) LT 23 & LT 24 (LESS E 10 FT) BLK 14

Pursuant to Chapter 197, F.S., the above property was sold at public sale on Mar-15-2017. A surplus of \$43,385.98 less Clerk's fees and costs, and any unpaid governmental liens will remain and be held by this office for a period of ninety (90) days from the date of this notice for the benefit of persons having interest in and to this property as described in Section 197.502 (4), F.S., as their interests may appear.

Excess funds will be used to satisfy in full, to the extent possible, each senior mortgage or lien in the property before distribution of any funds to any junior mortgage or lien.

Pursuant to Sections 197.582(2) and 197.473(1) of the Florida Statutes, excess proceeds shall be held by the clerk (with the exception of the certificate holder who shall be paid forthwith pursuant to Sec. 197.582(1), F.S.) and then disbursed in the same manner as unclaimed redemption monies in Sec. 197.473, F.S.

In order to be considered for distribution of these funds from the Clerk & Comptroller office, you must submit a notarized statement of claim to this office, detailing the particulars of your lien, and the amounts currently due, within ninety (90) days of the date of this notice. A copy of this notice must be attached to your statement of claim. After examination of the statements of claim filed, this office will disburse according to priority. Any unclaimed funds will be remitted to the State pursuant to Sections 197.473 and 717.117 of the Florida Statutes. Dated this 17th day of March, 2017.



**SHARON R. BOCK**  
Clerk & Comptroller  
Palm Beach County

By: \_\_\_\_\_

Deputy Clerk



**CITY CLERK'S OFFICE  
MEMORANDUM**

TO: Lynn Swanson  
City Attorney's Office

FROM: Judith A. Pyle, CMC  
Interim City Clerk

DATE: March 30, 2017

RE: Statement of Claim  
Certificate Number: 162427-2011  
327 SW 2<sup>nd</sup> Ave  
08-43-45-28-10-014-0221

A handwritten signature in black ink, likely belonging to Judith A. Pyle, the Interim City Clerk.

The attached is from the Clerk & Comptroller's Office regarding EXCESS SURPLUS FROM Tax Deed Sale.

I have reviewed our records and determined there are outstanding Community Standard Fines associated with the Property.

| Case #  | Amount Owed | Still Accruing |
|---------|-------------|----------------|
| 11-2475 | \$56,734.12 | No             |
| 16-1041 | \$498.25    | 8% per annum   |
| 15-2301 | \$473.91    | 8% per annum   |
| 13-1715 | \$543.99    | 8% per annum   |
| 13-457  | \$494.07    | 8% per annum   |

Attachments



## City of Boynton Beach Interest In Real Property

**Internal Use Only  
Not Valid for Commercial Title Search**

This document serves as constructive notice of the  
City of Boynton Beach's interest in the real property identified below.

**PCN : 08434528100140221**

**Property Address : 327 SW 2ND AVE**

Search performed by City Clerk Office Account of City of Boynton Beach on Fri Mar 24 05:06:54 PDT 2017

**Tracking Number: 1326056**

**Access PIN: 99222**

### *Item 1 of 9*

#### Code Enforcement

|              |                       |
|--------------|-----------------------|
| Case Number: | 16-00001041           |
| Date Opened: | 06/09/2016            |
| Case Type:   | ALL - ACTIVE LOT LIEN |
| Case Status: | AC - ACTIVE           |

For compliance please contact the Code Compliance Department at the City of Boynton Beach via messaging.

### *Item 2 of 9*

#### Code Enforcement

|              |                       |
|--------------|-----------------------|
| Case Number: | 15-00002301           |
| Date Opened: | 10/16/2015            |
| Case Type:   | ALL - ACTIVE LOT LIEN |
| Case Status: | AC - ACTIVE           |

For compliance please contact the Code Compliance Department at the City of Boynton Beach via messaging.

### *Item 3 of 9*

#### Code Enforcement

|              |                       |
|--------------|-----------------------|
| Case Number: | 13-00001715           |
| Date Opened: | 08/13/2013            |
| Case Type:   | ALL - ACTIVE LOT LIEN |
| Case Status: | AC - ACTIVE           |

For compliance please contact the Code Compliance Department at the City of Boynton Beach via messaging.





## City of Boynton Beach Interest In Real Property

*Item 4 of 9*

## Code Enforcement

|              |                       |
|--------------|-----------------------|
| Case Number: | 13-00000457           |
| Date Opened: | 03/18/2013            |
| Case Type:   | ALL - ACTIVE LOT LIEN |
| Case Status: | AC - ACTIVE           |

For compliance please contact the Code Compliance Department at the City of Boynton Beach via messaging.

*Item 5 of 9*

## Code Enforcement

|              |             |
|--------------|-------------|
| Case Number: | 11-00002475 |
| Date Opened: | 09/09/2011  |
| Case Type:   | LIEN - LIEN |
| Case Status: | AC - ACTIVE |

For compliance please contact the Code Compliance Department at the City of Boynton Beach via messaging.

*Item 6 of 9*

## Mowing and Maintenance

|                                 |            |
|---------------------------------|------------|
| Resolution Number:              | R16-177    |
| Lien Number:                    | 16-1041    |
| Amount Due:                     | \$488.09   |
| Resolution Adopted:             | 12/19/2016 |
| Estimated payoff on 03/24/2017: | \$498.25   |

For compliance please contact the City Clerk at the City of Boynton Beach via messaging.

*Item 7 of 9*

## Mowing and Maintenance

|                                 |            |
|---------------------------------|------------|
| Resolution Number:              | R16-060    |
| Lien Number:                    | 15-2301    |
| Amount Due:                     | \$438.09   |
| Resolution Adopted:             | 03/16/2016 |
| Estimated payoff on 03/24/2017: | \$473.91   |

For compliance please contact the City Clerk at the City of Boynton Beach via messaging.



## City of Boynton Beach Interest In Real Property

*Item 8 of 9***Mowing and Maintenance**

|                                 |            |
|---------------------------------|------------|
| Resolution Number:              | R14-043    |
| Lien Number:                    | 13-1715    |
| Amount Due:                     | \$443.09   |
| Resolution Adopted:             | 05/20/2014 |
| Estimated payoff on 03/24/2017: | \$543.99   |

For compliance please contact the City Clerk at the City of Boynton Beach via messaging.

*Item 9 of 9***Mowing and Maintenance**

|                                 |            |
|---------------------------------|------------|
| Resolution Number:              | R14-002    |
| Lien Number:                    | 13-457     |
| Amount Due:                     | \$393.09   |
| Resolution Adopted:             | 01/07/2014 |
| Estimated payoff on 03/24/2017: | \$494.07   |

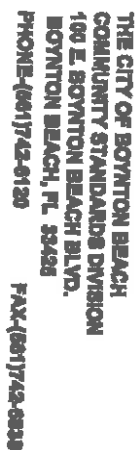
For compliance please contact the City Clerk at the City of Boynton Beach via messaging.

No outstanding Building Permits were found.

No outstanding Utility Bills were found.

**SERVICE FEE FOR THIS REPORT PAID IN FULL: \$115**

This statement is furnished at the request of the applicant for informational purposes only, and the City of Boynton Beach, its officers or employees assume no responsibility or liability whatsoever for the authenticity or correctness of the matters set forth herein.



|                           |   |
|---------------------------|---|
| CABLE                     | 11-2475                                       |
| ADDRESS:                  | 327 SW 2nd Ave                                |
| COMPLIANCE DATE AND FINE: | 11/27/11 or \$100.00 plus administrative fees |

11-2475  
327 9th Ave  
11/27/11 or \$100.00 plus administrative fees

**FAX-(861)742-6000**

| FROM     | TO       | DAYS | PER DAY     |  |  |  |  |  |  |
|----------|----------|------|-------------|--|--|--|--|--|--|
| 11/27/71 | 06/10/73 | 261  | \$100       |  |  |  |  |  |  |
|          |          |      | \$55,100.00 |  |  |  |  |  |  |

|                         |   |             |
|-------------------------|---|-------------|
| FINE AMOUNT             |   | \$55,100.00 |
| # INSPECTIONS @ \$90.03 | 4 | \$360.12    |
| FILING FEE              |   | \$250.00    |
|                         |   |             |
| TOTAL DUE               |   | \$58,724.12 |

I hereby certify that this is a true  
and correct copy as it appears in the  
records of the City of Boynton Beach.

Janet M. Prainito 1-12-12  
CITY CLERK DATE

CODE COMPLIANCE BOARD  
CITY OF BOYNTON BEACH, FLORIDA

CFN 20120017206  
OR BK 24959 PG 0475  
RECORDED 01/17/2012 08:39:24  
Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 0475 - 476; (2pgs)

CASE NO. 11-2475

CITY OF BOYNTON BEACH,  
Petitioner,  
vs

BOYNTON BEACH HEIGHTS REALTY  
Respondent(s)  
\_\_\_\_\_ /

ORDER IMPOSING PENALTIES/LIEN

THIS CAUSE came before a public hearing before the Code Compliance Board of the City of Boynton Beach, Florida on November 16, 2011, after due notice to the Respondent(s), at which time the Board heard testimony under oath, received evidence, and issued its findings of fact and conclusions of law and thereupon issued its oral order which was reduced to writing and furnished to the Respondent(s)

Said Order required the Respondent(s) to take certain corrective action by the time certain, as more specifically set forth in that Order with a compliance date of November 26, 2011

Under oath, the Code Officer testified to the Board that the required corrective action was not taken as ordered. This case did not comply.

Accordingly, it having been brought to the Board's attention that the Respondent(s) did not comply with the Order dated 12/5/11, it is hereby ORDERED that Respondent(s) pay to the City of Boynton Beach, Florida, a fine in the amount of **one hundred dollars (\$100.00) per day** for the violation(s) that exist at 327 SW 2<sup>nd</sup> Ave, Boynton Beach, Florida, more fully described as BOYNTON HEIGHTS ADD REVISED PL LT 22 (LESS W 8 FT) LT 23 & 24 (LESS E 10 FT) BLK 14, according to the plat thereof as recorded Plat Book 10 Page 64, of the Public Records of Palm Beach County, Florida

PCN: 08-43-45-28-10-014-0221

from November 26, 2011, which was the date previously set by the Board's order for compliance until the date of compliance plus administrative costs in the amount of \$96.03 for each inspection totaling \$384.12 for 4 inspections and \$250.00 filing fee

This Order can be recorded and shall constitute a lien against the above described property pursuant to Chapter 162 of the Florida Statutes

Ordered this 2nd day of Jan, 2012, at Boynton Beach, Palm Beach County, Florida

Michele Costantino  
Michele Costantino  
CHAIRPERSON  
CODE COMPLIANCE BOARD  
CITY OF BOYNTON BEACH



ATTEST

Janet M. Prainito  
City Clerk  
File

**FILED**

JAN 04 2012

CITY CLERK'S OFFICE

Page 1 of 1

12 FEB - 1 PM 2:00

CITY OF BOYNTON BEACH  
CLERK'S OFFICE

BEFORE THE CODE COMPLIANCE BOARD  
OF THE CITY OF BOYNTON BEACH, FLORIDA  
CASE NUMBER: 11-2475

CITY OF BOYNTON BEACH,  
FLORIDA  
Petitioner,

vs  
BOYNTON BEACH HEIGHTS REALTY  
Respondent(s)

CODE COMPLIANCE  
BOARD ORDER

THIS MATTER came before the Code Compliance Board for hearing on the 16<sup>TH</sup> day of **NOVEMBER**, 2011. After considering the testimony and evidence the board finds

- 1 Respondent(s) owns the Property, which is the subject of this Code Board proceeding
- 2 A violation or violations existing on the Property as set forth in the Notice of Violation is/are as follows  
CH10 SEC 10-56(A), CH10 SEC 10-56(B)
- 3 The Respondent(s) has/have been properly provided with Notice of Hearing and did not appear at the hearing

It is therefore,

**ORDERED AND ADJUDGED THAT**

- 1 Respondent(s) shall correct the violation(s) by 11/26/11
- 2 If the Respondent(s) will not comply with this Order, a fine in the amount of \$100.00 is imposed each day the violation(s) exist(s) past the date set for compliance or for each time the violation(s) has/have been repeated plus administrative costs. Once a fine is certified, that Order shall thereafter be recorded amongst the Public Records of Palm Beach County, Florida and shall constitute a lien upon the property located at

327 SW 2<sup>ND</sup> AVE, BOYNTON BEACH, FL, and more particularly described as BOYNTON HEIGHTS ADD REVISED PL LT 22 (LESS W 8 FT) LT 23 & 24 (LESS E 10 FT) BLK 14, according to the plat thereof as recorded in Plat Book 10, Page 64, of in the Public Records of Palm Beach County, Florida

PCN 08-43-45-28-10-014-0221

- 3 Respondent(s) shall advise the Code Compliance Division within 24 hours after the violation(s) have/has been corrected. The Code Compliance Officer assigned to this case will verify the status of the violation(s).

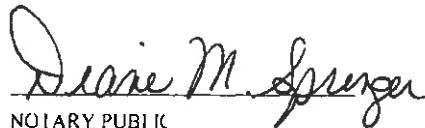
ORDERED AND ADJUDGED after hearing at Boynton Beach, Florida,  
this 5th day of Dec, 2011

  
Michele Costantino, Chairperson  
CODE COMPLIANCE BOARD

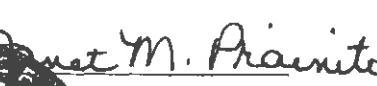
STATE OF FLORIDA  
COUNTY OF PALM BEACH

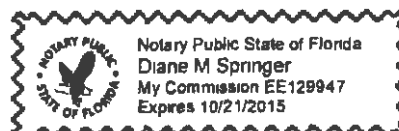
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the County aforesaid to take acknowledgments, personally appeared Michele Costantino, Chairperson of the Code Compliance Board of the City of Boynton Beach, Florida, to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same. Witness my hand and seal in the County and State last aforesaid this 5th day of Dec, 2011

ATTEST

  
NOTARY PUBLIC  
My Commission Expires



  
**FILED**  
DEC 05 2011 gmp  
CITY CLERK'S OFFICE



# The City of Boynton Beach



## COMMUNITY STANDARDS DIVISION

100 E. Boynton Beach Boulevard  
Boynton Beach, Florida 33435  
(P): 561-742-6120 | (F): 561-742-6838  
www.boynton-beach.org

### LIEN REDUCTION HEARING APPLICATION

Date : May 30, 2017

Case # : 11-2475

Violation Location: 327 SW 2<sup>nd</sup> AVE

Owner(s): BOYNTON BEACH HEIGHTS REALTY

*1 Rising Investments Inc*

The undersigned respondent(s) hereby respectfully petition(s) the Code Compliance Magistrate for a Lien Reduction Hearing as described in Section 2-84 of the City of Boynton Beach Code of Ordinances. The property hereinafter described as:

Legal: BOYNTON HEIGHTS ADD REVISED PL LT22 (LESS W 8 FT) LT 23 & 24 (LESS E 10 FT) BLK, according to plat recorded in Plat Book 10, Page 64 of the Public Records of Palm Beach County, FL

PCN: 08-43-45-32-03-011-0290

Date:

*05/30/2017*

Signature

*[Handwritten Signature]*

#### CONTACT INFORMATION:

Print name :

*JULIO CERNEA*

OR

*GABRIEL CERNEA*

✓

Phone number

*561 506 7445*

Email

*gcernea@hotmail.com*

All lien reduction applications must be received two weeks before the Magistrate hearing in order to be included on that month's agenda. The property must be in TOTAL compliance prior to application submittal.

In accordance with Section 2-87, a \$200.00 fee shall accompany this application with a fee of \$50.00 for each additional lien for lien reduction. (make check payable to City of Boynton Beach) If all criteria for lien reduction are not met under Section 2-85, the applicant shall be reimbursed one-half the amount of the application fee. If after it has been determined that the criteria under Section 2-85 has not been complied with and the application returned to the applicant, a new application and fee must be submitted for lien reduction hearing.

MAGISTRATE HEARINGS ARE NORMALLY HELD IN THE CITY COMMISSION CHAMBERS ON THE THIRD WEDNESDAY OF THE MONTH AND BEGIN PROMPTLY AT 9AM

AMERICA'S GATEWAY TO THE GULFSTREAM

# The City of Boynton Beach



**COMMUNITY STANDARDS DIVISION**  
100 E. Boynton Beach Boulevard  
Boynton Beach, Florida 33435  
(P): 561-742-6120 | (F): 561-742-6238  
www.boynton-beach.org

## LIEN REDUCTION TRANSMITTAL MEMORANDUM

**Date:** June 21, 2017  
**To:** City Commission  
**From:** Community Standards Division  
**RE:** Community Standards Case # 11-2476

In accordance with City Ordinance, Chapter 2, Article V, Sec. 2-90, the enclosed "Lien Modification Order" is hereby forwarded to you for review. As required this Ordinance, the following procedures are to be followed:

- ☐ A City Commissioner has seven (7) days from the rendition of the Order to request the City Manager's Office to place the case on a City Commission Agenda for review.  
(Space provided below for transmittal purposes)
- ☐ Said review must occur within thirty (30) days of the request for review.
- ☐ Upon such review, the City Commission may take one of the following actions:
  - a. Uphold the Community Standards Special Magistrate's recommendation in full.
  - b. Over-rule the Special Magistrate's decision in full.
  - c. Modify the Special Magistrate's Final Order.
- ☐ The City Commission shall direct staff to take action consistent with their review of the "Lien Modification Order".

I, [Signature], hereby request the City Manager's Office to place the above referenced case on the next available City Commission Agenda for review.

Signed on this date, the 28 day of June, 2017

**AMERICA'S GATEWAY TO THE GULF STREAM**

CITY OF BOYNTON BEACH, FLORIDA

CITY OF BOYNTON BEACH

Petitioner,

vs.

CASE NO. 11-2475

BOYNTON BEACH HEIGHTS REALTY

Respondent(s).

**LIEN MODIFICATION ORDER**

THIS CAUSE came before the City of Boynton Beach Code Compliance Magistrate on the Respondent's application for lien reduction on JUNE 21, 2017, pursuant to Chapter Two, Article Five of the City Code of Ordinances. The Magistrate having considered the application, all the facts regarding the specific code or codes the appealing party was in violation of, the date of the original Magistrate hearing, the date the affidavit of compliance was issued, the current lien amount and all pertinent information relating to the specific case and being otherwise duly advised in the premises, it is heretupon,

**ORDERED AND ADJUDGED that:**

1. This Magistrate has subject matter jurisdiction of this cause and jurisdiction over the Respondent.
2. The Respondent has met all the lien reduction procedures established by the City Code of Ordinances.
3. The lien imposed by the Magistrate on DECEMBER 21, 2011 on the Property located at 327 SW 2<sup>ND</sup> AVE. Boynton Beach, Florida, with the legal description of:

BOYNTON HEIGHTS ADD REVISED PL LT 22 (LESS W 3 FT) LT 23 & 24 (LESS E 10 FT) BLK 14 , according to the plat thereof as recorded in Plat Book 10 Page 64, of the Public Records of Palm Beach County, Florida.

PCN: 08-43-45-28-10-014-0221 is REDUCED TO \$ 2,230.15

4. The City shall prepare a release and satisfaction consistent with this Order.
5. The release and satisfaction shall be recorded in the public records of Palm Beach County at the Respondent's expense.
6. This Order is not final until the time period for appeal under the Code has elapsed and if appealed is properly disposed by the City Commission.
7. In the event that the property owner does not comply with the Magistrate's order, as approved or modified by the City Commission, within ninety (90) days of Commission's action, the Lien Reduction Order shall be of no further force or effect, and the original lien shall remain on the property. No extensions of the ninety (90) day period shall be permitted, and no further action by the Code Compliance Magistrate or the City Commission shall be permitted regarding lien reduction.

DONE AND ORDERED after hearing at City of Boynton Beach, Palm Beach County, Florida this 21<sup>ST</sup> day of JUNE, 2017.

Carol D. Ellis  
CODE COMPLIANCE MAGISTRATE

ATTEST:

*[Signature]*  
CITY CLERK

copies furnished:  
Honorable Mayor and the City Commission  
City Attorney  
City Clerk  
Respondent



**FILED**  
JUN 21 2017  
CITY CLERK'S OFFICE





## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Approve request for Modification to the Boynton Village & Town Center Master Plan to amend the previous approvals for SMU Parcels 1, 2 & 3 within Boynton Village & Town Center from 643 condominiums, 350 apartments and 115 single-family homes to 674 apartments and 115 single-family homes, on 106.499-acres located at the NE corner of Congress Avenue and Old Boynton Road. Applicant: Jeffrey Bartel, Berger Singerman LLP.

---

**EXPLANATION OF REQUEST:**

A similar request was withdrawn by the applicant at the Commission's June 20, 2017 meeting. The applicant withdrew their applications in order to re-examine their development plan. After consideration and a slight re-design, the agent submitted this new application for Master Plan Modification (MPMD 17-004) and companion application for Major Site Plan Modification (MSPM 17-006), which essentially adds six (6) more apartment units to SMU Parcel 3 (an increase from 318 to 324 units) and provides for additional parking. The companion application for Major Site Plan Modification (Alta at Cortina - MSPM 17-006) is also on this same Commission agenda.

This item was heard at the June 27, 2017 Planning & Development Board meeting, and was recommended for approval.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** N/A

**FISCAL IMPACT:** N/A

**ALTERNATIVES:** None recommended.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

---

**Is this a grant?**

**Grant Amount:**

---

**ATTACHMENTS:**

| Type                     | Description            |
|--------------------------|------------------------|
| ▣ Staff Report           | Staff Report           |
| ▣ Location Map           | Location Map           |
| ▣ Drawings               | Previous Master Plan   |
| ▣ Drawings               | Proposed Master Plan   |
| ▣ Conditions of Approval | Conditions of Approval |
| ▣ Development Order      | Development Order      |

**REVIEWERS:**

| Department             | Reviewer         | Action   | Date                 |
|------------------------|------------------|----------|----------------------|
| Planning and Zoning    | Rumpf, Michael   | Approved | 6/30/2017 - 1:04 PM  |
| Planning and Zoning    | Mack, Andrew     | Approved | 7/10/2017 - 5:12 PM  |
| Planning and Zoning    | Groff, Colin     | Approved | 7/11/2017 - 9:40 AM  |
| Assistant City Manager | Groff, Colin     | Approved | 7/11/2017 - 9:40 AM  |
| City Manager           | LaVerriere, Lori | Approved | 7/14/2017 - 10:00 AM |

**DEVELOPMENT DEPARTMENT  
PLANNING AND ZONING DIVISION  
MEMORANDUM NO. PZ 17-030**

**STAFF REPORT**

TO: Chair and Members  
Planning and Development Board and City Commission

THRU: Michael Rumpf  
Director of Planning and Zoning

FROM: Ed Breese  
Principal Planner

DATE: June 15, 2017

PROJECT NAME/NO: Boynton Village & Town Center  
(MPMD 17-004)

REQUEST: Master Plan Modification to the Boynton Village & Town Center development to amend the previous approvals for SMU Parcels 1, 2 & 3 within Boynton Village & Town Center from 643 condominiums, 350 apartments and 115 single-family homes to 674 apartments and 115 single-family homes.

**PROJECT DESCRIPTION**

Applicant: BR Cortina Acquisitions, LLC

Agent: Jeffrey Bartel, Berger Singerman LLP

Location: NE corner of Congress Avenue and Old Boynton Road (see "Exhibit A" – Location Map)

Existing Land Use: MX-S (Mixed Use Suburban)

Existing Zoning: SMU (Suburban Mixed Use)

Proposed Land Use: No change proposed

Proposed Zoning: No change proposed

Proposed Use: Master Plan Modification of the Boynton Village & Town Center development, and more specifically the Cortina portion of the project, to amend the development designated for SMU Parcels 1, 2 & 3 to 674 apartments and 115 single-family homes.

Acreage: 106.499-acres

Adjacent Uses:

- North: Right-of-way for the Boynton Canal (C-16), then farther north is the Renaissance Commons mixed use development, zoned SMU (Suburban Mixed Use);
- South: Right-of-way for Old Boynton Road, then farther south is a mix of multi-family and single-family residential, zoned R-3 and R1-AA and commercial development (Oakwood Square shopping center), zoned C-3 (Community Commercial);
- East: Right-of-way for the Lake Worth Drainage District (E-4) Canal, then farther east is single-family residential (Sky Lake), zoned R1-AA (Single-Family Residential); and
- West: Right-of-way for Congress Avenue, then farther west are developed commercial properties, zoned C-3 (Community Commercial).

**BACKGROUND**

Mr. Jeffrey Bartel, Esq., of Berger Singerman LLP, is requesting a Master Plan Modification to the Boynton Village & Town Center Master Plan, and more specifically the Cortina portion of the master plan, to amend the development designated for SMU Parcels 1, 2 & 3 to 674 apartments and 115 single-family homes from the previous approval of 643 condominiums, 350 apartments and 115 single-family homes (see “Exhibit A” – Location Map). The Planning & Development Board heard a request from Berger Singerman for Master Plan Modification and Major Site Plan Modification (MPMD 17-003 and MSPM 17-002) at their May 23, 2017 meeting. The applicant withdrew their applications in order to re-examine their development plan. After consideration and a slight re-design, the agent submitted this new application for Master Plan Modification (MPMD 17-004) and companion application for Major Site Plan Modification (MSPM 17-006), which essentially adds six (6) more apartment units to SMU Parcel 3 (an increase from 318 to 324) and provides for additional parking.

The property is a former dairy farm that received land use amendment and rezoning approval in 2005. The portion of the property containing the Target and Best Buy stores was zoned C-3, Community Commercial, and the balance of the site was zoned SMU, Suburban Mixed Use, and approved with a corresponding master plan for development. Staff requested a master plan for the entire site, as the interconnectivity and shared amenities warranted a comprehensive review of the 106 acres. The original master plan depicted 405,328 square feet of commercial space (retail, restaurant, & office) plus 1,120 dwelling units. A Master Plan Modification request (MPMD 12-003) was approved on July 17, 2012 to redesign the Cortina portion of the site (which at that time did not include the condominium sites) from 458 townhomes to 34 townhomes, 348 apartments and 80 single-family detached homes, including the relocation and re-sizing of the park land dedication. Subsequently a Master Plan Modification (MPMD 15-001) was submitted to amend a 0.42-acre portion of SMU Parcel 5 from 16 townhomes to a four (4) story, 24,000 square foot mixed use building with medical uses on the first two (2) floors and four (4) dwelling units on each of the next two (2) floors. The Master Plan was then modified (MPMD 15-002) to designate the remaining vacant tracts within Boynton Village & Town Center for 643 condominiums, 350 apartments and 115 single-family homes. Master Plan Modification 16-001 added 240 square feet of office space to SMU Parcel 5 administratively through the

Minor Master Plan Modification process. Lastly, Master Plan Modification 17-001 added electric vehicle charging stations to Parcel 2, resulting in the loss of one (1) parking space. This modification was also deemed minor by staff and approved administratively.

Chapter 2, Article II, Section 2. D. 6., Master Plans, of the Land Development Regulations states that major changes in planned developments shall be processed through the Planning and Development Board and the City Commission.

### **ANALYSIS**

The applicant is proposing to to amend the development designated for SMU Parcels 1, 2 & 3 to 674 apartments and 115 single-family homes, through the redesignation of the previously proposed 643 condominium units on Parcel 3 to 324 apartments.

The original Master Plan approval was subject to a CRALLS (Constrained Roadway At Lower Level of Service) designation for the Congress Avenue and Old Boynton Road intersection. A CRALLS designation is a tool utilized by Palm Beach County under their Traffic Performance Standards (TPS) review of projects, when there is not adequate right-of-way for intersection expansion to accommodate additional turn lanes and/or longer vehicle stacking for those turn lanes. The County required other on and off-site improvements to assist with improved vehicle, bicycle and pedestrian movement facilitation, including the construction of the 3 and 5 lane segments of Old Boynton Road from Congress Avenue to Boynton Beach Boulevard, the continuation of Renaissance Commons Boulevard across the C-16 Canal and connecting with Old Boynton Road, the widening of Gateway Boulevard from Congress to High Ridge Road to 6 lanes, and the construction of the greenway path along the E-4 and C-16 canals. All of these improvements have been completed. The applicant submitted an updated traffic study to Palm Beach County Traffic Engineering. At the time of preparation of this staff report, staff has not received an approval letter from the County. With the reduction in the number of dwelling unit and corresponding reduction in the number of vehicle trips, it is anticipated an approval will be granted. As a condition of approval of this Master Plan Modification and companion Major Site Plan Modification request (MSPM 17-006) for Alta at Cortina for 324 apartments, no building permits shall be issued until such time as the approval letter is received.

The CRALLS designation established a maximum threshold of 1,120 dwelling units within the Master Plan. This proposed Master Plan Modification request allocates 797 of those units (115 single-family homes proposed for SMU Parcel 1, 350 apartments currently under construction on SMU Parcel 2, 324 apartments proposed for SMU Parcel 3, and 8 apartments currently under construction on SMU Parcel 5 as part of a mixed use building), resulting in a balance of 323 undesignated dwelling units below the cap amount of 1,120. There are no changes proposed to the commercial portion of the master plan associated with this request. Staff considers the modifications to the approved master plan to be non-substantial.

### **RECOMMENDATION**

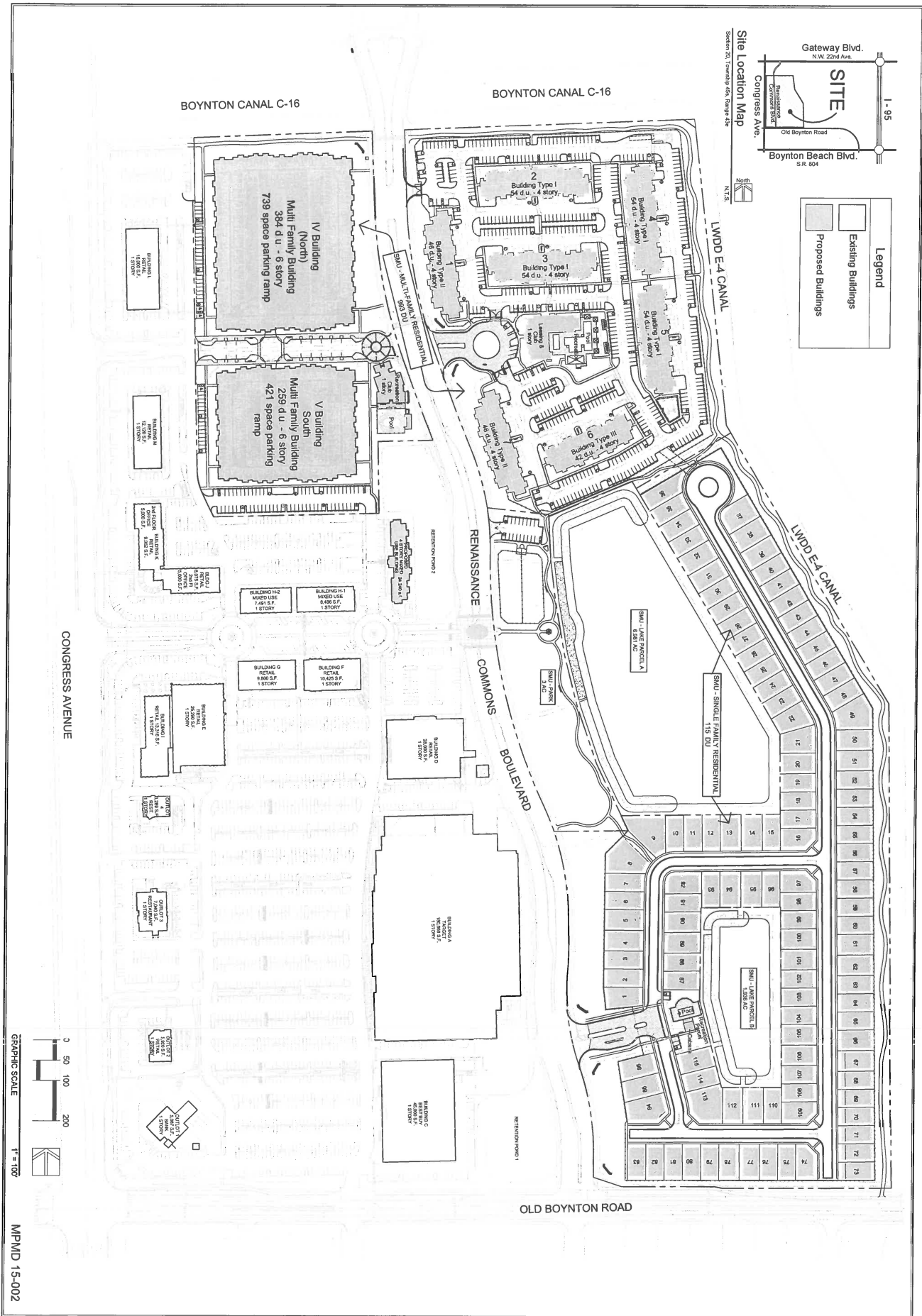
The Planning and Zoning Division recommends that this request for Master Plan Modification be considered non-substantial, and approved subject to the comments included in "Exhibit C" - Conditions of Approval. Any additional conditions recommended by the Board or required by the City Commission shall be documented accordingly in the Conditions of Approval.

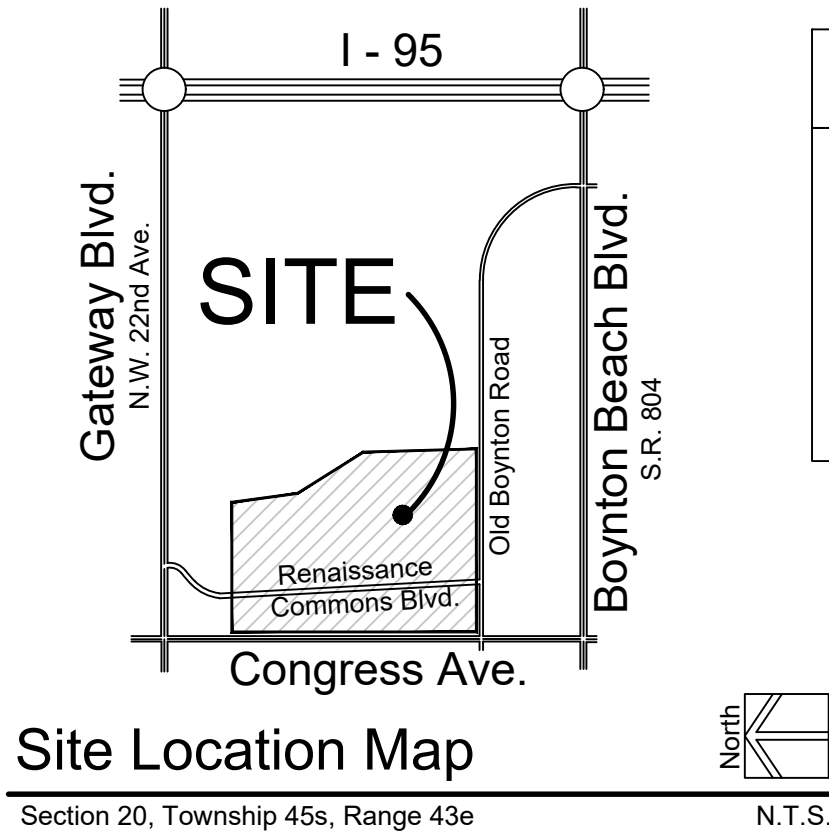


# BOYNTON VILLAGE AND TOWN CENTER (MPMD)





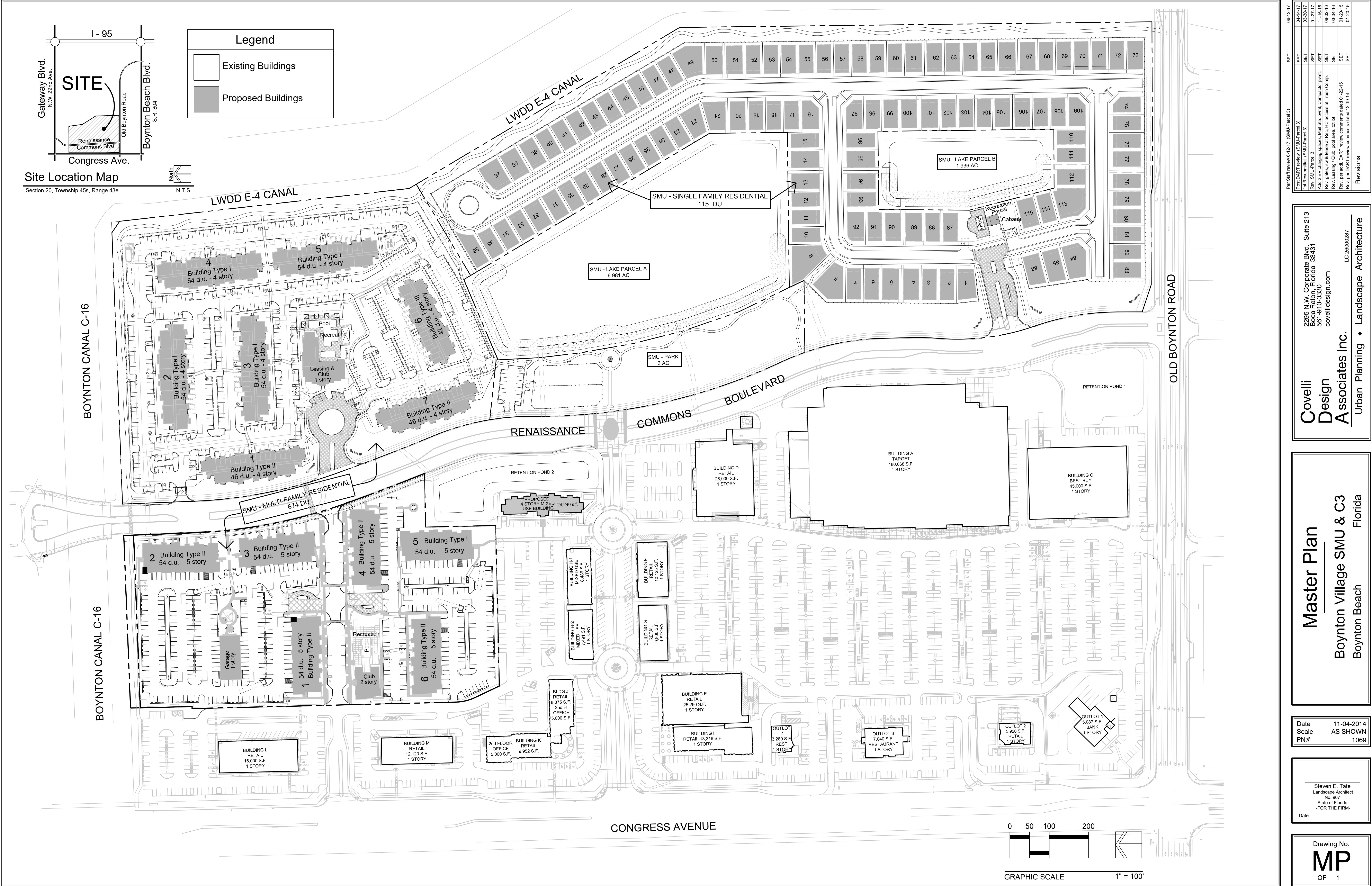




Legend

Existing Buildings

Proposed Buildings



| Revisions |
|-----------|
| 05-12-17  |
| SET       |
| 04-14-17  |
| SET       |
| 03-30-17  |
| SET       |
| 01-27-17  |
| SET       |
| 11-16-16  |
| SET       |
| 03-04-16  |
| SET       |
| 01-20-15  |
| SET       |
| 01-20-15  |
| SET       |

Covelli Design Associates Inc.

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LC 26000287

Master Plan

Boynton Village SMU & C3

Boynton Beach

Florida

Date

11-04-2014

Scale

AS SHOWN

PN#

1069

Steven E. Tate

Landscape Architect

No. 967

State of Florida

-FOR THE FIRM-

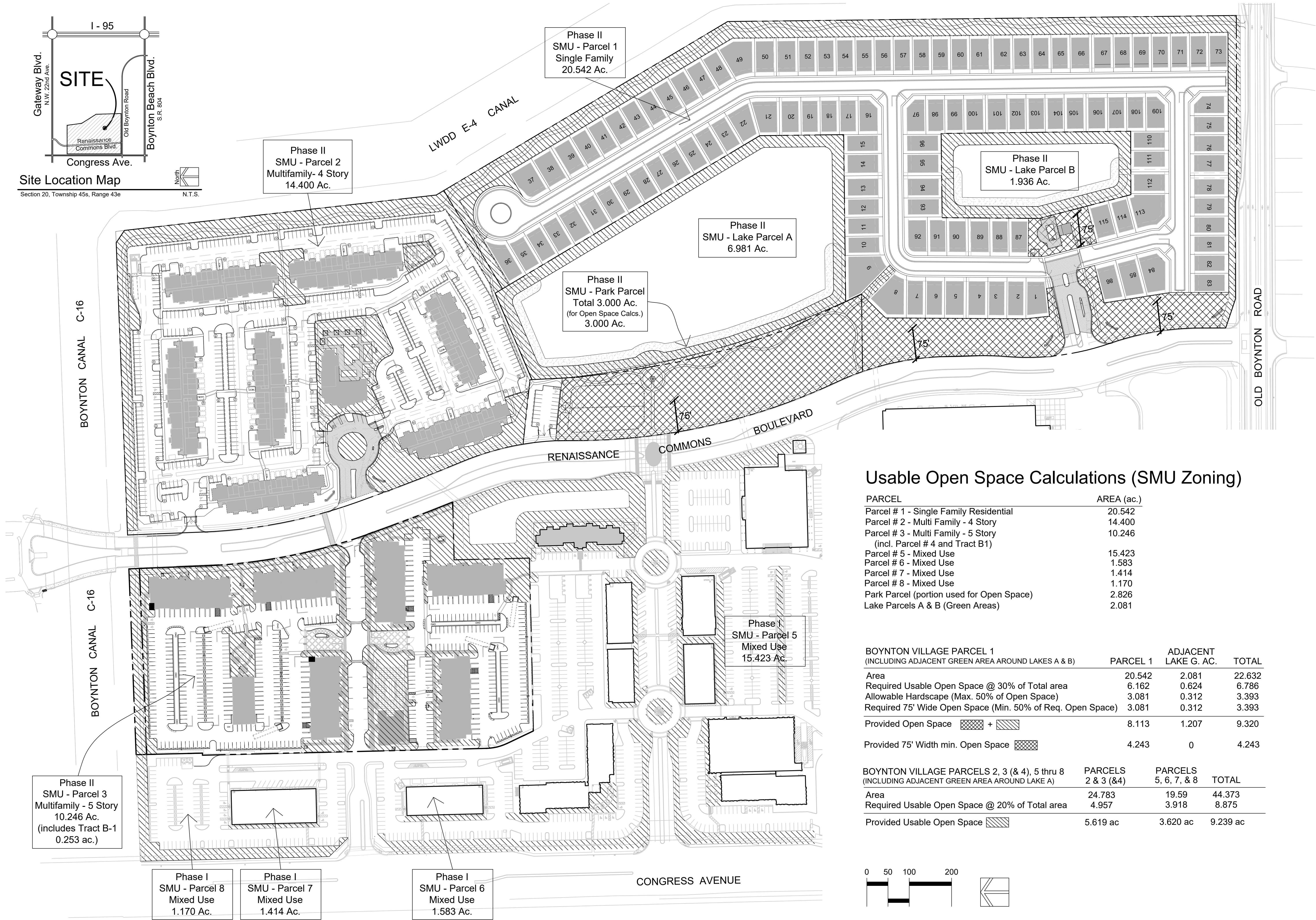
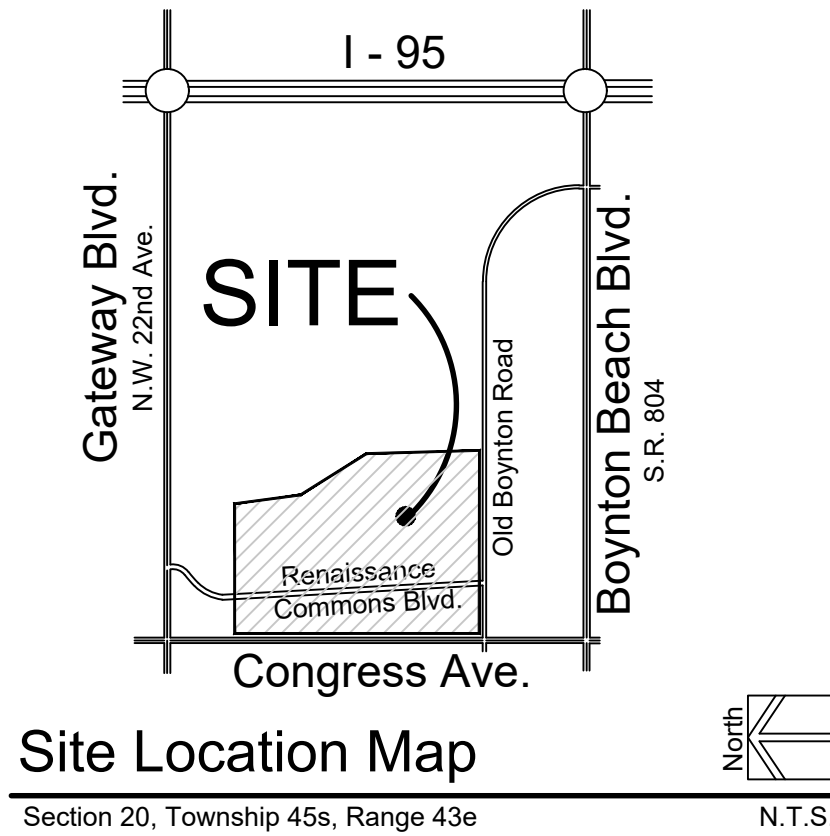
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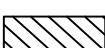


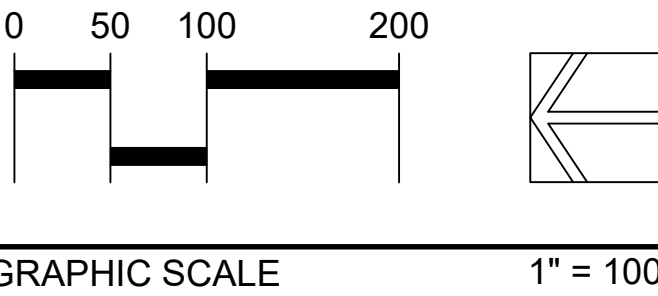


Usable Open Space Calculations (SMU Zoning)

| PARCEL   | AREA (ac.) |
|--|------------|
| Parcel # 1 - Single Family Residential                                 | 20.542     |
| Parcel # 2 - Multi Family - 4 Story                                    | 14.400     |
| Parcel # 3 - Multi Family - 5 Story<br>(incl. Parcel # 4 and Tract B1) | 10.246     |
| Parcel # 5 - Mixed Use   | 15.423     |
| Parcel # 6 - Mixed Use   | 1.583      |
| Parcel # 7 - Mixed Use   | 1.414      |
| Parcel # 8 - Mixed Use   | 1.170      |
| Park Parcel (portion used for Open Space)                              | 2.826      |
| Lake Parcels A & B (Green Areas)                                       | 2.081      |

| BOYNTON VILLAGE PARCEL 1<br>(INCLUDING ADJACENT GREEN AREA AROUND LAKES A & B)  | PARCEL 1 | ADJACENT<br>LAKE G. AC. | TOTAL  |
|---|----------|-------------------------|--------|
| Area  | 20.542   | 2.081                   | 22.632 |
| Required Usable Open Space @ 30% of Total area  | 6.162    | 0.624                   | 6.786  |
| Allowable Hardscape (Max. 50% of Open Space)  | 3.081    | 0.312                   | 3.393  |
| Required 75' Wide Open Space (Min. 50% of Req. Open Space)  | 3.081    | 0.312                   | 3.393  |
| Provided Open Space  +  | 8.113    | 1.207                   | 9.320  |
| Provided 75' Width min. Open Space   | 4.243    | 0                       | 4.243  |

| BOYNTON VILLAGE PARCELS 2, 3 (& 4), 5 thru 8<br>(INCLUDING ADJACENT GREEN AREA AROUND LAKE A)                    | PARCELS<br>2 & 3 (& 4) | PARCELS<br>5, 6, 7, & 8 | TOTAL    |
|--|------------------------|-------------------------|----------|
| Area   | 24.783                 | 19.59                   | 44.373   |
| Required Usable Open Space @ 20% of Total area   | 4.957                  | 3.918                   | 8.875    |
| Provided Usable Open Space  | 5.619 ac               | 3.620 ac                | 9.239 ac |



|          |     |  |
|----------|-----|--|
| 06-12-17 | SET | Per Staff review 6-12-17 (SMU-Parcel 3)  |
| 03-30-17 | SET | Per Staff review 3-30-17 (SMU-Parcel 3)  |
| 01-22-17 | SET | Per Staff review 1-22-17 (SMU-Parcel 3)  |
| 11-16-16 | SET | Per Staff review 11-16-16 (SMU-Parcel 3) |
| 09-24-16 | SET | Per Staff review 09-24-16 (SMU-Parcel 3) |
| 01-20-15 | SET | Per Staff review 01-20-15 (SMU-Parcel 3) |
| 01-20-15 | SET | Per Staff review 01-20-15 (SMU-Parcel 3) |

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Urban Planning • Landscape Architecture

**Master Plan**

**Usable Open Space**

**Boynton Village SMU & C3**

Boynton Beach Florida

|       |            |
|-------|------------|
| Date  | 11-04-2014 |
| Scale | AS SHOWN   |
| PN#   | 1069       |

Steven E. Tate  
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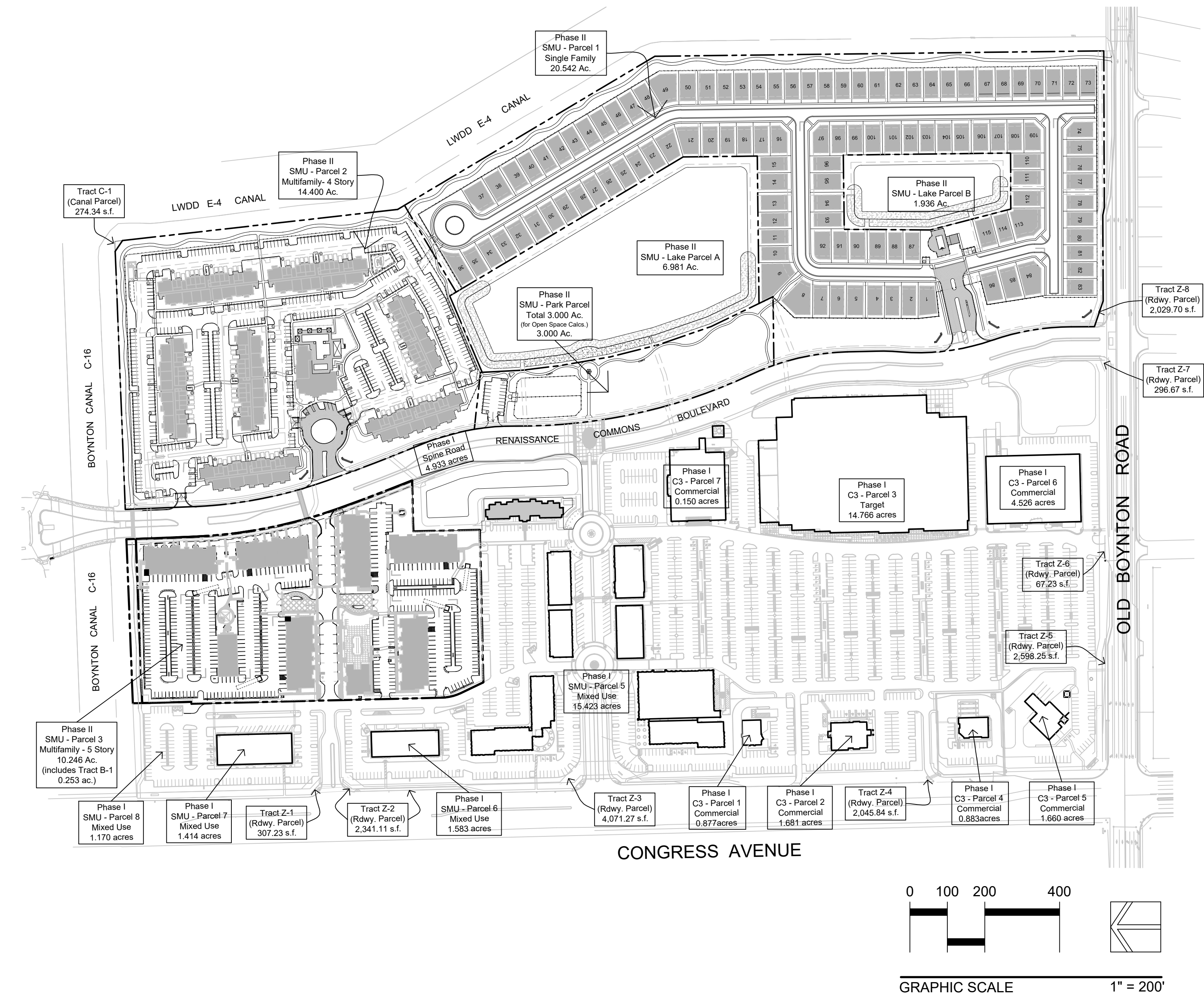
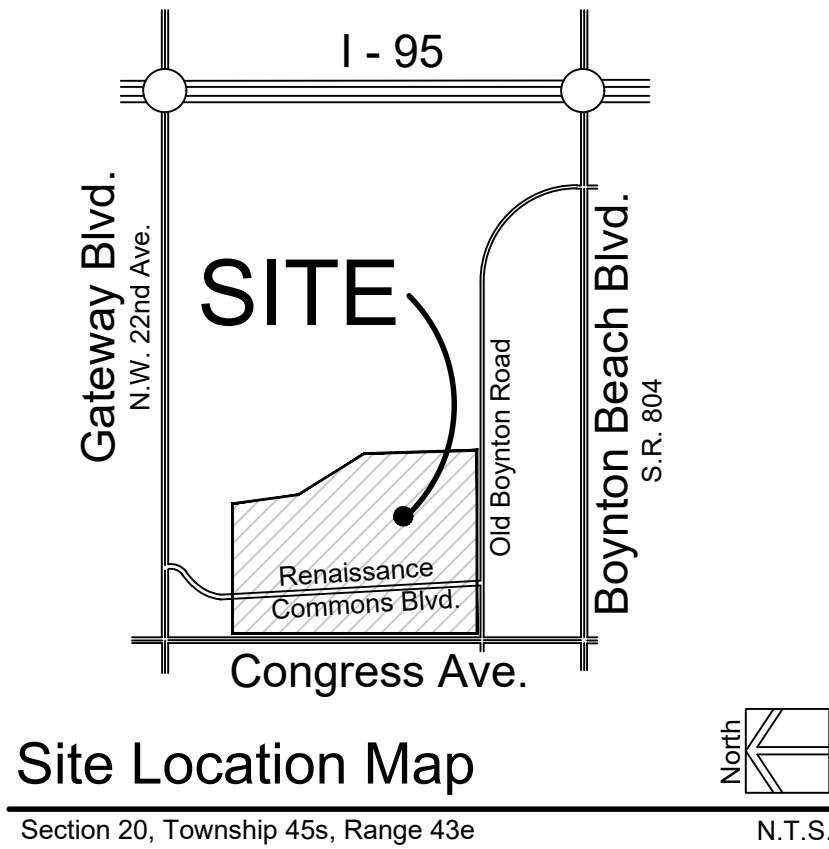
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OF 1





## Master Site Plan Parcel Data

### MASTER PLAN PARCEL DATA APPROVED

| APPROVED  |  | SF                         |  | Apartments   |  | Condos          |  |                         |  |                           |  |                           |               |          |          |         |           |           |        |
|---|--|----------------------------|--|--------------|--|-----------------|--|-------------------------|--|---------------------------|--|---------------------------|---------------|----------|----------|---------|-----------|-----------|--------|
| Phase Totals  |  | Cortina at Boynton Village |  |              |  | Boynton Village |  |                         |  | Boynton Town Center       |  | Totals in Acres           | % of the site |          |          |         |           |           |        |
|   |  | SMU Parcel 1               |  | SMU Parcel 2 |  | SMU Parcel 3    |  | SMU Parcel 5, 6, 7, & 8 |  | C3 - #1, 2, 3, 4, 5, 6, 7 |  |                           |               |          |          |         |           |           |        |
| 1. Zoning District  |  | SMU                        |  | SMU          |  | SMU             |  | SMU                     |  | C3                        |  |                           |               |          |          |         |           |           |        |
| 2. Area of Site   |  | 20,542                     |  | 14,400       |  | 10,246          |  | 19,590                  |  | 24,543                    |  | 89.321                    |               |          |          |         |           |           |        |
| 3. Land Use - Acreage Breakdown   |  |                            |  |              |  |                 |  |                         |  |                           |  |                           |               |          |          |         |           |           |        |
| a. Residential  |  | 16,232                     |  | 12,490       |  | 9,306           |  | 0,160                   |  | 0,000                     |  | 38,188                    | 42.8%         |          |          |         |           |           |        |
| b. Commercial   |  | 0,000                      |  | 0,000        |  | 0,000           |  | 18,620                  |  | 24,543                    |  | 43,163                    | 48.3%         |          |          |         |           |           |        |
| c. Recreation Area (excluding water area)   |  | 4,310                      |  | 1,910        |  | 0,940           |  | 0,000                   |  | 0,000                     |  | 7,160                     | 8.0%          |          |          |         |           |           |        |
| d. Parking Garage   |  | 0,000                      |  | 0,000        |  | 0,000           |  | 0,000                   |  | 0,000                     |  | 0,000                     | 0.0%          |          |          |         |           |           |        |
| e. Mixed Use  |  | 0,000                      |  | 0,000        |  | 0,000           |  | 0,370                   |  | 0,000                     |  | 0,370                     | 0.4%          |          |          |         |           |           |        |
| f. Other Areas  |  | 0,000                      |  | 0,000        |  | 0,000           |  | 0,440                   |  | 0,000                     |  | 0,440                     | 0.5%          |          |          |         |           |           |        |
| g. Total Area of Site   |  | 20,542                     |  | 14,400       |  | 10,246          |  | 19,590                  |  | 24,543                    |  | 89.321                    | 100.0%        |          |          |         |           |           |        |
| 4. Surface Cover  |  |                            |  |              |  |                 |  |                         |  |                           |  |                           |               |          |          |         |           |           |        |
| a. Ground Floor Area (building footprint)   |  | 5,069                      |  | 2,959        |  | 1,957           |  | 3,576                   |  | 5,732                     |  | 19,293                    | 21.6%         |          |          |         |           |           |        |
| single family   |  | 5,069                      |  | 0,000        |  | 0,000           |  |                         |  |                           |  |                           |               |          |          |         |           |           |        |
| apartments  |  | 0,000                      |  | 2,745        |  | 1,917           |  |                         |  |                           |  |                           |               |          |          |         |           |           |        |
| leasing office / recreation   |  | 0,018                      |  | 0,202        |  | 0,140           |  | 0,000                   |  | 0,000                     |  | 0,359                     | 0.4%          |          |          |         |           |           |        |
| b. Water Area (including swimming pools)  |  | 0,040                      |  | 0,053        |  | 0,035           |  | 0,440                   |  | 0,410                     |  | 0,978                     | 1.1%          |          |          |         |           |           |        |
| c. Other Impervious Areas - including paved area of public private streets, parking lots, driveways, and sidewalks, patios, decks and athletic courts |  | 5,975                      |  | 7,473        |  | 5,475           |  | 0,000                   |  | 0,000                     |  | 18,923                    | 21.2%         |          |          |         |           |           |        |
|   |  | 0,000                      |  | 0,000        |  | 0,000           |  | 0,000                   |  | 0,000                     |  | 0,000                     | 0.0%          |          |          |         |           |           |        |
|   |  | 0,000                      |  | 0,000        |  | 0,000           |  | 9,416                   |  | 14,947                    |  | 24,363                    | 27.3%         |          |          |         |           |           |        |
| d. Total Impervious Area  |  | 11,102                     |  | 10,472       |  | 7,567           |  | 13,432                  |  | 21,089                    |  | 63,662                    | 71.3%         |          |          |         |           |           |        |
| e. Landscape Areas  |  | 9,440                      |  | 3,928        |  | 2,679           |  | 6,158                   |  | 3,454                     |  | 25,659                    | 28.7%         |          |          |         |           |           |        |
| f. Other Pervious Areas   |  | 0,000                      |  | 0,000        |  | 0,000           |  | 0,000                   |  | 0,000                     |  | 0,000                     | 0.0%          |          |          |         |           |           |        |
| g. Total Pervious Area  |  | 9,440                      |  | 3,928        |  | 2,679           |  | 6,158                   |  | 3,454                     |  | 25,659                    | 28.7%         |          |          |         |           |           |        |
| h. Total Area of Site   |  | 20,542                     |  | 14,400       |  | 10,246          |  | 19,590                  |  | 24,543                    |  | 89.321                    | 100.0%        |          |          |         |           |           |        |
| 5. Floor Area   |  | SF                         |  | AC           |  | SF              |  | AC                      |  | SF                        |  | AC                        |               | TOTAL SF | TOTAL AC |         |           |           |        |
| a. Residential  |  | 441,600                    |  | 10,138       |  | 471,664         |  | 10,828                  |  | 413,533                   |  | 9,493                     |               | 12,000   | 0.275    | 0.000   | 1,338,797 | 30.735    |        |
| b. Recreation / Leasing Office  |  | 775                        |  | 0.090        |  | 8,786           |  | 0.202                   |  | 8,670                     |  | 0.199                     |               | 0        | 0.000    | 0       | 0.000     | 18,231    | 0.491  |
| c. Commercial Retail / Shopping   |  | 0                          |  | 0.000        |  | 0               |  | 0.000                   |  | 0                         |  | 0.000                     |               | 124,562  | 2.860    | 229,608 | 6,064     | 8.924     |        |
| d. Commercial Retail /open not part of building area  |  | 0                          |  | 0.000        |  | 0               |  | 0.000                   |  | 0                         |  | 0.000                     |               | 0        | 0.000    | 4,970   | 0.114     | 0.970     | 0.114  |
| e. Commercial Restaurant  |  | 0                          |  | 0.000        |  | 0               |  | 0.000                   |  | 0                         |  | 0.000                     |               | 24,393   | 0.560    | 10,329  | 0.237     | 34,722    | 0.797  |
| f. Bank   |  | 0                          |  | 0.000        |  | 0               |  | 0.000                   |  | 0                         |  | 0.000                     |               | 5,087    | 0.111    | 1,660   | 0.037     | 5,087     | 0.111  |
| g. Office   |  | 0                          |  | 0.000        |  | 0               |  | 0.000                   |  | 0                         |  | 0.000                     |               | 22,240   | 0.511    | 0       | 0.000     | 22,240    | 0.511  |
| h. Total Residential Floor Area   |  | 441,600                    |  | 10,138       |  | 471,664         |  | 10,828                  |  | 413,533                   |  | 9,493                     |               | 12,000   | 0.275    | 0       | 0.000     | 1,338,797 | 30.735 |
| i. Total non-residential Floor Area   |  | 775                        |  | 0.018        |  | 8,786           |  | 0.202                   |  | 8,670                     |  | 0.199                     |               | 171,195  | 3.930    | 249,994 | 5.739     | 439,420   | 10.088 |
| 6. Number of Residential Dwelling Units   |  |                            |  |              |  |                 |  |                         |  |                           |  |                           |               | TOTALS   |          |         |           |           |        |
| a. Multi-family   |  |                            |  |              |  |                 |  |                         |  |                           |  |                           |               |          |          |         |           |           |        |
| 1 bedroom   |  |                            |  |              |  | 152             |  | 171                     |  |                           |  |                           |               |          |          |         |           | 323       |        |
| 2 bedroom   |  |                            |  |              |  | 142             |  | 93                      |  |                           |  |                           |               |          |          |         |           | 235       |        |
| 3 bedroom   |  |                            |  |              |  | 56              |  | 60                      |  |                           |  | 8                         |               |          |          |         |           | 124       |        |
| b. Single-family  |  |                            |  |              |  |                 |  |                         |  |                           |  |                           |               |          |          |         |           | 0         |        |
| 1 bedroom   |  |                            |  |              |  |                 |  |                         |  |                           |  |                           |               |          |          |         |           | 0         |        |
| 2 bedroom   |  |                            |  |              |  |                 |  |                         |  |                           |  |                           |               |          |          |         |           | 0         |        |
| 3 bedroom   |  |                            |  | 103          |  |                 |  |                         |  |                           |  |                           |               |          |          |         |           | 103       |        |
| 4 bedroom   |  |                            |  | 12           |  |                 |  |                         |  |                           |  |                           |               |          |          |         |           | 12        |        |
| c. Total Dwelling Units   |  | 115                        |  | 350          |  | 324             |  | 8                       |  | 0                         |  | 797                       |               |          |          |         |           |           |        |
| 7. Gross Dwelling - Units per Acre  |  | 5.60                       |  | 24.31        |  | 31.62           |  | 0.41                    |  |                           |  | Varies according to phase |               |          |          |         |           |           |        |

| 8. Parking calculations                             | Required                   | Provided | Required | Provided | Required        | Provided | Required | Provided | Required            | Provided | Required             | Provided |
|---|----------------------------|----------|----------|----------|-----------------|----------|----------|----------|---------------------|----------|----------------------|----------|
| Recreation / Leasing Office                         | 5                          | 5        | 5        | 5        | 7               | 10       | 0        |          |                     |          |                      | 17       |
| Multi-family parking                                |                            |          |          |          |                 |          |          |          |                     |          |                      |          |
| One bedroom units @ 1.5 parking spaces              |                            |          | 228      | 228      | 257             | 257      | 0        |          |                     |          | 485                  |          |
| Two bedroom units @ 2.0 parking spaces              |                            |          | 284      | 284      | 186             | 186      | 0        |          |                     |          | 470                  |          |
| Three bedroom units @ 2.0 parking spaces            |                            |          | 112      | 112      | 120             | 120      | 16       |          |                     |          | 248                  |          |
| Guest Parking                                       |                            |          | 53       | 63       | 49              | 49       | 2        |          |                     |          | 104                  |          |
| Single-family parking @ 2.0 parking spaces per unit | 230                        | 460      |          |          |                 |          |          |          |                     |          | 230                  |          |
| Shopping Center @ 1.0 space per 200 SF area         |                            |          |          |          |                 |          |          |          |                     |          |                      |          |
| Retail Area   |                            |          |          |          |                 |          | 623      |          | 1173                |          | 1796                 |          |
| Restaurant Area                                     |                            |          |          |          |                 |          | 122      |          | 52                  |          | 174                  |          |
| Bank Area   |                            |          |          |          |                 |          | 0        |          | 25,435              |          | 25                   |          |
| Office  |                            |          | 3        | 3        | 0               | 0        | 111      |          | 0                   |          | 114                  |          |
| Total Required Parking                              | 235                        |          | 685      |          | 619             |          | 874      |          | 1250                |          | 3663                 |          |
| Surface Parking (inc. 2 EV Charging spaces)         | 235                        | 235      |          | 597      |                 | 516      |          | 795      |                     | 1294     |                      | 3437     |
| Garages including ground level                      |                            | 230      |          | 98       |                 | 106      |          | 0        |                     | 0        |                      | 434      |
| Total Parking Provided                              |                            | 465      |          | 695      |                 | 622      |          | 795      |                     | 1294     |                      | 3871     |
| Net Difference                                      | 230                        | 230      |          | 10       | plus            | 3        | minus    | -79      | plus                | 44       |                      | 208      |
| Accessible Parking                                  | 231                        | 231      | 8        | 20       | 14              | 19       | 18       | 26       | 34                  | 37       | 305                  | 333      |
|   | Cortina at Boynton Village |          |          |          | Boynton Village |          |          |          | Boynton Town Center |          | Overall Phase Totals |          |

|                                   |                |          |        |  |
|-----------------------------------|----------------|----------|--------|--|
|                                   |                |          | 1      |  |
| Master Site Plan Parcel Data      | Parcel         | Acreeage |        | <div>Non Residential Parking</div> <div>For SMU Parcels 5-8 &amp; Boynton Town Center C3-<br/>Total Required Parking - 2124 spaces<br/>10% Joint Use Reduction (LDR Chap. 4 Art. 5, Sec. 3.B.) - 1912 (-212 spaces)<br/>Total Provided Parking - 2089 spaces</div> |
|                                   | SMU Parcel 1   | 20.542   |        |  |
|                                   | SMU Parcel 2   | 14.400   |        |  |
|                                   | SMU Parcel 3   | 10.246   |        |  |
|                                   | SMU Parcel 5   | 15.423   |        |  |
|                                   | SMU Parcel 6   | 1.583    |        |  |
|                                   | SMU Parcel 7   | 1.414    |        |  |
|                                   | SMU Parcel 8   | 1.170    |        |  |
|                                   | SMU Lake       | 8.918    |        |  |
|                                   | SMU Park       | 3.000    |        |  |
|                                   | Spine Road     | 4.933    |        |  |
| Sub total for density calculation |                |          | 81.629 |  |
|                                   | C3 Parcel 1    | 0.877    |        | <div>Phase Note</div> <div>Phase I = Lake Parcel, Spine Road, SMU Parcels 5, 6, &amp; 7, C3 Parcels 1 thru 7<br/>Phase II = SMU Parcels 1, 2, 3, 4, &amp; Park Parcel</div>  |
|                                   | C3 Parcel 2    | 1.681    |        |  |
|                                   | C3 Parcel 3    | 14.786   |        |  |
|                                   | C3 Parcel 4    | 0.883    |        |  |
|                                   | C3 Parcel 5    | 1.660    |        |  |
|                                   | C3 Parcel 6    | 4.526    |        |  |
|                                   | C3 Parcel 7    | 0.150    |        |  |
|                                   | Tract C1 Canal |          |        | <div>Density</div> <div>SMU Density = Total # of Residential Units / Total Acres SMU Zoning Including Spine Road<br/>SMU Density = 797 dwelling units / 81.629 Acres = 9.76 dwelling units per acre</div>  |
| Roadway Parcels                   |                |          |        |  |
|                                   | Tract Z-1      | 0.007    |        |  |
|                                   | Tract Z-2      | 0.064    |        |  |
|                                   | Tract Z-3      | 0.093    |        |  |
|                                   | Tract Z-4      | 0.047    |        |  |
|                                   | Tract Z-5      | 0.060    |        |  |
|                                   | Tract Z-6      | 0.002    |        |  |
|                                   | Tract Z-7      | 0.007    |        |  |
|                                   | Tract Z-8      | 0.047    |        |  |
| Total Site Acreeage               |                | 106.499  |        |  |

## EXHIBIT “C”

### Conditions of Approval

Project Name: Boynton Village & Town Center  
 File number: MPMD 17-004  
 Reference: 1<sup>st</sup> review plans identified as a Master Plan Modification with a June 14, 2017 Planning and Zoning Department date stamp marking.

| DEPARTMENTS   | INCLUDE | REJECT |
|---|---------|--------|
| <b>ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES</b>  |         |        |
| Comments: None  |         |        |
| <b>FIRE</b>   |         |        |
| Comments: None  |         |        |
| <b>POLICE</b>   |         |        |
| Comments: None  |         |        |
| <b>BUILDING DIVISION</b>  |         |        |
| Comments: None  |         |        |
| <b>PARKS AND RECREATION</b>   |         |        |
| Comments: None  |         |        |
| <b>PLANNING AND ZONING</b>  |         |        |
| Comments:   |         |        |
| 1. It is the applicant's responsibility to ensure that the application requests are publicly advertised in accordance with Ordinance 04-007 and Ordinance 05-004 and an affidavit provided to the City Clerk. | X       |        |
| 2. Any changes to the Major Site Plan Modification drawings which impact the Master Plan shall be reflected on these pages as well.   | X       |        |
| <b>COMMUNITY REDEVELOPMENT AGENCY</b>   |         |        |
| Comments: N/A   |         |        |

| DEPARTMENTS  | INCLUDE | REJECT |
|--|---------|--------|
|  |         |        |
| <b>PLANNING &amp; DEVELOPMENT BOARD CONDITIONS</b> |         |        |
| Comments: None                                     |         |        |
| <b>CITY COMMISSION CONDITIONS</b>                  |         |        |
| Comments: To be determined.                        |         |        |

S:\Planning\SHARED\WP\PROJECTS\Boynton Village & Town Center\Master Plan\MPMD 17-004\COA.doc

**DEVELOPMENT ORDER OF THE CITY COMMISSION OF THE  
CITY OF BOYNTON BEACH, FLORIDA**

PROJECT NAME: Boynton Village & Town Center (MPMD 17-004)

APPLICANT'S AGENT: Jeffrey Bartel, Berger Singerman LLP

AGENT'S ADDRESS: 1450 Brickell Avenue, Suite 1900, Miami, FL 33131

DATE OF HEARING RATIFICATION BEFORE CITY COMMISSION: July 18, 2017

TYPE OF RELIEF SOUGHT: Master Plan Modification to the Boynton Village & Town Center development to amend the previous approvals for SMU Parcels 1, 2 & 3 within Boynton Village & Town Center from 643 condominiums, 350 apartments and 115 single-family homes to 674 apartments and 115 single-family homes.

LOCATION OF PROPERTY: NE corner of Congress Avenue and Old Boynton Road

DRAWING(S): SEE EXHIBIT "B" ATTACHED HERETO.

\_\_\_\_\_ THIS MATTER came on to be heard before the City Commission of the City of Boynton Beach, Florida on the date of hearing stated above. The City Commission having considered the relief sought by the applicant and heard testimony from the applicant, members of city administrative staff and the public finds as follows:

1. Application for the relief sought was made by the Applicant in a manner consistent with the requirements of the City's Land Development Regulations.
2. The Applicant  
    \_\_\_ HAS  
    \_\_\_ HAS NOT  
  
established by substantial competent evidence a basis for the relief requested.
3. The conditions for development requested by the Applicant, administrative staff, or suggested by the public and supported by substantial competent evidence are as set forth on Exhibit "D" with notation "Included".
4. The Applicant's application for relief is hereby  
    \_\_\_ GRANTED subject to the conditions referenced in paragraph 3 hereof.  
    \_\_\_ DENIED
5. This Order shall take effect immediately upon issuance by the City Clerk.
6. All further development on the property shall be made in accordance with the terms and conditions of this order.
7. Other \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Approve request to construct 324 apartments and related site improvements on SMU Parcel 3 of the Boynton Village & Town Center master planned development, located on a 10.246-acre vacant tract on the west side of Renaissance Commons Boulevard, immediately south of the Boynton (C-16) Canal, in the SMU (Suburban Mixed Use) zoning district. Applicant: Jeffrey Bartel, Berger Singerman LLP.

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**EXPLANATION OF REQUEST:**

This companion application to the Boynton Village & Town Center Master Plan Modification (MPMD 17-004) proposes to construct 324 apartments within six (6), five-story buildings on Parcel 3, amending the previous approval for 643 condominium units located within two (2) six-story towers.

A similar request was withdrawn by the applicant at the Commission's June 20, 2017 meeting. The applicant withdrew their applications in order to re-examine their development plan. After consideration and a slight re-design, the agent submitted this new application for Major Site Plan Modification (MSPM 17-006) essentially adding six (6) more apartment units to SMU Parcel 3 (an increase from 318 to 324 units) and provides for additional parking.

The Planning & Development Board reviewed this request at their June 27, 2017 meeting and recommends approval, subject to the Conditions of Approval. The Board added two (2) conditions of approval to their recommendation, including 1) applicant to work with staff to determine potential opportunities mutually agreeable, where possible, to replace palm trees with oak trees, and 2) placement of the two (2) proposed EV charging stations in the parking area immediately around the clubhouse.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** N/A

**FISCAL IMPACT:** Revenue associated with permit fees, business tax fees, and increased property tax valuation.

**ALTERNATIVES:** None recommended.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?**

**Grant Amount:**

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**ATTACHMENTS:**

| Type  | Description            |
|---|------------------------|
| <input type="checkbox"/> Staff Report           | Staff Report           |
| <input type="checkbox"/> Location Map           | Location Map           |
| <input type="checkbox"/> Drawings               | Site Plan              |
| <input type="checkbox"/> Drawings               | Site Plan              |
| <input type="checkbox"/> Drawings               | Site Plan              |
| <input type="checkbox"/> Drawings               | Site Plan              |
| <input type="checkbox"/> Drawings               | Survey                 |
| <input type="checkbox"/> Drawings               | Building Elevations    |
| <input type="checkbox"/> Drawings               | Building Elevations    |
| <input type="checkbox"/> Drawings               | Landscape Plans        |
| <input type="checkbox"/> Drawings               | Site Amenities         |
| <input type="checkbox"/> Conditions of Approval | Conditions of Approval |
| <input type="checkbox"/> Development Order      | Development Order      |


**REVIEWERS:**


| Department             | Reviewer         | Action   | Date                 |
|------------------------|------------------|----------|----------------------|
| Planning and Zoning    | Rumpf, Michael   | Approved | 6/30/2017 - 11:58 AM |
| Planning and Zoning    | Mack, Andrew     | Approved | 7/10/2017 - 5:12 PM  |
| Planning and Zoning    | Groff, Colin     | Approved | 7/11/2017 - 9:38 AM  |
| Assistant City Manager | Groff, Colin     | Approved | 7/11/2017 - 9:39 AM  |
| City Manager           | LaVerriere, Lori | Approved | 7/14/2017 - 10:00 AM |

**DEVELOPMENT DEPARTMENT  
PLANNING AND ZONING DIVISION  
MEMORANDUM NO. PZ 17-031**

**STAFF REPORT**

**TO:** Chair and Members  
Planning and Development Board and City Commission

**THRU:** Michael Rumpf   
Planning and Zoning Director

**FROM:** Ed Breese   
Principal Planner

**DATE:** June 15, 2017

**PROJECT NAME/NO:** Alta at Cortina (MSPM 17-006)

**REQUEST:** Major Site Plan Modification

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**PROJECT DESCRIPTION**

**Property Owner:** Alta Boynton, LLC

**Applicant:** Alta Boynton, LLC

**Agent:** Jeffrey Bartel, Berger Singerman LLP

**Location:** Boynton Village & Town Center – SMU Parcel 3, the vacant tract located on the west side of Renaissance Commons Boulevard, immediately south of the C-16 Boynton Canal (see Exhibit “A” – Location Map).

**Existing Land Use:** MX-S (Mixed Use Suburban)

**Existing Zoning:** SMU (Suburban Mixed Use)

**Proposed Land Use:** No change proposed

**Proposed Zoning:** No change proposed

**Proposed Use:** Request for major site plan modification approval to construct 324 apartments and related site improvements.

**Acreage:** 10.246-acres of the entire 106.499-acre Boynton Village & Town Center parcel.

**Adjacent Uses:**

**North:** Right-of-way for the Boynton Canal (C-16), then farther north is the Renaissance Commons mixed use development, zoned SMU (Suburban Mixed Use);

**South:** Existing commercial development within Boynton Village & Town Center, zoned



SMU (Suburban Mixed Use);

**East:** Right-of-way for Renaissance Commons Boulevard, then farther east is the Cortina Apartment complex, currently under construction, zoned SMU (Suburban Mixed Use); and

**West:** Developed commercial buildings within Boynton Village & Town Center, then farther west is right-of-way for Congress Avenue and the Boynton Beach Mall.

**Site Details:** The project site is a vacant 10.246-acre portion of the 106.499-acre Boynton Village & Town Center master planned development.

### **BACKGROUND**

**Proposal:** Mr. Jeffrey Bartel, Esq., of Berger Singerman LLP, representing Alta Boynton, LLC, is requesting approval to construct 324 apartments and related site improvements on SMU Parcel 3 of the Boynton Village & Town Center master planned development. This application was filed with the companion application to amend the Master Plan (MPMD 17-004) to revise the development designated for SMU Parcel 3 from 643 condominium units to 324 apartments within six (6) 5-story buildings. The Planning & Development Board heard a request from Berger Singerman for Master Plan Modification and Major Site Plan Modification (MPMD 17-003 and MSPM 17-002) at their May 23, 2017 meeting. The applicant withdrew their applications in order to re-examine their development plan. After consideration and a slight re-design, the agent submitted this new application for Major Site Plan Modification (MSPM 17-006) and companion application for Master Plan Modification (MPMD 17-004), which essentially adds six (6) more apartment units to SMU Parcel 3 (an increase from 318 to 324) and provides for additional parking.

The property is a former dairy farm that received land use amendment and rezoning approval in 2005. The portion of the property containing the Target and Best Buy stores was zoned C-3, Community Commercial, and the balance of the site was zoned SMU, Suburban Mixed Use, and approved with a corresponding master plan for development. Staff requested a master plan for the entire site, as the interconnectivity and shared amenities warranted a comprehensive review of the 106.499 acres. The original master plan depicted 405,328 square feet of commercial space (retail, restaurant, & office) plus 1,120 dwelling units.

The original Master Plan approval was subject to a CRALLS (Constrained Roadway At Lower Level of Service) designation for the Congress Avenue and Old Boynton Road intersection. A CRALLS designation is a tool utilized by Palm Beach County under their Traffic Performance Standards (TPS) review of projects, when there is not adequate right-of-way for intersection expansion to accommodate additional turn lanes and/or longer vehicle stacking for those turn lanes. The County required other on and off-site improvements to assist with improved vehicle, bicycle and pedestrian movement facilitation, including the construction of the 3 and 5 lane segments of Old Boynton Road from Congress Avenue to Boynton Beach Boulevard, the continuation of Renaissance Commons Boulevard across the C-16 Canal and connecting with Old Boynton Road, the widening of

Gateway Boulevard from Congress to High Ridge Road to 6 lanes, and the construction of the greenway path along the E-4 and C-16 canals. All of these improvements have been completed. A traffic signal at Old Boynton Road and Renaissance Commons Boulevard was installed within the last year.

## **ANALYSIS**

### **Concurrency:**

**Traffic:** The applicant submitted an updated traffic study to Palm Beach County Traffic Engineering. At the time of preparation of this staff report, staff has not received an approval letter from the County. With the reduction in the number of dwelling units and corresponding reduction in the number of vehicle trips, it is anticipated an approval will be granted. As a condition of approval of this Major Site Plan Modification request and companion Master Plan Modification (MPMD 17-004), no building permits shall be issued until such time as the approval letter is received.

**School:** The applicant has applied for school concurrency determination with the School Board of Palm Beach County. As of the preparation of this agenda item, the City has not received the determination in writing, so a condition of approval has been added that the approval of the project is subject to receipt of a concurrency approval letter from the School District, and no permits shall be issued until its receipt.

**Utilities:** The City's water capacity, as increased through the purchase of up to 5 million gallons of potable water per day from Palm Beach County Utilities, would meet the projected potable water for this project. Sufficient sanitary sewer and wastewater treatment capacity is also currently available to serve the project, subject to the applicant making a firm reservation of capacity, following site plan approval.

**Police / Fire:** Staff reviewed the site plan and determined that current staffing levels would be sufficient to meet the expected demand for services.

**Drainage:** Conceptual drainage information was provided for the City's review. The Engineering Division has found the conceptual information to be adequate and is recommending that the review of specific drainage solutions be deferred until time of permit review.

**Vehicular Access:** As a master planned development, there are a two (2) ingress/egress drives on the site. The Site Plan (Sheet SP-1) depicts an existing east/west connector street, linking Congress Avenue and Renaissance Commons Boulevard, and bisecting the site into a north and south parcel. Both the north and south parcel have access drives from this connector street, with gated entry points approximately 100 feet off of the connector street.

**Circulation:** Vehicular circulation would include two-way circulation that continues throughout all areas of the proposed development. Adequate access and circulation is provided for emergency and solid waste vehicles. Pedestrian access is provided to the greenway path along the north side through a walkway connection, and a southerly walkway connects to the existing commercial buildings to the south. The buildings fronting along Renaissance Commons Boulevard have direct access to

the sidewalk along the Boulevard from individual unit walkways. Additionally, there are walkways connecting the sidewalk along Renaissance Commons Boulevard to the two (2) small park amenities (one on the north parcel and one on the south).

**Parking:**

This apartment tract (SMU Parcel 3) is proposed to have 324 dwelling units (171 one bedroom, 93 two bedroom, and 60 three bedroom units). Parking for apartments is based upon the number of bedrooms, one and one-half (1.5) parking spaces for one bedroom units and two (2) spaces for two (2) or more bedroom units. Based upon the calculations, 257 spaces are required for the one bedroom units and 306 spaces for all other units. There is also a calculation for guest parking of 0.15 spaces per unit, and based upon the 324 units, 49 guest parking spaces are required, as well as 5 parking spaces for the recreational amenity and 2 spaces for the leasing office. In total, 619 parking spaces are required and 622 are provided (85 spaces within individual garages attached to the units, 21 within a small standalone garage, and 516 surface parking spaces) for an excess of 3 parking spaces. A total of 13 handicap parking spaces are required by code, and 19 are being provided.

All proposed parking stalls, including the size and location of the handicap space, were reviewed and approved by both the Engineering Division and Building Division. In addition, all necessary traffic control signage and pavement markings will be provided to clearly delineate areas on site and direction of circulation.

**Landscaping:**

The applicant has designed landscape plans consistent with the planting scheme of the developed portions of Boynton Village & Town Center. The landscape plan (Sheet LP-4) depicts the use of Green Buttonwood, Beautyleaf, Live Oak, Gumbo Limbo, Golden Rain and Magnolia canopy trees, and Cocoanut, Royal, Sabal and Montgomery palm trees. Typical shrubs include Red Tip Cocoplum, Silver Buttonwood, Clusia, Seagrape, Ixora, Indian Hawthorne, and Dwarf Firebush. All plant material proposed is either high or medium drought tolerant.

**Building and Site:**

The 324 apartments are proposed on an approximately 10-acre parcel located on the west side of Renaissance Commons Boulevard, immediate south of the C-16 Canal, and east of, and behind the northernmost commercial portion of Boynton Village & Town Center that fronts on Congress Avenue. The dwelling units are proposed within six (6) 5-story buildings. The site is separated into a north and south parcel by a two-way drive that connects Congress Avenue to Renaissance Commons Boulevard. The north parcel contains three (3) apartment buildings, with 54 units each. The north parcel also contains a 21 car standalone garage structure and a small, centralized park. The south parcel also contains three (3) apartment buildings, with 54 units each. The recreation clubhouse and pool amenity, as well as another small park area, are located on the south parcel. The one (1) bedroom units are proposed to be between 750 and 834 square feet, while the two (2) bedroom units range from 1,089 to 1,164 square feet, and the three (3) bedroom units are designed to be between 1,201 and 1,294 square feet in size. The applicant has provided bike racks within the breezeways of each of the six (6) buildings, and 18 (eighteen) benches and waste receptacles scattered throughout the site, in compliance with the "Pedestrian & Bicyclist Amenities" chart from the Site Design Standards section of the Land Development Regulations..

**Building Height:**

As noted earlier, the site was previously approved for two (2) condominium

structures at six (6) stories in height. Both buildings were proposed with a roof deck at 60 feet in height, with the tallest parapet at 65 feet in height and the top of the stairwell roof at 71 feet, below the 75 feet in height maximum allowed within the SMU (Suburban Mixed Use) zoning district. Buildings in excess of 55 feet in height within the SMU district require conditional use approval, which the applicant received. The proposed new apartments are designed with sloped roofs. The height measurement for sloped roofs is to the midpoint between the eave and the ridge of the roof. The structures have a median roof height between 53' – 3" for Building Type I (see Sheet A-3.1.1), and 54' – 8" for Building Type II (see Sheets A-3.2.1). Since the measurement is below the 55 foot threshold, conditional use approval is not required.

**Design:**

In contrast to the apartments being constructed across the street, which have a modern style of architecture, the apartments proposed as part of the Alta at Cortina development have a slightly South Florida Mediterranean influence, with the barrel tile roofs, decorative brackets, outlookers and railings, stucco finish and color palette. According to the plans, the building walls are proposed as textured stucco, with raised scored stucco panels, and bronze aluminum railings. The building walls are proposed to be painted off-white and cream (Sherwin-Williams *Snowbound*, and *Pacer White*), with the brackets, outlookers and shutters painted brown.

**Public Art:**

The original approvals for this vacant parcel occurred prior to the adoption of the Art in Public Places ordinance and became vested through permit issuance. As the application does not intensify the original approval, staff has determined no additional arts fees are due.

**Site Lighting:**

All portions of the project are designed with site lighting that meets the City's lighting/illumination requirements. The applicant is utilizing a natural aluminum color post with a slim-line Gardco LED light fixture within the parking lot and park areas, which are proposed at a height of 20 feet to be compatible with the residential nature of the project and the developments across the canal. The fixtures are proposed to be shielded to eliminate any light trespass and minimize any external impacts off the property. The applicant is also proposing more decorative pole lights at the entry drives (Luminis), which has the appearance of torch lights. The wall lights also follow this decorative design through the utilization of a very similar fixture by Luminis.

**Signage:**

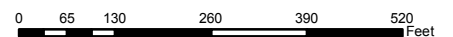
Proposed monument and wall signage is required to comply with the adopted Sign Program for Boynton Village & Town Center.

**RECOMMENDATION**

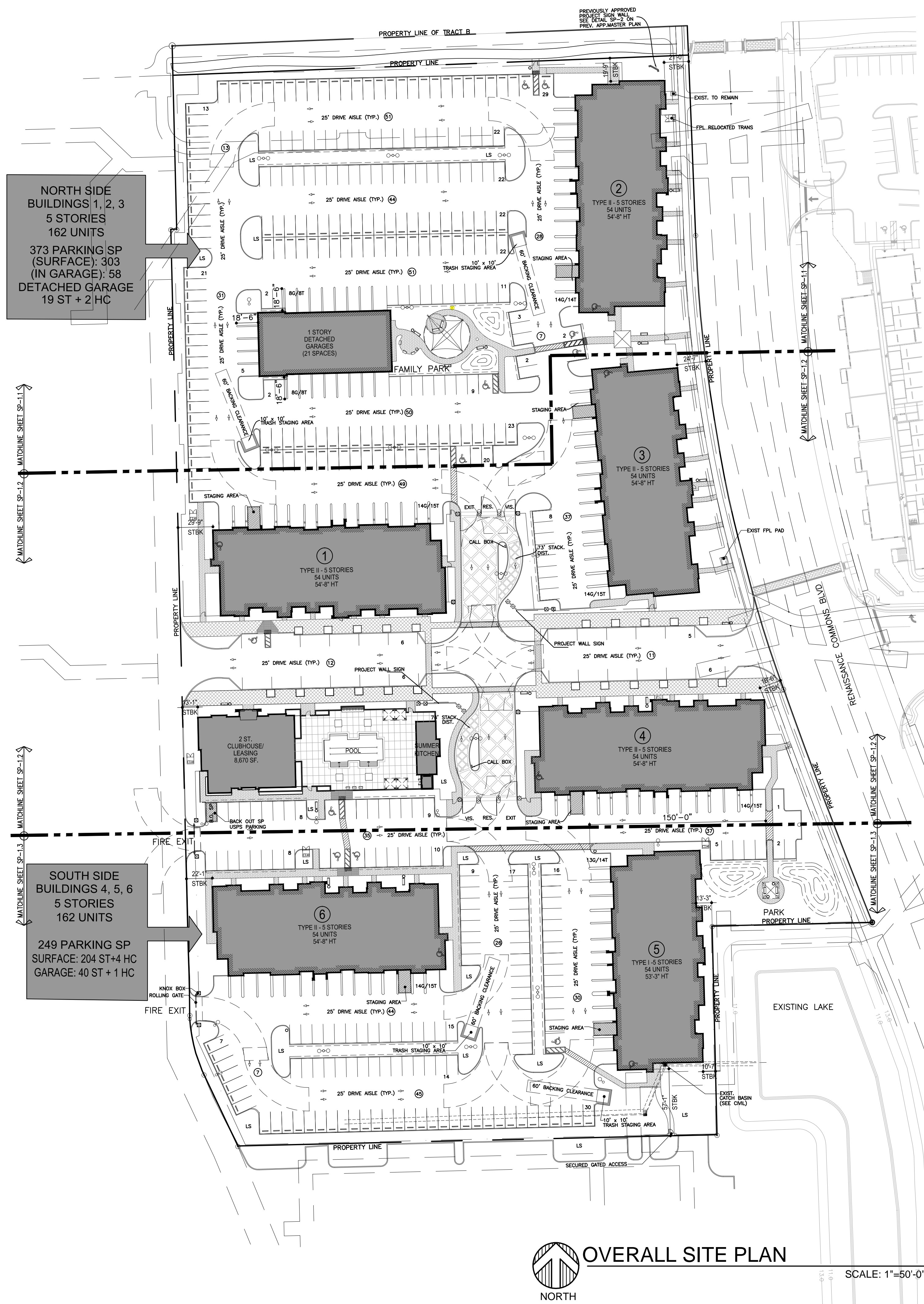
The Development Application Review Team (DART) has reviewed this request for major site plan modification approval and recommends approval contingent upon approval of the accompanying master plan modification and satisfying all comments indicated in Exhibit "C" – Conditions of Approval. Any additional conditions recommended by the Board or City Commission shall be documented accordingly in the Conditions of Approval.



# LOCATION MAP







NORTH SIDE  
BUILDINGS 1, 2, 3  
5 STORIES  
162 UNITS  
373 PARKING SP  
(SURFACE): 303  
(IN GARAGE): 58  
DETACHED GARAGE  
19 ST + 2 HC

SOUTH SIDE  
BUILDINGS 4, 5, 6  
5 STORIES  
162 UNITS  
249 PARKING SP  
SURFACE: 204 ST+4 HC  
GARAGE: 40 ST + 1 HC



## OVERALL SITE PLAN

SCALE: 1"=50'-0"

| SITE INFORMATION                                    |  |
|---|--|
| <b>Site Areas:</b>                                  |  |
| SMU Parcel 3: 10.246 acres                          |  |
| Less Tract B1 (25' Landscape Easement): 0.253 acres |  |
| Development Site area: 9.993 acres                  |  |
| <b>Zoning:</b> Suburban Mixed Use (SMU)-Parcel 3    |  |
| <b>Density:</b> 324 units                           |  |
| <b>Type of Use:</b> Multi Family                    |  |

| REGULATORY GUIDELINES                     |                               |  |
|---|-------------------------------|--|
| <b>Building Setbacks</b>                  |                               |  |
| Front                                     | Allowed<br>10'                | Provided<br>18'-9" to Bldg 4, 14'-5" to Bldg 5 |
| Rear                                      | 15'                           | 15' to CH, 22' to Bldg 6                       |
| Interior Side (North)                     | 10'                           | 45' to north PL of Tract B                     |
| Interior Side (South)                     | 10'                           | 56'-2"   |
| <b>Lot Coverage</b>                       |                               |  |
| Residential                               | Max Allowed                   | Provided<br>17.2% (1.720 ac)                   |
| Clubhouse                                 | Per Master Site Plan approval | 1.50% (0.150 ac)                               |
| Detached Garage                           |                               | 1.35% (0.135 ac)                               |
| Note: Calc based on Development Site Area |                               |  |

|  |                                   |                               |
|--|-----------------------------------|-------------------------------|
| <b>Useable Open Space</b>                  |                                   |                               |
| Multifamily Use                            | Required Min.<br>20% (2.05 acres) | Provided<br>26.2% (2.62acres) |
| Note: Calc based on SMU Parcel 3 Site Area |                                   |                               |

|  |   |   |
|--|---|---|
| <b>Building Height</b>                   |   |   |
| As measured from grade to median of roof | Allowed<br>55' max.<br>up to 75' w/ Conditional Use | Provided<br>Type I-(53'-3"- 5 story)<br>Type II-(54'-8"-5 story)<br>Clubhouse-(30'-2 story) |

|  |                          |             |
|--|--------------------------|-------------|
| <b>Off-Street Parking Required</b>   |                          |             |
| Residential  | # of units or SF         | # Spaces    |
| 1BD @ 1.5 sp/du  | 171 units                | 257 sp      |
| 2BD @ 2 sp/du  | 93 units                 | 186 sp      |
| 3BD @ 2 sp/du  | 60 units                 | 120 sp      |
| Visitor @ .15 sp/du  | 324 units                | 49 sp       |
| Sub-Total  |                          | 612 sp      |
| <b>Leasing Center Office @ 1sp/300 sf</b>  |                          |             |
|  | 500 sf                   | 2 sp        |
| <b>Recreation Center</b>   |                          |             |
|  | per approved master plan | 5 sp        |
| Grand Total  |                          | 619 sp      |
| <b>Provided</b>  |                          |             |
| Surface  | Standard<br>505 sp       | HC<br>11 sp |
| Tuck Under Garages   | 79 sp                    | 6 sp        |
| Detached Garage  | 19 sp                    | 2 sp        |
| Sub-Total  | 603 sp                   | 19 sp       |
| Total Provided   | 622 sp                   |             |
| <b>Parking Ratio Required:</b> 1.91 sp/unit                                      |                          |             |
| <b>Parking Ratio Provided:</b> 1.92 sp/unit                                      |                          |             |
| Note: Min provided ADA spaces meet ADA Standards for Accessible Design 4.1.2 (5) |                          |             |

| DEVELOPMENT SUMMARY        |                   |             |
|----------------------------|-------------------|-------------|
| <b>Proposed Bldg Types</b> |                   |             |
| Building Type              | # units/bldg      | Total Units |
| Type I                     | 54 units x 1 bldg | 54 units    |
| Type II                    | 54 units x 5 bldg | 270 units   |
| Totals                     |                   | 324 units   |
| <b>Total Unit Mix</b>      |                   |             |
| 1BD                        | 171 units         | 53%         |
| 2BD                        | 93 units          | 29%         |
| 3BD                        | 60 units          | 19%         |
| Total                      | 324 units         | 100%        |

| GROSS BUILDING SQUARE FOOTAGE |                |            |            |
|-------------------------------|----------------|------------|------------|
| Type of SF                    | Building Types | Type I     | Type II    |
| Leasable (NRSF)               |                | 50,167 sf  | 53,041 sf  |
| Non Leaseable                 |                | 7,921 sf   | 8,484 sf   |
| Storage                       |                | 280 sf     | 375 sf     |
| Garages                       |                | 4,061 sf   | 4,440 sf   |
| Terraces/Balcs                |                | 3,234 sf   | 3,234 sf   |
| Sub-Total                     |                | 65,663 sf  | 69,574 sf  |
| # Of Bldgs                    | 1 bldgs        | 5 bldgs    | 6 bldgs    |
| Totals                        |                | 65,663 sf  | 347,870 sf |
| Detached Garage               |                | 5,914 sf   |            |
| Clubhouse                     |                | 7,667 sf   |            |
| Grand Total                   |                | 427,114 sf |            |

| Unit Areas |             |               |
|------------|-------------|---------------|
| Unit Types | Min Allowed | Proposed Area |
| 1BD        |             |               |
| A1         | 750 sf      | 750 sf        |
| A2         |             | 834 sf        |
| 2BD        |             |               |
| B1         |             | 1,116 sf      |
| B2         | 750 sf      | 1,089 sf      |
| B3         |             | 1,164 sf      |
| 3BD        |             |               |
| C1         | 750 sf      | 1,201 sf      |
| C2         |             | 1,294 sf      |

- SITE NOTES**
- See enlarged site plans SP1.1-1.3 for additional dimensions and site related info.
  - See civil dwgs for existing and proposed easements
  - Occupancy: Bldgs 1 to 6 (R2), Clubhouse (A3), Detached Garage (S1)
  - Type of Construction: Bldgs 1 to 6 (Type III B- Fully Sprinklered), Clubhouse (Type IIIB- Fully Sprinklered, Detached Garage (Type IIIB- Not Sprinklered)
  - Flood Zone: B & A5 (Per Survey)
  - Base Flood: +11.0 NGVD (Per Survey)
  - Fin Floor Elev: +14.25' NGVD as established by Civil Engineer of Record-See civil plans for add'l notations at each building.
  - All plans submitted for permit shall comply with all applicable building codes in effect at time of permit application.
  - All entries to dwelling units are accessible. See accessible route diagram this sheet.
  - General area modifications to bldgs shall be in accordance with FBC 2014, Sect 506. Calculations shall be provided at time of building permit.



## USABLE O.S. DIAGRAM

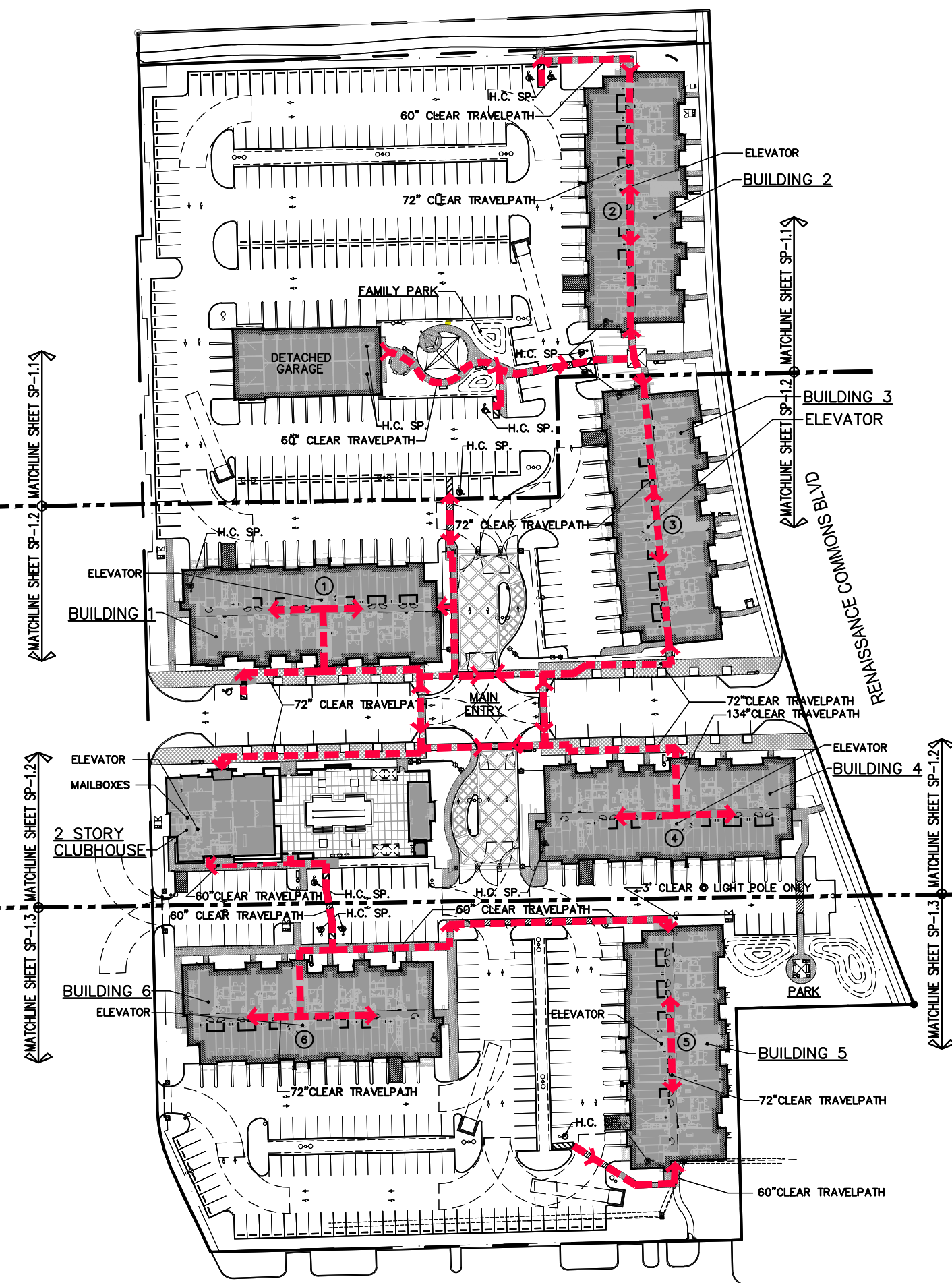
TOTAL US. OS: 2.62 AC



## ACCESSIBLE ROUTE

### LEGEND

THE SYMBOL REPRESENTS THE ACCESSIBLE ROUTE PER FBC 2014 & FHFA FOR ACCESSIBILITY.



| REVISIONS                        | BY |
|----------------------------------|----|
| ZONING SUBMITTAL 02/01/2017      |    |
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| REVISION 2017-06-08              |    |

ALTA • CORTINA  
FOR:  
ALTA DEVELOPERS  
LOCATED AT:  
BOYNTON BEACH, FLORIDA

JOSE I. SAUMELL  
AR0013085

MSA ARCHITECTS, INC.  
A0000895  
8850 S.W. 74 COURT  
MIAMI, FLORIDA 33156  
(305) 273-9911

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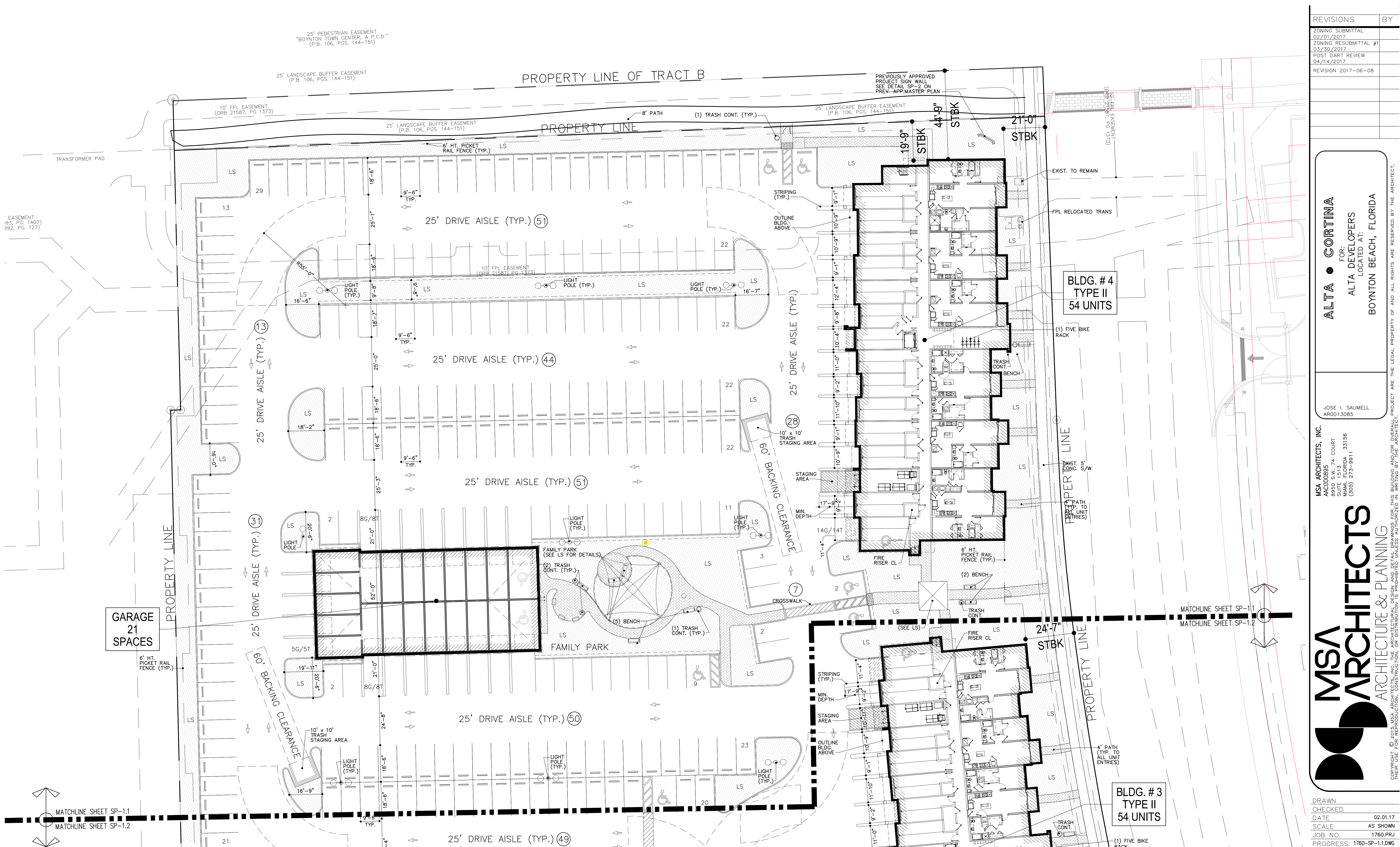
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PROGRESS:1760-SP-1Z.DWG

SP-1

REVISION 2017-06-08

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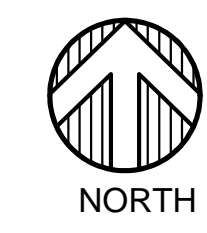
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| PROGRESS: | 1760-SP-1.1.DWG |



PARTIAL SITE PLAN

# TRASH CONT.: 6  
# BENCHES: 8  
# BIKE RACKS: 1

SCALE: 1"=20'-0"

SP-1.1

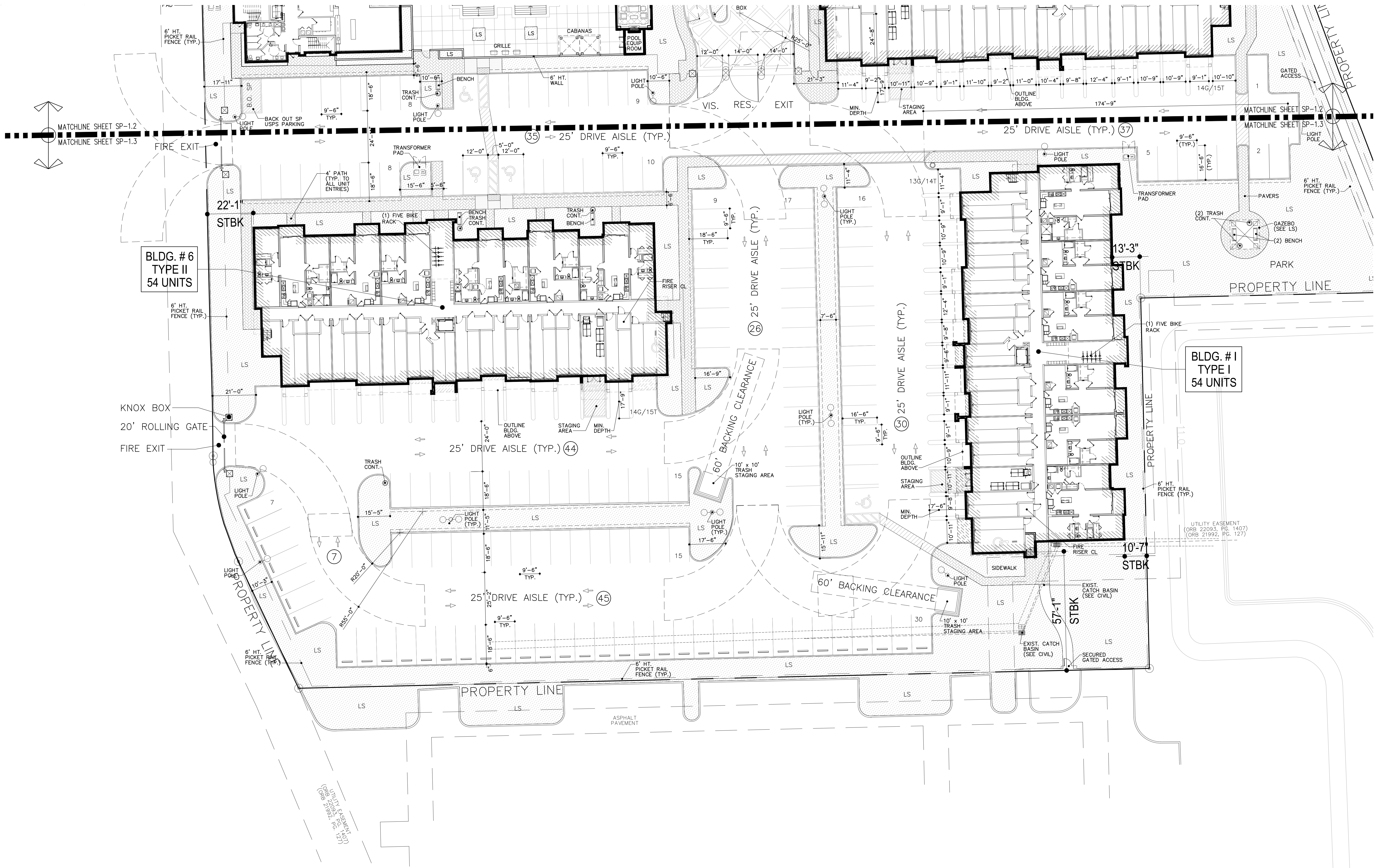
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PARTIAL SITE PLAN

# TRASH CONT.: 3  
# BENCHES: 4  
# BIKE RACKS: 2

SCALE: 1"=20'-0"

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1 FRONT ELEVATION



2 REAR ELEVATION



3 SIDE ELEVATION



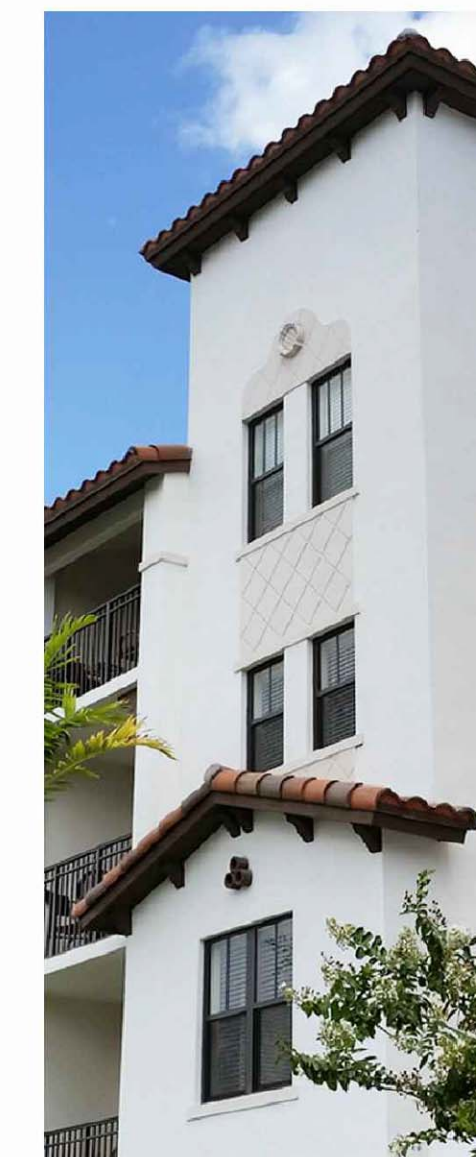
4 SIDE ELEVATION



JULIET BALCONY



ENTRY DETAIL



BLACK ALUMINUM WINDOW FRAME

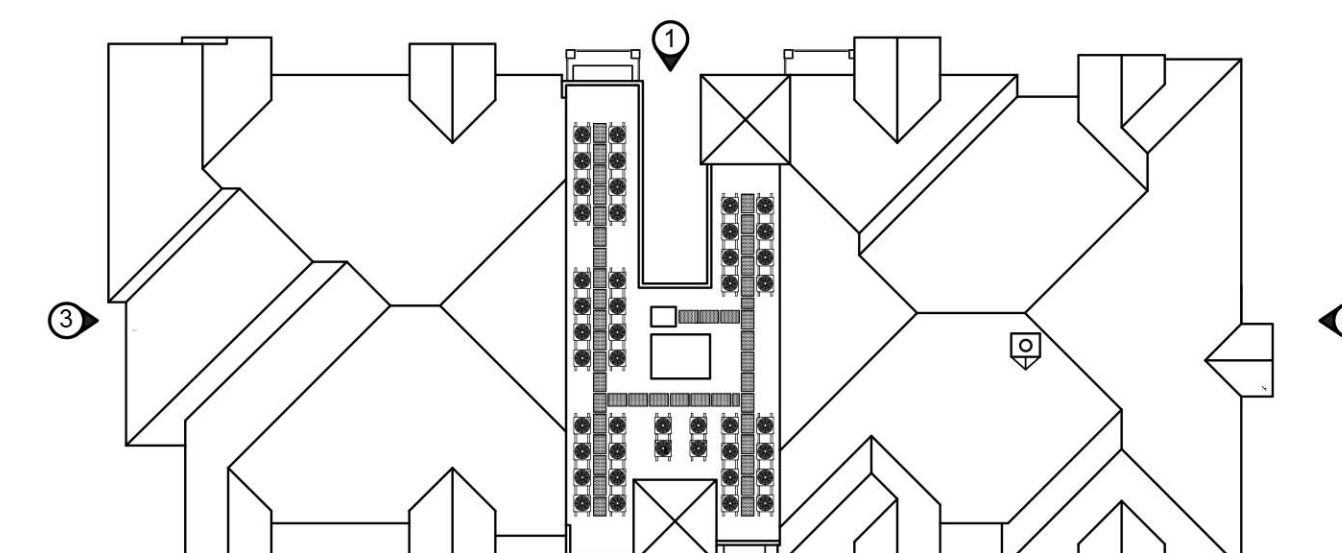
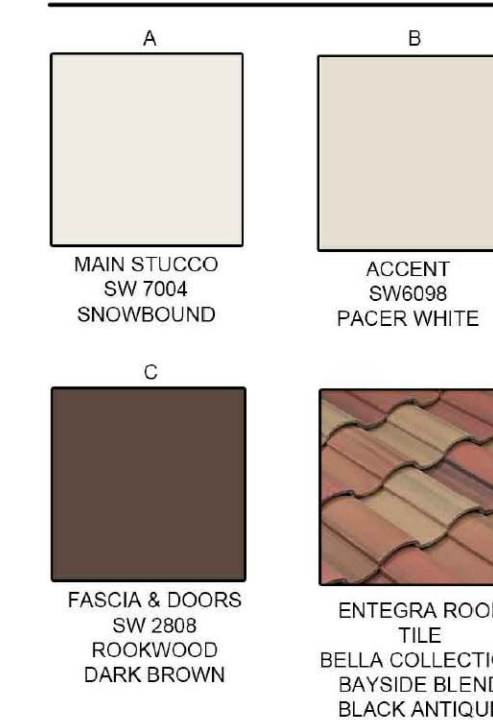
### ELEVATION LEGEND

- (A) BASE COLOR SW 7004  
(B) ACCENT COLOR (STUCCO BAND) SW 6098  
(C) BRACKETS/FASCIA/OUTLOOKERS GARAGES DOORS SW 2808

### ELEVATION NOTES

- Exterior wall openings shall comply with FBC 2014, Table 705.8. Calculations, if required, shall be provided at time of building permit.
- Exterior wall construction shall comply with FBC 2014, Table 602.
- All buildings shall conceal rain water leaders within the building. All gutters and downspouts shall be painted to match the building.
- All equipment attached to the building shall be painted to match building color.

### COLOR SCHEME



KEY PLAN

### ELEVATIONS

TYPE I BLDG #5 SCALE: 3/32"=1'-0"

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|                                  |    |

ALTA • CORTINA  
FOR:  
ALTA DEVELOPERS  
LOCATED AT:  
BOYNTON BEACH, FLORIDA

JOSE I. SAUMELL  
AR0013085

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REVISION 2017-06-08

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1 FRONT ELEVATION



2 REAR ELEVATION



3 SIDE ELEVATION



4 SIDE ELEVATION



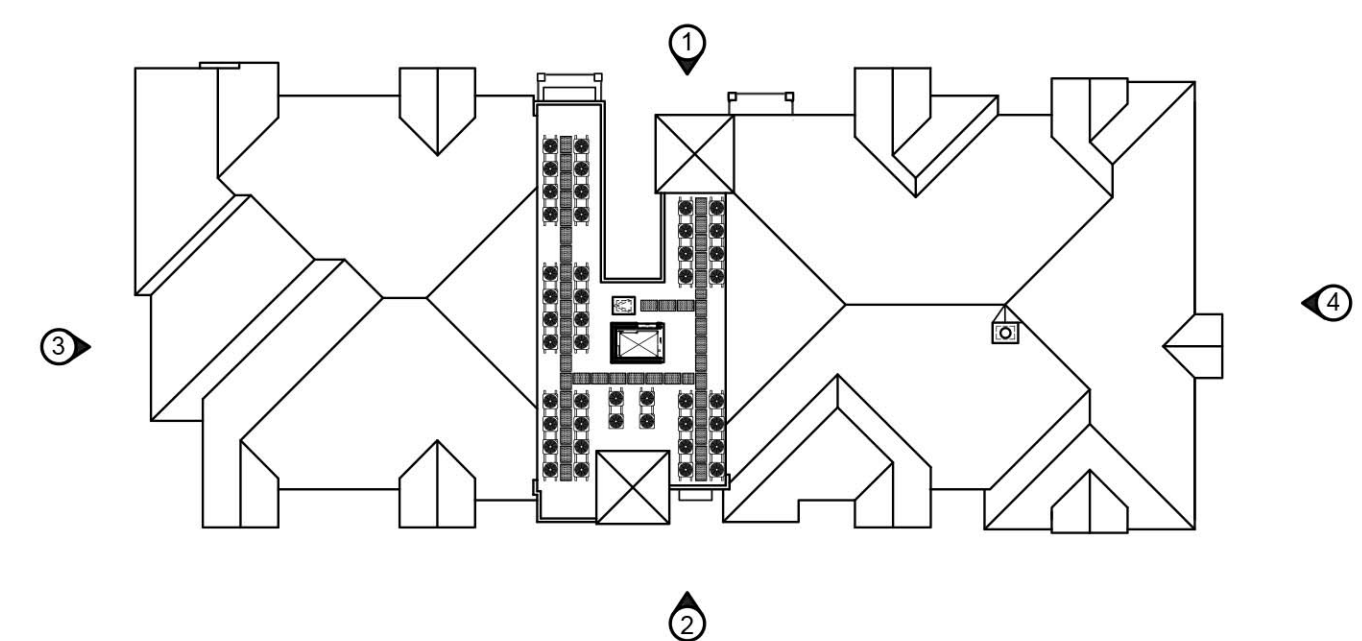
### ELEVATION LEGEND

- (A) BASE COLOR SW 7004
- (B) ACCENT COLOR (STUCCO BAND) SW 6098
- (C) BRACKETS/FASCIA/OUTLOOKERS GARAGES DOORS SW 2808

### COLOR SCHEME



- ### ELEVATION NOTES
- Exterior wall openings shall comply with FBC 2014, Table 705.8. Calculations, if required, shall be provided at time of building permit.
  - Exterior wall construction shall comply with FBC 2014, Table 602.
  - All buildings shall conceal rain water leaders within the building. All gutters and downspouts shall be painted to match the building.
  - All equipment attached to the building shall be painted to match building color.



### KEY PLAN

### ELEVATIONS

TYPE II

SCALE: 3/32"=1'-0"

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ALTA • CORTINA

FOR:  
ALTA DEVELOPERS  
LOCATED AT:  
BOYNTON BEACH, FLORIDA

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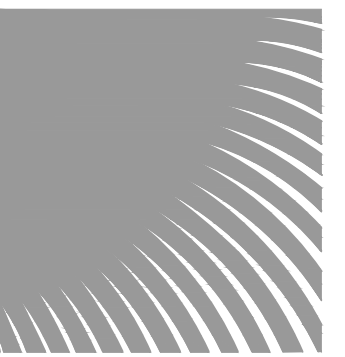
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Boca Raton, Florida 33431  
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email: landscapearchitects@dsboca.com

# ALTA @ CORTINA BOYNTON BEACH, FLORIDA PLANTING PLAN

| REVISIONS: |                  |
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| 06-08-17   | REVISION         |

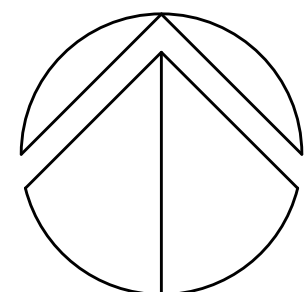
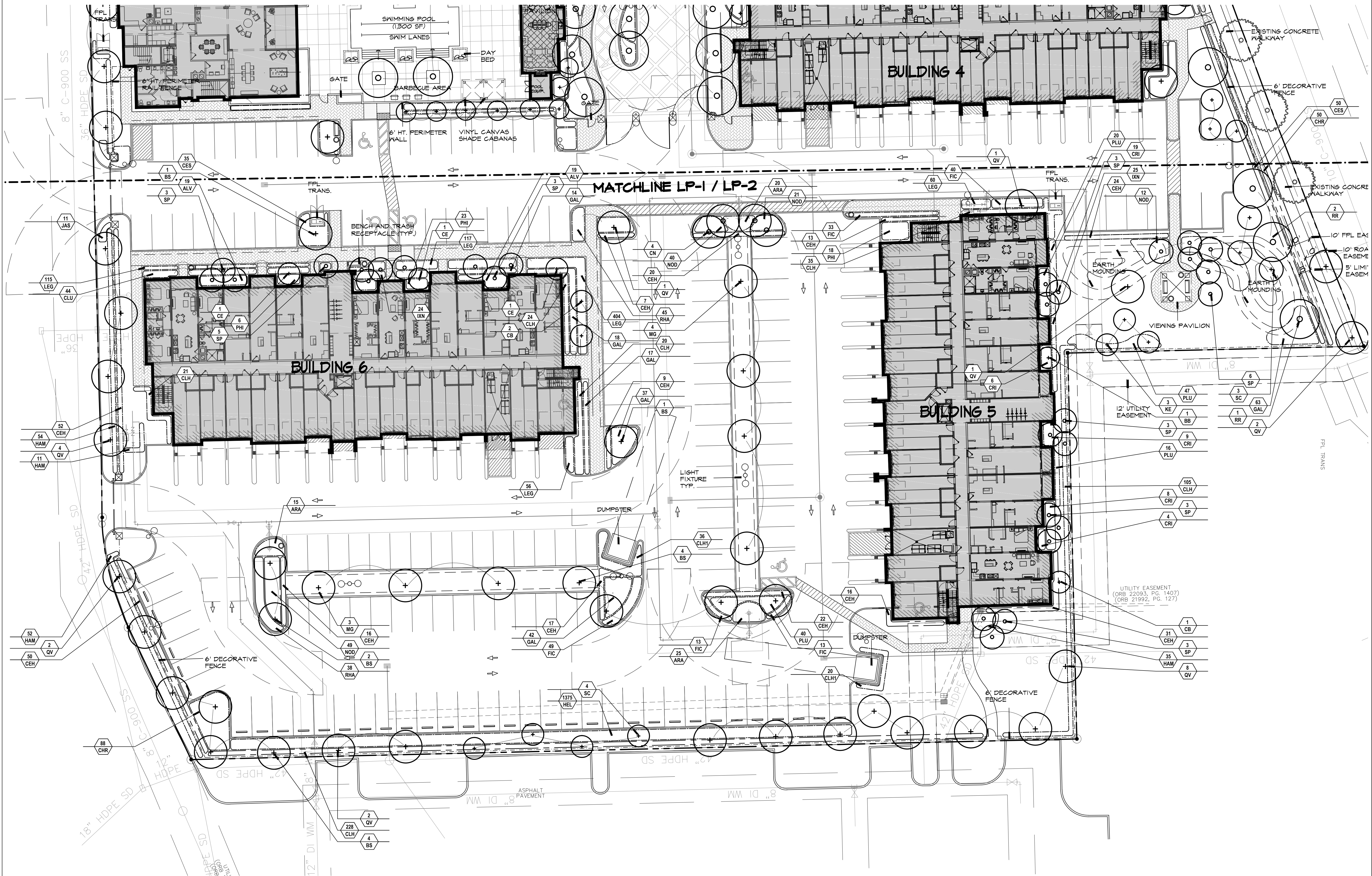
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DATE  
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**J.G.**  
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SHEET

**LP-1**



PERMIT  
LANDSCAPE PLAN



SCALE: 1"=20'



**ALTA @ CORTINA**  
**BOYNTON BEACH, FLORIDA**  
**PLANTING PLAN**

|   |                           |
|---|---------------------------|
| <div style="text-align: center;">  1<br/>  2         </div> | REVISIONS:                |
|   | 03-30-17 RESUBMITTAL #1   |
|   | 04-14-17 POST DART REVIEW |
|   | 06-08-17 REVISION         |
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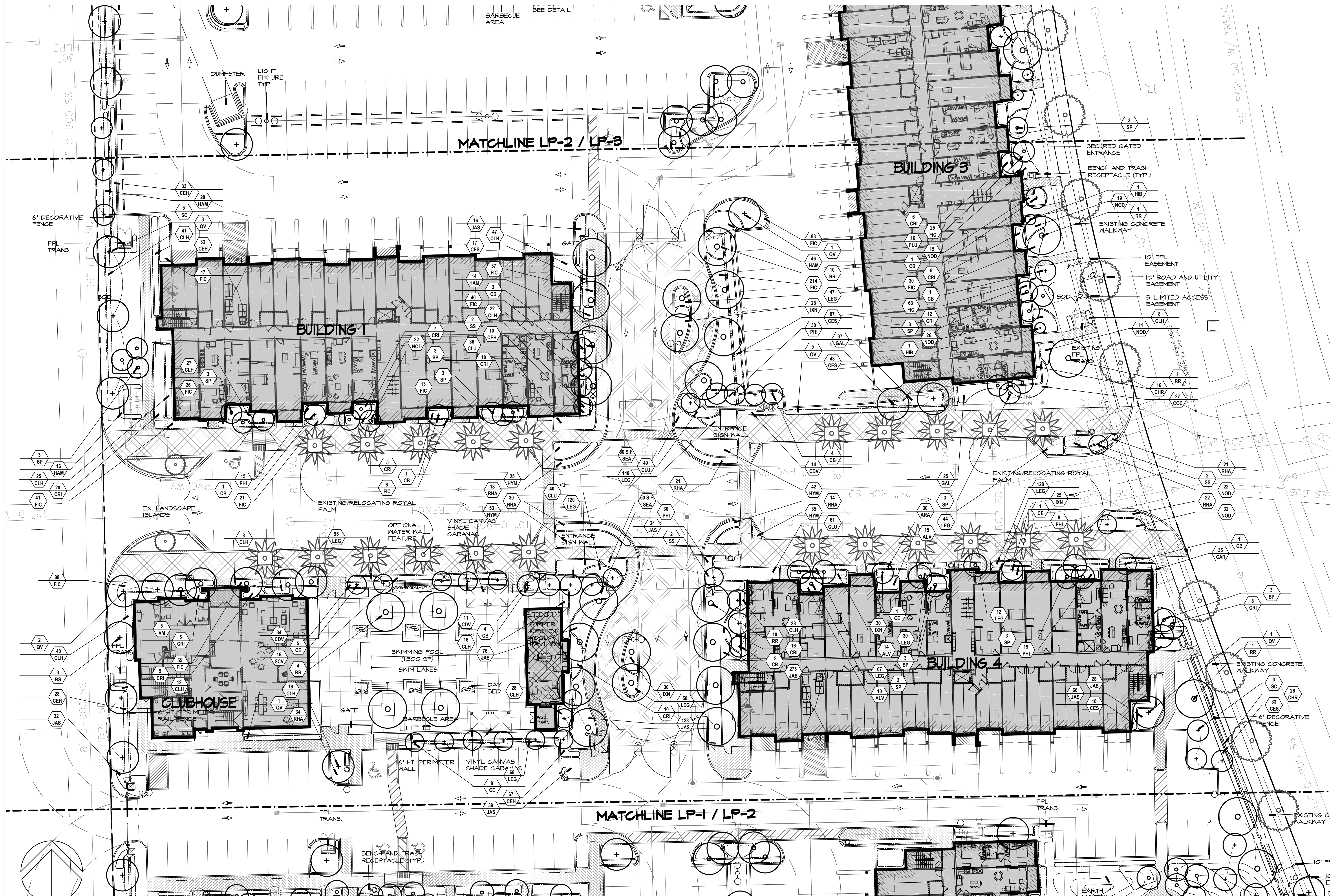
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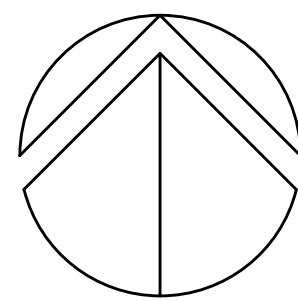
## LP-2

## HERMIT LANDSCAPE PLAN



**SCALE: 1"=20'**





SCALE: 1"=20'

25' PEDESTRIAN EASEMENT  
"BOYNTON TOWN CENTER, A.P.C.D."  
(P.B. 106, PGS. 144-151)

25' LANDSCAPE BUFFER EASEMENT  
(P.B. 106, PGS. 144-151)

10' FPL EASEMENT  
(ORB 21587, PG 1373)

25' LANDSCAPE BUFFER EASEMENT

25' LANDSCAPE BUFFER EASEMENT  
(P.B. 106, PGS. 144-151)

25' LANDSCAPE BUFFER EASEMENT  
(P.B. 106, PGS. 144-151)

10' FPL EASEMENT  
(ORB 21587, PG 1373)

10' FPL EASEMENT

10' ROAD AND UTILITY EASEMENT

5' LIMITED ACCESS EASEMENT

FPL TRANS.

EXISTING CONCRETE WALKWAY

BENCH AND TRASH RECEPTACLE (TYP.)

6' DECORATIVE FENCE

SECURED GATED ENTRANCE

SECURED GATED ENTRANCE

BENCH AND TRASH RECEPTACLE (TYP.)

6' DECORATIVE FENCE

SECURED GATED ENTRANCE

SECURED GATED ENTRANCE

BENCH AND TRASH RECEPTACLE (TYP.)

6' DECORATIVE FENCE

SECURED GATED ENTRANCE

SECURED GATED ENTRANCE

BENCH AND TRASH RECEPTACLE (TYP.)

6' DECORATIVE FENCE

SECURED GATED ENTRANCE

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BENCH AND TRASH RECEPTACLE (TYP.)

6' DECORATIVE FENCE

SECURED GATED ENTRANCE

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BENCH AND TRASH RECEPTACLE (TYP.)

6' DECORATIVE FENCE

SECURED GATED ENTRANCE

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BENCH AND TRASH RECEPTACLE (TYP.)

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6' DECORATIVE FENCE

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6' DECORATIVE FENCE

SECURED GATED ENTRANCE

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BENCH AND TRASH RECEPTACLE (TYP.)

6' DECORATIVE FENCE

SECURED GATED ENTRANCE

SECURED GATED ENTRANCE

BENCH AND TRASH RECEPTACLE (TYP.)

6' DECORATIVE FENCE

SECURED GATED ENTRANCE

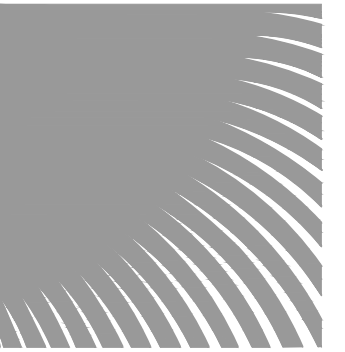
SECURED GATED ENTRANCE

BENCH AND TRASH RECEPTACLE (TYP.)

6' DECORATIVE FENCE

SECURED GATED ENTRANCE

SECURED GATED ENTRANCE



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Ph. 561.955.8623  
Fax: 561.362.4749  
email: landscapearchitects@dsboca.com

# ALTA @ CORTINA BOYNTON BEACH, FLORIDA PLANTING PLAN

| REVISIONS: |                  |
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| 06-08-17   | REVISION         |

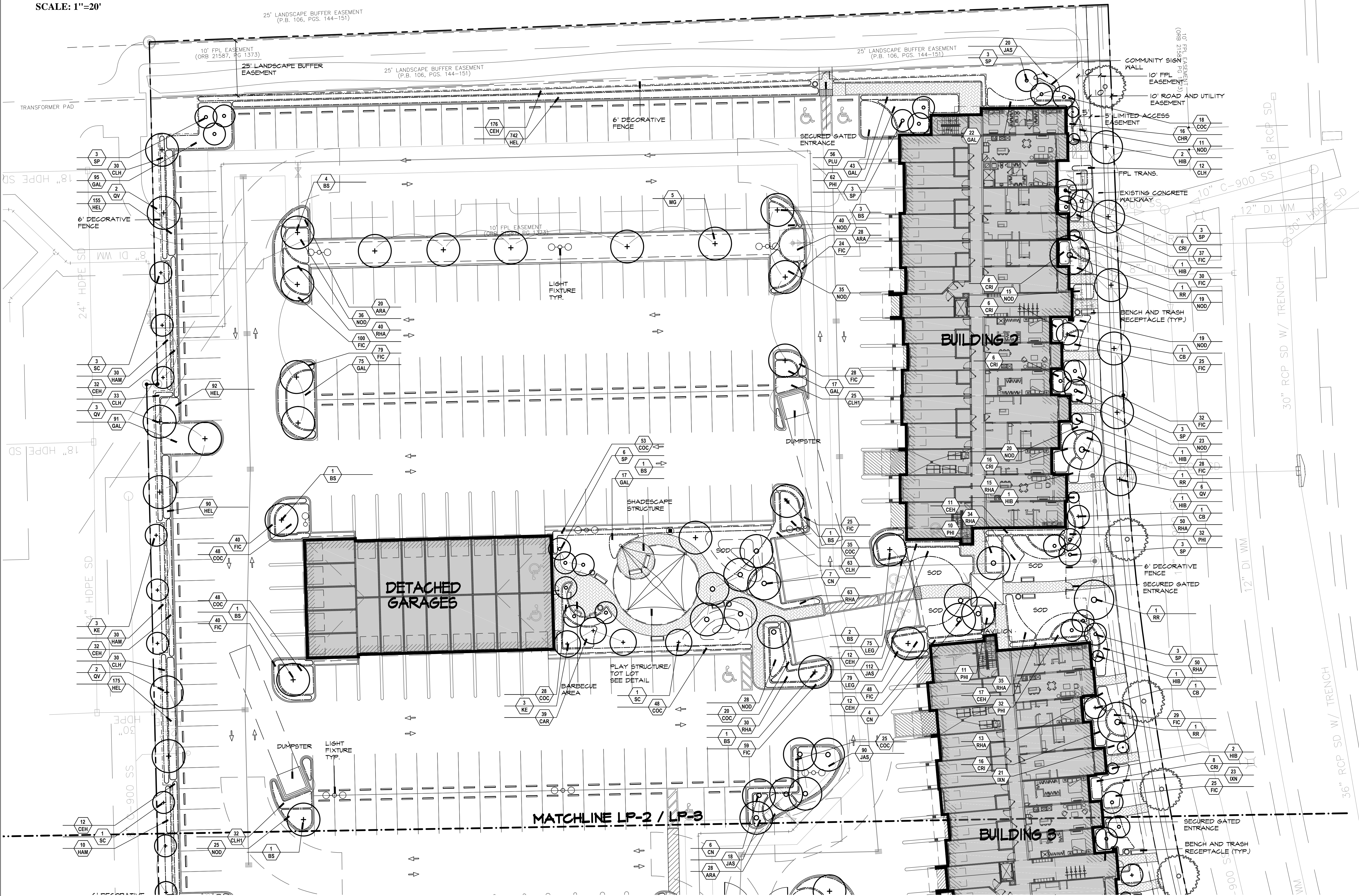
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LP-3

PERMIT  
LANDSCAPE PLAN





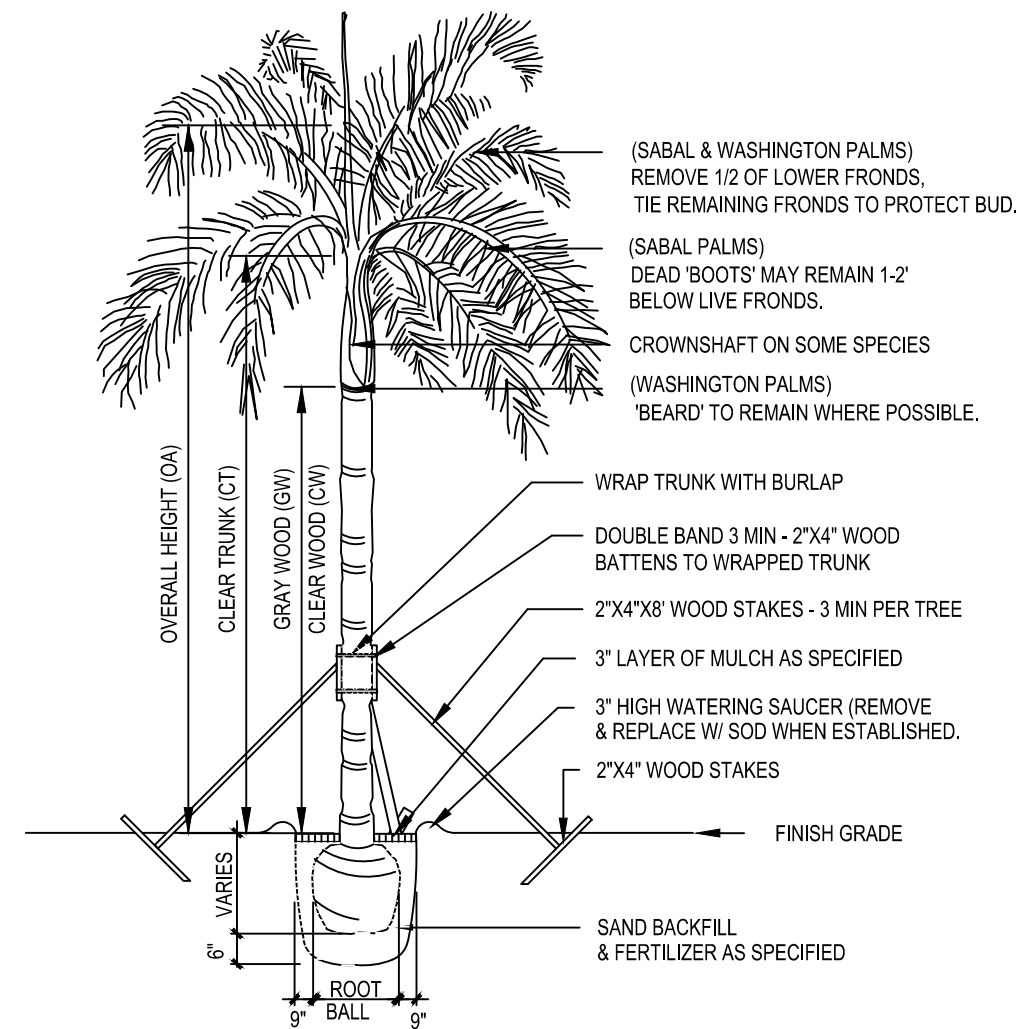
## LANDSCAPE REQUIREMENTS - CORTINA II

| LANDSCAPE CODE COMPLIANCE PER PART III, CHAPTER 4, ARTICLE II |  | REQUIRED   | PROVIDED  |
|---|--|--|---|
| 4-A-3.a.2   | MINIMUM NUMBER OF DIFFERENT TREE SPECIES PER TABLE 4-2<br>TOTAL NUMBER OF TREES REQUIRED:  | 6  | 9   |
| 4-A-3.a.12  | LANDSCAPING WITHIN OFF-STREET PARKING LOT ISLANDS<br>c. LARGE ISLANDS - 224 SF OR LARGER: 1 LARGE TREE AND SHRUBS (23 ISLANDS)<br>d. SMALL ISLANDS - 223 SF OR SMALLER: 1 SMALL TREE AND SHRUBS (16 ISLANDS)<br>TOTAL NUMBER OF ISLANDS: 21<br>TOTAL NUMBER OF LARGE ISLANDS: 18 | 18<br>3<br>85%   | 18<br>3<br>85%  |
| 4-C-2.a.  | PARKING/VEHICULAR USE AREAS ABUTTING ARTERIAL OR COLLECTOR ROADWAYS<br>10' WIDTH MIN., BERM + HEDGE (36"), 1 TREE/30 LF.<br>EAST SIDE - 80 LF.   | 3 TREES<br>40 SHRUBS   | 3 TREES<br>94 SHRUBS  |
| 4-C-2.c.  | BUILDING AND STRUCTURES ABUTTING ROADWAYS<br>HEDGE, 1 TREE/30 LF.  | 16 TREES<br>233 SHRUBS   | 16 TREES<br>250 SHRUBS  |
| 4-C-3.b.1.  | SUBURBAN LANDSCAPE BUFFER (TYPE I) - COMPATIBLE USES<br>5' WIDTH MIN., 1 TREE/30 LF., 24" HT. HEDGE.<br><br>NORTH SIDE - 439 LF.<br><br>EAST SIDE - 681 LF.<br><br>SOUTH SIDE - 410 LF.<br><br>WEST SIDE - 740 LF.   | 15 TREES<br>219 SHRUBS<br><br>23 TREES<br>340 SHRUBS<br><br>14 TREES<br>205 SHRUBS<br><br>25 TREES<br>370 SHRUBS | 15 TREES*<br>231 SHRUBS<br><br>23 TREES<br>380 SHRUBS<br><br>14 TREES<br>228 SHRUBS<br><br>25 TREES<br>420 SHRUBS |
| 4-C-4.a.1.  | MULTI-FAMILY AND PLANNED DEVELOPMENTS - DEVELOPED AREA<br>1 TREE / 1,000 SF OF DEVELOPED AREAS (BUILDING)<br>93,648 SF / 1,000 SF = 93.648 (94 TREES)  | 94   | 96  |
| 4-C-6.b.3.  | FOUNDATION LANDSCAPING AREAS<br>5' WIDTH MIN., CONTINUOUS SHRUB HEDGE<br>APPROX. 1500 LF OF BUILDING   | 750 SHRUBS   | 1000+ SHRUBS  |
| 4-C-6.1.  | BASE OF SIGNS<br>2' WIDTH MIN., 2 SHRUB SPECIES ON 3 SIDES<br>24 LF. TOTAL PER SIGN  | 24 SHRUBS  | 40 SHRUBS   |

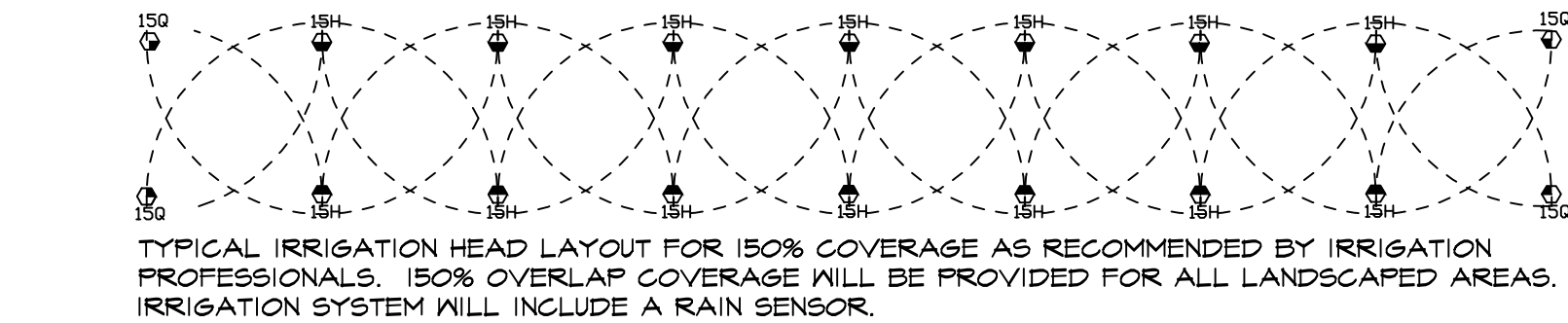
\* REQUIRED TREES/SHRUBS FOR NORTHERN LANDSCAPE BUFFER PROVIDED WITHIN THE 25' WIDE LANDSCAPE BUFFER

## LANDSCAPE NOTES

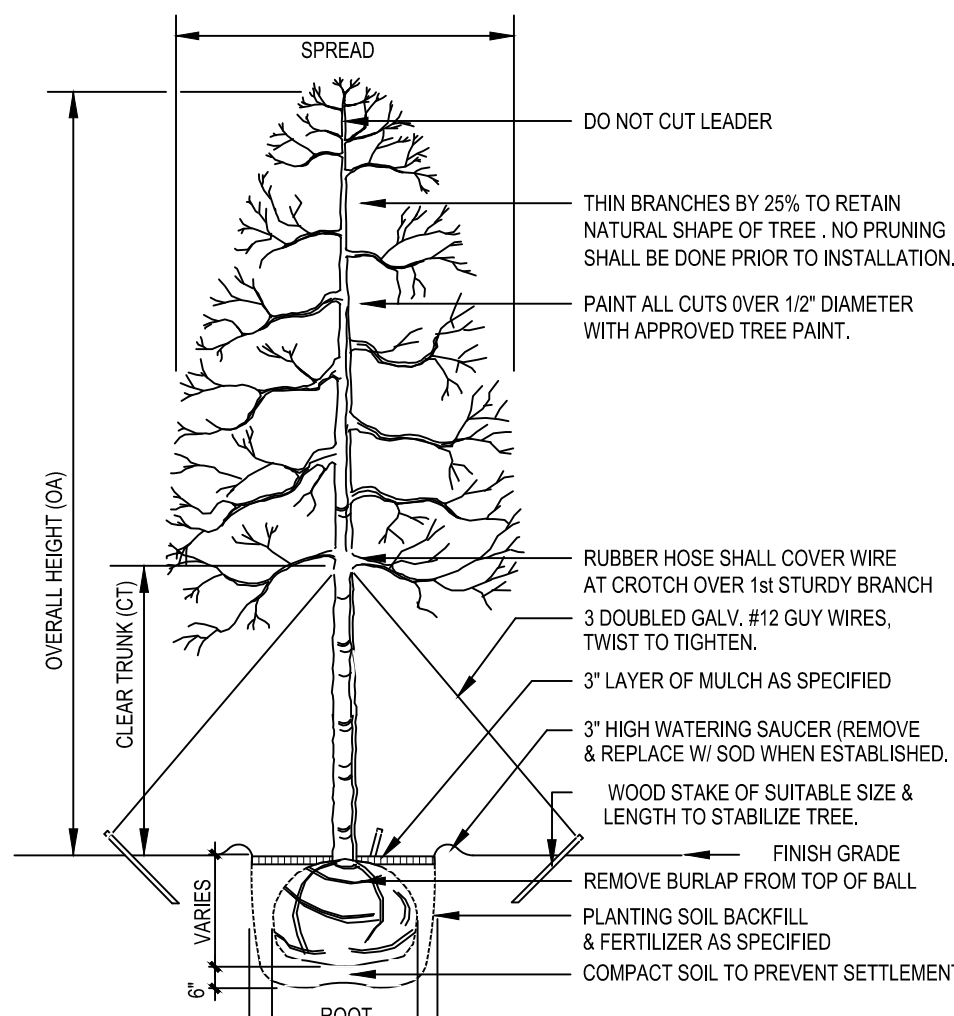
- Base information for these Landscape Plans provided from a base provided by Schnors Engineering Corp. dated 10/24/14.
- All landscape material shall conform to the most recent standards as outlined by the Grades and Standards for Nursery Plants published by the Florida Department of Agriculture and Consumer Services.
- Sight triangles shall be provided and maintained by owner clear of vegetation to provide unobstructed visibility between 30 inches and 8 feet above grade.
- Utility easements shall not encroach into landscape buffers more than 5 feet or as permitted by code.
- FDOT Type #DA or #FA curb or wheel stops to be provided along all landscape areas.
- All installation work shall be carried out in a professional manner in accordance with standard nursery and installation practices.
- Quantities on Plant Schedule are for convenience only.\* Landscape contractor is responsible for all plants shown on Landscape Plans.
- All landscape areas shall be sodded, mulched or otherwise covered with ground cover per these plans as labeled.
- Trees shown on this plan are graphic representation only. Tree spacing is based on design requirements and the trees shown on these plans attempt to accomplish that spacing while maintaining the required setbacks from utilities. Trees may be field adjusted to avoid conflicts with driveways and underground utilities. In any case the trees shall be located in the field in accordance with the planting details shown hereon.
- Trees are to be installed with a ten foot (10') separation from any water main and/or service, hydrants, and lift stations. If a ten foot (10') separation cannot be achieved, the tree is to be installed with a root barrier system in accordance with the planting details shown hereon.
- The caliper of all required trees shall be a minimum of (4) inches at the time of installation, the caliper shall be measured no higher than (6) inches above the ground.



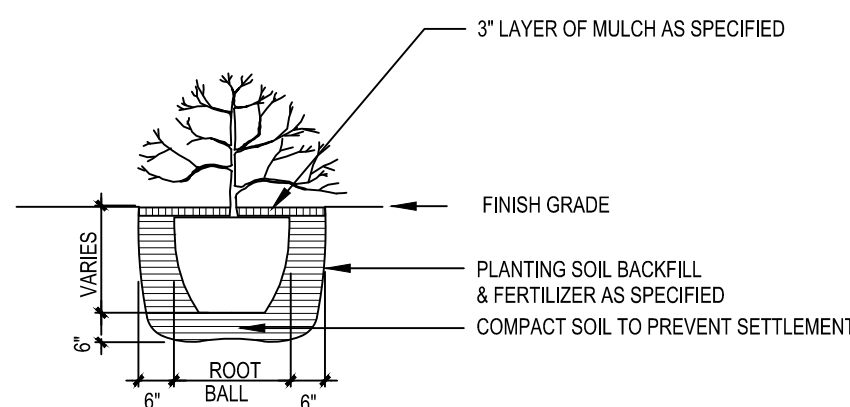
TYPICAL PALM PLANTING DETAIL



NOTE - LANDSCAPE IRRIGATION SHALL BE FROM A NON-POTABLE WATER SOURCE.



TYPICAL TREE PLANTING DETAIL



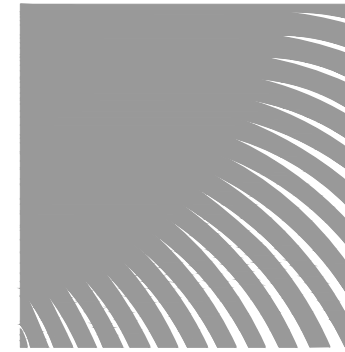
TYPICAL SHRUB PLANTING DETAIL

## ALTA @ CORTINA

| TREES & PALMS         |          |            |            |            |  |  |   |        |  |  |                   |
|-----------------------|----------|------------|------------|------------|--|--|---|--------|--|--|-------------------|
| KEY                   | TOT. QTY | SHEET LP-1 | SHEET LP-2 | SHEET LP-3 |  | BOTANICAL/COMMON NAME  | HEIGHT  | SPREAD | CLEAR TRK.   | SPACING                                  | DROUGHT TOLERANCE |
| BB                    | 1        | 1          | -          | -          |  | Bauhinia x blakeana<br>Hong Kong Orchid  | 12'   | 8'-9'  | 5'   | full canopy, 4" cal.<br>matched O.A. HT. | high              |
| BS ^                  | 30       | 12         | 3          | 15         |  | Bursera simaruba<br>Gumbo Limbo  | 12'   | 8'-9'  | 6'   | full canopy, 4" cal.                     | high              |
| CB                    | 26       | 3          | 20         | 3          |  | Calophyllum brasiliense<br>Brazilian Beautyleaf  | 12'   | 7'-8'  | 5'   | full canopy, 4" cal.                     | medium            |
| CE ^                  | 27       | 11         | 15         | 1          |  | Conocarpus erectus<br>Green Buttonwood   | 12'   | 7'-8'  | 5'   | 2' o.c.<br>full canopy, 4" cal.          | high              |
| CN                    | 21       | 4          | -          | 17         |  | Cocos nucifera 'Green Maypan'<br>Green Maypan Coconut Palm                               | 6' of wood<br>(24-28' OA)                                       |        |  | full canopy                              | high              |
| KE                    | 9        | 3          | -          | 6          |  | Koelreutia elegans<br>Golden Rain Tree   | 12'   | 8'-9'  | 6'   | full canopy, 4" cal.                     | medium            |
| LJ                    | -        | -          | -          | -          |  | Ligustrum japonicum<br>Japanese Ligustrum  | 10'   | 8'-9'  | 5'   | full canopy, multi trunk                 | high              |
| MS ^                  | 12       | 7          | -          | 5          |  | Magnolia grandiflora<br>D.D. Blanchard Magnolia  | 12'   | 7'-8'  | 6'   | full canopy, 4" cal.                     | medium            |
| FU                    | -        | -          | -          | -          |  | Pandanus utilis<br>Screw Pine  | 12-13'  |        | 3' of wood   | triple trunk                             | high              |
| QV ^                  | 44       | 21         | 10         | 13         |  | Quercus virginiana<br>Live Oak   | 12'   | 7'-8'  | 7'   | matched height, 4" cal.                  | high              |
| RR ^                  | 34       | 3          | 27         | 4          |  | Roystonea regia<br>Florida Royal Palm  | 12' of gray wood, 25-28' OA                                     |        |  | matched OA height                        | high              |
| SC                    | 17       | 7          | 5          | 5          |  | Spathodea campanulata<br>African Tulip Tree  | 12'   | 7'-8'  | 6'   | full canopy, 4" cal.                     | high              |
| SP ^                  | 92       | 29         | 36         | 27         |  | Sabal palmetto<br>Cabbage Palm   | min. 25' O.A. ht. in staggered groupings of 14', 16', & 18' ct. |        |  | full canopy                              | high              |
| SS                    | 6        | -          | 6          | -          |  | Senna aurattensis<br>Cassia Tree   | 12'   | 7'-8'  | 5'   | full canopy, 4" cal.                     | medium            |
| VM                    | 5        | -          | 5          | -          |  | Velichia montgomeryana<br>Montgomery Palm  | 14-16'<br>staggered grouping of 12', 14', & 16' ct.             |        | 8' ct. min.  |  | high              |
| SHRUBS & GROUNDCOVERS |          |            |            |            |  |  |   |        |  |  |                   |
| KEY                   | TOT. QTY | SHEET LP-1 | SHEET LP-2 | SHEET LP-3 |  | BOTANICAL/COMMON NAME  | HEIGHT  | SPREAD | CLEAR TRK.   | SPACING                                  | DROUGHT TOLERANCE |
| ALV                   | 77       | 38         | 34         | -          |  | Alpinia Z. 'Variegata'<br>Variegated Shell Ginger  | 30"   | 30"    |  | 2' o.c.<br>full clump                    | medium            |
| ARA                   | 166      | 60         | 30         | 76         |  | Arachis glabrata<br>Perennial Peanut   | 4"  | 6-8"   |  | 12" o.c.<br>full cont.                   | high              |
| CAR                   | 74       | -          | 35         | 34         |  | Carissa macrocarpa<br>Natal Plum   | 24"   | 24"    |  | 2' o.c.<br>full cont.                    | high              |
| CDV                   | 76       | -          | 59         | 17         |  | 'Codiaeum var. 'Sloppy Painter'<br>Sloppy Painter Croton                                 | 18-20"  | 18-20" |  | 2' o.c.<br>full cont.                    | high              |
| CEH                   | 819      | 336        | 171        | 312        |  | Conocarpus e. sericeus<br>Silver Buttonwood Hedge  | 24"   | 24"    |  | 2' o.c.<br>full cont.                    | high              |
| CES                   | 282      | 85         | 178        | 14         |  | Conocarpus e. sericeus<br>Silver Buttonwood  | 24"   | 24"    |  | 2' o.c.<br>full cont.                    | high              |
| CHR ^                 | 196      | 138        | 42         | 16         |  | Chrysobalanus icaco 'Red Tip'<br>Cocoplum  | 18-20"  | 18-20" |  | 2' o.c.<br>full cont.                    | high              |
| CLH                   | 922      | 433        | 321        | 168        |  | Clusia rosea<br>Dwarf Pitch Apple  | 24"   | 24"    |  | 2' o.c.<br>full cont.                    | high              |
| CLHI                  | 113      | 56         | -          | 57         |  | Clusia rosea<br>Dwarf Pitch Apple  | 36"   | 24"    |  | 2' o.c.<br>full cont.                    | high              |
| CLU ^                 | 275      | 44         | 186        | 45         |  | Clusia guttifera 'Nana'<br>Small Leaf Clusia   | 18-20"  | 18-20" |  | 2' o.c.<br>full cont.                    | high              |
| COC ^                 | 350      | -          | 27         | 323        |  | Coccoloba uvifera<br>Seagrape Shrub  | 24"   | 24"    |  | 2' o.c.<br>full cont.                    | medium            |
| COC1 ^                | 10       | -          | -          | 10         |  | Coccoloba uvifera<br>Seagrape Shrub  | 5'  | 3-4'   |  | 6' o.c.<br>full cont.                    | medium            |
| CRI                   | 235      | 56         | 115        | 64         |  | Crinum asiaticum<br>Crinum Lily  | 3'  | 3'     |  | full clump, 7 gal.                       | high              |
| FIC                   | 1,605    | 115        | 808        | 682        |  | Ficus microcarpa 'Green Island'<br>Green Island Ficus shrub                              | 14-16"  | 14-16" |  | 18" o.c.<br>full cont.                   | medium            |
| GAL ^                 | 613      | 191        | 62         | 360        |  | Galphimia glauca<br>Thryallis  | 18-20"  | 18-20" |  | 2' o.c.<br>full cont., 3 gal.            | high              |
| HAM                   | 326      | 152        | 104        | 70         |  | Hamelia nodosa<br>Dwarf Firebush   | 24"   | 24"    |  | 2' o.c.<br>full cont., 3 gal.            | high              |
| HEL ^                 | 2,629    | 1,375      | -          | 1,254      |  | Helianthus debilis<br>Dune Sunflower   | 6"  | 6"     |  | 12" o.c.<br>full cont.                   | high              |
| HIB                   | 11       | -          | 2          | 9          |  | Hibiscus 'Anderson Crepe'<br>Anderson Crepe Hibiscus                                     | 6-7'  | 2-3'   |  | full cont., 15 gal.                      | medium            |
| HYM ^                 | 155      | -          | 155        | -          |  | Hymenocallis latifolia<br>Spider Lily  | 18-20"  | 18-20" |  | 2' o.c.<br>3 gal.                        | high              |
| IXN                   | 206      | 49         | 113        | 44         |  | Ixora 'Nora Grant'<br>Nora Grant Ixora   | 18-20"  | 18-20" |  | 2' o.c.<br>full cont., 3 gal.            | high              |
| JAS                   | 1,134    | 210        | 684        | 240        |  | Jasminum volubile<br>Naxleaf Jasmine   | 18"   | 14-16" |  | 18" o.c.<br>full cont., 3 gal.           | medium            |
| LEG                   | 1,775    | 820        | 801        | 154        |  | Liriope muscari 'Evergreen Giant'<br>Evergreen Giant Liriope                             | 10-12"  | 10-12" |  | 12" o.c.<br>full cont., 1 gal.           | high              |
| LIG                   | 14       | -          | -          | 14         |  | Ligustrum japonicum<br>Nax Ligustrum Hedge   | 24"   | 24"    |  | 2' o.c.<br>full cont.                    | high              |
| NOD                   | 525      | 122        | 132        | 271        |  | Nerium oleander 'Dwarf'<br>Dwarf Oleander  | 18-20"  | 18-20" |  | 2' o.c.<br>full cont.                    | high              |
| PHI                   | 296      | 29         | 102        | 165        |  | Philodendron selloum<br>Split-Leaf Philodendron  | 3-4'  | 3-4'   |  | 2' o.c.<br>full clump                    | medium            |
| PLU                   | 195      | 123        | 16         | 56         |  | Plumbago s. 'Imperial Blue'<br>Plumbago  | 18-20"  | 18-20" |  | 2' o.c.<br>full cont., 3 gal.            | medium            |
| RHA                   | 607      | 117        | 160        | 330        |  | Raphiolepis indica 'Alba'<br>White Indian Hawthorn                                       | 18-20"  | 18-20" |  | 2' o.c.<br>full cont.                    | high              |
| SCH                   | -        | -          | -          | -          |  | Schefflera arboricola<br>Dwarf Schefflera  | 18-20"  | 18-20" |  | 2' o.c.<br>full cont.                    | high              |
| SCV                   | 16       | -          | 16         | -          |  | Schefflera arboricola 'Variegata'<br>Gold Capella Schefflera                             | 18-20"  | 18-20" |  | 2' o.c.<br>full cont.                    | high              |
| SEA                   | 1105.F   | -          | 1105.F     | -          |  | Seasonal color - S.F. qty. to fill areas shown on plan; variety and color to be selected |   |        |  |  |                   |
| SER                   | -        | -          | -          | -          |  | Serenoa repens<br>Silver Saw Palmetto  | 3-4'  | 3-4'   | 15 gal. (alternate - Thrinax radiata) - FROM MINTO'S NURSERY |  | high              |

## MISCELLANEOUS

Sod to be St. Augustine sod.  
Planting soil - 1/2 cu. yd. per tree and 4" depth at all hedges and mass planting beds.  
Sand - Palms to be planted in clean sand; 1/2 cu. yd. per palm.  
Mulch - 3" depth of "Dark Brown" hybrid mulch at all hedges and mass planting beds.

DSBOCA  
design studio bocalandscape architects  
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Fax. 561.362.4749  
email: landscapedesign@dsboca.comALTA @ CORTINA  
BOYNTON BEACH, FLORIDA  
PLANT LIST, CALCULATIONS AND NOTES

| REVISIONS: |                  |
|------------|------------------|
| 03-30-17   | RESUBMITTAL #1   |
| 04-14-17   | POST DART REVIEW |
| 06-08-17   | REVISION         |
|            |                  |
|            |                  |

FEBRUARY 01, 2017  
DATE  
I.A.  
DRAWN BY:  
J.G.  
APPROVED BY:

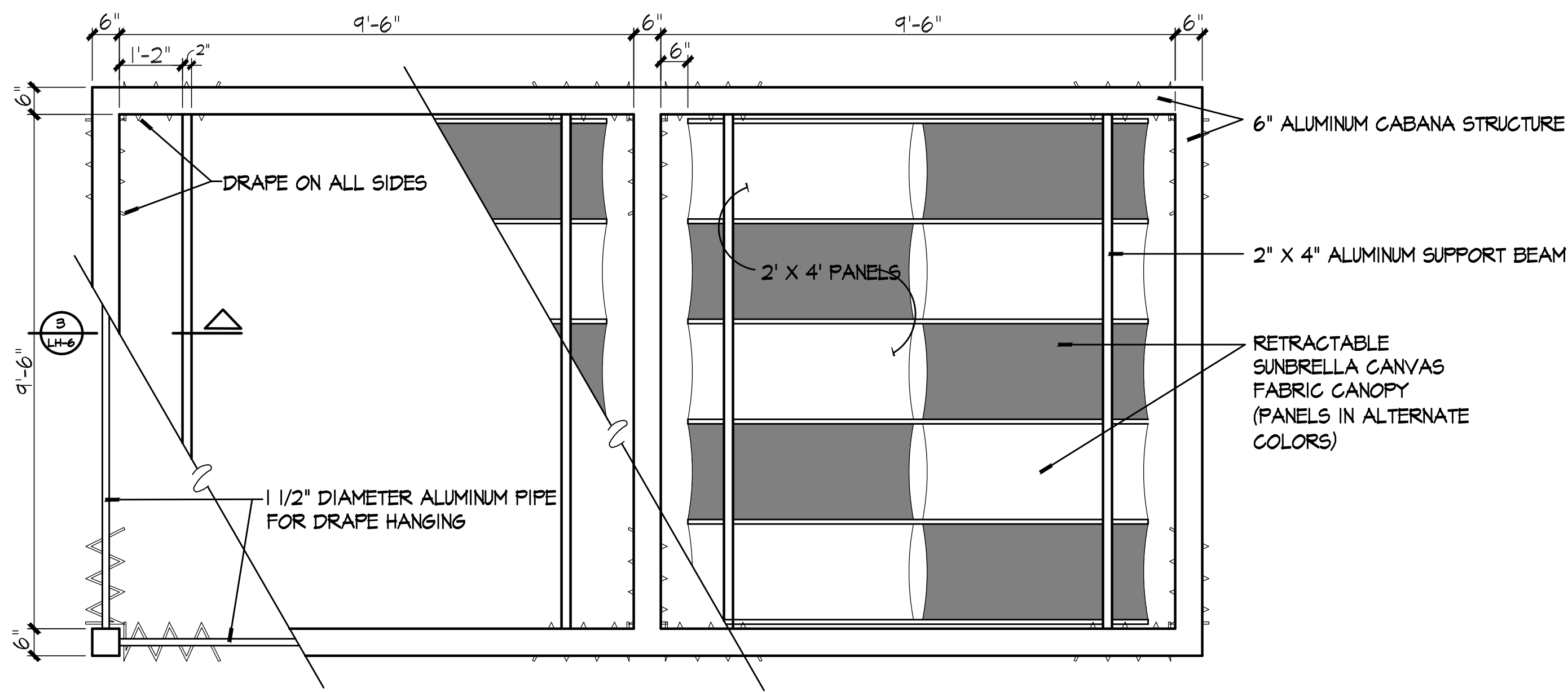
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SHEET

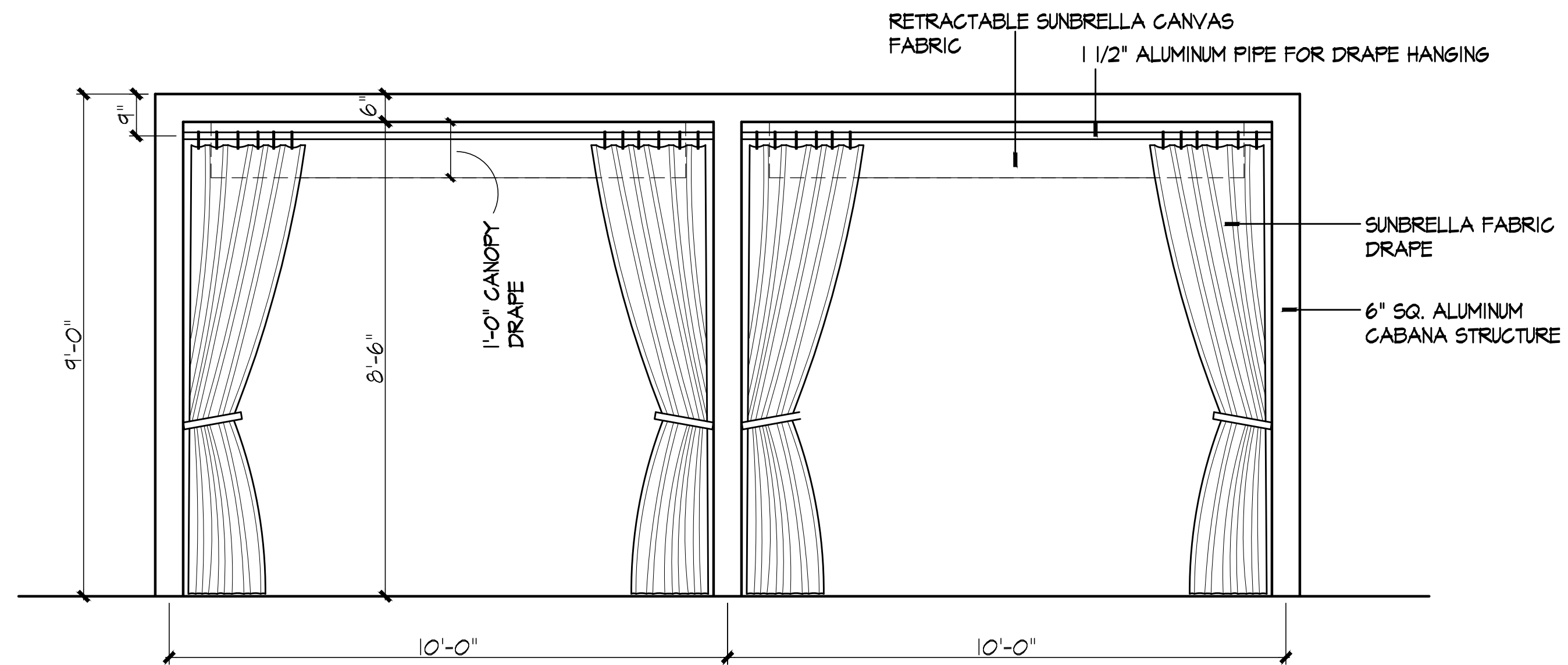
LP-4

PERMIT  
LANDSCAPE PLAN





1 DAY CABANA PLAN VIEW  
LH-3 SCALE: 1/2"=1'-0"

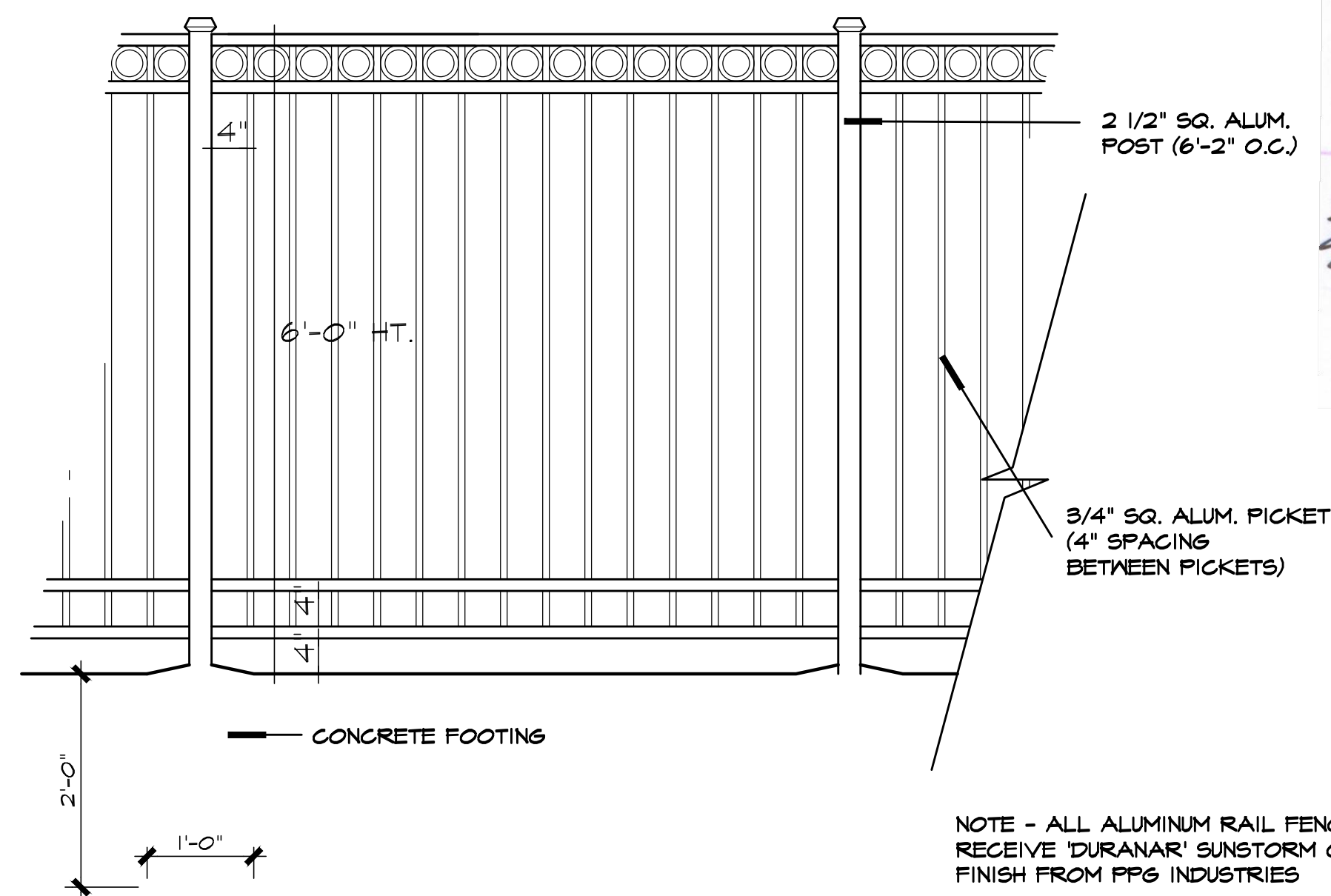


2 DAY CABANA ELEVATION  
LH-3 SCALE: 1/2"=1'-0"

NOTE:  
- RETRACTABLE CANOPY BY [www.infinitycanopy.com](http://www.infinitycanopy.com) OR EQUAL.  
- ALUMINUM CABANA STRUCTURE COLOR ( - )  
- RETRACTABLE CANOPY PANEL COLORS ( - )  
- SUNBRELLA FABRIC DRAPE COLOR ( - )

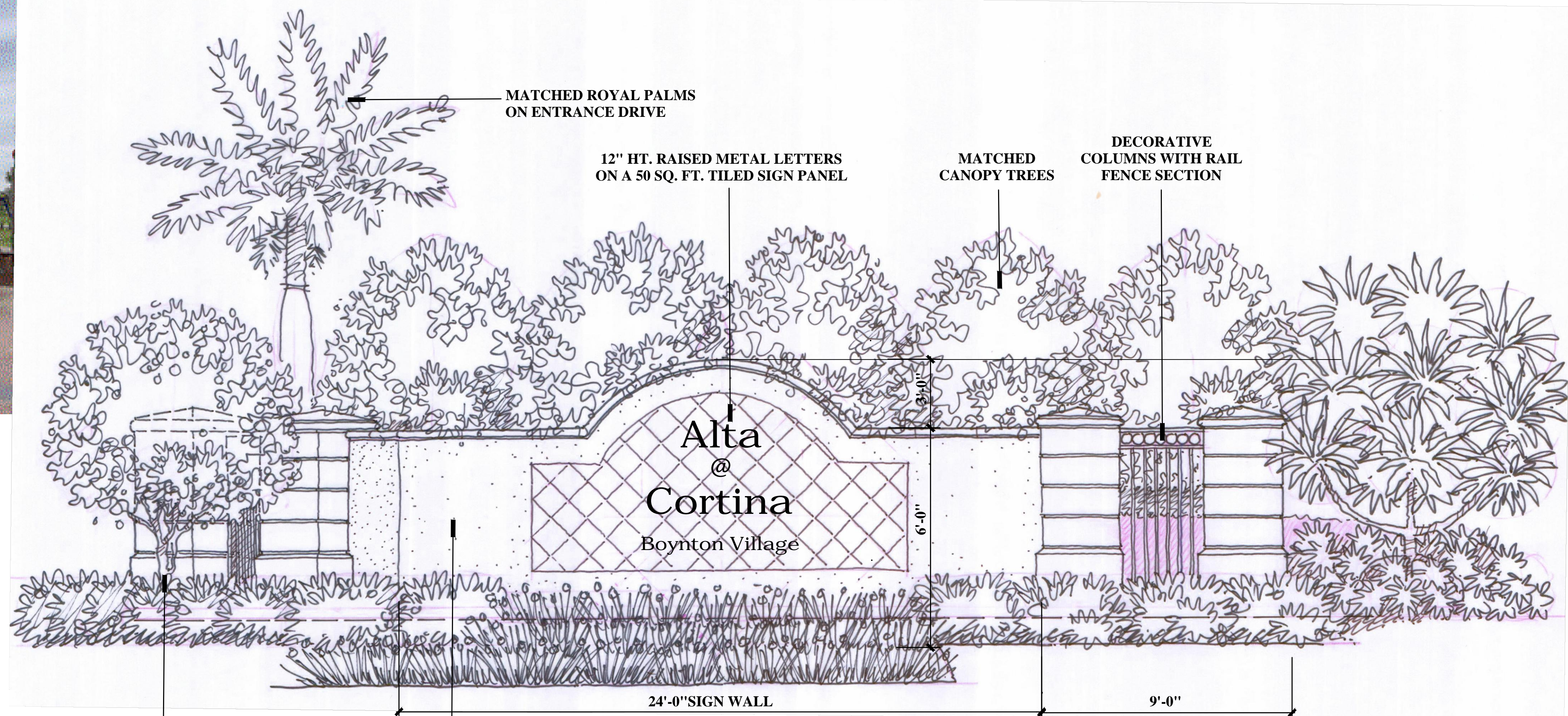


3 PLAYGROUND / SHADESCAPE STRUCTURE  
LH-3 SCALE: N.T.S.



6'-0" HT. ALUMINUM PICKET FENCE ELEVATION  
SCALE: 3/4"=1'-0"

NOTE - ALL ALUMINUM RAIL FENCE MEMBERS TO RECEIVE 'DURANAR' SUNSTORM CHAMPAGNE BRONZE FINISH FROM PPG INDUSTRIES



4 ENTRANCE SIGN WALL CHARACTER ELEVATION  
LH-3 SCALE: 3/8"=1'-0"



4 PROPOSED BENCH BY LANDSCAPE FORMS



5 PROPOSED TRASH RECEPTACLE BY VICTOR STANLEY

| REVISIONS: |                  |  |
|------------|------------------|--|
| 03-30-17   | RESUBMITTAL #1   |  |
| 04-14-17   | POST DART REVIEW |  |
| 06-08-17   | REVISION         |  |

FEBRUARY 01, 2017  
DATE  
I.A.  
DRAWN BY:  
J.G.  
APPROVED BY:

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SHEET

LH-3

PERMIT  
LANDSCAPE PLAN



## EXHIBIT "C"

### Conditions of Approval

Project Name: Alta Cortina at Boynton Village  
File number: MSPM 17-006  
Reference: 1<sup>st</sup> review plans identified as a Master Plan Modification with a June 14, 2017 Planning and Zoning Department date stamp marking.

| DEPARTMENTS   | INCLUDE | REJECT |
|---|---------|--------|
| <b>ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES</b>  |         |        |
| Comments:   |         |        |
| 1. Please provide a copy of the notice of concurrency to the Traffic Performance Standards of Palm Beach County. (NOTE: If notice of concurrency is a condition of DART approval applicant will be required to comply with any recommendations outlined in concurrency approval deemed necessary by the City and will be at the City's sole discretion). No building permits will be issued prior to receipt of the County's approval letter.   | X       |        |
| 2. Please show the turning radii at all exits on the site plan.   | X       |        |
| 3. For water and sewer permitting, Boynton Beach Utilities is no longer accepting hard copy set of plans to review. The reviewing process is now done via E-Builder using electronic files. We will provide E-builder access to the Engineer of record, and we will train him on how to use the system. Once the review is completed, two signed and sealed sets should be submitted to our office for field inspection. Also, for Palm Beach County Health Department submittal, five signed and sealed sets shall be submitted to our office along with the applications. | X       |        |
| <b>FIRE</b>   |         |        |
| Comments: None, all previous comments satisfied at DART meeting.  |         |        |
| <b>POLICE</b>   |         |        |
| Comments: None, all previous comments satisfied at DART meeting.  |         |        |
| <b>BUILDING DIVISION</b>  |         |        |
| Comments: None, all previous comments satisfied at DART meeting.  |         |        |
| <b>PARKS AND RECREATION</b>   |         |        |

| DEPARTMENTS  | INCLUDE | REJECT |
|--|---------|--------|
| Comments:  |         |        |
| 4. Per City Ordinance, the Park Impact Fee is based upon a factor of \$595 per unit for multi-family dwellings. Based upon the proposed 324 units, the fee will be \$192,780 (324 X \$595).  | X       |        |
| <b>PLANNING AND ZONING</b>   |         |        |
| Comments:  |         |        |
| 5. It is the applicant's responsibility to ensure that the application requests are publicly advertised in accordance with Ordinance 04-007 and Ordinance 05-004 and an affidavit provided to the City Clerk.  | X       |        |
| 6. Please provide a copy of Palm Beach County School District concurrency approval letter. No building permits will be issued prior to receipt of the District's approval letter.  | X       |        |
| 7. Any proposed signage shall conform to the Sign Program adopted for Boynton Village & Town Center.   | X       |        |
| 8. Please note that approval of the Major Site Plan Modification application is subject to approval of the companion application for Master Plan Modification.   | X       |        |
| 9. Applicants who wish to utilize City electronic media equipment for recommended PowerPoint presentations at the public hearings must notify the project manager in Planning and Zoning and submit a CD of the presentation at least one week prior to the scheduled meeting. | X       |        |
| <b>COMMUNITY REDEVELOPMENT AGENCY</b>  |         |        |
| Comments: N/A  |         |        |
| <b>PLANNING &amp; DEVELOPMENT BOARD CONDITIONS</b>   |         |        |
| Comments:  |         |        |
| 10. The applicant shall work with staff to determine potential opportunities, mutually agreeable to both parties, where proposed palm trees could be replaced with oak trees.  | X       |        |
| 11. The two (2) proposed EV charging stations shall be placed in the parking area immediately around the clubhouse.  | X       |        |
| <b>CITY COMMISSION CONDITIONS</b>  |         |        |

| DEPARTMENTS                 | INCLUDE | REJECT |
|-----------------------------|---------|--------|
|                             |         |        |
| Comments: To be determined. |         |        |

S:\Planning\SHARED\WP\PROJECTS\Boynton Village & Town Center\Master Plan\MPMD 17-004\MSPM 17-006\COA post P&D.doc

**DEVELOPMENT ORDER OF THE CITY COMMISSION OF THE  
CITY OF BOYNTON BEACH, FLORIDA**

PROJECT NAME: Boynton Village & Town Center (MSPM 17-006)

APPLICANT'S AGENT: Jeffrey Bartel, Berger Singerman LLP

AGENT'S ADDRESS: 1450 Brickell Avenue, Suite 1900, Miami, FL 33131

DATE OF HEARING RATIFICATION BEFORE CITY COMMISSION: July 18, 2017

TYPE OF RELIEF SOUGHT: Major Site Plan Modification approval of the Alta at Cortina parcel to construct 324 apartments and related site improvements on a 10.246 acre parcel, zoned SMU (Suburban Mixed Use).

LOCATION OF PROPERTY: Boynton Village & Town Center – SMU Parcel 3, the vacant tract located on the west side of Renaissance Commons Boulevard, immediately south of the C-16 Boynton Canal.

DRAWING(S): SEE EXHIBIT "B" ATTACHED HERETO.

\_\_\_\_\_ THIS MATTER came on to be heard before the City Commission of the City of Boynton Beach, Florida on the date of hearing stated above. The City Commission having considered the relief sought by the applicant and heard testimony from the applicant, members of city administrative staff and the public finds as follows:

1. Application for the relief sought was made by the Applicant in a manner consistent with the requirements of the City's Land Development Regulations.
2. The Applicant  
    \_\_\_ HAS  
    \_\_\_ HAS NOT  
  
established by substantial competent evidence a basis for the relief requested.
3. The conditions for development requested by the Applicant, administrative staff, or suggested by the public and supported by substantial competent evidence are as set forth on Exhibit "D" with notation "Included".
4. The Applicant's application for relief is hereby  
    \_\_\_ GRANTED subject to the conditions referenced in paragraph 3 hereof.  
    \_\_\_ DENIED
5. This Order shall take effect immediately upon issuance by the City Clerk.
6. All further development on the property shall be made in accordance with the terms and conditions of this order.
7. Other \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE: 7/18/2017**

**REQUESTED ACTION BY COMMISSION: PROPOSED ORDINANCE NO. 17-014 - SECOND READING - PUBLIC HEARING** - Approve amendments to the CODE OF ORDINANCES, Chapter 13. Licensing, and the LAND DEVELOPMENT REGULATIONS, Chapter 1. Article II. Definitions, Chapter 3. Article IV. Use Regulations, and Chapter 4. Article V. Minimum Off-Street Parking Requirements that provide necessary updates and new standards and justifications for the accommodation and regulation of group homes, and parking requirements for single- and two-family dwelling units.

---

### **EXPLANATION OF REQUEST:**

On January 17, 2017 the City Commission adopted Ordinance No. 16-025 thereby establishing a moratorium on the processing of and issuance of licenses, business tax receipts, development orders, certificates of use or permits for all group homes in the City until June 4th. The moratorium placed a temporary freeze on processing of related applications while a study was conducted by staff and necessary amendments to the City's Code of Ordinances are processed.

Objectives of the study have included the following:

- To determine the extent that local regulations can contribute to the regulatory system intended to protect group home residents including persons in drug and alcohol treatment programs;
- To maintain compliance with Federal requirements that protect persons with disabilities;
- To maintain the quality of single-family neighborhoods in order to meet the needs and expectations of local residents including both the conventional family and group home family;

as well as

- Produce draft regulations that minimize the necessity for the filing of applications for reasonable accommodation and therefore the frequency of administrative review and case-by-case judgment by staff.

Highlights of the proposed amendments are as follows:

#### Terms and Definitions

Most notably, the proposed amendments include omitting the Type 4 group home category and defining three group home categories by size and intensification of uses and activity. The elimination of the Type 4 group home, and basing the typology on size and intensity rather than on the client or purpose of the home, eliminates a potential discriminating characteristic of the City's regulations. Further, the revised Type 2 group home category would accommodate a larger halfway house but within the multi-family zoning district to coincide with the density and intensity of the R-3 zoning district. The Type 3 facilities are the larger, more self-sufficient residential care facilities than the Type 1 or Type 2 group homes, and are proposed to be allowed in selected residential, commercial and mixed-use zoning districts without adhering to a minimum distance separation. (Also see "Zoning" below for a description of the proposed amendment to the maximum persons standard).

Subsequent to First Reading of the ordinance staff identified additional terms and definitions that need to be edited or deleted for consistency with the proposed regulations that include elimination of the Type 4 Group Home.

#### Regulatory and Operational Oversight

This aspect of the proposed regulations supports the attempts of the state legislators to establish a certification system for sober homes by requiring all such homes to be certified by FARR, the Florida Association of Recovery Residences. FARR certifies providers to the standards of NARR (the National Alliance for

Recovery Residences). Staff points out that about all of the different types of group homes in the City require licensing by a state agency, and despite that residents of a sober home are deemed disabled and therefore subject to protection by the American with Disabilities Act (ADA) and the Fair Housing Act (FHA), there is no regulatory system for the operators or the group homes.

The quality standards required by NARR are comprehensive, applying to all aspects of the facility including organization and system, operator qualifications, ethics, resident rights, privacy, recovery based, skill development, home environment, and neighborhood relations and "community".

#### Zoning

The redefined Type 2 Group Home would be added to the R-2 Zoning District as a permitted use but restricted to properties with frontage on arterial or collector streets to prevent impacts on single-family neighborhoods, and added to the PUD District as a conditional use. ~~Although controversial, and contrary to the objective of maintaining neutral regulations, there is logical reasoning to support a distance separation standard, which is intended to preserve what is thought to be the standard living environment and therefore the target neighborhood for residents of half-way houses. Federal requirements prevent Cities from restricting such houses and residents to institutional zones or areas. The intent is to transition such residents back into the community through the single-family neighborhood. If it is the intent to "mainstream" half-way house residents into single-family neighborhoods, to exist and associate with conventional households, then it is logical to assume that the more conventional households existing within the area around the recovery or half-way house, the more ideal is the environment for the group home resident. Staff proposes a 300-foot minimum distance separation as a reasonable distance and a significant reduction from the original distance of 1,000 feet.~~

Although there is no question that the single-family neighborhood and all its attributes are targeted for the appropriate normalization and community integration of many residences such as those in treatment programs and recovery houses, due to the difficulty in justifying a distance separation that has been intended to prevent clustering and the "institutionalizing" of a neighborhood this standard of the draft ordinance has been removed. Although staff is reluctant to remove this component of the regulations, staff advises that such a standard lacks technical justification and could therefore be a target of those looking to find the City's regulations discriminating against disabled individuals and therefore in violation of the Federal ADA and/or FHA.

Lastly, subsequent to review by the Planning & Development Board, and after additional consideration, staff proposes to amend the maximum persons standard from the flat rate of 6 per dwelling to a varying standard of 2 persons per bedroom up to a maximum of 10 persons per dwelling unit. This amendment would represent the standardizing of our regulations, is less arbitrary, and better supports the ideal recovery house that emphasizes the buddy system and accountability, and the target size of the transition home (Oxford House - 8 and 14 residents). Staff emphasizes that a comfort level with greater house intensity is based most importantly on the certification requirement that is needed to ensure that the group home operation is structured and based on the organizational and functional principals approved by an overseeing entity such as FARR or Oxford House Inc. With a controlled (responsible and behaved) household there should be no impacts upon the neighborhood, particularly given that most residents of either a transition/recovery home or ALF do not drive; however, the proposed increased parking requirement for single- and two-family homes is intended to prevent any potential negative impacts with greater driving-age residents in either a group home or conventional home.

#### Property Appearance and Parking

Staff recommends that the minimum parking standards be increased for all single- and two-family homes, regardless of the occupants. This is considered a "neutral" standard as it would apply to both conventional households and group households, and is intended to prevent the possible impacts resulting from the number of driving-age persons exceeding the number of minimal parking spaces for single and two-family dwellings. Staff recommends that the minimum parking spaces be a factor of the number of bedrooms in a house, and that the City also adopt a maximum impervious standard for such land uses to prevent the entire front yards from being used for parking purposes.

#### **CONCLUSION:**

In addition to the changes made in the proposed ordinance subsequent to First Reading, also note that various edits and "clean-ups were made and are shown in underlined and cross-out text in a teal font. Such additional changes did not modify the proposed standards but enhance the regulations with greater clarity and proper reference to the City's Reasonable Accommodation process.

Two final points that should be emphasized include 1) the importance of the certification requirement in the proposed amendments, and 2) the anticipated need to monitor any amendments ultimately adopted for meeting the intended objectives, and in particular, for maintaining compliance with federal laws. If the certification

requirement is omitted from the proposed regulations, the remaining regulations (namely the maximum persons standard) proposed for adoption must be reconsidered. The structured operating environment intended through certification and regular oversight is important for the overall success in maintaining the quality living environment for both the group home resident and the general neighborhood, as well as to do our part in discouraging illegitimate operations. As for the planned monitoring of the ultimate regulations, uncertainty and complexity of regulating group homes, as well as the potentially dynamic state regulatory system, warrants monitoring of any amendments ultimately adopted for meeting the intended objectives, and in particular, for maintaining compliance with federal laws.

#### **HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

Higher standards set for the group homes, particularly for treatment homes, is expected to increase quality of operations and reduce emergency calls for service.

#### **FISCAL IMPACT:**

With a reduction in emergency calls there should be a reduction in service expenses.

**ALTERNATIVES:** None recommended.

#### **STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:** N/A

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:** N/A

---

**Is this a grant?** No

**Grant Amount:**

---

#### **ATTACHMENTS:**

| Type                                  | Description  |
|---------------------------------------|--|
| <input type="checkbox"/> Ordinance    | Ordinance and Matrix                               |
| <input type="checkbox"/> Ordinance    | Track Changes - Ordinance                          |
| <input type="checkbox"/> Ordinance    | Group Homes Ordinance                              |
| <input type="checkbox"/> Staff Report | Original Planning & Development Board Staff Report |
| <input type="checkbox"/> Other        | Slide show presentation                            |

#### **REVIEWERS:**

| Department  | Reviewer         | Action   | Date                |
|-------------|------------------|----------|---------------------|
| Development | Stanzione, Tammy | Approved | 7/11/2017 - 8:40 AM |



1  
2 **ORDINANCE NO. 17-\_\_\_\_**  
3  
4

5 **AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA,**  
6 **AMENDING THE CODE OF ORDINANCES, CHAPTER 13, LICENSING,**  
7 **AND THE LAND DEVELOPMENT REGULATIONS, CHAPTER 1,**  
8 **ARTICLE II, DEFINITIONS; CHAPTER 3, ARTICLE IV USE**  
9 **REGULATIONS; AND CHAPTER 4, ARTICLE V, MINIMUM OFF-**  
10 **STREET PARKING REQUIREMENTS. PROVIDING NECESSARY**  
11 **UPDATES; NEW STANDARDS AND JUSTIFICATIONS FOR THE**  
12 **ACCOMMODATION AND REGULATION OF GROUP HOMES; AND**  
13 **PARKING REQUIREMENTS FOR SINGLE- AND TWO-FAMILY**  
14 **DWELLING UNITS. PROVIDING FOR EXCEPTIONS; PROVIDING**  
15 **FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN**  
16 **EFFECTIVE DATE.**  
17

18 **WHEREAS**, there is a perception that there is a proliferation of unlicensed group  
19 homes in Palm Beach County and within the City of Boynton Beach. That perception requires  
20 the City Commission to examine the need for balance between citizens who desire or need  
21 group housing and citizens who believe there should be greater regulation; and

22 **WHEREAS**, On November 10, 2016, the United States Departments of Justice and  
23 Housing and Urban Development released the *Updated Fair Housing Act Guidance on State*  
24 *and Local Land Use Laws* related to group housing; and

25 **WHEREAS**, in order to allow time to establish proper regulations to protect group  
26 home residents while also exercising its lawful right to regulate zoning, on January 17, 2017,  
27 the City approved Ordinance No. 16-025, thereby commencing a temporary moratorium on  
28 the processing of applications for group homes to undertake the review and revision of the  
29 zoning and use regulations as they relate to group housing within the City of Boynton Beach  
30 to find the proper means of protecting the legal rights of group home occupants while  
31 preserving the integrity of the City's zoning plan; and,

32 **WHEREAS**, during the time of the moratorium, the City conducted a study of the  
33 City's Code of Ordinances including zoning regulations, parking regulations, community  
34 standards, and business tax processes; applicable federal rules, regulations, and reports on the  
35 regulating of group and treatment homes; state laws and pending laws; reports or publications  
36 on recognized recovery housing and the role and importance of communal living in the

37 treatment process; including interviewing a representative from the Florida Association of  
38 Recovery Residences; and

39       **WHEREAS**, The City adopted Ordinance 10-025, passed 12-7-10; Amended  
40 Ordinance 11-002, passed 3-1-11; and Amended Ordinance 13-033, §3, passed 12-3-13, to  
41 implement a procedure for processing requests for reasonable accommodation to the City's  
42 Code of Ordinances, Land Development Regulations, rules, policies, and procedures for  
43 persons with disabilities as provided by the federal Fair Housing Amendments Act (42 U.S.C.  
44 3601. et. seq.) and/or Title II of the Americans with Disabilities Amendments Act (42 U.S.C.  
45 Section 12131, et. seq.) ("ADA").

46       **WHEREAS**, the City's reasonable accommodation process has remained viable  
47 during the moratorium period to consider and avoid the denial of housing or related services  
48 to a disabled individual; and

49       **WHEREAS**, the Palm Beach Grand Jury in the Circuit Court of the 15<sup>th</sup> Judicial  
50 Circuit's *Report on the Proliferation of Fraud and Abuse in Florida's Addiction Treatment*  
51 *industry* (Dec. 8, 2016) reported 484 overdose deaths in Delray Beach in 2016, up from 195 in  
52 2015; and

53       **WHEREAS**, the statistics on addiction and overdose for the City of Delray Beach and  
54 Palm Beach County are an indication of the possible future of Boynton Beach, without proper  
55 services for treatment and regulated housing accommodations; and

56       **WHEREAS**, The Palm Beach Grand Jury's Report recommended certification and  
57 licensure for "commercial recovery housing"; and

58       **WHEREAS**, The Grand Jury received evidence from a number of sources that  
59 recovery residences operating under nationally recognized standards, such as those created by  
60 the National Alliance for Recovery Residences (NARR), are proven to be highly beneficial to  
61 recovery; and

62       **WHEREAS**, the State of Florida relies upon the Florida Association of Recovery  
63 Residences (FARR) for review, certification and oversight of recovery houses and operators  
64 as part of the State's restriction on recovery residence referrals; and

65       **WHEREAS**, The courts have regularly found a legitimate purpose in zoning  
66 regulations intended to achieve a homogenous, traditional single-family neighborhood, with  
67 low noise, fewer people, and restrictions on vehicles; and

68           **WHEREAS**, the City has experienced and observed a rapidly increasing rate of opioid  
69 addiction, deaths, and emergency demands in the local area; and

70           **WHEREAS**, Boynton Beach Fire Rescue activity reports indicate that heroin and  
71 opioid overdose calls totaled 250 in the first 5 months of 2017, resulting in 10 deaths and  
72 requiring use of over \$10,000 in Narcan for treatment; and

73           **WHEREAS**, Palm Beach County has experienced an increase in fatal opioid cases by  
74 314% between 2012 and 2016; and

75           **WHEREAS**, the State of Florida has recognized a trend in criminal activity, such as  
76 insurance fraud and resident neglect, related to the management of group homes, and as a  
77 result, the State continues to adopt regulations and rules with an emphasis on penalties for  
78 such activity; and

79           **WHEREAS**, the City of Boynton Beach seeks to establish regulations which protect  
80 the group home residents from criminal activity, such as insurance fraud and resident neglect,  
81 related to the management of group homes; and

82           **WHEREAS**, the Fair Housing Act prohibits local land use and zoning laws, policies,  
83 and practices that discriminate based on a characteristic protected under the Act, including  
84 individuals being treated for addictions to alcohol and being treated for substance abuse; and

85           **WHEREAS**, in *Olmstead v. L.C.*, the Supreme Court ruled that the Americans with  
86 Disabilities Act (ADA) prohibits the unjustified segregation of persons with disabilities in  
87 institutional settings where necessary services could reasonably be provided in integrated,  
88 community-based settings. An integrated setting is one that enables individuals with  
89 disabilities to live and interact with individuals without disabilities to the fullest extent  
90 possible; and

91           **WHEREAS**, as a result of the City's research, it is necessary to modify the existing  
92 ordinance to: (a) preserve access to homogenous, traditional single-family neighborhoods,  
93 with low noise, fewer people, and restrictions on vehicles; (b) establish regulations which  
94 protect the residents of group homes from criminal activity, such as insurance fraud and  
95 resident neglect, related to the management of group homes; and (c) update the City's existing  
96 regulations to incorporate recent changes in law and the findings of the Grand Jury; and

97           **WHEREAS**, the City Commission deems it appropriate and in the best interests of the  
98 health, safety and welfare of the citizens and residents of the City of Boynton Beach to amend  
99 the City Code and Land Development Regulations as specified herein.

100  
101           **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**  
102 **THE CITY OF BOYNTON BEACH, THAT:**

103           **Section 1.**     The foregoing "Whereas" clauses are true and correct and incorporated  
104 herein by this reference.

105  
106           **Section 2.**     That Chapter 13, of the City of Boynton Beach Code of Ordinances is  
107 hereby amended as follows:

108  
109  
110 **ARTICLE I. BUSINESS TAX RECEIPTS AND CERTIFICATE OF USE AND**  
111 **OCCUPANCY**

112 **Sec. 13-4 CLASSIFICATION AND FEE SCHEDULE**

113 Notes:

114       \* Businesses that are required a license and/or certification from a state or other agency.

115       This includes but may not be limited to one or more of the following:

116 Department of Business and Professional Regulation and the Division of Hotels &  
117 Restaurants, Department of Business Regulation, Department of Agriculture & Consumer  
118 Services, Department of Highway Safety & Motor Vehicles, Florida Bar Association, Florida  
119 Department of Financial Services Department of Banking & Finance, Florida Agency for  
120 Health Care Administration, Florida Office of Financial Regulation, Palm Beach County  
121 Contractors Certification Division, Palm Beach County Health Department, and the  
122 Department of Health. Housing limited to, or intended for persons in any stage of alcohol and  
123 drug treatment programs may be certified by the Florida Association of Recovery Residences  
124 (FARR); a like entity as designated by the State of Florida for monitoring and oversight  
125 purposes; or may apply for consideration through the City's Reasonable Accommodation  
126 process, as set forth in Part III, Chapter 2, Article II, Section 4 of the City's Code of  
127 Ordinances.

128  
129 **"NEC" - Not Elsewhere Classified**

130  
131 **Sec. 13-30 GROUP HOMES**

132  
133 **Sec. 13-30. Group Homes, Certification Requirements and Grace Period**

134       (a) For applicable terms and definitions see the Land Development Regulations  
135 Chapter I, Article II, Definitions.

136       (b) To ensure the proper care and treatment of individuals residing within a group  
137 home, many who need special care or structured living environments for preservation or  
138 advancement within a treatment process, all such homes and/or operators must be licensed  
139 and/or certified by an entity operated by or affiliated with the State of Florida. This includes  
140 any group home used for the purpose of housing residents in any stage of alcohol or drug

141 treatment which must be certified by the Florida Association of Recovery Residences  
142 (FARR). If a group home is not certified by FARR, the group home may apply for  
143 consideration through the City's Reasonable Accommodation process, as set forth in Part III,  
144 Chapter 2, Article II, Section 4 of the City's Code of Ordinances.

145 (c)  
146

147 **Section 4.** That Chapter 1, General Administration, Article II, Definitions, of the  
148 City of Boynton Beach Land Development Regulations is hereby amended as follows:  
149

150 Ch 1. GENERAL ADMINISTRATION, ARTICLE II. DEFINITIONS

151  
152 ~~ALCOHOL AND DRUG REHABILITATION CENTER~~ See "Group Home, Type 4."  
153

154 **DWELLING, MULTI-FAMILY** - A building, typically referred to as an apartment or  
155 condominium, containing three (3) or more dwelling units, all of which share a common  
156 vestibule. Resident support services intended to meet the basic physical, emotional, and social  
157 needs of the residents such as custodial care or support with activities of daily living (ADL)  
158 are prohibited. Licensing or certifications from the Florida Department of Health are not  
159 required.

160 **GROUP HOME** - A facility that provides lodging for ~~three (3) or more~~ individuals in  
161 dwelling units or sleeping rooms which, with the possible exceptions of a Type 3 Group  
162 Homes, operate primarily on a referral basis from state, county, or local social service  
163 agencies and/or self-help programs. These All group homes, unless specifically exempt by  
164 Florida Statutes, are licensed by an agency within the State of Florida Department of Health  
165 and Rehabilitative Services, except that drug and alcohol treatment homes (a/k/a recovery  
166 residence) shall be certified by the Florida Association of Recovery Residences (FARR) or, if  
167 not certified by FARR, may apply for consideration through the City's Reasonable  
168 Accommodation process, as set forth in Part III, Chapter 2, Article II, Section 4 of the City's  
169 Code of Ordinances. The different types of group homes are distinguished by size and/or the  
170 extent of support services provided. may Group Homes offer in addition to lodging, and meals  
171 along with either limited or comprehensive resident support services required to that meet the  
172 basic physical, emotional, and social needs of the residents. Such limited services may  
173 include for example counseling, guidance and varying levels of basic medical care, support  
174 with activities of daily living (ADL), and transportation to off-site service providers. Services  
175 provided at a Type 1 or Type 2 Group Home are typically provided by a single individual  
176 including, but not limited to, a caretaker/overseer, counselor, house manager, nurse or  
177 therapist. Such homes operate as the equivalent of a family unit sharing kitchen and living  
178 amenities of the home, through daily interactions or coordinating responsibilities, and exist  
179 compatibly within the surrounding neighborhood. The term "group home" includes but is not  
180 limited to nursing homes, adult congregate living facilities (ACLF), assisted living facilities  
181 (ALF), group care homes, community residential homes, and recovery homes, and residential  
182 treatment facilities. The following additional descriptions further define the three different  
183 types of group homes defined by type:

184 1. **TYPE 1** - A group home of not more than ~~six-two~~ (62) residents per bedroom, up to a  
185 maximum of ten (10), including a caretaker or overseer, which provides limited support  
186 services on-site. The services are as typically delivered by a single individual including but  
187 not limited to a caretaker/overseer, counselor, house manager, nurse or therapist. Such limited  
188 services may include-for example-counseling, basic-medical care, assistance with activities of  
189 daily living (ADL), and transportation to off-site service providers. Such homes operate as the  
190 equivalent of a family unit, with shared kitchen and living amenities of the home, and existed  
191 compatibly within the surrounding neighborhood. ~~which is licensed by an agency within the~~  
192 ~~to serve clients of the Florida Department of Health and Rehabilitative Services and which~~  
193 ~~provides a living environment for residents who operate as a functional equivalent of a family,~~  
194 ~~including such supervision and care by supportive staff as may be necessary to meet the~~  
195 ~~physical, emotional, and social needs of the residents, but which may or may not be licensed~~  
196 ~~by the Florida Department of Health and Rehabilitative Services.~~

197  
198 2. **TYPE 2** - A group home or facility with no ~~less than seven~~ (7) ~~or~~ more than fourteen  
199 (14) residents. A Type 2 Group Home provides limited support services on-site, and such on-  
200 site services are generally provided by a single individual including but not limited to a  
201 caretaker/overseer, counselor, house manager, nurse or therapist. Such limited services may  
202 include for example counseling, basic-medical care, assistance with activities of daily living  
203 (ADL), and transportation to off-site service providers. Such homes operate as the equivalent  
204 of a family unit, sharing kitchen and living amenities of the home, daily interaction and  
205 coordination, and existing compatibly within the surrounding neighborhood. This category of  
206 group home includes a Community Residential Home as defined and licensed by the State of  
207 Florida, which is licensed to serve clients of the Florida Department of Health and  
208 Rehabilitative Services and which provides for a living environment for residents, including  
209 such supervision and care by supportive staff as may be necessary to meet the physical,  
210 emotional, and social needs of the residents, but which are not licensed by the Florida  
211 Department of Health and Rehabilitative Services. This definition includes all facilities  
212 operating for such purpose or intent, but which may or may not be licensed by the Florida  
213 Department of Health and Rehabilitative Services.

214  
215 3. **TYPE 3** - ~~A home or facility with fifteen (15) or more residents which is licensed to~~  
216 ~~serve clients of the Florida Department of Health and Rehabilitative Services and which~~  
217 ~~provides for a living environment for residents, including such supervision and care by~~  
218 ~~supportive staff as may be necessary to meet the physical, emotional, and social needs of the~~  
219 ~~residents. This definition includes all facilities operating for such purpose or intent, but which~~  
220 ~~may or may not be licensed by the Florida Department of Health and Rehabilitative Services.~~  
221 A group home without a limit on the number of residents, and that principally provides short-  
222 term or long-term lodging for unrelated persons in individual sleeping rooms or dwelling units  
223 with private or shared kitchen and bathing facilities along with other common amenities to  
224 meet the medical, social and recreational needs of the residents. These facilities are licensed  
225 by an agency within the Florida Department of Health. This category of group homes  
226 provides lodging accommodations, and comprehensive, on-site personal services  
227 representings a larger, a more self-sufficient facility than a Type 1 or Type 2 Group Home.  
228 Personal services for residents are delivered by a host of qualified staff, specialists and  
229 professionals within or outside the facility on a 24-hour basis. However, such facilities would

not include 24-hour, on-site, skilled nursing services, except as allowed in a combination facility as described below. To support the principle of continuum of care, this type accommodates a range of facilities from independent to assisted living facilities, or the combination of such facilities with a nursing home and/or memory care facility as long as the nursing home or memory care represents 40% or less of the total bed count of the facility. The term "group home" includes but is not limited to adult congregate living facilities (ACLF) and assisted living facilities (ALF), and excludes facilities that provide short-term accommodations in conjunction with a specific medical or mental health service (see the use category Medical Care or Testing (In-patient)). See the Zoning Matrix and Notes for additional provisions and standards.

~~4. TYPE 4 - A home or facility for seven (7) or more individuals classified as participants in inmate release programs; recovery homes and mental health or substance abuse residential treatment homes; or the like, which is licensed to serve clients of the Florida Department of Health and Rehabilitative Services and which provides for a living environment for residents, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. This establishment may provide counseling and information regarding a wide range of mental health and substance abuse issues and/or refer patients to more extensive treatment programs, if necessary. This definition includes all facilities operating for such purpose or intent, but which may or may not be licensed by the Florida Department of Health and Rehabilitative Services. Outpatient mental health and substance abuse centers are not classified under this definition.~~

~~HALFWAY HOUSE - See "Group Home, Type 4."~~

**HOSPITAL** - An establishment typically referred to as an institution (excluding "Group Homes, Type 4") that provides comprehensive, inpatient and outpatient healthcare, including typical emergency medical, surgical, diagnostic, rehabilitation and treatment services, as well as other specialized services ranging from bariatrics to wound care. This use would also include accessory meeting/conference facilities, limited retail sales, and administrative offices.

**MEDICAL CARE OR TESTING (IN-PATIENT)** - A facility, excluding hospitals, which open operate 24 hours per day or provides 24-hour healthcare, treatment, and/or examinations from professional medical staff (e.g. skilled nursing services), requiring overnight stays for a short or long period of time, and are based on emergency, planned, or scheduled admittance to facilities with controlled and secured access to ensure appropriate care of patients. Such facilities include but are not limited to:

1. Alcohol or chemical dependency treatment centers licensed pursuant to F.S. Chapter 397;
2. Mental health treatment facilities licensed pursuant to F.S. Chapter 394;
3. Urgent care centers (24-hour);
4. Inpatient testing services such as sleep disorder centers;
5. Birth centers licensed pursuant to F.S. 383.305;
6. Hospice facilities licensed pursuant to F.S. Chapter 400, Part IV;

- 276 7. Eating disorder treatment centers; and  
277 8. Nursing homes, ~~and~~ physical rehabilitation centers, and memory care facilities (i.e.  
278 dementia/Alzheimer's care facilities, licensed pursuant to F.S. Chapter 400.

279  
280 ~~SUBSTANCE ABUSE CENTER—See "Group Home, Type 4."~~  
281

282 Section 5. That Chapter 3, Zoning, Article IV, Use Regulations, of the City of  
283 Boynton Beach Land Development Regulations are hereby amended as follows:

284  
285 CH. 3. ZONING, ART. IV. USE REGULATIONS, SEC. 3.D. MATRIX AND NOTES  
286

287 14. General Note. The subject use is only allowed on a lot that fronts on an arterial or  
288 collector street as defined in Part III, Chapter 1, Article II of the LDR under definitions for  
289 "Street-Arterial" and "Street-Collector". Except for uses providing Medical Care or Testing  
290 (In-patient) shall be limited to lots that front on an arterial roadway.

291  
292 40. Group Home ~~Types 1 through 4.~~

293  
294 a. ~~All Group Home Type 1.~~ Maximum persons per unit. Two (2) persons per  
295 bedroom, not to exceed 10 persons including a resident caretaker or overseer.

296  
297 b. Group Homes Type 1 and 2.

298  
299 (1) Common. Area. At least ten percent (10%) of the total floor area shall be  
300 devoted to a common area, exclusive of halls, corridors, stairs, and elevator shafts,  
301 wherein a variety or recreational or therapeutic activities may occur.

302  
303 (2) Rooms. Residents' rooms or suites shall, in no case, have kitchen facilities  
304 available for the preparation of food.

305  
306 ~~e. Type 1~~

307  
308 (1) (3) Design. Pursuant to Chapter 4, Article III, Section 3.G.1, the appearance  
309 of a group home shall be residential in character and similar in appearance to the  
310 surrounding neighborhood.

311  
312 (2)

313  
314 (5) Parking. See the Chapter 4, Article V for applicable parking requirements.

315  
316 e. Types 2, 3, and 4.

317  
318 c Group Home Type 2.

319



320 ~~(1) Separation. Such use shall be located a minimum distance of one thousand (1,000)~~  
321 ~~feet from another group home (regardless of type) and six hundred (600) feet of~~  
322 ~~property zoned for single-family dwellings, as measured by direct distance between~~  
323 ~~property lines. The floor area of any existing facility shall not be expanded in~~  
324 ~~instances where located less than the minimum separation requirement. All new~~  
325 ~~applications to operate such uses or applications for building permits to expand~~  
326 ~~such uses shall be accompanied by an affidavit certifying compliance with this~~  
327 ~~restriction.~~

328 (1) Two (2) persons per bedroom, not to exceed 14 persons including a resident  
329 caretaker or overseer

330 (2) Conditional use approval is not required within a Planning Unit Development  
331 (PUD) if approved on the master plan or modified master plan.

332

333 d. Group Home Type 3.

334

335 (1) PUD or Mixed Use Zoning District. Conditional use approval is not required  
336 within a planned development zoning district (i.e. PUD or MU Zoning District) if  
337 approved on the master plan or modified master plan.

338 (2) MU-L2 and MU-L3. Projects require a minimum of 60% of the dwelling units  
339 to be for independent living with full kitchen and bath facilities, and not require  
340 licensing by the State of Florida Department of Health.

341

342 **Section 6.** That Chapter 3, Zoning, Article IV, Use Regulations, of the City of  
343 Boynton Beach Land Development Regulations are hereby amended as follows:

344

345 LDR Chapter 3, Art. IV. Sect. 3.D - Use Matrix (Table 3-28).

346 Proposed Amendments – Group Homes – See Exhibit “A” Attached hereto

347

348 **Section 7.** That Chapter 4, Site Development Standards, Article V, Minimum Off-  
349 Street Parking Requirements of the City of Boynton Beach Land Development Regulations  
350 are hereby amended as follows:

351

352 **CH. 4. SITE DEVELOPMENT STANDARDS**

353 **Article V. MINIMUM OFF-STREET PARKING REQUIREMENTS**

354 **Sec. 1. General**

355 *A. Purpose and Intent.* The purpose of this article is to provide accessible, attractive,  
356 secure, properly lighted, well-maintained, and screened off-street parking facilities for the  
357 citizens and visitors of the City. It is the intent of these Regulations to ensure the provision of  
358 off-street parking in proportion to the typical and daily demand created by various businesses  
359 located downtown and in the suburban areas. It is also the emphasis of this article to promote  
360 efficient use of land and redevelopment through promotion of cross-parking and  
361 interconnectivity, shared parking and necessary reductions to consider alternative parking  
362 resources and redevelopment initiatives.

363 *B. Administration.* The Director of Planning and Zoning or designee shall have the  
364 authority to interpret and administer this article.

365 C. *Applicability*. The provisions of this article shall be considered the minimum standards  
366 and except where specifically stated otherwise herein, are applicable to all new construction  
367 projects or modifications to existing sites.

368 D. *Terms and Definitions*. See Chapter 1, Article II for all applicable terms and definitions  
369 which pertain to the regulations and standards contained herein.

370 E. *Conflict*. Whenever the regulations and requirements of this Code are at conflict with  
371 any other lawfully enacted and adopted rules, regulations, ordinances, or laws, the most  
372 restrictive shall apply, unless otherwise stated herein.

373 F. *Relief from Standards*. Unless described otherwise, any deviation from the parking  
374 standards contained herein shall require approval of a variance application, which is subject to  
375 review and approval by the City Commission. A request for a variance shall be reviewed in  
376 accordance with Chapter 2, Article II, Section 4, D.

377

## 378 Sec. 2. Standards.

### 379 A. *General*.

#### 380 1. Rules and Methodology.

381 .....

382

383 2. Minimum Number of Required Off-Street Spaces for Non-Residential Uses. No fewer  
384 than four (4) parking spaces shall be provided for any non-residential use.

#### 385 3. Location of Off-Street Parking Areas.

386 a. Residential. Required parking spaces for all dwellings shall be located on the same  
387 lot as the dwelling to be served.

388 b. Non-residential. Required parking spaces for all non-residential uses shall be owned  
389 by the owner of the building or lot to be served, and shall be located on the same lot, or not  
390 more than three hundred (300) feet distance, unless the property is located within those areas  
391 defined within the adaptive re-use section of the Code (Chapter 4, Article 5, Section 4). In  
392 those areas, required parking spaces may be leased within three hundred (300) feet of the use  
393 in which they serve, subject to Board and City Commission approval, and the property shall  
394 be posted with signage indicating to patrons the location of the leased parking.

395

#### 396 4. Driveways and other impervious surfaces within front or side yards of single- and two- 397 family dwelling units.

398 a. Applicability. The requirements of this section are applicable to new construction  
399 projects, modifications that increase air-conditioned living space and/or number of  
400 bedrooms, and requests for a Certificate of Use.

401 b. Driveways shall be constructed of concrete, asphalt, or other hard surface as approved  
402 by the City Engineer. Where possible, design and construction should maximize the  
403 albedo and minimize the heat island effect of such improvements. Also where  
404 possible, tandem parking design is encouraged to minimize impervious surface area  
405 and maximize the environmental design of the project.

406 c. Such surfaces shall not exceed 40% of the minimum front yard area.

### 407 B. *Table 4-17. Residential and Lodging Uses.*

408

| Residential and Lodging Uses  | Standard Number of Required Parking Spaces |
|---|--|
| Building area size is based upon gross floor area (in square feet) unless specifically expressed otherwise. |  |
| Single-family, duplex dwelling, or mobile home:   | 2 <sup>x1,2</sup>                          |
| Efficiency or one (1)-bedroom apartment:  | 1.5 <sup>1,2,3</sup>                       |
| Within mixed use high district:   | 1.33 <sup>23</sup>                         |
| Two (2) or more bedroom apartment:  | 2 <sup>1,2,3</sup>                         |
| Within mixed use high district:   | 1.66 <sup>1,2,3</sup>                      |
| Dormitories:  | 1 per unit                                 |
| Hotel & motel suite:  | 1.25 per unit <sup>46</sup>                |
| Within mixed use high district:   | 1 per unit                                 |
| Group home (types 1, through 4 and 2):  | 1 per 3 beds <sup>21,2</sup>               |
| Group home (type 3)   | 1 per 3 beds                               |
| Bed & breakfast:  | 1 <sup>2,4</sup>                           |
| Live/work unit:   | 1 per 2 units <sup>45</sup>                |

1. A minimum of two (2) spaces are required per unit, or 1 space per bedroom, whichever is greatest. Except that dwellings with 5 or more bedrooms are required 1.5 spaces per bedroom.
2. Residential driveways ~~shall~~ can be used to satisfy, or partially satisfy the parking space requirements for single-family detached dwelling units, duplexes, and multi-family dwelling units containing garages, provided such driveways are of sufficient size to meet the parking space requirements of this subsection. A residential driveway of sufficient size shall be provided prior to the issuance of a certificate of occupancy. If garages are used towards meeting minimum parking requirements, said garages shall remain open and available for vehicle parking consistent with the design represented at time of approval. For all required parking spaces not located within an enclosed garage, the first parking space shall be the minimum size required for a handicap space, exclusive of public or private rights-of-way, and all other required spaces must be dimensioned in accordance with current city standards. All driveways shall be setback at least two (2) feet from interior side and corner side property lines, and maintained and drained so as to prevent nuisance conditions or a danger to the public and/or adjacent property owners. Any expansion to an existing driveway shall require a zoning permit from the Planning and Zoning Division in accordance with the procedures specified in Chapter 2, Article II, Section 5.B.; however, any driveway expansion (or similar impervious surface) that is equal to or greater than eight hundred (800) square feet shall require the approval of a land development permit in accordance with Chapter 2, Article III, Section 3. Any work, such as a driveway, proposed within the swale (right-of-way) shall require a permit from the Engineering Division in accordance with the procedures specified in Chapter 2, Article III, Section 4.

436        ~~23.~~ Guest parking shall be provided at a rate of 0.15 spaces per unit for residential  
437        developments consisting of three (3) or more dwelling units.  
438        ~~34~~ Required parking shall be calculated on the basis of one (1) space per each employee,  
439        manager, or owner and one (1) parking space for each guest unit. Newly created  
440        parking may be located only in the rear and side yard.  
441        ~~4-5~~ In addition to the required parking for the residential unit, the city requires that one  
442        (1) parking space per two (2) live/work units be provided to meet business activity  
443        needs. Parking provided to meet this requirement shall be located on the lot, built into  
444        or under the structure, or within three hundred (300) feet of the unit in which the use is  
445        located. The distance shall be a straight line measurement from a point on the  
446        boundary line of the property of the subject unit to the closest boundary line of the  
447        property on which the parking is located. Parking provided to accommodate said  
448        space, including driveways of adequate depth in front of the unit's garage, shall not  
449        serve as meeting required parking for the unit's residential use.

450        ~~56~~ Hotel/motel uses open to the general public, such as a restaurant or lounge, shall  
451        provide parking at a rate of fifty percent (50%) of the requirement of a standalone operation..

452        **Section 8.** That Chapter 1, General Administration, Article VIII, Appeals, of the City  
453        of Boynton Beach Land Development Regulations is hereby amended as follows:

454                D. Assignment of Appeals. The City Commission or the Building Board of  
455        Adjustment and Appeals shall review all appeals. The assignment of each is as follows:

456  
457                1. City Commission. The City Commission shall hear and decide all appeals  
458        regarding the administration, interpretation, or enforcement of any standard, provision, or  
459        regulation contained in the land development regulations, except for that which is identified in  
460        ~~subparagraph b.~~ below.

461  
462                2. Building Board of Adjustment and Appeals. The owner of a building,  
463        structure, or service system, or duly authorized agent may appeal a decision of the Building  
464        Official in his/her enforcement or administration of Chapter 4, Article IX, Building,  
465        Construction and Historic Preservation Requirements; Chapter 4, Article X, Flood Prevention  
466        Requirements; or whenever anyone (1) of the following conditions are claimed to exist:

467                . . . .

468  
469                e. An application made by the owner or tenant of a property which operates as  
470        a group home is denied. The Building Board of Adjustment and Appeals shall convene  
471        within thirty (30) calendar days of the date that a written appeal is filed with the City.  
472        If the Building Board of Adjustment and Appeals is unable to convene within 30 days,  
473        the appeal may be heard by the City's Magistrate and the matter will be added to the  
474        agenda of the next available Code Enforcement Hearing date.

475        **Section 9.** Each and every other provision of the Code of Ordinances and Land  
476        Development Regulations of the City of Boynton Beach not herein specifically amended shall  
477        remain in full force and effect as previously enacted.

478           **Section 10.**   All ordinances or parts of ordinances in conflict herewith be and the  
479 same are hereby repealed.

480           **Section 11.**   Should any section or provision of this ordinance or portion hereof, any  
481 paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid,  
482 such decision shall not affect the remainder of this ordinance.

483           **Section 12.**   Authority is hereby granted to codify this ordinance.

484           **Section 13.**   This ordinance shall become effective immediately upon passage.



LDR Chapter 3, Art. IV. Sect. 3.D - Use Matrix (Table 3-28).  
Proposed Amendments – Group Homes

| P = Permitted<br>C = Conditional<br>A = Accessory                          | Residential |        |       |      |         |            |      |      |     |      | Commercial |         |      |      | Mixed-Use |         |      |       |       |       |        | Industrial |     | Misc.   |         |         |  |
|--|-------------|--------|-------|------|---------|------------|------|------|-----|------|------------|---------|------|------|-----------|---------|------|-------|-------|-------|--------|------------|-----|---------|---------|---------|--|
|  | R-1-AAB     | R-1-AA | R-1-A | R-1  | R-2     | R-3        | IPUD | PUD  | MHP |      | C-1        | C-2     | C-3  | C-4  | CBD       | PCD     | SMU  | MU-L1 | MU-L2 | MU-L3 | MU-4   | MU-H       | M-1 | PID     | PU      | REC     |  |
|  |             |        |       |      |         |            |      |      |     |      |            |         |      |      |           |         |      |       |       |       |        |            |     |         |         |         |  |
| RESIDENTIAL & LODGING  |             |        |       |      |         |            |      |      |     |      |            |         |      |      |           |         |      |       |       |       |        |            |     |         |         |         |  |
| Accessory Dwelling Unit  |             |        |       |      |         | P 36       |      |      |     |      | P 36       | P 36    | P 36 | P 36 |           |         |      |       |       |       |        |            |     | P 36    | P 20 36 | P 20 36 |  |
| Bed & Breakfast  | C 37        | C 37   | C 37  | C 37 |         | C          |      |      |     |      |            | C 37    |      |      | C 37      |         |      |       |       |       |        |            |     |         |         |         |  |
| Dwelling, Single-family (detached)   | P 34        | P 34   | P 34  | P 34 | P 34    | P 19 34    | P 34 | P 34 |     |      | P 18 19 34 |         |      |      |           |         | P 34 |       |       |       |        |            |     |         | A 20 34 | A 20 34 |  |
| Dwelling, Two-family (duplex)  |             |        |       |      | P 34    | P 19 34    | P 34 | P 34 |     |      | P 18 19 34 | P 34 38 |      |      | C 34      | P 34 38 | P 34 | P 34  | P 34  | P 34  |        | C 34       |     |         | A 20 34 | A 20 34 |  |
| Dwelling, Multi-family   |             |        |       |      |         | P 19 34    | P 34 | P 34 |     |      | P 18 19 34 | P 34 39 |      |      | C 34      | P 34 39 | P 34 | P 34  | P 34  | P 34  | P 6 34 | P 6 34     |     | P 27 34 | A 20 34 | A 20 34 |  |
| Dwelling Units in Mixed Use Buildings                                      |             |        |       |      |         | P 18 19 34 |      |      |     |      | P 18 19 34 |         |      |      | P 34      |         | P 34 | P 34  | P 34  | P 34  | P 6 34 | P 6 34     |     | P 27 34 | A 20 34 | A 20 34 |  |
| Group Home Type 1 (2 per room up to 10 or less residents, limited service) | P 40        | P 40   | P 40  | P 40 | P 40    | P 40       |      |      |     |      |            |         |      |      |           |         |      |       |       |       |        |            |     |         |         |         |  |
| Group Home Type 2 (2 per room up to 7 to 14 residents, limited service)    |             |        |       |      | P 14 40 | C 40       |      |      |     |      |            |         | P 40 |      |           | P 40    |      |       |       |       |        |            |     |         |         |         |  |
| Group Home Type 3 (15+ residents, comprehensive service)                   | -           | -      | -     | -    | -       | C 14 40    | -    | C 40 | -   | C 40 | C 40       | P 40    | -    | -    | -         | P 40    | -    | -     | C 40  | C 40  | -      | -          | -   | -       | -       | -       |  |
| Group Home Type 4 (special care, 7+ residents)                             | -           | -      | -     | -    | -       | -          | -    | -    | -   | -    | -          | -       | C 40 | -    | -         | C 40    | -    | -     | -     | -     | -      | -          | -   | -       | -       | -       |  |
| Hotel & Motel  |             |        |       |      |         |            |      |      |     |      |            | P 41    | P 41 | P 41 | P 41      | P 41    | C 41 | C 41  | C 41  | C 41  | P 41   | P          |     | P 41    |         |         |  |





1  
2 **ORDINANCE NO. 17-\_\_\_\_\_**  
3  
4

5 **AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA,**  
6 **AMENDING THE CODE OF ORDINANCES, CHAPTER 13, LICENSING,**  
7 **AND THE LAND DEVELOPMENT REGULATIONS, CHAPTER 1,**  
8 **ARTICLE II, DEFINITIONS; CHAPTER 3, ARTICLE IV USE**  
9 **REGULATIONS; AND CHAPTER 4, ARTICLE V, MINIMUM OFF-**  
10 **STREET PARKING REQUIREMENTS. PROVIDING NECESSARY**  
11 **UPDATES; NEW STANDARDS AND JUSTIFICATIONS FOR THE**  
12 **ACCOMMODATION AND REGULATION OF GROUP HOMES; AND**  
13 **PARKING REQUIREMENTS FOR SINGLE- AND TWO-FAMILY**  
14 **DWELLING UNITS. PROVIDING FOR EXCEPTIONS; PROVIDING**  
15 **FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN**  
16 **EFFECTIVE DATE.**  
17

18 **WHEREAS**, there is a perception that there is a proliferation of unlicensed group  
19 homes in Palm Beach County and within the City of Boynton Beach. That perception requires  
20 the City Commission to examine the need for balance between citizens who desire or need  
21 group housing and citizens who believe there should be greater regulation; and

22 **WHEREAS**, On November 10, 2016, the United States Departments of Justice and  
23 Housing and Urban Development released the *Updated Fair Housing Act Guidance on State*  
24 *and Local Land Use Laws* related to group housing; and

25 **WHEREAS**, in order to allow time to establish proper regulations to protect group  
26 home residents while also exercising its lawful right to regulate zoning, on January 17, 2017,  
27 the City approved Ordinance No. 16-025, thereby commencing a temporary moratorium on  
28 the processing of applications for group homes to undertake the review and revision of the  
29 zoning and use regulations as they relate to group housing within the City of Boynton Beach  
30 to find the proper means of protecting the legal rights of group home occupants while  
31 preserving the integrity of the City's zoning plan; and,

32 **WHEREAS**, during the time of the moratorium, the City conducted a study of the  
33 City's Code of Ordinances including zoning regulations, parking regulations, community  
34 standards, and business tax processes; applicable federal rules, regulations, and reports on the  
35 regulating of group and treatment homes; state laws and pending laws; reports or publications  
36 on recognized recovery housing and the role and importance of communal living in the

37 treatment process; including interviewing a representative from the Florida Association of  
38 Recovery Residences; and

39       **WHEREAS**, The City adopted Ordinance 10-025, passed 12-7-10; Amended  
40 Ordinance 11-002, passed 3-1-11; and Amended Ordinance 13-033, §3, passed 12-3-13, to  
41 implement a procedure for processing requests for reasonable accommodation to the City's  
42 Code of Ordinances, Land Development Regulations, rules, policies, and procedures for  
43 persons with disabilities as provided by the federal Fair Housing Amendments Act (42 U.S.C.  
44 3601. et. seq.) and/or Title II of the Americans with Disabilities Amendments Act (42 U.S.C.  
45 Section 12131, et. seq.) ("ADA").

46       **WHEREAS**, the City's reasonable accommodation process has remained viable  
47 during the moratorium period to consider and avoid the denial of housing or related services  
48 to a disabled individual; and

49       **WHEREAS**, the Palm Beach Grand Jury in the Circuit Court of the 15<sup>th</sup> Judicial  
50 Circuit's *Report on the Proliferation of Fraud and Abuse in Florida's Addiction Treatment*  
51 *industry* (Dec. 8, 2016) reported 484 overdose deaths in Delray Beach in 2016, up from 195 in  
52 2015; and

53       **WHEREAS**, the statistics on addiction and overdose for the City of Delray Beach and  
54 Palm Beach County are an indication of the possible future of Boynton Beach, without proper  
55 services for treatment and regulated housing accommodations; and

56       **WHEREAS**, The Palm Beach Grand Jury's Report recommended certification and  
57 licensure for "commercial recovery housing"; and

58       **WHEREAS**, The Grand Jury received evidence from a number of sources that  
59 recovery residences operating under nationally recognized standards, such as those created by  
60 the National Alliance for Recovery Residences (NARR), are proven to be highly beneficial to  
61 recovery; and

62       **WHEREAS**, the State of Florida relies upon the Florida Association of Recovery  
63 Residences (FARR) for review, certification and oversight of recovery houses and operators  
64 as part of the State's restriction on recovery residence referrals; and

65       **WHEREAS**, The courts have regularly found a legitimate purpose in zoning  
66 regulations intended to achieve a homogenous, traditional single-family neighborhood, with  
67 low noise, fewer people, and restrictions on vehicles; and

68           **WHEREAS**, the City has experienced and observed a rapidly increasing rate of opioid  
69 addiction, deaths, and emergency demands in the local area; and

70           **WHEREAS**, Boynton Beach Fire Rescue activity reports indicate that heroin and  
71 opioid overdose calls totaled 250 in the first 5 months of 2017, resulting in 10 deaths and  
72 requiring use of over \$10,000 in Narcan for treatment; and

73           **WHEREAS**, Palm Beach County has experienced an increase in fatal opioid cases by  
74 314% between 2012 and 2016; and

75           **WHEREAS**, the State of Florida has recognized a trend in criminal activity, such as  
76 insurance fraud and resident neglect, related to the management of group homes, and as a  
77 result, the State continues to adopt regulations and rules with an emphasis on penalties for  
78 such activity; and

79           **WHEREAS**, the City of Boynton Beach seeks to establish regulations which protect  
80 the group home residents from criminal activity, such as insurance fraud and resident neglect,  
81 related to the management of group homes; and

82           **WHEREAS**, the Fair Housing Act prohibits local land use and zoning laws, policies,  
83 and practices that discriminate based on a characteristic protected under the Act, including  
84 individuals being treated for addictions to alcohol and being treated for substance abuse; and

85           **WHEREAS**, in *Olmstead v. L.C.*, the Supreme Court ruled that the Americans with  
86 Disabilities Act (ADA) prohibits the unjustified segregation of persons with disabilities in  
87 institutional settings where necessary services could reasonably be provided in integrated,  
88 community-based settings. An integrated setting is one that enables individuals with  
89 disabilities to live and interact with individuals without disabilities to the fullest extent  
90 possible; and

91           **WHEREAS**, as a result of the City's research, it is necessary to modify the existing  
92 ordinance to: (a) preserve access to homogenous, traditional single-family neighborhoods,  
93 with low noise, fewer people, and restrictions on vehicles; (b) establish regulations which  
94 protect the residents of group homes from criminal activity, such as insurance fraud and  
95 resident neglect, related to the management of group homes; and (c) update the City's existing  
96 regulations to incorporate recent changes in law and the findings of the Grand Jury; and

97           **WHEREAS**, the City Commission deems it appropriate and in the best interests of the  
98 health, safety and welfare of the citizens and residents of the City of Boynton Beach to amend  
99 the City Code and Land Development Regulations as specified herein.

100  
101           **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**  
102 **THE CITY OF BOYNTON BEACH, THAT:**

103           **Section 1.**     The foregoing "Whereas" clauses are true and correct and incorporated  
104 herein by this reference.

105  
106           **Section 2.**     That Chapter 13, of the City of Boynton Beach Code of Ordinances is  
107 hereby amended as follows:

108  
109  
110 ARTICLE I. BUSINESS TAX RECEIPTS AND CERTIFICATE OF USE AND  
111 OCCUPANCY

112 Sec. 13-4 CLASSIFICATION AND FEE SCHEDULE.

113 Notes:

114       \* Businesses that are Required a license and/or certification from a state or other agency.

115       This includes but may not be limited to one or more of the following:

116 Department of Business and Professional Regulation and the Division of Hotels &  
117 Restaurants, Department of Business Regulation, Department of Agriculture & Consumer  
118 Services, Department of Highway Safety & Motor Vehicles, Florida Bar Association, Florida  
119 Department of Financial Services Department of Banking & Finance, Florida Agency for  
120 Health Care Administration, Florida Office of Financial Regulation, Palm Beach County  
121 Contractors Certification Division, Palm Beach County Health Department, and the  
122 Department of Health. Housing limited to, or intended for persons in any stage of alcohol and  
123 drug treatment programs may be certified by the Florida Association of Recovery Residences  
124 (FARR); a like entity as designated by the State of Florida for monitoring and oversight  
125 purposes; or may apply for consideration through the City's Reasonable Accommodation  
126 process, as set forth in Part III, Chapter 2, Article II, Section 4 of the City's Code of  
127 Ordinances.

128  
129 “NEC” - Not Elsewhere Classified

130  
131 Sec. 13-30 GROUP HOMES

132  
133 **Sec. 13-30. Group Homes, Certification Requirements and Grace Period**

134       (a) For applicable terms and definitions see the Land Development Regulations  
135 Chapter 1. Article II. Definitions.

136       (b) To ensure the proper care and treatment of individuals residing within a group  
137 home, many who need special care or structured living environments for preservation or  
138 advancement within a treatment process, all such homes and/or operators must be licensed  
139 and/or certified by an entity operated by or affiliated with the State of Florida. This includes  
140 any group home used for the purpose of housing residents in any stage of alcohol or drug

treatment which must be certified by the Florida Association of Recovery Residences (FARR). If a group home is not certified by FARR, the group home may apply for consideration through the City's Reasonable Accommodation process, as set forth in Part III, Chapter 2, Article II, Section 4 of the City's Code of Ordinances.

(c)

**Section 4.** That Chapter 1, General Administration, Article II, Definitions, of the City of Boynton Beach Land Development Regulations are hereby amended as follows:

Ch 1. GENERAL ADMINISTRATION, ARTICLE II. DEFINITIONS

~~ALCOHOL AND DRUG REHABILITATION CENTER~~ See "Group Home, Type 4."

**DWELLING, MULTI-FAMILY** - A building, typically referred to as an apartment or condominium, containing three (3) or more dwelling units, all of which share a common vestibule. Resident support services intended to meet the basic physical, emotional, and social needs of the residents such as custodial care or support with activities of daily living (ADL) are prohibited. Licensing or certifications from the Florida Department of Health are not required.

**GROUP HOME** - A facility that provides lodging for ~~three (3) or more~~ individuals in dwelling units or sleeping rooms which, with the possible exceptions of a Type 3 Group Homes, operate primarily on a referral basis from state, county, or local social service agencies and/or self-help programs. These All group homes, unless specifically exempt by Florida Statutes, are licensed by an agency within the State of Florida Department of Health and Rehabilitative Services, except that drug and alcohol treatment homes (a/k/a recovery residence) shall be certified by the Florida Association of Recovery Residences (FARR) or, if not certified by FARR, may apply for consideration through the City's Reasonable Accommodation process, as set forth in Part III, Chapter 2, Article II, Section 4 of the City's Code of Ordinances. The different types of group homes are distinguished by size and/or the extent of support services provided. may Group Homes offer in addition to lodging; and meals along with either limited or comprehensive resident support services required to that meet the basic physical, emotional, and social needs of the residents ; .Such limited services may include for example counseling, guidance and varying levels of basic medical care, support with activities of daily living (ADL), and transportation to off-site service providers. Services provided at a Type 1 or Type 2 Group Home are typically provided by a single individual including, but not limited to, a caretaker/overseer, counselor, house manager, nurse or therapist. Such homes operate as the equivalent of a family unit sharing kitchen and living amenities of the home, through daily interactions or coordinating responsibilities, and exist compatibly within the surrounding neighborhood. The term "group home" includes but is not limited to nursing homes, adult congregate living facilities (ACLF), assisted living facilities (ALF), group care homes, community residential homes, and recovery homes, and residential treatment facilities. The following additional descriptions further define the three different types of group homes defined by type:

184 1. **TYPE 1** - A group home of not more than ~~six~~two (62) residents per bedroom, up to a  
185 maximum of ten (10), including a caretaker or overseer, which provides limited support  
186 services on-site. The services are as typically delivered by a single individual including but  
187 not limited to a caretaker/overseer, counselor, house manager, nurse or therapist. Such limited  
188 services may include-for example-counseling, basic-medical care, assistance with activities of  
189 daily living (ADL), and transportation to off-site service providers. Such homes operate as the  
190 equivalent of a family unit, with shared kitchen and living amenities of the home, and existed  
191 compatibly within the surrounding neighborhood. ~~which is licensed by an agency within~~  
192 ~~theto serve clients of the Florida Department of Health and Rehabilitative Services and which~~  
193 ~~provides a living environment for residents who operate as a functional equivalent of a family,~~  
194 ~~including such supervision and care by supportive staff as may be necessary to meet the~~  
195 ~~physical, emotional, and social needs of the residents, but which may or may not be licensed~~  
196 ~~by the Florida Department of Health and Rehabilitative Services.~~

197  
198 2. **TYPE 2** - A group home or facility with no ~~less than seven~~ (7) ~~or more than fourteen~~  
199 (14) residents. A Type 2 Group Home provides limited support services on-site, and such on-  
200 site services are generally provided by a single individual including but not limited to a  
201 caretaker/overseer, counselor, house manager, nurse or therapist. Such limited services may  
202 include for example counseling, basic-medical care, assistance with activities of daily living  
203 (ADL), and transportation to off-site service providers. Such homes operate as the equivalent  
204 of a family unit, sharing kitchen and living amenities of the home, daily interaction and  
205 coordination, and existing compatibly within the surrounding neighborhood. This category of  
206 group home includes a Community Residential Home as defined and licensed by the State of  
207 Florida. ~~which is licensed to serve clients of the Florida Department of Health and~~  
208 ~~Rehabilitative Services and which provides for a living environment for residents, including~~  
209 ~~such supervision and care by supportive staff as may be necessary to meet the physical,~~  
210 ~~emotional, and social needs of the residents, but which are not licensed by the Florida~~  
211 ~~Department of Health and Rehabilitative Services. This definition includes all facilities~~  
212 ~~operating for such purpose or intent, but which may or may not be licensed by the Florida~~  
213 ~~Department of Health and Rehabilitative Services.~~

214  
215 3. **TYPE 3**—A home or facility with fifteen (15) or more residents which is licensed to  
216 serve clients of the Florida Department of Health and Rehabilitative Services and which  
217 provides for a living environment for residents, including such supervision and care by  
218 supportive staff as may be necessary to meet the physical, emotional, and social needs of the  
219 residents. This definition includes all facilities operating for such purpose or intent, but which  
220 may or may not be licensed by the Florida Department of Health and Rehabilitative Services.  
221 A group home without a limit on the number of residents, and that principally provides short-  
222 term or long-term lodging for unrelated persons in individual sleeping rooms or dwelling units  
223 with private or shared kitchen and bathing facilities along with other common amenities to  
224 meet the medical, social and recreational needs of the residents. These facilities are licensed  
225 by an agency within the Florida Department of Health. This category of group homes  
226 provides lodging accommodations, and comprehensive, on-site personal services  
227 representings a larger, a more self-sufficient facility than a Type 1 or Type 2 Group Home.  
228 Personal services for residents are delivered by a host of qualified staff, specialists and  
229 professionals within or outside the facility on a 24-hour basis. However, such facilities would



not include 24-hour, on-site, skilled nursing services, except as allowed in a combination facility as described below. To support the principle of continuum of care, this type accommodates a range of facilities from independent to assisted living facilities, or the combination of such facilities with a nursing home and/or memory care facility as long as the nursing home or memory care represents 40% or less of the total bed count of the facility. The term "group home" includes but is not limited to ~~adult congregate living facilities (ACLF) and~~ assisted living facilities (ALF), and excludes facilities that provide short-term accommodations in conjunction with a specific medical or mental health service (see the use category Medical Care or Testing (In-patient)). See the Zoning Matrix and Notes for additional provisions and standards.

~~4. TYPE 4 — A home or facility for seven (7) or more individuals classified as participants in inmate release programs; recovery homes and mental health or substance abuse residential treatment homes; or the like, which is licensed to serve clients of the Florida Department of Health and Rehabilitative Services and which provides for a living environment for residents, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. This establishment may provide counseling and information regarding a wide range of mental health and substance abuse issues and/or refer patients to more extensive treatment programs, if necessary. This definition includes all facilities operating for such purpose or intent, but which may or may not be licensed by the Florida Department of Health and Rehabilitative Services. Outpatient mental health and substance abuse centers are not classified under this definition.~~

~~HALFWAY HOUSE — See "Group Home, Type 4."~~

**HOSPITAL** - An establishment typically referred to as an institution (excluding "Group Homes, Type 4") that provides comprehensive, inpatient and outpatient healthcare, including typical emergency medical, surgical, diagnostic, rehabilitation and treatment services, as well as other specialized services ranging from bariatrics to wound care. This use would also include accessory meeting/conference facilities, limited retail sales, and administrative offices.

**MEDICAL CARE OR TESTING (IN-PATIENT)** - A facility, excluding hospitals, which ~~open~~ operate 24 hours per day or provides 24-hour healthcare, treatment, and/or examinations from professional medical staff (e.g. skilled nursing services), requiring overnight stays for a short or long period of time, and are based on emergency, planned, or scheduled admittance to facilities with controlled and secured access to ensure appropriate care of patients. Such facilities include but are not limited to:

1. Alcohol or chemical dependency treatment centers licensed pursuant to F.S. Chapter 397;
2. Mental health treatment facilities licensed pursuant to F.S. Chapter 394;
3. Urgent care centers (24-hour);
4. Inpatient testing services such as sleep disorder centers;
5. Birth centers licensed pursuant to F.S. 383.305;
6. Hospice facilities licensed pursuant to F.S. Chapter 400, Part IV;

- 276 7. Eating disorder treatment centers; and  
277 8. Nursing homes, ~~and~~ physical rehabilitation centers, and memory care facilities (i.e.  
278 dementia/Alzheimer's care facilities, licensed pursuant to F.S. Chapter 400.

279  
280 ~~**SUBSTANCE ABUSE CENTER**~~ See "Group Home, Type 4."  
281

282 **Section 5.** That Chapter 3, Zoning, Article IV, Use Regulations, of the City of  
283 Boynton Beach Land Development Regulations are hereby amended as follows:

284  
285 CH. 3. ZONING, ART. IV. USE REGULATIONS, SEC. 3.D. MATRIX AND NOTES  
286

287 14. General Note. The subject use is only allowed on a lot that fronts on an arterial or  
288 collector street as defined in Part III, Chapter 1, Article II of the LDR under definitions for  
289 "Street-Arterial" and "Street-Collector". Except for uses providing Medical Care or Testing  
290 (In-patient) shall be limited to lots that front on an arterial roadway.

291  
292 40. Group Home ~~Types 1 through 4.~~

293  
294 a. ~~All Group Home Type 1~~ . Maximum persons per unit. Two (2) persons per  
295 bedroom, not to exceed 10 persons including a resident caretaker or overseer.

296  
297 b. Group Homes Type 1 and 2.

298  
299 (1) Common. Area. At least ten percent (10%) of the total floor area shall be  
300 devoted to a common area, exclusive of halls, corridors, stairs, and elevator shafts,  
301 wherein a variety or recreational or therapeutic activities may occur.

302  
303 (2) Rooms. Residents' rooms or suites shall, in no case, have kitchen facilities  
304 available for the preparation of food.

305  
306 e. ~~Type 1~~

307  
308 (1) ~~(3)~~ Design. Pursuant to Chapter 4, Article III, Section 3.G.1, the appearance  
309 of a group home shall be residential in character and similar in appearance to the  
310 surrounding neighborhood.

311  
312 (2) .

313  
314 (5) Parking. See the Chapter 4, Article V for applicable parking requirements.

315  
316 e. Types 2, 3, and 4.

317  
318 c Group Home Type 2.

319



(1) ~~Separation. Such use shall be located a minimum distance of one thousand (1,000) feet from another group home (regardless of type) and six hundred (600) feet of property zoned for single family dwellings, as measured by direct distance between property lines. The floor area of any existing facility shall not be expanded in instances where located less than the minimum separation requirement. All new applications to operate such uses or applications for building permits to expand such uses shall be accompanied by an affidavit certifying compliance with this restriction.~~

(1) Two (2) persons per bedroom, not to exceed 14 persons including a resident caretaker or overseer

(2) Conditional use approval is not required within a Planning Unit Development (PUD) if approved on the master plan or modified master plan.

d. Group Home Type 3.

(1) PUD or Mixed Use Zoning District. Conditional use approval is not required within a planned development zoning district (i.e. PUD or MU Zoning District) if approved on the master plan or modified master plan.

(2) MU-L2 and MU-L3. Projects require a minimum of 60% of the dwelling units to be for independent living with full kitchen and bath facilities, and not require licensing by the State of Florida Department of Health.

**Section 6.** That Chapter 3, Zoning, Article IV, Use Regulations, of the City of Boynton Beach Land Development Regulations are hereby amended as follows:

LDR Chapter 3, Art. IV. Sect. 3.D - Use Matrix (Table 3-28).

Proposed Amendments – Group Homes – See Exhibit “A” Attached hereto

**Section 7.** That Chapter 4, Site Development Standards, Article V, Minimum Off-Street Parking Requirements of the City of Boynton Beach Land Development Regulations are hereby amended as follows:

CH. 4. SITE DEVELOPMENT STANDARDS

Article V. MINIMUM OFF-STREET PARKING REQUIREMENTS

Sec. 1. General.

A. *Purpose and Intent.* The purpose of this article is to provide accessible, attractive, secure, properly lighted, well-maintained, and screened off-street parking facilities for the citizens and visitors of the City. It is the intent of these Regulations to ensure the provision of off-street parking in proportion to the typical and daily demand created by various businesses located downtown and in the suburban areas. It is also the emphasis of this article to promote efficient use of land and redevelopment through promotion of cross-parking and interconnectivity, shared parking and necessary reductions to consider alternative parking resources and redevelopment initiatives.

B. *Administration.* The Director of Planning and Zoning or designee shall have the authority to interpret and administer this article.

365 C. *Applicability.* The provisions of this article shall be considered the minimum standards  
366 and except where specifically stated otherwise herein, are applicable to all new construction  
367 projects or modifications to existing sites.

368 D. *Terms and Definitions.* See [Chapter 1, Article II](#) for all applicable terms and definitions  
369 which pertain to the regulations and standards contained herein.

370 E. *Conflict.* Whenever the regulations and requirements of this Code are at conflict with  
371 any other lawfully enacted and adopted rules, regulations, ordinances, or laws, the most  
372 restrictive shall apply, unless otherwise stated herein.

373 F. *Relief from Standards.* Unless described otherwise, any deviation from the parking  
374 standards contained herein shall require approval of a variance application, which is subject to  
375 review and approval by the City Commission. A request for a variance shall be reviewed in  
376 accordance with [Chapter 2, Article II, Section 4.D.](#)  
377

## 378 Sec. 2. Standards.

### 379 A. *General.*

#### 380 1. Rules and Methodology.

381 .....  
382

383 2. Minimum Number of Required Off-Street Spaces for Non-Residential Uses. No fewer  
384 than four (4) parking spaces shall be provided for any non-residential use.

#### 385 3. Location of Off-Street Parking Areas.

386 a. Residential. Required parking spaces for all dwellings shall be located on the same  
387 lot as the dwelling to be served.

388 b. Non-residential. Required parking spaces for all non-residential uses shall be owned  
389 by the owner of the building or lot to be served, and shall be located on the same lot, or not  
390 more than three hundred (300) feet distance, unless the property is located within those areas  
391 defined within the adaptive re-use section of the Code (Chapter 4, Article 5, Section 4). In  
392 those areas, required parking spaces may be leased within three hundred (300) feet of the use  
393 in which they serve, subject to Board and City Commission approval, and the property shall  
394 be posted with signage indicating to patrons the location of the leased parking.  
395

#### 396 4. Driveways and other impervious surfaces within front or side yards of single- and two- 397 family dwelling units.

398 a. Applicability. The requirements of this section are applicable to new construction  
399 projects, modifications that increase air-conditioned living space and/or number of  
400 bedrooms, and requests for a Certificate of Use.

401 b. Driveways shall be constructed of concrete, asphalt, or other hard surface as approved  
402 by the City Engineer. Where possible, design and construction should maximize the  
403 albedo and minimize the heat island effect of such improvements. Also where  
404 possible, tandem parking design is encouraged to minimize impervious surface area  
405 and maximize the environmental design of the project.

406 c. Such surfaces shall not exceed 40% of the minimum front yard area.

### 407 B. *Table 4-17. Residential and Lodging Uses.* 408

| Residential and Lodging Uses  | Standard Number of Required Parking Spaces |
|---|--|
| Building area size is based upon gross floor area (in square feet) unless specifically expressed otherwise. |  |
| Single-family, duplex dwelling, or mobile home:   | <del>2</del> <sup>1, 2</sup>               |
| Efficiency or one (1)-bedroom apartment:  | 1.5 <sup>1, 2, 3</sup>                     |
| Within mixed use high district:   | 1.33 <sup>2, 3</sup>                       |
| Two (2) or more bedroom apartment:  | 2 <sup>1, 2, 3</sup>                       |
| Within mixed use high district:   | 1.66 <sup>1, 2, 3</sup>                    |
| Dormitories:  | 1 per unit                                 |
| Hotel & motel suite:  | 1.25 per unit <sup>5, 6</sup>              |
| Within mixed use high district:   | 1 per unit                                 |
| Group home (types 1, <del>through 4</del> and 2):   | <del>1 per 3 beds</del> <sup>1, 2</sup>    |
| Group home (type 3)   | 1 per 3 beds                               |
| Bed & breakfast:  | 1 <sup>3, 4</sup>                          |
| Live/work unit:   | 1 per 2 units <sup>4, 5</sup>              |

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1. A minimum of two (2) spaces are required per unit, or 1 space per bedroom, whichever is greatest. Except that dwellings with 5 or more bedrooms are required 1.5 spaces per bedroom.
2. Residential driveways ~~shall~~ can be used to satisfy, or partially satisfy the parking space requirements for single-family detached dwelling units, duplexes, and multi-family dwelling units containing garages, provided such driveways are of sufficient size to meet the parking space requirements of this subsection. A residential driveway of sufficient size shall be provided prior to the issuance of a certificate of occupancy. If garages are used towards meeting minimum parking requirements, said garages shall remain open and available for vehicle parking consistent with the design represented at time of approval. For all required parking spaces not located within an enclosed garage, the first parking space shall be the minimum size required for a handicap space, exclusive of public or private rights-of-way, and all other required spaces must be dimensioned in accordance with current city standards. All driveways shall be setback at least two (2) feet from interior side and corner side property lines, and maintained and drained so as to prevent nuisance conditions or a danger to the public and/or adjacent property owners. Any expansion to an existing driveway shall require a zoning permit from the Planning and Zoning Division in accordance with the procedures specified in [Chapter 2, Article II, Section 5.B.](#); however, any driveway expansion (or similar impervious surface) that is equal to or greater than eight hundred (800) square feet shall require the approval of a land development permit in accordance with [Chapter 2, Article III, Section 3.](#) Any work, such as a driveway, proposed within the swale (right-of-way) shall require a permit from the Engineering Division in accordance with the procedures specified in [Chapter 2, Article III, Section 4.](#)

436        ~~23.~~ Guest parking shall be provided at a rate of 0.15 spaces per unit for residential  
437        developments consisting of three (3) or more dwelling units.  
438        ~~34~~ Required parking shall be calculated on the basis of one (1) space per each employee,  
439        manager, or owner and one (1) parking space for each guest unit. Newly created  
440        parking may be located only in the rear and side yard.  
441        ~~4-5~~ In addition to the required parking for the residential unit, the city requires that one  
442        (1) parking space per two (2) live/work units be provided to meet business activity  
443        needs. Parking provided to meet this requirement shall be located on the lot, built into  
444        or under the structure, or within three hundred (300) feet of the unit in which the use is  
445        located. The distance shall be a straight line measurement from a point on the  
446        boundary line of the property of the subject unit to the closest boundary line of the  
447        property on which the parking is located. Parking provided to accommodate said  
448        space, including driveways of adequate depth in front of the unit's garage, shall not  
449        serve as meeting required parking for the unit's residential use.

450        ~~56~~ Hotel/motel uses open to the general public, such as a restaurant or lounge, shall  
451        provide parking at a rate of fifty percent (50%) of the requirement of a standalone operation..

452        **Section 8.** That Chapter 1, General Administration, Article VIII, Appeals, of the City  
453        of Boynton Beach Land Development Regulations is hereby amended as follows:

454        D. Assignment of Appeals. The City Commission or the Building Board of  
455        Adjustment and Appeals shall review all appeals. The assignment of each is as follows:

456  
457        1. City Commission. The City Commission shall hear and decide all appeals  
458        regarding the administration, interpretation, or enforcement of any standard, provision, or  
459        regulation contained in the land development regulations, except for that which is identified in  
460        ~~subparagraph b.~~ below.

461  
462        2. Building Board of Adjustment and Appeals. The owner of a building,  
463        structure, or service system, or duly authorized agent may appeal a decision of the Building  
464        Official in his/her enforcement or administration of Chapter 4, Article IX, Building,  
465        Construction and Historic Preservation Requirements; Chapter 4, Article X, Flood Prevention  
466        Requirements; or whenever any one (1) of the following conditions are claimed to exist:

467        . . . .  
468  
469        e. An application made by the owner or tenant of a property which operates as  
470        a group home is denied. The Building Board of Adjustment and Appeals shall convene  
471        within thirty (30) calendar days of the date that a written appeal is filed with the City.  
472        If the Building Board of Adjustment and Appeals is unable to convene within 30 days,  
473        the appeal may be heard by the City's Magistrate and the matter will be added to the  
474        agenda of the next available Code Enforcement Hearing date.

475        **Section 9.** Each and every other provision of the Code of Ordinances and Land  
476        Development Regulations of the City of Boynton Beach not herein specifically amended shall  
477        remain in full force and effect as previously enacted.

478           **Section 10.**   All ordinances or parts of ordinances in conflict herewith be and the  
479 same are hereby repealed.

480           **Section 11.**   Should any section or provision of this ordinance or portion hereof, any  
481 paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid,  
482 such decision shall not affect the remainder of this ordinance.

483           **Section 12.**   Authority is hereby granted to codify this ordinance.

484           **Section 13.**   This ordinance shall become effective immediately upon passage.

485 **FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2017.

486

487 **SECOND, FINAL READING AND PASSAGE** this \_\_\_\_ day of  
488 \_\_\_\_\_, 2017.

489

490 CITY OF BOYNTON BEACH, FLORIDA

|     |     |    |
|-----|-----|----|
| 491 | YES | NO |
|-----|-----|----|

492

493 Mayor – Steven B. Grant \_\_\_\_\_

494

495 Vice Mayor – Justin Katz \_\_\_\_\_

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497 Commissioner – Mack McCray \_\_\_\_\_

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499 Commissioner – Christina L. Romelus \_\_\_\_\_

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501 Commissioner – Joe Casello \_\_\_\_\_

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|     |            |
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| 503 |            |
| 504 | VOTE _____ |

505 ATTEST:

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509 Judith A. Pyle, CMC

510 City Clerk

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514 (Corporate Seal)

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1  
2 **ORDINANCE NO. 17-\_\_\_\_\_**  
3  
4

5 **AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA,**  
6 **AMENDING THE CODE OF ORDINANCES, CHAPTER 13, LICENSING,**  
7 **AND THE LAND DEVELOPMENT REGULATIONS, CHAPTER 1,**  
8 **ARTICLE II, DEFINITIONS; CHAPTER 3, ARTICLE IV USE**  
9 **REGULATIONS; AND CHAPTER 4, ARTICLE V, MINIMUM OFF-**  
10 **STREET PARKING REQUIREMENTS. PROVIDING NECESSARY**  
11 **UPDATES; NEW STANDARDS AND JUSTIFICATIONS FOR THE**  
12 **ACCOMMODATION AND REGULATION OF GROUP HOMES; AND**  
13 **PARKING REQUIREMENTS FOR SINGLE- AND TWO-FAMILY**  
14 **DWELLING UNITS. PROVIDING FOR EXCEPTIONS; PROVIDING**  
15 **FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN**  
16 **EFFECTIVE DATE.**  
17

18 **WHEREAS**, there is a perception that there is a proliferation of unlicensed group  
19 homes in Palm Beach County and within the City of Boynton Beach. That perception requires  
20 the City Commission to examine the need for balance between citizens who desire or need  
21 group housing and citizens who believe there should be greater regulation; and

22 **WHEREAS**, On November 10, 2016, the United States Departments of Justice and  
23 Housing and Urban Development released the *Updated Fair Housing Act Guidance on State*  
24 *and Local Land Use Laws* related to group housing; and

25 **WHEREAS**, in order to allow time to establish proper regulations to protect group  
26 home residents while also exercising its lawful right to regulate zoning, on January 17, 2017,  
27 the City approved Ordinance No. 16-025, thereby commencing a temporary moratorium on  
28 the processing of applications for group homes to undertake the review and revision of the  
29 zoning and use regulations as they relate to group housing within the City of Boynton Beach  
30 to find the proper means of protecting the legal rights of group home occupants while  
31 preserving the integrity of the City's zoning plan; and,

32 **WHEREAS**, during the time of the moratorium, the City conducted a study of the  
33 City's Code of Ordinances including zoning regulations, parking regulations, community  
34 standards, and business tax processes; applicable federal rules, regulations, and reports on the  
35 regulating of group and treatment homes; state laws and pending laws; reports or publications  
36 on recognized recovery housing and the role and importance of communal living in the

37 treatment process; including interviewing a representative from the Florida Association of  
38 Recovery Residences; and

39       **WHEREAS**, The City adopted Ordinance 10-025, passed 12-7-10; Amended  
40 Ordinance 11-002, passed 3-1-11; and Amended Ordinance 13-033, §3, passed 12-3-13, to  
41 implement a procedure for processing requests for reasonable accommodation to the City's  
42 Code of Ordinances, Land Development Regulations, rules, policies, and procedures for  
43 persons with disabilities as provided by the federal Fair Housing Amendments Act (42 U.S.C.  
44 3601. et. seq.) and/or Title II of the Americans with Disabilities Amendments Act (42 U.S.C.  
45 Section 12131, et. seq.) ("ADA").

46       **WHEREAS**, the City's reasonable accommodation process has remained viable  
47 during the moratorium period to consider and avoid the denial of housing or related services  
48 to a disabled individual; and

49       **WHEREAS**, the Palm Beach Grand Jury in the Circuit Court of the 15<sup>th</sup> Judicial  
50 Circuit's *Report on the Proliferation of Fraud and Abuse in Florida's Addiction Treatment*  
51 *industry* (Dec. 8, 2016) reported 484 overdose deaths in Delray Beach in 2016, up from 195 in  
52 2015; and

53       **WHEREAS**, the statistics on addiction and overdose for the City of Delray Beach and  
54 Palm Beach County are an indication of the possible future of Boynton Beach, without proper  
55 services for treatment and regulated housing accommodations; and

56       **WHEREAS**, The Palm Beach Grand Jury's Report recommended certification and  
57 licensure for "commercial recovery housing"; and

58       **WHEREAS**, The Grand Jury received evidence from a number of sources that  
59 recovery residences operating under nationally recognized standards, such as those created by  
60 the National Alliance for Recovery Residences (NARR), are proven to be highly beneficial to  
61 recovery; and

62       **WHEREAS**, the State of Florida relies upon the FARR for review, certification and  
63 oversight of recovery houses and operators as part of the State's restriction on recovery  
64 residence referrals; and

65       **WHEREAS**, The courts have regularly found a legitimate purpose in zoning  
66 regulations intended to achieve a homogenous, traditional single-family neighborhood, with  
67 low noise, fewer people, and restrictions on vehicles; and



68           **WHEREAS**, the City has experienced and observed a rapidly increasing rate of opioid  
69 addiction, deaths, and emergency demands in the local area; and

70           **WHEREAS**, Boynton Beach Fire Rescue activity reports indicate that heroin and  
71 opioid overdose calls totaled 250 in the first 5 months of 2017, resulting in 10 deaths and  
72 requiring use of over \$10,000 in Narcan for treatment; and

73           **WHEREAS**, Palm Beach County has experienced an increase in fatal opioid cases by  
74 314% between 2012 and 2016; and

75           **WHEREAS**, the State of Florida has recognized a trend in criminal activity, such as  
76 insurance fraud and resident neglect, related to the management of group homes, and as a  
77 result, the State continues to adopt regulations and rules with an emphasis on penalties for  
78 such activity; and

79           **WHEREAS**, the City of Boynton Beach seeks to establish regulations which protect  
80 the group home residents from criminal activity, such as insurance fraud and resident neglect,  
81 related to the management of group homes; and

82           **WHEREAS**, the Fair Housing Act prohibits local land use and zoning laws, policies,  
83 and practices that discriminate based on a characteristic protected under the Act, including  
84 individuals being treated for addictions to alcohol and being treated for substance abuse; and

85           **WHEREAS**, in *Olmstead v. L.C.*, the Supreme Court ruled that the Americans with  
86 Disabilities Act (ADA) prohibits the unjustified segregation of persons with disabilities in  
87 institutional settings where necessary services could reasonably be provided in integrated,  
88 community-based settings. An integrated setting is one that enables individuals with  
89 disabilities to live and interact with individuals without disabilities to the fullest extent  
90 possible; and

91           **WHEREAS**, as a result of the City's research, it is necessary to modify the existing  
92 ordinance to: (a) preserve access to homogenous, traditional single-family neighborhoods,  
93 with low noise, fewer people, and restrictions on vehicles; (b) establish regulations which  
94 protect the residents of group homes from criminal activity, such as insurance fraud and  
95 resident neglect, related to the management of group homes; and (c) update the City's existing  
96 regulations to incorporate recent changes in law and the findings of the Grand Jury; and

97           **WHEREAS**, the City Commission deems it appropriate and in the best interests of the  
98 health, safety and welfare of the citizens and residents of the City of Boynton Beach to amend  
99 the City Code and Land Development Regulations as specified herein.

100  
101           **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**  
102 **THE CITY OF BOYNTON BEACH, THAT:**

103           **Section 1.**     The foregoing "Whereas" clauses are true and correct and incorporated  
104 herein by this reference.

105  
106           **Section 2.**     That Chapter 13, of the City of Boynton Beach Code of Ordinances is  
107 hereby amended as follows:

108  
109  
110 **ARTICLE I. BUSINESS TAX RECEIPTS AND CERTIFICATE OF USE AND**  
111 **OCCUPANCY**

112 **Sec. 13-4 CLASSIFICATION AND FEE SCHEDULE.**

113 Notes:

114       \* Businesses that are Required a license and/or certification from a state or other agency.

115       This includes but may not be limited to one or more of the following:

116 Department of Business and Professional Regulation and the Division of Hotels &  
117 Restaurants, Department of Business Regulation, Department of Agriculture & Consumer  
118 Services, Department of Highway Safety & Motor Vehicles, Florida Bar Association, Florida  
119 Department of Financial Services Department of Banking & Finance, Florida Agency for  
120 Health Care Administration, Florida Office of Financial Regulation, Palm Beach County  
121 Contractors Certification Division, Palm Beach County Health Department, and the  
122 Department of Health. Housing limited to, or intended for persons in any stage of alcohol and  
123 drug treatment programs shall be certified by the Florida Association of Recovery Residences  
124 (or like entity as designated by the State of Florida for monitoring and oversight purposes).

125  
126 "NEC" - Not Elsewhere Classified

127  
128 **Sec. 13-30 GROUP HOMES**

129  
130 **Sec. 13-30. Group Homes, Certification Requirements and Grace Period**

131       (a) For applicable terms and definitions see the Land Development Regulations  
132 Chapter 1. Article II. Definitions.

133       (b) To ensure the proper care and treatment of individuals residing within a group  
134 home, many who need special care or structured living environments for preservation or  
135 advancement within a treatment process, all such homes and/or operators must be licensed  
136 and/or certified by an entity operated by or affiliated with the State of Florida. This includes  
137 any group home used for the purpose of housing residents in any stage of alcohol or drug  
138 treatment which must be certified by the Florida Association of Recovery Residences  
139 (FARR).

(c) Any group home approved for operating within the City by the effective date of these regulations, which are not certified by FARR, have a grace period of one (1) Business Tax Application cycle (up to October 1, 2018) to obtain compliance with this certification requirement as well as the parking and corresponding impervious surface standards of the Land Development Regulations, Chapter 4, Article V.

**Section 4.** That Chapter 1, General Administration, Article II, Definitions, of the City of Boynton Beach Land Development Regulations are hereby amended as follows:

Ch 1. GENERAL ADMINISTRATION, ARTICLE II. DEFINITIONS

**DWELLING, MULTI-FAMILY** - A building, typically referred to as an apartment or condominium, containing three (3) or more dwelling units, all of which share a common vestibule. No resident support services are provided intended to meet the basic physical, emotional, and social needs of the residents such as custodial care or support with activities of daily living (ADL), and such uses do not require licensing or certifications from the Florida Department of Health.

**GROUP HOME** - A facility that principally provides short-term or long-term lodging for ~~three (3) or more~~ unrelated individuals in dwelling units or sleeping rooms which, with the possible exceptions of a Type 3 Group Homes, operate primarily on a referral basis from state, county, or local social service agencies and/or self-help programs. These All group home facilities, unless specifically exempt by Florida Statutes, are licensed by an agency within the State of Florida Department of Health and Rehabilitative Services, except that drug and alcohol treatment homes shall be certified by the Florida Association of Recovery Residences (FARR). The different types of group homes are distinguished by size and/or the extent of support services provided. may Group Homes offer in addition to lodging accommodations, and meals along with either limited or comprehensive resident support services required to that meet the basic physical, emotional, and social needs of the residents ; Such limited services may include for example counseling, guidance and varying levels of basic medical care, support with activities of daily living (ADL), and transportation to off-site service providers. Services provided at a Type 1 or Type 2 Group Home are typically provided by a single individual including, but not limited to, a caretaker/overseer, counselor, house manager, nurse or therapist. Such homes operate as the equivalent of a family unit sharing kitchen and living amenities of the home, through daily interactions or coordinating responsibilities, and exist compatibly within the surrounding neighborhood. The term "group home" includes but is not limited to nursing homes, adult congregate living facilities (ACLF), assisted living facilities (ALF), group care homes, community residential homes, and recovery homes, and residential treatment facilities. The following additional descriptions further define the three different types of group homes defined by type:

1. **TYPE 1** - A home of not more than ~~six ten~~ (6)10 residents, including a caretaker or overseer, which provides limited support services on-site. The services are as typically delivered by a single individual including but not limited to a caretaker/overseer, counselor, house manager, nurse or therapist. Such limited services may include-for example-counseling, basic-medical care, assistance with activities of daily living (ADL), and transportation to off-site service providers. Such homes operate as the equivalent of a family unit, with shared

184 kitchen and living amenities of the home, and existed compatibly within the surrounding  
185 neighborhood. ~~which is licensed by an agency within the to serve clients of the Florida~~  
186 ~~Department of Health and Rehabilitative Services and which provides a living environment~~  
187 ~~for residents who operate as a functional equivalent of a family, including such supervision~~  
188 ~~and care by supportive staff as may be necessary to meet the physical, emotional, and social~~  
189 ~~needs of the residents, but which may or may not be licensed by the Florida Department of~~  
190 ~~Health and Rehabilitative Services.~~

191  
192 2. **TYPE 2** - A home or facility with no less than seven (7) or more than fourteen (14)  
193 residents. A Type 2 Group Home provides limited support services on-site, and such on-site  
194 services are generally provided by a single individual including but not limited to a  
195 caretaker/overseer, counselor, house manager, nurse or therapist. Such limited services may  
196 include for example counseling, basic-medical care, assistance with activities of daily living  
197 (ADL), and transportation to off-site service providers. Such homes operate as the equivalent  
198 of a family unit, sharing kitchen and living amenities of the home, daily interaction and  
199 coordination, and existing compatibly within the surrounding neighborhood. This category of  
200 group home includes a Community Residential Home as defined and licensed by the State of  
201 Florida, which is licensed to serve clients of the Florida Department of Health and  
202 Rehabilitative Services and which provides for a living environment for residents, including  
203 such supervision and care by supportive staff as may be necessary to meet the physical,  
204 emotional, and social needs of the residents, but which are not licensed by the Florida  
205 Department of Health and Rehabilitative Services. This definition includes all facilities  
206 operating for such purpose or intent, but which may or may not be licensed by the Florida  
207 Department of Health and Rehabilitative Services.

208  
209 3. **TYPE 3**—~~A home or facility with fifteen (15) or more residents which is licensed to~~  
210 ~~serve clients of the Florida Department of Health and Rehabilitative Services and which~~  
211 ~~provides for a living environment for residents, including such supervision and care by~~  
212 ~~supportive staff as may be necessary to meet the physical, emotional, and social needs of the~~  
213 ~~residents. This definition includes all facilities operating for such purpose or intent, but which~~  
214 ~~may or may not be licensed by the Florida Department of Health and Rehabilitative Services.~~  
215 A facility without a limit on the number of residents, and that principally provides short-term  
216 or long-term lodging for unrelated persons in individual sleeping rooms or dwelling units with  
217 private or shared kitchen and bathing facilities along with other common amenities to meet  
218 the medical, social and recreational needs of the residents. These facilities are licensed by an  
219 agency within the Florida Department of Health. This category of group homes provides  
220 lodging accommodations, and comprehensive, on-site personal services representing a larger,  
221 a more self-sufficient facility than a Type 1 or Type 2 Group Home. Personal services for  
222 residents are delivered by a host of qualified staff, specialists and professionals within or  
223 outside the facility on a 24-hour basis. However, such facilities would not include 24-hour,  
224 on-site, skilled nursing services, except as allowed in a combination facility as described  
225 below. To support the principle of continuum of care, this type accommodates a range of  
226 facilities from independent to assisted living facilities, or the combination of such facilities  
227 with a nursing home and/or memory care facility as long as the nursing home or memory care  
228 represents 40% or less of the total bed count of the facility. The term "group home" includes  
229 but is not limited to adult congregate living facilities (ACLF) and assisted living facilities

(ALF), and excludes facilities that provide short-term accommodations in conjunction with a specific medical or mental health service (see the use category Medical Care or Testing (In-patient)). See the Zoning Matrix and Notes for additional provisions and standards.

~~4. TYPE 4 A home or facility for seven (7) or more individuals classified as participants in inmate release programs; recovery homes and mental health or substance abuse residential treatment homes; or the like, which is licensed to serve clients of the Florida Department of Health and Rehabilitative Services and which provides for a living environment for residents, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. This establishment may provide counseling and information regarding a wide range of mental health and substance abuse issues and/or refer patients to more extensive treatment programs, if necessary. This definition includes all facilities operating for such purpose or intent, but which may or may not be licensed by the Florida Department of Health and Rehabilitative Services. Outpatient mental health and substance abuse centers are not classified under this definition.~~

**MEDICAL CARE OR TESTING (IN-PATIENT)** - A facility, excluding hospitals, which ~~open~~ operate 24 hours per day or provides 24-hour healthcare, treatment, and/or examinations from professional medical staff (e.g. skilled nursing services), requiring overnight stays for a short or long period of time, and are based on emergency, planned, or scheduled admittance to facilities with controlled and secured access to ensure appropriate care of patients. Such facilities include but are not limited to:

1. Alcohol or chemical dependency treatment centers licensed pursuant to F.S. Chapter 397;
2. Mental health treatment facilities licensed pursuant to F.S. Chapter 394;
3. Urgent care centers (24-hour);
4. Inpatient testing services such as sleep disorder centers;
5. Birth centers licensed pursuant to F.S. 383.305;
6. Hospice facilities licensed pursuant to F.S. Chapter 400, Part IV;
7. Eating disorder treatment centers; and
8. Nursing homes, ~~and~~ physical rehabilitation centers, and memory care facilities (i.e. dementia/Alzheimer's care facilities), licensed pursuant to F.S. Chapter 400.

**Section 5.** That Chapter 3, Zoning, Article IV, Use Regulations, of the City of Boynton Beach Land Development Regulations are hereby amended as follows:

#### CH. 3. ZONING, ART. IV. USE REGULATIONS, SEC. 3.D. MATRIX AND NOTES

14. General Note. The subject use is only allowed on a lot that fronts on an arterial or collector street as defined in Part III, Chapter 1, Article II of the LDR under definitions for "Street-Arterial" and "Street-Collector". Except for uses providing Medical Care or Testing (In-patient) shall be limited to lots that front on an arterial roadway.

40. Group Home ~~Types 1 through 4.~~

275  
276 a. All-Group Home Types 1 and 2.  
277

278 (1) Common. Area. At least ten percent (10%) of the total floor area shall be  
279 devoted to a common area, exclusive of halls, corridors, stairs, and elevator shafts,  
280 wherein a variety or recreational or therapeutic activities may occur.  
281

282 (2) Rooms. Residents' rooms or suites shall, in no case, have kitchen facilities  
283 available for the preparation of food.  
284

285 ~~b. Type 1~~  
286

287 (1) ~~(3) Design.~~ Pursuant to Chapter 4, Article III, Section 3.G.1, the appearance  
288 of a group home shall be residential in character and similar in appearance to the  
289 surrounding neighborhood.  
290

291 ~~(2) (4) Separation. Such use shall be located a minimum distance of one thousand~~  
292 ~~(1,000) feet from another group home (regardless of type); To prevent the~~  
293 ~~concentration of group homes to a point that an institutional environment is created,~~  
294 ~~and to preserve the single-family character and function of a neighborhood that is the~~  
295 ~~general target for therapeutic living conditions for many group home residents, no~~  
296 ~~more than two (2) group homes shall be located within 300 feet from another Type 1~~  
297 ~~or Type 2 group home as measured by direct distance between property lines. The~~  
298 ~~floor area of any existing facility shall not be expanded in instances where located~~  
299 ~~less than the minimum separation requirement. All new applications to operate such~~  
300 ~~uses or applications for building permits to expand such uses shall be accompanied~~  
301 ~~by an affidavit certifying compliance with this restriction.~~  
302

303 (5) Parking. See the Chapter 4, Article V for applicable parking requirements.  
304

305 ~~e. Types 2, 3, and 4.~~  
306

307 b Group Home Type 2. Conditional use approval is not required within a Planning Unit  
308 Development (PUD) if approved on the master plan or modified master plan.  
309

310 ~~(1) Separation. Such use shall be located a minimum distance of one thousand (1,000)~~  
311 ~~feet from another group home (regardless of type) and six hundred (600) feet of~~  
312 ~~property zoned for single family dwellings, as measured by direct distance between~~  
313 ~~property lines. The floor area of any existing facility shall not be expanded in~~  
314 ~~instances where located less than the minimum separation requirement. All new~~  
315 ~~applications to operate such uses or applications for building permits to expand~~  
316 ~~such uses shall be accompanied by an affidavit certifying compliance with this~~  
317 ~~restriction.~~  
318

319 c. Group Home Type 3.  
320

321 (1) PUD or Mixed Use Zoning District. Conditional use approval is not required  
322 within a planned development zoning district (i.e. PUD or MU Zoning District) if  
323 approved on the master plan or modified master plan.

324 (2) MU-L2 and MU-L3. Projects require a minimum of 60% of the dwelling units  
325 to be for independent living with full kitchen and bath facilities, and not require  
326 licensing by the State of Florida Department of Health.

327  
328 **Section 6.** That Chapter 3, Zoning, Article IV, Use Regulations, of the City of  
329 Boynton Beach Land Development Regulations are hereby amended as follows:

330  
331 LDR Chapter 3, Art. IV. Sect. 3.D - Use Matrix (Table 3-28).  
332 Proposed Amendments – Group Homes – See Exhibit “A” Attached hereto  
333

334 **Section 7.** That Chapter 4, Site Development Standards, Article V, Minimum Off-  
335 Street Parking Requirements of the City of Boynton Beach Land Development Regulations  
336 are hereby amended as follows:  
337

338 CH. 4. SITE DEVELOPMENT STANDARDS

339 Article V. MINIMUM OFF-STREET PARKING REQUIREMENTS

340 Sec. 1. General.

341 A. *Purpose and Intent.* The purpose of this article is to provide accessible, attractive,  
342 secure, properly lighted, well-maintained, and screened off-street parking facilities for the  
343 citizens and visitors of the City. It is the intent of these Regulations to ensure the provision of  
344 off-street parking in proportion to the typical and daily demand created by various businesses  
345 located downtown and in the suburban areas. It is also the emphasis of this article to promote  
346 efficient use of land and redevelopment through promotion of cross-parking and  
347 interconnectivity, shared parking and necessary reductions to consider alternative parking  
348 resources and redevelopment initiatives.

349 B. *Administration.* The Director of Planning and Zoning or designee shall have the  
350 authority to interpret and administer this article.

351 C. *Applicability.* The provisions of this article shall be considered the minimum standards  
352 and except where specifically stated otherwise herein, are applicable to all new construction  
353 projects or modifications to existing sites.

354 D. *Terms and Definitions.* See [Chapter 1, Article II](#) for all applicable terms and definitions  
355 which pertain to the regulations and standards contained herein.

356 E. *Conflict.* Whenever the regulations and requirements of this Code are at conflict with  
357 any other lawfully enacted and adopted rules, regulations, ordinances, or laws, the most  
358 restrictive shall apply, unless otherwise stated herein.

359 F. *Relief from Standards.* Unless described otherwise, any deviation from the parking  
360 standards contained herein shall require approval of a variance application, which is subject to  
361 review and approval by the City Commission. A request for a variance shall be reviewed in  
362 accordance with [Chapter 2, Article II, Section 4.D.](#)  
363

364 Sec. 2. Standards.

365 A. *General.*

366 1. Rules and Methodology.

367       .....

368

369       2. Minimum Number of Required Off-Street Spaces for Non-Residential Uses. No fewer  
370 than four (4) parking spaces shall be provided for any non-residential use.

371       3. Location of Off-Street Parking Areas.

372       a. Residential. Required parking spaces for all dwellings shall be located on the same  
373 lot as the dwelling to be served.

374       b. Non-residential. Required parking spaces for all non-residential uses shall be owned  
375 by the owner of the building or lot to be served, and shall be located on the same lot, or not  
376 more than three hundred (300) feet distance, unless the property is located within those areas  
377 defined within the adaptive re-use section of the Code (Chapter 4, Article 5, Section 4). In  
378 those areas, required parking spaces may be leased within three hundred (300) feet of the use  
379 in which they serve, subject to Board and City Commission approval, and the property shall  
380 be posted with signage indicating to patrons the location of the leased parking.

381

382       4. Driveways and other impervious surfaces within front or side yards of single- and two-  
383 family dwelling units.

384       a. Applicability. The requirements of this section are applicable to new construction  
385 projects, modifications that increase air-conditioned living space and/or number of  
386 bedrooms, and requests for a Certificate of Use.

387       b. Driveways shall be constructed of concrete, asphalt, or other hard surface as approved  
388 by the City Engineer. Where possible, design and construction should maximize the  
389 albedo and minimize the heat island effect of such improvements. Also where  
390 possible, tandem parking design is encouraged to minimize impervious surface area  
391 and maximize the environmental design of the project.

392       c. Such surfaces shall not exceed 40% of the minimum front yard area.

393       **Section 8.** That Chapter 1, General Administration, Article VIII, Appeals, of the City  
394 of Boynton Beach Land Development Regulations is hereby amended as follows:

395       D. Assignment of Appeals. The City Commission or the Building Board of  
396 Adjustment and Appeals shall review all appeals. The assignment of each is as follows:

397

398       1. City Commission. The City Commission shall hear and decide all appeals  
399 regarding the administration, interpretation, or enforcement of any standard, provision, or  
400 regulation contained in the land development regulations, except for that which is identified in  
401 ~~subparagraph b-~~ below.

402

403       2. Building Board of Adjustment and Appeals. The owner of a building,  
404 structure, or service system, or duly authorized agent may appeal a decision of the Building  
405 Official in his/her enforcement or administration of Chapter 4, Article IX, Building,  
406 Construction and Historic Preservation Requirements; Chapter 4, Article X, Flood Prevention  
407 Requirements; or whenever any one (1) of the following conditions are claimed to exist:

408

409       .....



410                   e. An application made by the owner or tenant of a property which operates as  
411 a group home is denied. The Building Board of Adjustment and Appeals shall convene  
412 within thirty (30) calendar days of the date that a written appeal is filed with the City.  
413 If the Building Board of Adjustment and Appeals is unable to convene within 30 days,  
414 the appeal may be heard by the City's Magistrate and the matter will be added to the  
415 agenda of the next available Code Enforcement Hearing date.

416                   **Section 9.** Each and every other provision of the Code of Ordinances and Land  
417 Development Regulations of the City of Boynton Beach not herein specifically amended shall  
418 remain in full force and effect as previously enacted.

419                   **Section 10.** All ordinances or parts of ordinances in conflict herewith be and the  
420 same are hereby repealed.

421                   **Section 11.** Should any section or provision of this ordinance or portion hereof, any  
422 paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid,  
423 such decision shall not affect the remainder of this ordinance.

424                   **Section 12.** Authority is hereby granted to codify this ordinance.

425                   **Section 13.** This ordinance shall become effective immediately upon passage.

426 **FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2017.

427

428 **SECOND, FINAL READING AND PASSAGE** this \_\_\_\_ day of  
429 \_\_\_\_\_, 2017.

430

431

CITY OF BOYNTON BEACH, FLORIDA

432

YES NO

433

434

Mayor – Steven B. Grant

\_\_\_\_\_

435

436

Vice Mayor – Justin Katz

\_\_\_\_\_

437

438

Commissioner – Mack McCray

\_\_\_\_\_

439

440

Commissioner – Christina L. Romelus

\_\_\_\_\_

441

442

Commissioner – Joe Casello

\_\_\_\_\_

443

444

445

VOTE

---

446 ATTEST:

447

448

449

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450 Judith A. Pyle, CMC

451 City Clerk

452

453

454

455 (Corporate Seal)

456



**DEPARTMENT OF DEVELOPMENT  
PLANNING AND ZONING  
Memorandum PZ 17-026**

**TO:** Chair & Members  
Planning & Development Board

**FROM:** Michael Rumpf  
Planning and Zoning Director

**DATE:** May 10, 2017

**PROJECT:** Group Homes and Minimum Off-Street Parking Standards (CDRV 17-005)

**RE:** Approve amendments to the CODE OF ORDINANCES, Chapter 13. Licensing, and the LAND DEVELOPMENT REGULATIONS, Chapter 1. Article II. Definitions, Chapter 3. Article IV. Use Regulations, and Chapter 4. Article V. Minimum Off-Street Parking Requirements that provide necessary updates, new standards and justifications for the accommodation and regulation of group homes, and parking requirements for single- and two-family dwelling units.

**OVERVIEW**

The rewrite of the City's land development regulations (LDR) in late 2010 allowed staff to perform a complete review and analysis of each standard, regulation, and process. As part of the post-adoption process, staff anticipates the periodic need for, and is prepared to expeditiously process, updates and amendments to the LDR for one or more of the following reasons:

1. Furthering business and economic development initiatives;
2. Advancing sustainability initiatives;
3. Maintaining internal consistency;
4. Achieving regulatory compliance; and
5. Incorporating implementation feedback necessary to meet original or current objectives and vision.

The proposed amendments are intended to maintain internal consistency as well as to contribute to the overall effort to properly accommodate and regulate group housing within the City.

**EXPLANATION**

On January 17, 2017 the City Commission adopted Ordinance No. 16-025 thereby establishing a moratorium on the processing of and issuance of licenses, business tax receipts, development orders, certificates of use or permits for all group homes in the City until June 4th. This moratorium supported Resolution R16-165, and Notice of Intent 2016-165 for "Zoning in Progress" and a study period to involve the evaluation of the City's Zoning and Land

Development Regulations, applicable Federal Regulations, and processes related to group housing. The moratorium, unless extended, will expire on June 4<sup>th</sup>.

Objectives of the study have included the following:

- To determine the extent that local regulations can contribute to the regulatory system intended to protect group home residents including persons in drug and alcohol treatment programs;
- To maintain compliance with Federal requirements that protect persons with disabilities; and
- To maintain the quality of single-family neighborhoods in order to meet the needs and expectations of local residents including both the conventional family and group home family.

#### Protection of residents within “sober homes” and compliance with Federal Laws

Accommodating sober homes in the community supports an important step in the care of individuals being treated for addictions to drugs and/or alcohol. Unfortunately, this step has been a magnet for unscrupulous landlords, sober home operators and service providers who are essentially exploiting patients in order to maximize a profit. Despite the fact that this problem involves “disabled” persons who have special living, medical, counseling and social needs, there is currently no regulatory system or oversight to ensure that such needs are met. Essentially anyone can rent their house out for sober home use, or anyone can rent a house to operate a sober home. Documented incidences involving emergency medical calls, neighborhood disturbances, and insurance fraud motivated consideration of laws at the state level. Local task forces and legislative committees were established to research the problem, provide a conduit for collecting local feedback, and consider and draft laws to regulate this growing problem.

The state’s involvement continues to increase. After a failed attempt in 2014, state laws were adopted in 2015 that established the voluntary certification program incentivized by limiting referrals of clients from state-licensed treatment/service providers to only those sober homes that are certified by FARR. “FARR” stands for the Florida Association of Recovery Residences. FARR is the agency chosen by the State of Florida to administer the voluntary certification process for participating sober homes.

Staff has researched this certification process and interviewed representatives of FARR, as well as reviewed case law and other documents that describe the limitations on and warnings about laws that directly or indirectly impact group homes that house disabled persons. One such document is the very current 2016 Joint Statement of the Department of Housing and Urban Development and Department of Justice on State and Local Land Use Laws and Practices and the application of the Fair Housing Act. Simply written, any regulations and processes established by the City cannot discriminate, by intent or effect, against disabled persons and the City must not interfere with access to housing and treatment services. Interference with such

access could lead to a violation of the Americans with Disabilities Act (ADA) and/or Fair Housing Act (FHA).

Staff has therefore attempted to maintain proposed regulations and processes that are as neutral as possible in their application.

#### Maintaining quality residential environments

Maintaining quality residential neighborhoods is intended to benefit both the conventional family as well as those persons in group housing. Interesting is the fact that the same residential characteristics sought by the average conventional family (e.g. safe, clean, peaceful, social interaction and compatibility, etc.), generally represents the same target environment intended by the FHA and ADA in avoiding institutional settings for mainstreaming persons back into the community. The courts have historically supported government's objective of maintaining the single-family character of a neighborhood. Supreme Court Justice Douglas in 1974 very eloquently described the virtues of a single-family neighborhood as:

*"A quiet place where yards are wide, people few, and motor vehicles restricted are legitimate guidelines in land-use project addressed to family needs...The police power is not confined to elimination of filth, stench, and unhealthy places. It is amply to lay out zones where family values, youth values, and the blessing of quiet seclusion and clean air make the area a sanctuary for people."*

Although this case involved support for the traditional definition of a family within local zoning regulations, the emphasis of the Supreme Court in its review of *Village of Belle Terre v. Boraas* was on its support for the objective of government to maintaining the single-family character of a neighborhood. Justice Douglas described both the tangible and intangible characteristics that comprise the single-family neighborhood.

Other cities in addition to Boynton Beach have experienced "worst case" examples of group homes impacting residential neighborhoods, whether involving emergency calls, overdoses, and arrests of operators, or increased traffic and other nuisances. On Riviera Drive in Boynton Beach, where there were three (3) sober houses operating simultaneously on this short cul-de-sac/dead-end street, traffic volumes were counted in excess 200% of the average daily volume for a single-family neighborhood (based on the nationally-recognized standards of the ITE). With respect to emergency calls, this small neighborhood generated twice the emergency calls than a neighborhood of similar size and design that contained no known operating group homes. This data was collected as part of the review and response to a request for reasonable accommodation to increase the number of allowed residents from 6 to 12. This data was collected in December, 2015 and is being used to support the proposed amendments to the Land Development Regulations which may conflict with federal guidelines and the conservative direction commonly taken to regulate group homes. While distance separation standards have been found in violation of the FHA or ADA as it places a standard on housing for the disabled that is not applicable to all homes, the above-referenced data indicates that the clustering of

group homes in certain circumstances can generate measurable negative impacts that deteriorate the fabric and expected quality of life in a given single-family neighborhood. Further, such impacts have essentially represented a change in the City's zoning scheme as the increased traffic volumes are more typical of a multi-family neighborhood with greater density and trips on the local roads. Such a spacing requirement is in the best interest of both the conventional family as well as the group home "family" to preserve the character of the targeted environment. It would also appear that most spacing requirements that have been challenged have not been reasonable distances.

In addition to traffic and emergency calls, such uses also have the potential to exceed the parking capacity of a single-family parcel. Driving-age residents of a group home can total 5 or 6 (as long as the group home is not exceeding the maximum persons standard). This excludes visitors, transport vehicles, counselors and overseers for the home. Given that the LDR only requires a minimum of 2 parking spaces per single family house, parking shortages are very possible, and can lead to excess parking on unimproved surfaces (i.e. front or side yards) or along the street.

### **PROPOSED REGULATIONS**

Staffs research and findings are the basis for recommending LDR amendments within the following four (4) topics:

1. Definitions and Typology intended to simplify and clarify the different categories of group homes mainly based on the services provided and size, providing clear distinctions from conventional multi-family housing and medical uses providing in-patient care. These amendments affect the terms and definitions within Chapter 2 of the LDR, as well as the Zoning Use Matrix and corresponding Notes of Chapter 3.
2. Regulatory and operational oversight in order to ensure an ethical, safe and law-abiding environment for residents of group homes. These amendment involve the terms and definitions within Chapter 2 of the LDR, and the requirements of uses seeking a Certificate of Use for a group home and/or residential rental found within the Code of Ordinances, Chapter 13. *Licenses*.
3. Zoning restrictions to regulate concentration and maximize use compatibility. These amendments would affect Chapter 3 of the LDR, Zoning Use Matrix and corresponding Matrix Notes.
4. Property appearance and parking to ensure that a given property is designed and improved to accommodate the anticipated parking needs of both conventional families as well as the group home family to prevent blighted conditions resulting from inadequate vehicle accommodations. Proposed amendments to the City's parking standards for single-family homes and duplexes are indicated in the LDR, Chapter 4, Article V. *Minimum Off-Street Parking Requirements*.

In addition to the proposed amendments to the city's regulations and standards, this amendment package would also affect the administrative processing of single and two-family rental applications and certificates of use for group homes to ensure that application materials and inspections confirm compliance with the maximum persons, minimum housing (namely persons per unit and bedroom size standards) and parking standards.

Other highlights of the proposed amendments are as follows:

#### Definitions and Typology

Most notably, the proposed amendments include omitting the Type 4 group home category and defining three group home categories by size and intensification of uses and activity. The elimination of the Type 4 group home, and basing the typology on size and intensity rather than on the client or purpose of the home, eliminates a potential discriminating characteristic of the City's regulations. Further, the revised Type 2 group home category would accommodate a larger halfway house but within the multi-family zoning district to coincide with the density and intensity of the R-3 zoning district. The Type 3 facilities are the larger, more self-sufficient residential care facilities than the Type 1 or Type 2 group homes, and are proposed to be allowed in selected residential, commercial and mixed-use zoning districts. Note that the proposed zoning regulations require that 60% of the housing units within a MU-L2 and MU-L3 project are persons capable of independent living, to promote "aging in place" development while also contributing to the active adult population in the downtown area.

#### Regulatory and Operational Oversight (See Exhibit "A")

This aspect of the proposed regulations supports the attempts of the State Legislators to establish a certification system for sober homes. Staff acknowledges that about all of the different types of group homes in the City require licensing by a state agency, and despite that residents of a sober home are deemed disabled and therefore subject to protection by the American with Disabilities Act (ADA) and the Fair Housing Act (FHA), there is no regulatory system for the operators or the group homes (the State continues to encourage or incentivize certification in connection with having access to referrals from state-licensed treatment facilities). In the absence such regulations, anyone could rent a house out for a treatment home, and just anyone could operate a treatment home.

FARR certifies providers to the standards of NARR (the National Alliance for Recovery Residences). The quality standards required by NARR are comprehensive applying to all aspects of the facility including organization and system, operator qualifications, ethics, resident rights, privacy, recovery based, skill development, home environment, and neighborhood relations and "community".

#### Zoning (See Exhibits "A" and "B")

Although controversial, and contrary to the objective of maintaining neutral regulations, there is sound reasoning to support a distance separation standard, which is intended to preserve what is thought to be the standard living environment and therefore the target neighborhood for residents

of half-way houses. Federal requirements prevent City's from restricting such houses and residents to institutional zones or areas. The intent is to transition such residents back into the community through the single-family neighborhood. If it is the intent to "mainstream" half-way house residents into single-family neighborhoods, to exist and associate with conventional households, then it is logical to assume that the more conventional households existing within the area around the half-way house, the more ideal is the environment for the half-way house resident. Therefore, the minimum distance separation standard is necessary to prevent over-concentration within a neighborhood and preserve the concentration of conventional households and expected social make-up or character. Staff opines that the 300-foot minimum distance separation is reasonable and the minimum necessary to achieve the preservation objective. It should be noted that for many years the City enforced a distance separation of 1,000 feet, based on the same separation standard found within state statutes for group homes. It should be noted the distance separation standard would not apply to the Type 3 group home as required in current regulations. There are fewer facilities of this size in the City, and such classes of group homes are limited to multi-family residential areas with generally similar density/intensity characteristics, or within commercial environments.

#### Property Appearance and Parking (See Exhibit "C")

Staff does recommend that the minimum parking standards be increased for all single- and two-family homes, regardless of the occupants. This is considered a "neutral" standard as it would apply to both conventional households and group households, and is intended to prevent the possible impacts resulting when the number of driving-age persons increases above that accommodated by the minimal parking spaces for these single and two-family dwellings. Staff recommends that the minimum parking spaces be a factor of the number of bedrooms in a house, and that the City also adopt a maximum impervious standard for such land uses.

### **RECOMMENDATION**

Staff recommends that the proposed amendments be approved to support the proper care of all group home residents, and to preserve the character of the City's single-family neighborhoods. Staff anticipates subsequently conducting an evaluation of the subject amendments for the intended outcome, and considering additional property standards intended to achieve and maintain the quality living environments pursued by for all residents of the City.

#### **Attachments**





# **City Commission Public Hearing**

**June 20, 2017**

**Group Homes & Min. Parking Stnds.**

# Overview

- Affiliated arrests, drug overdoses, etc.
- Opioid overdoses – up 314% in 5 yrs. (PBCo.)
- Neighborhood impacts and corruption
- Over concentration?
- Ord. #16-025 approved on 1/17/17
- Moratorium in effect through June 4<sup>th</sup>.
- Zoning study commenced.
- Estimated number in the City –
  - Without care: 50 facilities (SF sober homes)
  - With care: 14 ALFs (7 SF, 7 Lg. comm.)

# Objectives/Challenges

- Evaluate existing regs/processes.
- Federal requirements (ADA/FHA)
- Maintain LDR defensibility
- Social responsibility
- Preserve neighborhood character for all

# Considerations

- FHA – Discrimination and the disabled.
- Standards must be neutral
- Standards must not discriminate
- Cannot segregate in institutional settings
- Intent or effect
- “Reasonable Accommodation”
- Regulating unrelated individuals (legal precedence)

# Considerations – Cont.

- Local actions based on factual evidence.
- The court's sensitivity to fears/prejudices, etc.
- Support for distance separation
  - Prevent clustering and institutional setting

# Summary of Proposed Amendments

- Update definitions
- Require all GHs to be certified or chartered
- Increase maximum occupants to 10 (T1)
- T2 in R-2; permitted & higher streets and PUD
- T3 in R-3; conditional & higher streets
- T3 in MU1, 2 & 3 (MU2 & 3 require min. 60% conventional units)

# Summary of Proposed Amendments (Cont.)

- Enforce reasonable separation stnd.
  - 300 ft. vs 1,000 ft.
- Increase parking reqts. for all sf & duplex
- Limiting impervious surface in front yards

# Attributes of Amendments

- Standardizes system for reviewing GHs
- Recognized and reputable oversight
- Certification requirement is neutral
- More standardized max. person reqt.
- Supportive of needed transition/treatment housing
- Distance separation std. is reasonable
- Accommodates nat'l recovery home model
- Increases compliance with Federal reqts.



# Closing Remarks

- Implementation & Monitoring
- Testing and Maintenance/Update
- Success = credible operations + appropriate standards.
- CERTIFICATION IS THE FOUNDATION
- Reasonable Accommodation
  - 2013 Ord, to be updated..
- Short-term or Vacation Rentals
- Moratorium expiration

# Schedule

- P & D Board - May 23<sup>rd</sup>
- City Commission PH/1<sup>st</sup> Reading – June 20<sup>th</sup>
- City Commission PH/2<sup>nd</sup> Reading – July 18<sup>th</sup>





## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION: PROPOSED ORDINANCE NO. 17-015 - SECOND READING - PUBLIC HEARING** - Approve amendments to the LAND DEVELOPMENT REGULATIONS, Chapters 2, 3 and 4 to continue the implementation of the Community Redevelopment Plan with the establishment of the new Cultural District Overlay Zone regulating site development, uses, and urban design. *(Staff requests item tabled to 8/15/17)*

---

### **EXPLANATION OF REQUEST:**

The Boynton Beach CRA Community Redevelopment Plan was adopted on October 4th, 2016. Comprehensive implementation of the Plan will require a full "audit" and subsequent revisions of existing zoning and other land development regulations. However, some recommendations have immediate application to pending development projects and will therefore be implemented incrementally as needed. These recommendations include overlay zones intended to provide specific requirements pertaining to scale, design, and architecture for two geographic areas. The requirements modify some of the regulations of their underlying zoning districts.

The Cultural District Overlay Zone (CDOZ) encompasses the entire Cultural District, bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 2nd Avenue, and on the north by Northeast 1st Avenue.

The Cultural District is envisioned to be the principal hub for the City's civic uses, public spaces and events. Since this area is essential to exhibiting and experiencing Boynton Beach's unique character, setting the appropriate scale, design, and architecture is crucial to its success. There is currently an "Ocean Avenue Overlay Zone" on a portion of the District. The proposed amendments revise the existing overlay to be consistent with the vision outlined in the CRA Plan.

The Planning and Development Board reviewed the subject amendments at their May 23, 2017 meeting and forwards the request with a recommendation of approval.

### **HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

## CLIMATE ACTION DISCUSSION:

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Is this a grant? No

Grant Amount:

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### ATTACHMENTS:

| Type                                  | Description  |
|---------------------------------------|--|
| <input type="checkbox"/> Ordinance    | Ordinance approving amendments to the LDRs establishing the new Cultural District Overlay Zone |
| <input type="checkbox"/> Staff Report | Staff Report   |
| <input type="checkbox"/> Exhibit      | Exhibit A: Cultural District Overlay Zone Boundary   |
| <input type="checkbox"/> Exhibit      | Exhibit B: Proposed Cultural District Overlay Zone   |
| <input type="checkbox"/> Exhibit      | Exhibit C: Boynton Beach Boulevard Overlay Zone Boundary                                       |
| <input type="checkbox"/> Exhibit      | Exhibit D: Boynton Beach Boulevard Overlay Zone Code Amendments                                |
| <input type="checkbox"/> Exhibit      | Exhibit E: Overlay Zone Waivers  |

### REVIEWERS:

| Department  | Reviewer         | Action   | Date                |
|-------------|------------------|----------|---------------------|
| Development | Stanzione, Tammy | Approved | 7/11/2017 - 8:43 AM |

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32           **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**  
33           **OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:**

34           Section 1.     The foregoing whereas clauses are true and correct and are now  
35           ratified and confirmed by the City Commission.

36           Section 2.     Chapter 2, Article II, Planning and Zoning Division Services,  
37           Section 4, Relief Applications, of the Land Development Regulations, is hereby amended  
38           by adding the words and figures in underlined type, as follows:

39           **Chapter 2, Art. II. Planning and Zoning Division Services**

40           **Sec. 4. Relief Applications**

41           ...

42           E. Waiver (~~Ocean Avenue~~Cultural District Overlay Zone and Boynton Beach Boulevard  
43           Overlay Zone).

44           1.     General.

45           a. Purpose and Intent. The purpose of this subsection is to provide an efficient relief  
46           process to allow for deviations from certain requirements and standards of Chapter  
47           3 and Chapter 4 as they pertain to the ~~Ocean Avenue~~Cultural District Overlay  
48           Zone (~~OAQZ~~CDOZ) and Boynton Beach Boulevard Overlay Zone (BBBOZ).

49           The intent of this application is not to provide a means for circumventing any such  
50           requirement or standard but to allow for a departure from the code upon  
51           demonstration that the subject request satisfies the intent of the review criteria  
52           contained herein.

53           b. Applicability. For property located within the ~~OAQZ~~CDOZ or the BBBOZ, the  
54           waiver process shall be available for deviations from any development and design  
55           standards of Chapter 3, Article III, Section 8.D.

56           2.     Submittal Requirements. The applicant shall submit a letter that addresses the  
57           review criteria of Section 3.E.3. below, in addition to submitting any plans and  
58           exhibits required by the accompanying site plan, whenever applicable.

59           3.     Review Criteria. The applicant shall justify each waiver request as part of the  
60           application for site plan or site plan modification. The applicant shall document the  
61           nature of the request, the extent of its departure from the standard regulation, and the  
62           basis for the request. The City may request additional information and documentation  
63           from the applicant, such as a shared-parking study, or other type of performance  
64           related analysis that further justifies the waiver request. The burden of proof shall be

65 on the applicant to present a superior design alternative and demonstrate that the  
66 application would further the purpose and intent of the Overlay Zone~~OAQZ~~ and not  
67 have any detrimental impact on adjacent properties or the surrounding area.

68 4. Approval Process. A waiver request may be approved by staff if the subject  
69 request is reviewed concurrently with a minor site plan modification application, and  
70 such application requires administrative review pursuant to the review criteria of  
71 Section 2.F. above. Otherwise, the waiver application requires review by the City  
72 Commission and shall be processed in accordance with Chapter 2, Article 1, Section  
73 3.

74 5. Denial. Upon the denial of an application for relief hereunder, in whole or in part,  
75 a period of one (1) year must elapse prior to the filing of the same or similar  
76 application affecting the same property or any portion thereof; however, this  
77 restriction shall not apply to applications which further the City's economic  
78 development, workforce housing, or green building programs.

79 6. Expiration. A waiver shall remain valid as long as the corresponding site plan or  
80 site plan modification approval remains in effect, or unless there is any amendment to  
81 the original waiver. Any amendment to the original approval shall require application  
82 for, and approval of, a new waiver.

83

84 Section 3. Chapter 3, Article III, Zoning Districts and Overlay Zones, Section  
85 8, Overlay Zones, of the Land Development Regulations, is hereby amended by adding  
86 the words and figures in underlined type, as follows:

87 Article III Zoning Districts and Overlay Zones

88 ...

89 Sec. 8. Overlay Zones.

90 D. ~~Ocean Avenue Overlay Zone (OAQZ)~~Cultural District Overlay Zone

91 **1. Purpose and Intent.** The ~~Ocean Avenue~~Cultural District Overlay Zone  
92 (~~OAQZ~~CDOZ) is comprised of multiple properties ~~containing and a mix -varying future land~~  
93 ~~use map (FLUM)-classifications and~~ of zoning districts that currently accommodates  
94 residential (single-, two- and multi-family), commercial, and institutional land uses. The  
95 CRA Redevelopment Plan recommends the Mixed Use Medium Future Land Use  
96 Classification for a majority of the District, which allows a maximum density of fifty (50)  
97 dwelling units per acre. ~~proposed Future Land Use Classification, per the CRA~~  
98 ~~Redevelopment Plan, is predominantly Mixed Use Medium, and has a density of 50~~  
99 ~~DU/AC. -The remainder of the District is recommended for the Mixed use High Future~~  
100 ~~Land Use Classification and the corresponding maximum density of 80 dwelling units per~~  
101 ~~acre. The northeastern block from the FEC to NE 3<sup>rd</sup> Street, and from 1<sup>st</sup> Avenue to Ocean~~



~~Avenue, is proposed to have a Future Land Use Classification of Mixed Use High and a density of 80 DU/AC. As such, the densities of developments shall correspond with the respective FLUM classifications. For new developments however, the maximum allowable density shall be eleven (11) dwelling units per acre for projects on properties with single lot depth. Up to twenty (20) dwelling units per acre may be allowed for when reclassifying lots with double depth to mixed use (MX), and where such project creates a through lot between two (2) or more streets.~~ The purpose and intent of the CDOA are as follows:

- a. Provide for a mix of selected commercial, residential, office, and entertainment uses and activities, with an emphasis on arts and cultural ventures that will encourage the adaptive re-use of existing buildings, restoration of historic structures, and maintain and further enhance the pedestrian scale and historic character ~~scale~~ of the area;
- b. Encourage the location of specialty retail, artist related uses and entertainment establishments, along with pedestrian-friendly improvements in concentrations that would complement and support relationships between the downtown district and marina / waterfront attractions enable and encourage pedestrian movements between businesses, and between the marina / waterfront attractions to the east and the cultural / civic campus activities to the west;
- c. Initiate implementation of various recommendations contained within CRA Redevelopment Plan related to approved redevelopment plans;
- d. Stimulate greater awareness of and pride in the City's architectural, historical, and cultural heritage;
- ~~d.e.~~ Ensure that redevelopment within this area, regardless of underlying zoning classification district, will maintain an appropriate development scale; and
- ~~e.f.~~ Improve overall livability of the general area and stabilize and improve property values.

**2. Defined.** The ~~Ocean Avenue~~ Cultural District Overlay Zone (OACDOZ) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 2nd ~~1st~~ Avenue, and on the north by Northeast 1st Avenue, ~~except between Northeast 1st Street and Northeast 3rd Street, the north boundary shall be the alley between Northeast 1st Avenue and Boynton Beach Boulevard.~~

**3. Conflict.** Unless deemed otherwise by the Planning & Zoning Director, ~~in~~ the event of any conflict between the provisions of the ~~Ocean Avenue~~ Cultural District Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws; ~~and/or any rezoning of lands to a mixed-use zoning district.~~

**4. Uses Allowed.** Active commercial uses shall be required on the street frontage of Ocean Avenue.

a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:

Accessory Dwelling Unit  
Dwelling, Single- family (detached)  
Dwelling, Two-family (duplex)  
Auto Dealer, New  
Auto Dealer, Used  
Automotive Parts Store  
Boat Dealer/Rental  
Cleaning Supply Store (Swimming Pool, Janitorial)  
Convenience Store  
Gasoline Station  
Auto Broker  
Automobile Rental  
Automotive, Major Repair  
Automotive, Minor Repair  
Automobile Rental  
Auto/Car Wash, Self- serve Bay  
Furniture & Home furnishing  
Auto/Car Wash (Polishing, Waxing, Detailing)  
Showroom warehouse (single-product line)  
Merchandise, Used (Other)  
Merchandise, New (Supercenter, Discount, Department, Club)  
Home Improvement Center  
Automotive Window Tinting/Stereo Installation/Alarms  
Coin-operated Laundry  
Funeral Home  
Pet Care (Boarding and Daycare)  
Cemetery  
Church  
Civic & Fraternal Club/ Organization  
Group homes Type I, II, III, and IV  
College, Seminary, University  
School, Primary and Secondary  
School, Industrial & Trade  
Shooting Range, Indoor  
Adult entertainment  
Temporary employment agency  
Tutoring or Testing Center  
Private Parking Lots  
Social service agency

b. Any other automobile-oriented use not listed above are prohibited.

(1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile.

- 189 c. Drive-throughs are prohibited.
- 190 (1) Drive-throughs may only be permitted when the drive-thru not
- 191 visible from any right-of-ways; and
- 192 (2) Drive-thrus must be designed to be completely behind a portion of
- 193 the building or structure it serves.
- 194 d. Live-work units are permitted, but may not front East Ocean Avenue or
- 195 Seacrest Boulevard
- 196 e. School, Professional & Technical
- 197 (1) Professional and technical schools allowed in the CDOZ are
- 198 limited to those that teach the culinary and visual arts.
- 199 f. Additionally, no legally, existing use shall be deemed non-conforming as
- 200 a result of the CDOZ regulations.

201 ~~See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D. Additionally,~~

202 ~~no existing use shall be deemed non-conforming.~~

203 ~~—5. **Modified Building and Site Regulations (Table 3-27).** Development within this Overlay~~

204 ~~Zone, including proposed expansions and additions to existing structures shall be in accordance with the~~

205 ~~building and site regulations as follows:~~

206 -

| <b>BUILDING/SITE REGULATIONS</b>  |                         |
|---|-------------------------|
| <b>Ocean Avenue Overlay Zone<sup>1</sup></b>  |                         |
| <b>(Single Lot Depth)</b>   |                         |
| <b>Minimum lot area:</b>  | 5,000 s.f.              |
| <b>Minimum lot frontage:</b>  | 50 feet                 |
| <b>Build-to-line:</b>   | -                       |
| —Front:   | 5 ft—15 ft <sup>2</sup> |
| —Corner side:   | 5 ft—15 ft <sup>2</sup> |
| <b>Minimum yard setbacks:</b>   | -                       |
| —Rear:  | 10 feet                 |
| Residential district:   | 20 feet <sup>3</sup>    |
| —Interior side:   | 7.5 feet <sup>4</sup>   |
| Historic structures:  | 10 feet                 |
| <b>Maximum lot coverage:</b>  | 65%                     |
| <b>Maximum structure height:</b>  | 35 feet <sup>5</sup>    |
| <b>(Double Lot Depth)</b>   |                         |
| <del>All new developments with double lot depth shall be constructed in accordance with the mixed use low</del> |                         |

|   |   |
|---|---|
| intensity (MU-L1) zoning district building and site regulation Table 3-21 in Section 5.C. above, except as contained herein.<br>See "Single Lot Depth" above for all proposed expansions or additions to existing structures. |   |
| <b>Maximum structure height:</b>  | 35 feet <sup>5</sup>  |
| <b><u>MODIFIED BUILDING/SITE REGULATIONS<sup>1</sup></u></b><br><b><u>Cultural District Overlay Zone</u></b>  |   |
| <b><u>Minimum Lot Area:</u></b>   | 10,000 square feet  |
| <b><u>Minimum Lot Frontage:</u></b>   | 100 feet  |
| <b><u>Pedestrian zone:</u></b>  |   |
| <b><u>Minimum street tree area<sup>3</sup>:</u></b>   | 5 feet<br>*Measured from the back of curb   |
| <b><u>Minimum sidewalk width<sup>2</sup>:</u></b>   | 8 feet clear<br>*Measured from the centerline of street trees   |
| <b><u>Minimum active area width:</u></b><br>(Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1 <sup>st</sup> Street, and NE/SE 3 <sup>rd</sup> Street frontages)  | 8 feet <sup>5</sup><br>*Measured from edge of the sidewalk  |
| <b><u>Overhead utilities:</u></b>   | Must be undergrounded in conjunction with any new development or major modification of existing developments.                                 |
| <b><u>Build-to line:</u></b>  | Abuts the pedestrian zone   |
| <b><u>Minimum building frontage</u></b><br>(Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1 <sup>st</sup> Street, and NE/SE 3 <sup>rd</sup> Street frontages)   | 75% of the lot frontage must be occupied by structure adjacent to the pedestrian zone   |
| <b><u>Maximum structure height:</u></b>   | See Corresponding Zoning District   |
| <u>Ocean Avenue</u>   | 35 feet consistent for a depth of a minimum of 30 feet  |
| <u>Seacrest Boulevard</u>   | 35 feet consistent for a depth of a minimum of 10 feet. For every 50 feet above 35 feet in height an additional 10 feet stepback is required. |
| <u>Any properties abutting or adjacent to SE 2<sup>nd</sup> Avenue</u>  | 35 feet   |
| <b><u>Minimum structure height:</u></b><br><u>Ocean Avenue</u>  | 30 feet   |
| <b><u>On-street parking:</u></b>  | Required where possible and in accordance with the City's Engineering Standards.  |
| <b><u>Minimum yard setbacks:</u></b>  |   |
| <u>Rear:</u>  | 10 feet   |
| <u>Interior side:</u>   | 0 feet <sup>4</sup>   |
| <b><u>Minimum Public Space:</u></b>   | 1% of lot area  |

<sup>1</sup> No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.

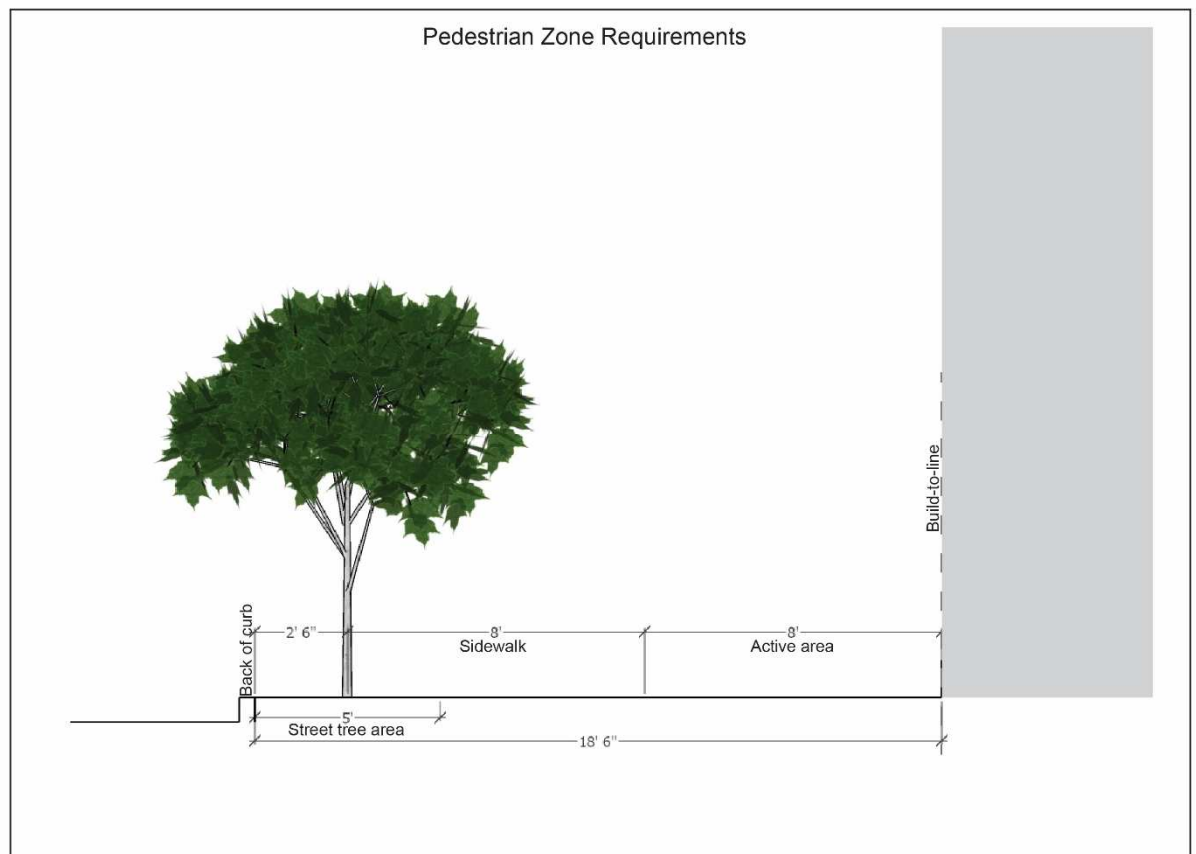
<sup>2</sup> Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 4S herringbone pattern

<sup>3</sup> Canopy trees are required 1 per 25 feet

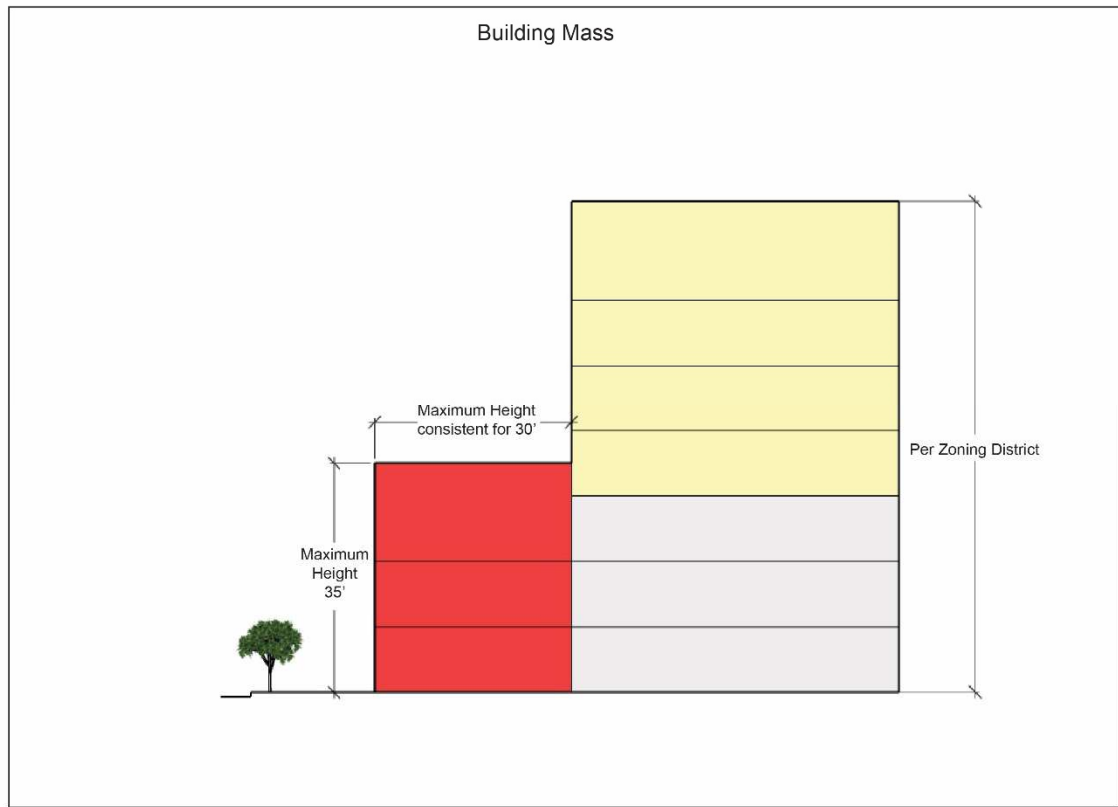
<sup>4</sup> Minimum interior side setback and maximum height standards may require reductions when adjacent to registered historic structures.

<sup>5</sup> Permanent structures such as columns, balconies, and walls are not permitted within the required active area.

208



209



~~No existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.<sup>2</sup> A paver plaza or "streetscape" design shall be required within the reduced building setback area where buildings are constructed in excess of five (5) feet from the property line.~~

~~<sup>43</sup> Excluding property boundaries that abut rights-of-way. In these instances, the required setback shall be 10 feet.~~

~~<sup>5</sup> The minimum side interior setback shall be five (5) feet for lots with 50 feet of frontage (but less than 75 feet).~~

~~<sup>6</sup> Not to exceed three (3) stories.~~

#### ~~6. Accessory Structures.~~

##### ~~a. Fences:~~

~~(1) Fences along the front of the property street frontages are not permitted on East Ocean Avenue or Seacrest Boulevard. discouraged.~~

~~(2) Fences along any street frontage shall not exceed three (3) feet in height.~~

~~(3) Any fence that is proposed in the remainder of the District however, shall be decorative in nature, opaque, and not exceed three (3) feet in height. Walls, chain link, board on board, shadowbox, and similar types of fences are expressly prohibited.~~

~~a.b. b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.~~

#### ~~97. Building Design.~~

~~a. Buildings in the Cultural District Overlay Zone (CDOZ) shall reflect a Coastal Village style~~

of architecture, consisting primarily of hip and/or gable roof, rectilinear forms with stepbacks, porches, and building articulation. This style derives its character from various elements associated with the Key West Vernacular and Bungalow styles of architecture found throughout South Florida. Overhangs for pedestrian canopies and visual interest should be incorporated whenever possible. Overhead structures gateways, and arches, help define space, provide pedestrian comfort, and reinforce character and identity.

~~—a. New Buildings. All new buildings used for non-residential purposes shall be designed to be residential in character. The building design is encouraged to utilize sloped roofs, gables, porches, residential-style windows and other elements normally associated with the typical frame vernacular buildings found in the City and throughout South Florida, and those of historic structures anticipated to be relocated to the area.~~ New structures shall be constructed with the pedestrian building entries oriented towards the street and shall be sensitive to the scale, massing and design envisioned in the CRA Redevelopment Plan Downtown Master Plan.

- b. Additions and Modifications to Existing Buildings ~~and Structures~~. All building additions shall be sensitive to the original building design relative to the architectural style, building materials/components and treatments, and proportions. ~~Original materials and details, as well as distinctive form and scale features, which contribute to the character of the building and/or surroundings, shall be preserved to the maximum extent feasible. Rehabilitation work shall not destroy the distinguishing quality or character of the property or its environment.~~

~~For historic structures, any new additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the structure. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic structure and its environment would be unimpaired.~~

**c. Fenestration Requirements**

| <u>Ground-level building facade occupied by transparent window or door openings</u><br><u>(minimum area)</u>   |  |  |
|--|--|--|
| <u>Street Frontage</u>   | <u>Commercial Mixed-Use</u><br><u>Developments (%)</u> | <u>Residential</u><br><u>Development</u><br><u>(%)</u> |
| <u>Ocean Avenue</u>  | <u>50<sup>2</sup></u>                                  | <u>30<sup>1</sup></u>                                  |
| <u>SE 2<sup>nd</sup> Avenue</u>  | <u>30</u>  |  |
| <u>Seacrest Boulevard</u>  | <u>50<sup>2</sup></u>                                  |  |
| <u>NE/SE 1<sup>st</sup> Street</u>   | <u>50<sup>2</sup></u>                                  |  |
| <u>NE/SE 3<sup>rd</sup> Street</u>   | <u>50<sup>2</sup></u>                                  |  |
| <u>NOTES:</u>  |  |  |
| <u>1. These standards also apply to any portion of a ground-level facade facing a courtyard or</u><br><u>patio.</u>  |  |  |
| <u>2. To count toward this transparency requirement, a window or door opening must have a</u><br><u>maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 inches above</u><br><u>grade.</u> |  |  |

263 (1) Any transparent window and door openings occupying a ground-level  
264 street-facing building facade shall comply with the following standards:  
265 i. The opening shall be filled with glazing that has a minimum  
266 visible light transmittance of 75 percent and a maximum reflectance  
267 of 15 percent.  
268 ii. The opening shall be designed to allow view of an interior space  
269 at least five feet deep (e.g., transparent openings may include  
270 traditional storefront display windows, but not merely glass display  
271 cases). The view into a commercial use shall not be permanently  
272 obstructed by screens, shades, shutter, or opaque films applied to  
273 the glazing.  
274

275 d. RESERVED- Architectural Guidelines: Coastal Village

276

277 **8.7. Parking.**

278 a. Minimum Number of Required Spaces. The minimum number of required off-  
279 street parking spaces shall be calculated in accordance with [Chapter 4, Article V,](#)  
280 [Section 2](#) above; however, the total number of required spaces may be reduced by  
281 up to fifty percent (50%) for all new developments, excluding multi-family residential  
282 projects. When two (2) or more adjacent property owners combine their off-street  
283 parking in accordance with the code and construct a shared parking facility with  
284 common access drives, the total number of required off-street parking spaces may  
285 be reduced by an additional ten percent (10%).  
286

287 b. Allowable Location of Off-Street ~~Parking~~ Spaces.

288 (1) The intent of the ~~CD~~OA~~OZ~~ is to screen off-street parking areas from abutting  
289 rights-of-way and locate buildings along front and side corner property lines. ~~It~~  
290 ~~is therefore, on-site a requirement to locate off-street~~ parking areas shall be  
291 ~~located~~ within rear and side interior yards for all new projects and those in which  
292 parking areas would be altered to accommodate a proposed building renovation  
293 or expansion.

294 ~~(1)(2)~~ ~~Only~~ ~~E~~-existing parking areas for existing developments may remain if  
295 the spaces are unaltered as part of any building renovation or expansion. In these  
296 instances, the existing off-street parking area shall be substantially screened  
297 from off-premises by a hedge, decorative fencing, [arcades](#), or a combination  
298 thereof, provided that such [proposal remains consistent](#) ~~hedge and/or fencing~~  
299 ~~would be compliant~~ with the intent of the ~~CD~~OA~~OZ~~, and to the standards of the  
300 urban landscape code to the maximum extent possible. Any deviation from the  
301 above standards would require the approval of a waiver in accordance  
302 with [Chapter 2, Article II, Section 4.E](#).

303 ~~(2)(3)~~ If one hundred percent (100%) of the required off-street parking spaces  
304 cannot be provided on-site, they may be provided at an off-site location provided  
305 the following conditions are met: 1) the proposed location is not farther than five  
306 hundred (500) feet from the subject property as measured by a straight line from  
307 a point on the boundary of the property to the closest boundary line of the  
308 property to be leased; and 2) the off-site location is owned or leased by the



309 owner or operator of the subject business or property owner. ~~Any lease~~  
310 ~~agreement must be approved by the City Commission.~~ The parent business  
311 property shall be posted with signage indicating the location of the off-site  
312 parking spaces. All spaces provided by the property/business owner on and off-  
313 site shall be maintained as unreserved, unrestricted parking available to the  
314 public, except designated handicap spaces required by law.  
315 c. Exceptions to Providing Required Parking. See [Chapter 4, Article V, Section 4.A.](#)  
316 for additional provisions regarding exceptions to providing required off-street  
317 parking.

318

319 ~~8. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5. for additional~~  
320 ~~regulations regarding required landscaping and streetscape design.~~

321 **9.10. Signage and Exterior Lighting Standards.**

- 322 a. Signs allowed within the [Cultural District Ocean Avenue](#) Overlay Zone shall be  
323 externally illuminated only, and [be limited to](#) ~~consist of the prototypical monument~~  
324 ~~sign designed for the area,~~ wall mounted, and ~~or a~~ projecting signs.  
325 b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot  
326 of sign area per one (1) lineal foot of building frontage measured along the main  
327 building entrance.  
328 c. [Projecting signs are only permitted on the first floor.](#) Projecting signs and  
329 mounting brackets shall be decorative in nature, and the sign face shall not exceed  
330 ~~six-five (56)~~ square feet in size.  
331 d. [Undercanopy signs are permitted one per doorway and shall not exceed 3](#)  
332 [square feet each. All undercanopy signs must have a minimum clearance of 8'](#)  
333 e. [A-frame signs are permitted when included and reviewed as a part of an overall](#)  
334 [Sign Program.](#)  
335 f. [Prohibited sign types: Freestanding signs, roof mounted signs, any signs above](#)  
336 [35 feet \(first 3 stories\), animated, or moving signs.](#)  
337 g. [All Mixed-use developments are required to provide a plan for parking signage](#)  
338 [to maximize awareness of and access to public parking locations.](#)  
339 h. [General lighting of the site shall harmonize with and blend into](#)  
340 [residential/mixed use environment. Ground lighting and up lighting of the building](#)  
341 [and landscaping is encouraged. However, when the use of pole lighting is necessary,](#)  
342 [the fixture height shall not exceed fifteen \(15\) feet, be decorative in nature and](#)  
343 [compatible with the color and architecture of the building.](#)

344

345

346 Section 4. Chapter 3, Article IV, Use Regulations, D. Use Matrix (Table 3-  
347 28), Footnotes of the Land Development Regulations, is hereby amended by adding the  
348 words and figures in underlined type, as follows:

349 D. *Use Matrix (Table 3-28).*

Footnotes

18. ~~Ocean Avenue~~Cultural District Overlay Zone.

a. This use is allowed in this zoning district only when proposed on a lot located within the Cultural District~~Ocean Avenue~~ Overlay Zone (CD~~OA~~OZ).

~~b. Any proposed non-residential use that would abut a side property line of a residential use located on Northeast 1st Avenue or Southeast 1st Avenue requires conditional use approval.~~

~~c. Any allowable use is considered permitted by right, provided that it is proposed on property with frontage on Ocean Avenue; otherwise conditional use approval shall be required. Additionally, no existing uses shall be deemed non-conforming.~~

~~d. Professional and technical schools allowed in the OAOZ are limited to those that teach the culinary and visual~~

Section 5. Chapter 4, Site Development Standards, Article V, Minimum Off-

Street Parking Requirements, Section 4, of the Land Development Regulations, is hereby

amended by adding the words and figures in underlined type, as follows:

Sec. 4. Exceptions to Providing Required Off-Street Parking.

A. Adaptive Re-Use.

1. Applicability. The following described areas shall be eligible for specific parking reductions based upon adaptive re-use, including modifications, of existing buildings:

a. ~~Ocean Avenue~~Cultural District Overlay Zone (~~OAOZ~~CDOZ), as defined in Chapter 3, Article III, Section 8.D.

b. No additional parking shall be required where:

(1) The structure is enlarged in a manner not exceeding a cumulative total of one hundred percent (100%) of the existing gross floor area; or

(2) The capacity of the structure is increased by adding subordinate dwelling units or floor area within the existing building envelop; or

(3) The use of a structure is changed; or

(4) The number of seats for eating and drinking establishments is increased by up to fifty percent (50%) of the existing total or up to forty (40) seats are provided where the previous use had none.

Section 6. Should any section or provision of this Ordinance or any portion

thereof be declared by a court of competent jurisdiction to be invalid, such decision shall

386 not affect the remainder of this Ordinance.

387 Section 7. Authority is hereby given to codify this Ordinance.

388 Section 8. This Ordinance shall become effective immediately.

389 FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2017.

390 SECOND, FINAL READING AND PASSAGE this \_\_\_\_ day of \_\_\_\_\_,

391 2017.

392 CITY OF BOYNTON BEACH, FLORIDA

393

394 YES NO

395

396 Mayor – Steven B. Grant \_\_\_\_\_

397

398 Vice Mayor – Justin Katz \_\_\_\_\_

399

400 Commissioner – Mack McCray \_\_\_\_\_

401

402 Commissioner – Christina L. Romelus \_\_\_\_\_

403

404 Commissioner – Joe Casello \_\_\_\_\_

405

406 VOTE \_\_\_\_\_

407 ATTEST:

408

409

410

411 \_\_\_\_\_  
Judith A. Pyle, CMC

412 City Clerk

413

414 (Corporate Seal)



## DEPARTMENT OF DEVELOPMENT PLANNING AND ZONING

Memorandum PZ 17-014

**TO:** Chair and Members  
Planning & Development Board

**FROM:** Amanda Bassiely *AB*  
Senior Planner – Urban Designer

**THRU:** Michael Rumpf *MR*  
Planning and Zoning Director

**DATE:** March 13, 2017

**RE:** Amendments to the LAND DEVELOPMENT REGULATIONS, Chapters 2, 3 and 4 to continue the implementation of the Community Redevelopment Plan with the establishment of the new Cultural District Overlay Zone and the Boynton Beach Blvd Overlay Zone regulating site development standards, uses, and urban design standards.

### OVERVIEW

The rewrite of the City's land development regulations (LDR) in late 2010 allowed staff to perform a complete review and analysis of each standard, regulation, and process. As part of the post-adoption process, staff anticipates the periodic need for, and is prepared to expeditiously process, updates and amendments to the LDR for one or more of the following reasons:

1. Furthering business and economic development initiatives;
2. Advancing sustainability initiatives;
3. Maintaining internal consistency;
4. Achieving regulatory compliance; and
5. Incorporating implementation feedback necessary to meet original or current objectives and vision.

The proposed amendments would continue the implementation of the newly adopted CRA Community Redevelopment Plan.

## **EXPLANATION**

The Boynton Beach CRA Community Redevelopment Plan was adopted on October 4<sup>th</sup>, 2016. Comprehensive implementation of the Plan will require a full “audit” and subsequent revisions of existing zoning and other land development regulations, to be completed by the end of 2017. However, some recommendations have immediate application to pending development projects and will therefore be implemented incrementally as needed.

These recommendations include overlay zones intended to provide specific requirements pertaining to scale, design, and architecture for two geographic areas. The requirements modify some of the regulations of their underlying zoning districts.

### **Proposed Cultural District Overlay Zone**

The Cultural District Overlay Zone (CDOZ) encompasses the entire Cultural District, bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 2<sup>nd</sup> Avenue, and on the north by Northeast 1<sup>st</sup> Avenue.

The Cultural District is envisioned to be the principal hub for the City’s civic uses, public spaces and events. Since this area is essential to exhibiting and experiencing Boynton Beach’s unique character, setting the appropriate scale, design, and architecture is crucial to its success. There is currently an “Ocean Avenue Overlay Zone” on a portion of the District. The proposed amendments revise the existing overlay to be consistent with the vision outlined in the CRA Plan.

The proposed overlay zone enables further regulations to specifically address the goals of the District. The amendments focus on the four key areas:

#### **1. Uses**

The overlay restricts specific uses that are not consistent with the goals of the district; most notably, it prohibits auto-oriented uses to promote pedestrian-friendly environment. At the same time, staff recognizes that there are existing uses that may not comply with the proposed standards. The overlay regulations specify that no such uses shall be deemed non-conforming.

#### **2. Site Development Standards**

This section modifies the Site Development Standards of each underlying zoning district. The amendments comprise the requirement for a “pedestrian zone” along major roadways to include regulations on street trees, sidewalks, and active areas as well as street frontages, maximum and minimum building heights, build-to-lines, and setbacks.

#### **3. Building design /Architecture**

The proposed overlay utilizes, preserves and enhances the existing architectural character of the District by implementing building design standards. Buildings within the Cultural District Overlay Zone should reflect a Coastal Village style of architecture, consisting primarily of hip and/or gable roofs, rectilinear forms with stepbacks, porches, and

building articulation. This style derives its character from various elements associated with the Key West Vernacular and Bungalow styles of architecture, found throughout Boynton Beach and South Florida.

Overhangs for pedestrian canopies and visual interest should be incorporated whenever possible. Overhead structures such as gateways and arches help define space, provide pedestrian comfort, and reinforce character and identity. New structures will be constructed with the pedestrian building entries oriented towards the street, and will be sensitive to the scale, massing and design envisioned in the CRA Redevelopment Plan.

#### 4. Signage and Exterior Lighting Standards

The overlay permits wall signs, limited projecting signs, undercanopy signs, and decorative pedestrian and street lighting. The proposal also requires all mixed-use developments to provide a clear plan for parking signage.

### **Proposed Boynton Beach Boulevard Overlay Zone**

Prior to its inclusion in the 2016 CRA Community Redevelopment Plan, Boynton Beach Boulevard did not have an adopted plan to help guide the development of the area. The Boulevard should acts as a welcoming and attractive entry to the City and as the entry to the City's Downtown. The CRA Plan recommends the Mixed Use Low, Mixed Use Medium, and Mixed Use High Future Land Use classifications along the boulevard, increasing in intensity as the District approaches Downtown. The overall intent of the overlay is to encourage the location of restaurant, retail, office, and entertainment establishments, along with pedestrian-friendly improvements that would complement and support the Downtown. The overlay also strives to maintain a consistent character while improving overall livability of the general area and stabilizing/ improving property values.

The Boynton Beach Boulevard Overlay Zone (BBBOZ) will encompass the length of Boynton Beach Boulevard, bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by I-95, on the south by Northeast and Northwest 1st Avenue, and on the north by Northeast and Northwest 3<sup>rd</sup> Avenue and Northwest 3<sup>rd</sup> Court.

The proposed BBBOZ is generally outlined in the same manner as the CDOZ; it addresses four key areas:

#### 1. Uses

The proposed overlay restricts specific uses that are not consistent with the goals of the district and further regulate locations of certain other uses. For example, in an effort to preserve an attractive and pedestrian-friendly streetscape, drive-through uses are permitted only when completely screened from the right-of-way. Staff recognizes that there are existing uses that may not comply with the proposed standards. The overlay regulations specify that no existing use shall be deemed non-conforming.

#### 2. Site Development Standards

This section modifies the Site Development Standards of each underlying zoning district. Similarly to the CDOZ, the amendments include the requirement of a “pedestrian zone” along major roadways. Also included are regulations on street frontages and build-to-lines to maximize the appearance of a ‘street wall’, maximum and minimum building heights to create consistency over the varying land uses, and stepbacks and setbacks to protect adjacent neighborhoods and public areas.

3. Building design /Architecture

The design portion of the BBBOZ focuses on Urban Design’s standards that ensure buildings are oriented towards Boynton Beach Boulevard and require building fenestrations and wall articulation.

4. Signage and Exterior Lighting Standards

The BBBOZ builds on the CDOZ by allowing monument signs on prominent parcels along Boynton Beach Boulevard. Signs’ height, area and orientation are regulated to ensure they are compatible with the District’s goals.

## **CONCLUSION/RECOMMENDATION**

Staff proposes these code amendments to further implement the CRA Community Redevelopment Plan and to support continued quality development and redevelopment of the area.

Attachments

Exhibit A:

Cultural District Overlay Zone Boundary



# CULTURAL DISTRICT OVERLAY ZONE BOUNDARY

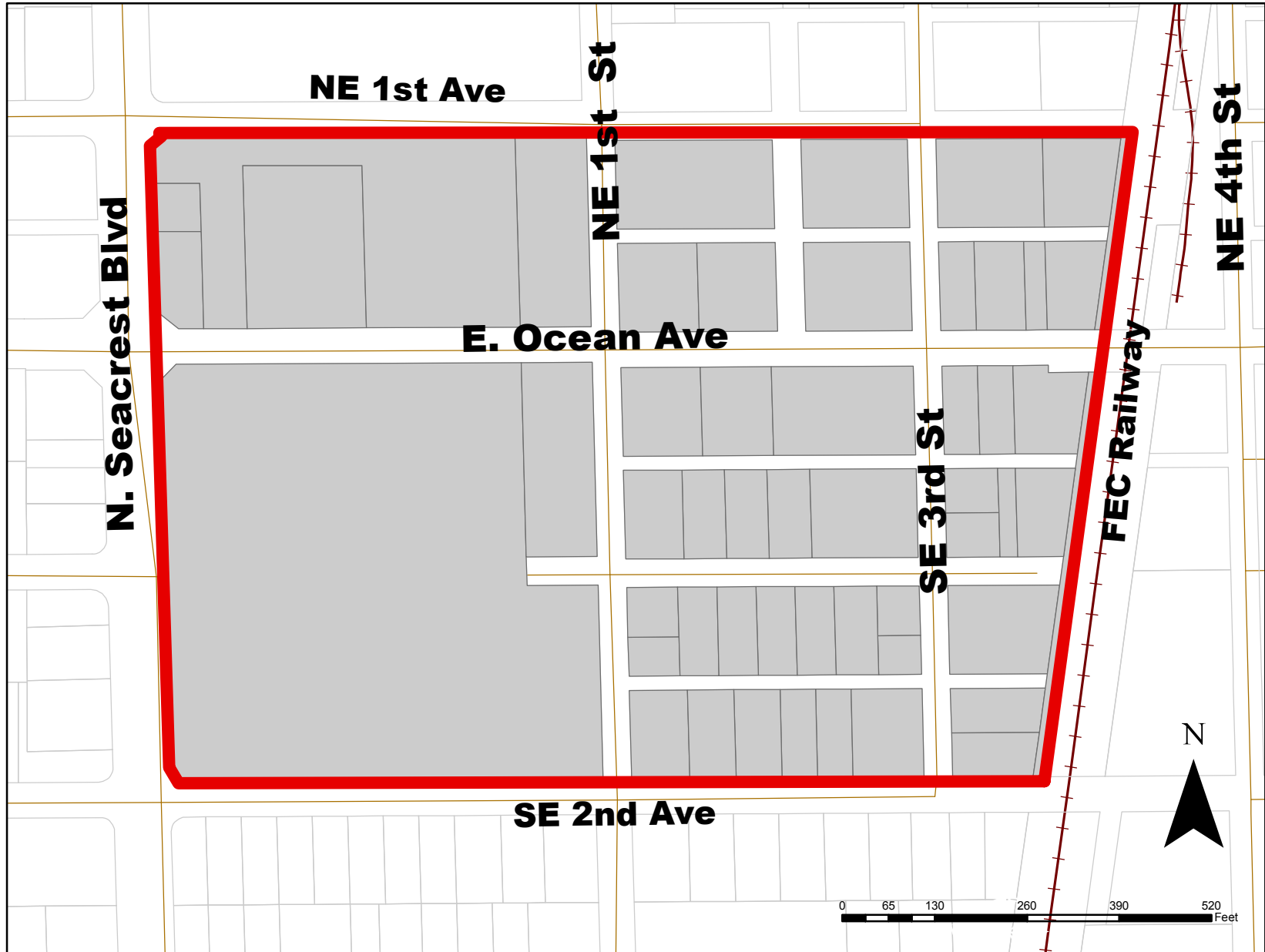


Exhibit B:

Proposed Cultural District Overlay Zone  
Code Amendments

...

Chapter 3. Zoning

...

Article III Zoning Districts and Overlay Zones

...

Sec. 8. Overlay Zones.

D. ~~Ocean Avenue Overlay Zone (OAOZ).~~Cultural District Overlay Zone

**1. Purpose and Intent.** The ~~Ocean Avenue~~Cultural District Overlay Zone (~~OAOZ~~CDOZ) is comprised of multiple properties ~~containing and a mix -varying future land use map (FLUM) classifications and of~~ zoning districts ~~that currently accommodates residential (single-, two- and multi-family), commercial, and institutional land uses.~~ The CRA Redevelopment Plan recommends the Mixed Use Medium Future Land Use Classification for a majority of the District, which allows a maximum density of fifty (50) dwelling units per acre. ~~proposed Future Land Use Classification, per the CRA Redevelopment Plan, is predominantly Mixed Use Medium, and has a density of 50 DU/AC. -The remainder of the District is recommended for the Mixed use High Future Land Use Classification and the corresponding maximum density of 80 dwelling units per acre.~~ The northeastern block from the FEC to NE 3<sup>rd</sup> Street, and from 1<sup>st</sup> Avenue to Ocean Avenue, is proposed to have a Future Land Use Classification of Mixed Use High and a density of 80 DU/AC. ~~As such, the densities of developments shall correspond with the respective FLUM classifications. For new developments however, the maximum allowable density shall be eleven (11) dwelling units per acre for projects on properties with single lot depth. Up to twenty (20) dwelling units per acre may be allowed for when reclassifying lots with double depth to mixed use (MX), and where such project creates a through lot between two (2) or more streets.~~ The purpose and intent of the CD~~OAOZ~~ are as follows:

- a. Provide for a mix of selected commercial, residential, office, and entertainment uses and activities, with an emphasis on arts and cultural ventures that will encourage the adaptive re-use of existing buildings, restoration of historic structures, and maintain and further enhance the pedestrian scale and historic character ~~scale~~ of the area;
- b. Encourage the location of specialty retail, artist related uses and entertainment establishments, along with -pedestrian-friendly improvements in concentrations that ~~will~~ould complement and support relationships between the downtown district and marina / waterfront attractions~~enable and encourage pedestrian movements between businesses, and between the marina / waterfront attractions~~ to the east and the cultural / civic campus~~activities~~ to the west;
- c. Initiate implementation of various recommendations contained within CRA Redevelopment Plan related to approved redevelopment plans;
- d. ~~Stimulate greater awareness of~~ and pride in the City's architectural, historical, and cultural heritage;
- ~~d.e.~~ Ensure that redevelopment within this area, regardless of underlying zoning classification district, will maintain an appropriate development scale; and
- ~~e.f.~~ Improve overall livability of the general area and stabilize and improve property values.

**2. Defined.** The ~~Ocean Avenue~~Cultural District Overlay Zone (~~OAOZ~~CDOZ) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast ~~2nd~~1st Avenue, and on the north by Northeast 1st Avenue, ~~except between Northeast 1st~~

~~Street and Northeast 3rd Street, the north boundary shall be the alley between Northeast 1st Avenue and Boynton Beach Boulevard.~~

**3. Conflict.** Unless deemed otherwise by the Planning & Zoning Director, in the event of any conflict between the provisions of the ~~Ocean Avenue~~Cultural District Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws; and/or any rezoning of lands to a mixed-use zoning district.

**— 4. Uses-Allowed.** Active commercial uses shall be required on the street frontage of Ocean Avenue.

a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:

Accessory Dwelling Unit  
Dwelling, Single- family (detached)  
Dwelling, Two-family (duplex)  
Auto Dealer, New  
Auto Dealer, Used  
Automotive Parts Store  
Boat Dealer/Rental  
Cleaning Supply Store (Swimming Pool, Janitorial)  
Convenience Store  
Gasoline Station  
Auto Broker  
Automobile Rental  
Automotive, Major Repair  
Automotive, Minor Repair  
Automobile Rental  
Auto/Car Wash, Self- serve Bay  
Furniture & Home furnishing  
Auto/Car Wash (Polishing, Waxing, Detailing)  
Showroom warehouse (single-product line)  
Merchandise, Used (Other)  
Merchandise, New (Supercenter, Discount, Department, Club)  
Home Improvement Center  
Automotive Window Tinting/Stereo Installation/Alarms  
Coin-operated Laundry  
Funeral Home  
Pet Care (Boarding and Daycare)  
Cemetery  
Church  
Civic & Fraternal Club/ Organization  
Group homes Type I, II, III, and IV  
College, Seminary, University  
School, Primary and Secondary  
School, Industrial & Trade  
Shooting Range, Indoor  
Adult entertainment  
Temporary employment agency  
Tutoring or Testing Center

Private Parking Lots

Social service agency

b. Any other automobile-oriented use not listed above are prohibited.

(1) An “automobile oriented use” shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile.

c. Drive-throughs are prohibited.

(1) Drive- throughs may only be permitted when the drive-thru not visible from any right-of-ways; and

(2) Drive-thrus must be designed to be completely behind a portion of the building or structure it serves.

d. Live-work units are permitted, but may not front East Ocean Avenue or Seacrest Boulevard

e. School, Professional & Technical

(1) Professional and technical schools allowed in the CDOZ are limited to those that teach the culinary and visual arts.

f. Additionally, no legally, existing use shall be deemed non-conforming as a result of the CDOZ regulations.

~~See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D. Additionally, no existing use shall be deemed non-conforming.~~

—5. **Modified Building and Site Regulations** ~~(Table 3-27)~~. Development within this Overlay Zone, including proposed expansions and additions to existing structures shall be in accordance with the building and site regulations as follows:

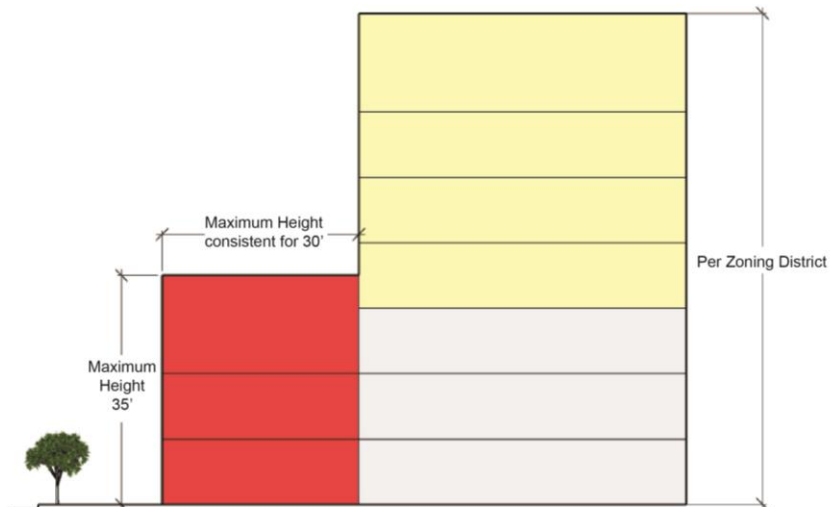
| <b>BUILDING/SITE REGULATIONS</b><br><b>Ocean Avenue Overlay Zone<sup>1</sup></b>  |   |
|---|---|
| <b>(Single Lot Depth)</b>   |   |
| <b>Minimum lot area:</b>  | 5,000 s.f.  |
| <b>Minimum lot frontage:</b>  | 50 feet   |
| <b>Build to line:</b>   | -   |
| —Front:   | 5 ft — 15 ft <sup>2</sup>   |
| —Corner side:   | 5 ft — 15 ft <sup>2</sup>   |
| <b>Minimum yard setbacks:</b>   | -   |
| —Rear:  | 10 feet   |
| <del>Residential district:</del>  | <del>20 feet<sup>3</sup></del>  |
| —Interior side:   | 7.5 feet <sup>4</sup>   |
| <del>Historic structures:</del>   | <del>10 feet</del>  |
| <b>Maximum lot coverage:</b>  | 65%   |
| <b>Maximum structure height:</b>  | 35 feet <sup>5</sup>  |
| <b>(Double Lot Depth)</b>   |   |
| <p>All new developments with double lot depth shall be constructed in accordance with the mixed use low intensity (MU-L1) zoning district building and site regulation Table 3-21 in Section 5.C. above, except as contained herein.</p> <p>See "Single Lot Depth" above for all proposed expansions or additions to existing structures.</p> |   |
| <b>Maximum structure height:</b>  | 35 feet <sup>5</sup>  |
| <b><u>MODIFIED BUILDING/SITE REGULATIONS<sup>1</sup></u></b><br><b><u>Cultural District Overlay Zone</u></b>  |   |
| <b><u>Minimum Lot Area:</u></b>   | <u>10,000 square feet</u>   |
| <b><u>Minimum Lot Frontage:</u></b>   | <u>100 feet</u>   |
| <b><u>Pedestrian zone:</u></b>  |   |
| <b><u>Minimum street tree area<sup>3</sup>:</u></b>   | <u>5 feet</u><br><u>*Measured from the back of curb</u>                     |
| <b><u>Minimum sidewalk width<sup>2</sup>:</u></b>   | <u>8 feet clear</u><br><u>*Measured from the centerline of street trees</u> |

|   |  |
|---|--|
| <b>Minimum active area width:</b><br>(Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1 <sup>st</sup> Street, and NE/SE 3 <sup>rd</sup> Street frontages)   | <u>8 feet<sup>5</sup></u><br><u>*Measured from edge of the sidewalk</u>  |
| <b>Overhead utilities:</b>  | <u>Must be undergrounded in conjunction with any new development or major modification of existing developments.</u>                                 |
| <b>Build-to line:</b>   | <u>Abuts the pedestrian zone</u>   |
| <b>Minimum building frontage</b><br>(Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1 <sup>st</sup> Street, and NE/SE 3 <sup>rd</sup> Street frontages)  | <u>75% of the lot frontage must be occupied by structure adjacent to the pedestrian zone</u>   |
| <b>Maximum structure height:</b>  | <u>See Corresponding Zoning District</u>   |
| <u>Ocean Avenue</u>   | <u>35 feet consistent for a depth of a minimum of 30 feet</u>  |
| <u>Seacrest Boulevard</u>   | <u>35 feet consistent for a depth of a minimum of 10 feet. For every 50 feet above 35 feet in height an additional 10 feet stepback is required.</u> |
| <u>Any properties abutting or adjacent to SE 2<sup>nd</sup> Avenue</u>  | <u>35 feet</u>   |
| <b>Minimum structure height:</b><br><u>Ocean Avenue</u>   | <u>30 feet</u>   |
| <b>On-street parking:</b>   | <u>Required where possible and in accordance with the City's Engineering Standards.</u>  |
| <b>Minimum yard setbacks:</b>   |  |
| <u>    Rear:</u>  | <u>10 feet</u>   |
| <u>    Interior side:</u>   | <u>0 feet<sup>4</sup></u>  |
| <b>Minimum Public Space:</b>  | <u>1% of lot area</u>  |
| <sup>1</sup> <u>No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.</u><br><br><sup>2</sup> <u>Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 4S herringbone pattern</u><br><br><sup>3</sup> <u>Canopy trees are required 1 per 25 feet</u><br><br><sup>4</sup> <u>Minimum interior side setback and maximum height standards may require reductions when adjacent to registered historic structures.</u><br><br><sup>5</sup> <u>Permanent structures such as columns, balconies, and walls are not permitted within the required active area.</u> |  |

### Pedestrian Zone Requirements



### Building Mass





No existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.<sup>2</sup> A paver plaza or "streetscape" design shall be required within the reduced building setback area where buildings are constructed in excess of five (5) feet from the property line.

<sup>43</sup> —Excluding property boundaries that abut rights-of-way. In these instances, the required setback shall be 10 feet.

<sup>5</sup> —The minimum side interior setback shall be five (5) feet for lots with 50 feet of frontage (but less than 75 feet).

<sup>6</sup> —Not to exceed three (3) stories.

#### —6. Accessory Structures.

##### a. —~~a.~~ Fences:

(1) Fences along the front of the property street frontages are not permitted on East Ocean Avenue or Seacrest Boulevard. ~~discouraged.~~

(2) Fences along any street frontage shall not exceed three (3) feet in height.

(3) Any fence that is proposed in the remainder of the District ~~however,~~ shall be decorative in nature, ~~opaque, and not exceed three (3) feet in height.~~ Walls, chain link, board on board, shadowbox, and similar types of fences are expressly prohibited.

a.b. —~~b.~~ All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

#### —97. Building Design.

a. Buildings in the Cultural District Overlay Zone (CDOZ) shall reflect a Coastal Village style of architecture, consisting primarily of hip and/or gable roof, rectilinear forms with stepbacks, porches, and building articulation. This style derives its character from various elements associated with the Key West Vernacular and Bungalow styles of architecture found throughout South Florida. Overhangs for pedestrian canopies and visual interest should be incorporated whenever possible. Overhead structures gateways, and arches, help define space, provide pedestrian comfort, and reinforce character and identity.

~~—a. New Buildings. All new buildings used for non-residential purposes shall be designed to be residential in character. The building design is encouraged to utilize sloped roofs, gables, porches, residential style windows and other elements normally associated with the typical frame vernacular buildings found in the City and throughout South Florida, and those of historic structures anticipated to be relocated to the area.~~ New structures shall be constructed with the pedestrian building entrances oriented towards the street and shall be sensitive to the scale, massing and design envisioned in the CRA Redevelopment Plan Downtown Master Plan.

b. Additions and Modifications to Existing Buildings ~~and Structures~~. All building additions shall be sensitive to the original building design relative to the architectural style, building materials/components and treatments, and proportions. ~~Original materials and details, as well as distinctive form and scale features, which contribute to the character of the building and/or surroundings, shall be preserved to the maximum extent feasible. Rehabilitation work shall not destroy the distinguishing quality or character of the property or its environment.~~

~~For historic structures, any new additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the structure. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic structure and its environment would be unimpaired.~~

**c. Fenestration Requirements**

| <u>Ground-level building facade occupied by transparent window or door openings<br/>(minimum area)</u>   |  |  |
|--|--|--|
| <u>Street Frontage</u>   | <u>Commercial Mixed-Use<br/>Developments (%)</u> | <u>Residential<br/>Development<br/>(%)</u> |
| <u>Ocean Avenue</u>  | <u>50<sup>2</sup></u>                            | <u>30<sup>1</sup></u>                      |
| <u>SE 2<sup>nd</sup> Avenue</u>  | <u>30</u>  |  |
| <u>Seacrest Boulevard</u>  | <u>50<sup>2</sup></u>                            |  |
| <u>NE/SE 1<sup>st</sup> Street</u>   | <u>50<sup>2</sup></u>                            |  |
| <u>NE/SE 3<sup>rd</sup> Street</u>   | <u>50<sup>2</sup></u>                            |  |
| <u>NOTES:</u><br><u>1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.</u><br><u>2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 inches above grade.</u> |  |  |

(1) Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:

- i. The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
- ii. The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.

**d. RESERVED- Architectural Guidelines: Coastal Village**

**8.7. Parking.**

- a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with [Chapter 4, Article V, Section 2](#) above; however, the total number of required spaces may be reduced by up to fifty percent (50%) for all new developments, excluding ~~multi-family~~ residential projects. When two (2) or more adjacent property owners combine their off-street parking in accordance with the code and construct

a shared parking facility with common access drives, the total number of required off-street parking spaces may be reduced by an additional ten percent (10%).

b. Allowable Location of Off-Street ~~Parking~~ Spaces.

(1) The intent of the ~~CD~~~~OA~~~~OZ~~ is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. ~~T~~~~It is~~ therefore, on-site ~~a requirement to locate off-street~~ parking areas shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.

~~(1)~~(2) ~~Only~~~~E~~-existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades, or a combination thereof, provided that such proposal remains consistent ~~hedge and/or fencing would be compliant~~ with the intent of the ~~CD~~~~OA~~~~OZ~~, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2, Article II, Section 4.E.

~~(2)~~(3) If one hundred percent (100%) of the required off-street parking spaces cannot be provided on-site, they may be provided at an off-site location provided the following conditions are met: 1) the proposed location is not farther than five hundred (500) feet from the subject property as measured by a straight line from a point on the boundary of the property to the closest boundary line of the property to be leased; and 2) the off-site location is owned or leased by the owner or operator of the subject business or property owner. ~~Any lease agreement must be approved by the City Commission.~~ The parent business property shall be posted with signage indicating the location of the off-site parking spaces. All spaces provided by the property/business owner on and off-site shall be maintained as unreserved, unrestricted parking available to the public, except designated handicap spaces required by law.

c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off-street parking.

~~8. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5. for additional regulations regarding required landscaping and streetscape design.~~

~~9-10.~~ Signage and Exterior Lighting Standards.

- a. Signs allowed within the Cultural District ~~Ocean Avenue~~ Overlay Zone shall be externally illuminated only, and be limited to ~~consist of the prototypical monument sign designed for the area,~~ wall mounted, and ~~for a~~ projecting signs.
- b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.
- c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed ~~six five~~ (56) square feet in size.
- d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8'
- e. A-frame signs are permitted when included and reviewed as a part of an overall Sign Program.
- f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 35 feet (first 3 stories), animated, or moving signs.

- [g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.](#)
- [h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen \(15\) feet, be decorative in nature and compatible with the color and architecture of the building.](#)

Part III LDR

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Chapter 3 Zoning

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Article IV Use Regulations

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D. *Use Matrix (Table 3-28).*

*Footnotes*

18. ~~Ocean Avenue~~Cultural District Overlay Zone.

- a. This use is allowed in this zoning district only when proposed on a lot located within the Cultural District~~Ocean Avenue~~ Overlay Zone (CD~~OA~~OZ).
- ~~b. Any proposed non-residential use that would abut a side property line of a residential use located on Northeast 1st Avenue or Southeast 1st Avenue requires conditional use approval.~~
- ~~c. Any allowable use is considered permitted by right, provided that it is proposed on property with frontage on Ocean Avenue; otherwise conditional use approval shall be required. Additionally, no existing uses shall be deemed non-conforming.~~
- ~~d. Professional and technical schools allowed in the OAOZ are limited to those that teach the culinary and visual~~

Part III LDR

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Chapter 4 Site Development Standards

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Article V Minimum Off-Street Parking Requirements

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Sec. 4. Exceptions to Providing Required Off-Street Parking.

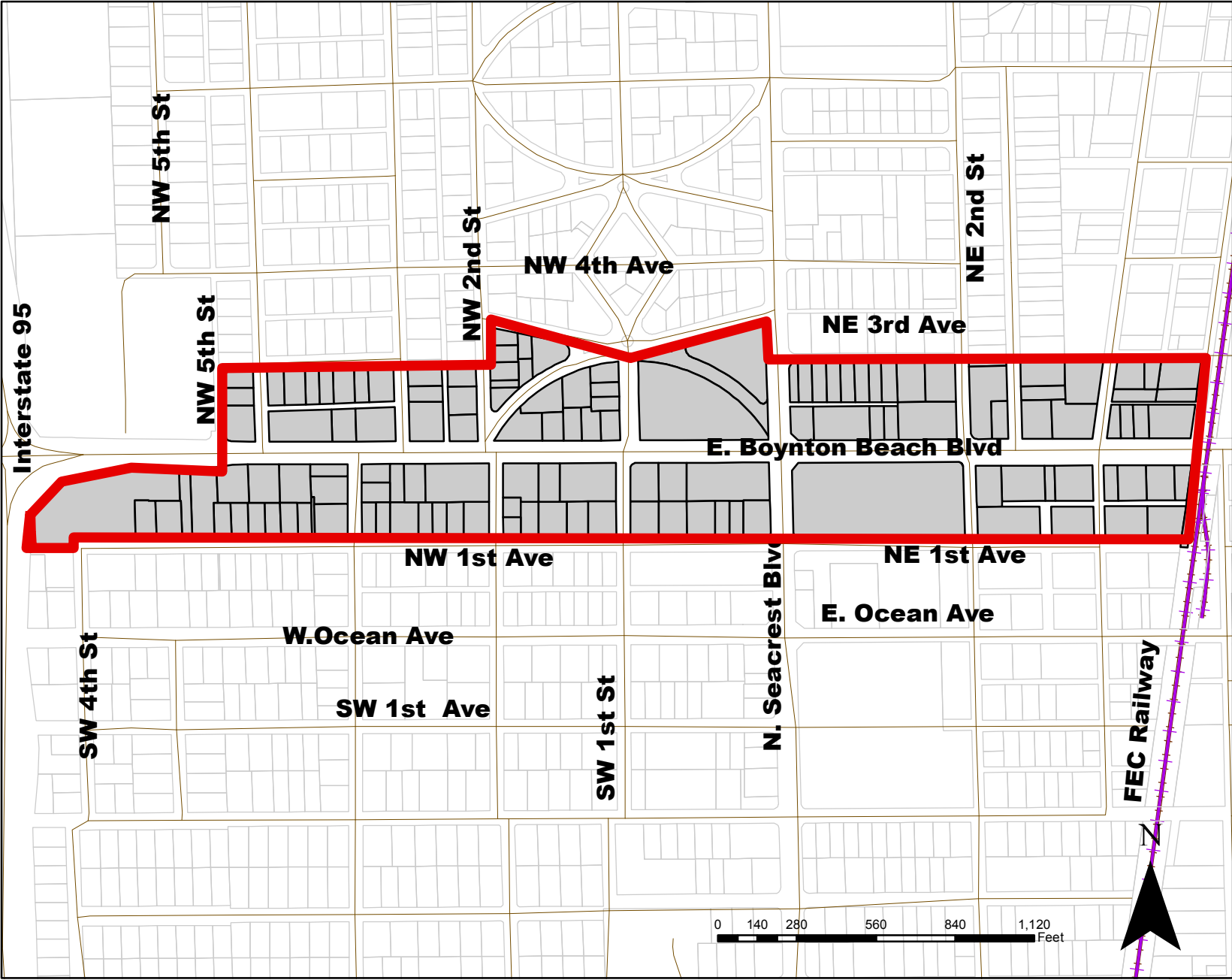
A. Adaptive Re-Use.

1. Applicability. The following described areas shall be eligible for specific parking reductions based upon adaptive re-use, including modifications, of existing buildings:
  - a. ~~Ocean Avenue~~Cultural District Overlay Zone (~~OA~~~~OZ~~CDOZ), as defined in Chapter 3, Article III, Section 8.D.
  - b. No additional parking shall be required where:
    - (1) The structure is enlarged in a manner not exceeding a cumulative total of one hundred percent (100%) of the existing gross floor area; or
    - (2) The capacity of the structure is increased by adding subordinate dwelling units or floor area within the existing building envelop; or
    - (3) The use of a structure is changed; or
    - (4) The number of seats for eating and drinking establishments is increased by up to fifty percent (50%) of the existing total or up to forty (40) seats are provided where the previous use had none.

## Exhibit C:

# Boynton Beach Boulevard Overlay Zone Boundary

# BOYNTON BEACH BLVD OVERLAY ZONE BOUNDARY





## Exhibit D:

# Boynton Beach Boulevard Overlay Zone Code Amendments

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## Chapter 3. Zoning

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### Article III Zoning Districts and Overlay Zones

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#### Sec. 8. Overlay Zones.

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##### F. Boynton Beach Boulevard Overlay Zone

1. **Purpose and Intent.** The Boynton Beach Boulevard Overlay Zone (BBBOZ) is comprised of multiple properties and a mix of zoning districts that currently accommodates primarily commercial, residential (single-family), and institutional land uses. The CRA Redevelopment Plan recommends the Mixed Use Low, Mixed Use Medium, and Mixed Use High Future Land Use Classification along Boynton Beach Boulevard, increasing in intensity as the District approached Downtown. The purpose and intent of the BBBOZ are as follows:
  - a. Provide for a mix of selected commercial, residential, and office uses, with an emphasis on employment and entertainment uses that will encourage redevelopment of underutilized property and enhance the pedestrian scale and character of the area;
  - b. The western area is to act as a welcoming and attractive entry to the City, while the eastern area is to act as the entry to the City's Downtown;
  - c. Encourage the location of restaurant, retail, office, and entertainment establishments, along with pedestrian-friendly improvements that would complement and support the Downtown.
  - d. Continue implementation of various recommendations contained within CRA Redevelopment Plan related to;
  - e. Ensure that redevelopment within this area, regardless of underlying zoning district, will maintain a consistent character; and
  - f. Improve overall livability of the general area and stabilize and improve property values.
2. **Defined.** The Boynton Beach Boulevard Overlay Zone (BBBOZ) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by NW 5<sup>th</sup> Street, further by Interstate 95, on the south by NE and NW 1<sup>st</sup> Avenue, and on the north by NE 3<sup>rd</sup> Avenue and NW 3<sup>rd</sup> Court.
3. **Conflict.** Unless deemed otherwise by the Planning & Zoning Director, in the event of any conflict between the provisions of the Boynton Beach Boulevard Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws
4. **Uses:** Active commercial uses shall be required on the street frontage of Boynton Beach Boulevard.

- a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:
- Accessory Dwelling Unit
  - Dwelling, Single- family (detached)
  - Dwelling, Two-family (duplex)
  - Auto Dealer, New
  - Auto Dealer, Used
  - Automotive Parts Store
  - Boat Dealer/Rental
  - Cleaning Supply Store (Swimming Pool, Janitorial)
  - Convenience Store
  - Gasoline Station
  - Auto Broker
  - Automobile Rental
  - Automotive, Major Repair
  - Automotive, Minor Repair
  - Automobile Rental
  - Auto/Car Wash, Self- serve Bay
  - Furniture & Home furnishing, unless integrated into a mixed use development
  - Auto/Car Wash (Polishing, Waxing, Detailing)
  - Showroom warehouse (single-product line)
  - Merchandise, Used (Other)
  - Merchandise, New (Supercenter, Discount, Department, Club)
  - Home Improvement Center
  - Automotive Window Tinting/Stereo Installation/Alarms
  - Coin-operated Laundry
  - Funeral Home
  - Pet Care (Boarding and Daycare)
  - Cemetery
  - Church
  - Civic & Fraternal Club/ Organization
  - Group homes Type I, II, III, and IV
  - College, Seminary, University
  - School, Primary and Secondary
  - School, Industrial & Trade
  - Shooting Range, Indoor
  - Adult entertainment
  - Temporary employment agency
  - Social service agency
  - All Industrial Uses
- b. Any other automobile-oriented use not listed above are prohibited.
- (1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile.
- c. Drive-throughs are prohibited.
- (1) Drive- throughs may only be permitted when the drive-thru not visible from any right-of-ways; and

- (2) Drive- throughs must be designed to be completely behind a portion of the building or structure it serves.
- d. Live-work units are permitted, but may not front Boynton Beach Boulevard or Seacrest Boulevard.
- e. Additionally, no legally, existing use shall be deemed non-conforming as a result of the BBBOZ regulations.

## 5. Modified Building and Site Regulations.

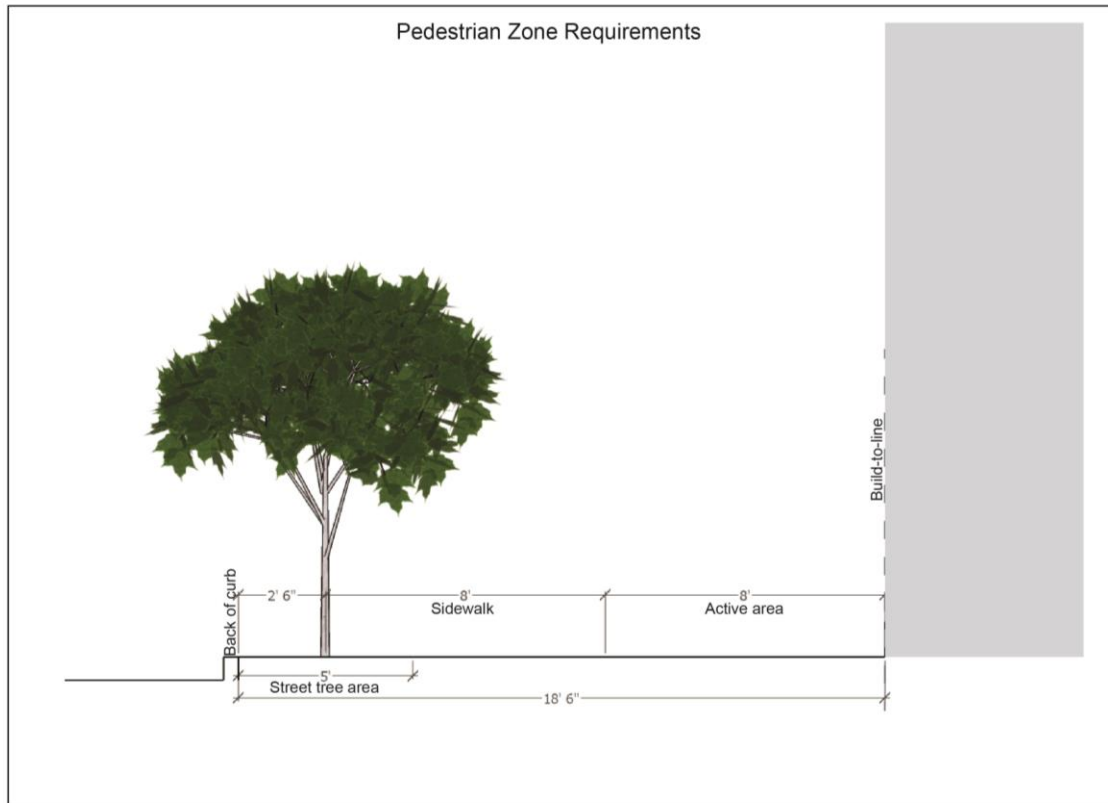
| <b><u>MODIFIED BUILDING/SITE REGULATIONS<sup>1</sup></u></b><br><b><u>Boynton Beach Boulevard Overlay Zone</u></b>                    |   |
|---|---|
| <b><u>Minimum Lot Area:</u></b>   | <u>0.75 acre</u>  |
| <b><u>Minimum Lot Frontage:</u></b><br><u>Boynton Beach Boulevard</u>   | <u>150 feet</u>   |
| <b><u>Pedestrian zone:</u></b>  |   |
| <u>Minimum street tree area<sup>3</sup>:</u>  | <u>5 feet</u><br><u>*Measured from the back of curb</u>   |
| <u>Minimum sidewalk width<sup>2</sup>:</u>  | <u>8 feet clear</u><br><u>*Measured from the centerline of street trees</u>   |
| <u>Minimum active area width:</u><br><u>(Applicable to Boynton Beach Boulevard and</u><br><u>Seacrest Boulevard street frontages)</u> | <u>8 feet<sup>4</sup></u><br><u>*Measured from edge of the sidewalk</u>   |
| <b><u>Overhead utilities:</u></b>   | <u>Must be undergrounded in conjunction with any</u><br><u>new development or major modification of</u><br><u>existing developments.</u>  |
| <b><u>Build-to line:</u></b>  | <u>Abuts the pedestrian zone</u>  |
| <b><u>Minimum building frontage:</u></b><br><u>(Applicable to Boynton Beach Boulevard, Seacrest</u><br><u>Boulevard)</u>              | <u>75% of the lot frontage must be occupied by</u><br><u>structure adjacent to the pedestrian zone</u>  |
| <b><u>Maximum structure height:</u></b>   | <u>See Corresponding Zoning District</u>  |
| <u>Boynton Beach Boulevard and Seacrest</u><br><u>Boulevard</u>   | <u>45 feet</u><br><u>Any additional height permitted by the zoning</u><br><u>districts must be stepped back proportionately to</u><br><u>the overall height, a minimum of 10' and for every</u><br><u>50 feet above 45 feet in height<sup>6</sup> an additional 10</u><br><u>feet stepback is required.</u> |
| <b><u>Minimum structure height:</u></b>   | <u>30 feet</u>  |
| <b><u>On-street parking:</u></b>  | <u>Required where possible and in accordance with</u><br><u>the City's Engineering Standards.</u>   |
| <b><u>Minimum yard setbacks:</u></b>  |   |
| <u>Rear:</u>  | <u>10 feet</u>  |
| <u>Abutting NW 1<sup>st</sup> Avenue, NE 3<sup>rd</sup> Avenue, NW</u><br><u>3<sup>rd</sup> Avenue:</u>                               | <u>20 feet</u><br><u>The rear property line shall contain a continuous</u><br><u>vegetative buffer.</u>   |
| <u>Interior side:</u>   | <u>0 feet</u>   |
| <b><u>Minimum Public Space:</u></b>   | <u>1% of lot area</u>   |
| <sup>1</sup> No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot                   |   |

coverage, or building height.

<sup>2</sup> Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 4S herringbone pattern.

<sup>3</sup> Canopy trees are required 1 per 25 feet.

<sup>4</sup> Permanent structures such as columns, balconies, and walls are not permitted within the required active area.



## **6. Accessory Structures.**

### **a. Fences:**

- (1) Fences along street frontages are not permitted on Boynton Beach Boulevard or Seacrest Boulevard.
- (2) Fences along any street frontages shall not exceed three (3) feet in height.
- (3) Any fence that is proposed in the reminder of the District shall be decorative in nature. Walls, chain link, board on board, shadowbox, and similar types of fences are prohibited.

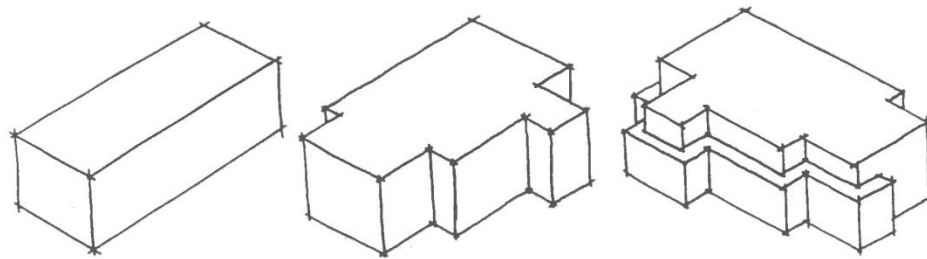
- b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

**7. Building Design.**

- a. Building orientation. Lots with frontage on Boynton Beach Boulevard must orient structures to Boynton Beach Blvd. The main pedestrian entry, or front door, must be fronting Boynton Beach Boulevard.
- b. Boynton Beach Boulevard and Seacrest Boulevard shall have maximized glazing on first floors.

| <u>Fenestration Requirements</u>   |  |                                    |
|--|--|------------------------------------|
| <u>Ground-level building facade occupied by transparent window or door openings (minimum area)</u>   | <u>Commercial Mixed-Use Developments (%)</u> | <u>Residential Development (%)</u> |
| <u>Boynton Beach Boulevard</u>   | <u>50<sup>2</sup></u>                        | <u>30<sup>1</sup></u>              |
| <u>Seacrest Boulevard</u>  | <u>50<sup>2</sup></u>                        |                                    |
| <u>NOTES:</u><br><u>1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.</u><br><u>2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 includes above grade.</u> |  |                                    |

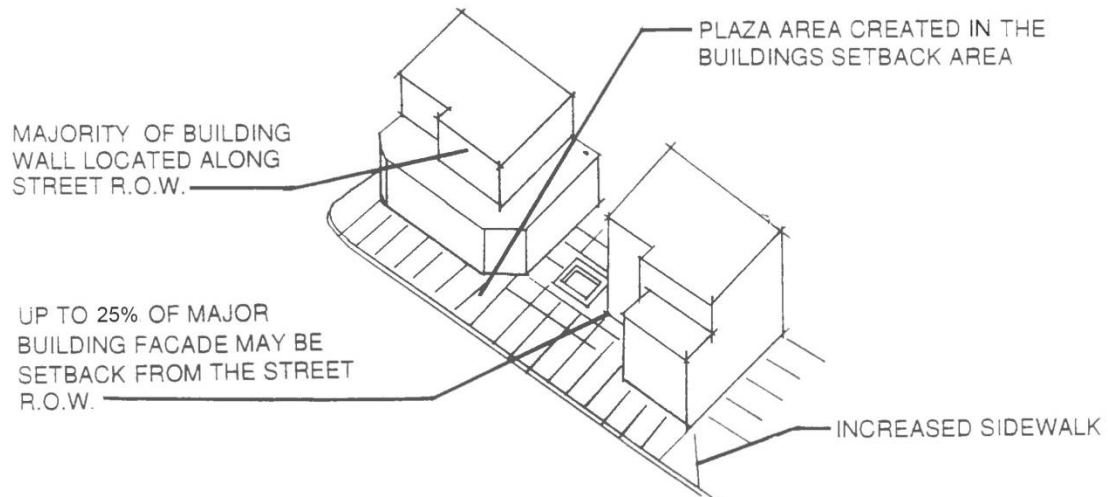
- c. Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:
  - (1) The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
  - (2) The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.
- d. Building Wall Articulation.
  - a. Vertical articulation. Walls shall be offset by a minimum depth of two (2) feet once ever fifty (50) linear feet.
  - b. Horizontal Articulation. Buildings shall step-back a minimum of ten (10) feet once the structure reaches forty-five (45) feet in height. Buildings must step back an additional ten (10) feet for every additional fifty (50) feet in height; the additional required step-backs may be dispersed in varying offsets.



UNDESIRABLE ARCHITECTURAL  
TREATMENT

VERTICAL ARTICULATION  
ADDED

HORIZONTAL ARTICULATION  
ADDED



CLIP BACK BUILDING CORNER  
PROVIDES INTERESTING  
ALLEY DESIGN  
BETWEEN  
BUILDINGS

LANDMARK FEATURE PERMITTED  
AT MAJOR INTERSECTION  
CORNER

PEDESTRIAN CUT THRU  
AT CORNER



## **8. Parking.**

- a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2
- b. Allowable Location of Off-Street Parking Spaces.
  - (1) The intent of the BBBOZ is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. Therefore, on-site parking shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.
  - (2) Existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades, or a combination thereof, provided that such proposal remain consistent with the intent of the BBBOZ, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2. Article II, Section 4.E.
  - (3) New developments with a Mix Use Low Land Use classification are permitted one (1), single loaded, row of parking in front of the building.
- c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off-street parking.

## **9. Signage and Exterior Lighting Standards.**

- a. Signs permitted within the Boynton Beach Boulevard Overlay Zone shall be externally illuminated only, and consist of wall mounted, and/or a projecting sign.
- b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.
- c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed five (5) square feet in size.
- d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8'
- e. Properties with over 250 feet of linear street frontage on Boynton Beach Boulevard are permitted one monument sign with a maximum height of five (5) feet, a maximum depth of eighteen (18) inches, and a maximum area of forty (40) square feet. Monuments signs shall be oriented perpendicular to the street.
- f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 40 feet (first four (4) stories), animated, or moving signs.
- g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.
- h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.

Exhibit E:

Overlay Zone Waivers

...

Chapter 2

...

Article II Planning and Zoning Division Services

...

Sec. 4. Relief Applications.

...

E. Waiver (~~Ocean Avenue~~Cultural District Overlay Zone and Boynton Beach Boulevard Overlay Zone).

1. General.

a. Purpose and Intent. The purpose of this subsection is to provide an efficient relief process to allow for deviations from certain requirements and standards of Chapter 3 and Chapter 4 as they pertain to the ~~Ocean Avenue~~Cultural District Overlay Zone (~~OAQZ~~CDOZ) and Boynton Beach Boulevard Overlay Zone (BBBOZ). The intent of this application is not to provide a means for circumventing any such requirement or standard but to allow for a departure from the code upon demonstration that the subject request satisfies the intent of the review criteria contained herein.

b. Applicability. For property located within the ~~OAQZ~~CDOZ or the BBBOZ, the waiver process shall be available for deviations from any development and design standards of Chapter 3, Article III, Section 8.D.

2. Submittal Requirements. The applicant shall submit a letter that addresses the review criteria of Section 3.E.3. below, in addition to submitting any plans and exhibits required by the accompanying site plan, whenever applicable.

3. Review Criteria. The applicant shall justify each waiver request as part of the application for site plan or site plan modification. The applicant shall document the nature of the request, the extent of its departure from the standard regulation, and the basis for the request. The City may request additional information and documentation from the applicant, such as a shared-parking study, or other type of performance related analysis that further justifies the waiver request. The burden of proof shall be on the applicant to present a superior design alternative and demonstrate that the application would further the purpose and intent of the Overlay Zone~~OAQZ~~ and not have any detrimental impact on adjacent properties or the surrounding area.

4. Approval Process. A waiver request may be approved by staff if the subject request is reviewed concurrently with a minor site plan modification application, and such application requires administrative review pursuant to the review criteria of Section 2.F. above. Otherwise, the waiver application requires review by the City Commission and shall be processed in accordance with Chapter 2, Article 1, Section 3.

5. Denial. Upon the denial of an application for relief hereunder, in whole or in part, a period of one (1) year must elapse prior to the filing of the same or similar application affecting the same property or any portion thereof; however, this restriction shall not apply to applications which further the City's economic development, workforce housing, or green building programs.

6. Expiration. A waiver shall remain valid as long as the corresponding site plan or site plan modification approval remains in effect, or unless there is any amendment to the original waiver. Any amendment to the original approval shall require application for, and approval of, a new waiver.



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION: PROPOSED ORDINANCE NO. 17- 016 - SECOND READING - PUBLIC HEARING** - Approve amendments to the LAND DEVELOPMENT REGULATIONS, Chapters 2 and 3 to continue the implementation of the Community Redevelopment Plan with the establishment of the new Boynton Beach Boulevard Overlay Zone regulating site development standards, uses, and urban design. *(Staff requests item tabled to 8/15/17)*

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### **EXPLANATION OF REQUEST:**

The Boynton Beach CRA Community Redevelopment Plan was adopted on October 4th, 2016. Comprehensive implementation of the Plan will require a full "audit" and subsequent revisions of existing zoning and other land development regulations. However, some recommendations have immediate application to pending development projects and will therefore be implemented incrementally as needed. These recommendations include overlay zones intended to provide specific requirements pertaining to scale, design, and architecture for two geographic areas. The requirements modify some of the regulations of their underlying zoning districts.

Prior to its inclusion in the 2016 CRA Community Redevelopment Plan, Boynton Beach Boulevard did not have an adopted plan to help guide the development of the area. The Boulevard should acts as a welcoming and attractive entry to the City and as the entry to the City's Downtown. The CRA Plan recommends the Mixed Use Low, Mixed Use Medium, and Mixed Use High Future Land Use classifications along the boulevard, increasing in intensity as the District approaches Downtown. The overall intent of the overlay is to encourage the location of restaurant, retail, office, and entertainment establishments, along with pedestrian-friendly improvements that would complement and support the Downtown. The overlay also strives to maintain a consistent character while improving overall livability of the general area and stabilizing/ improving property values.

The Boynton Beach Boulevard Overlay Zone (BBBOZ) will encompass the length of Boynton Beach Boulevard, bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by I-95, on the south by Northeast and Northwest 1st Avenue, and on the north by Northeast and Northwest 3rd Avenue and Northwest 3rd Court.

The Planning and Development Board reviewed the subject item on May 23, 2017, and by a vote of 3 to 4, the motion to support the item failed.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** N/A

**FISCAL IMPACT:** Non-budgeted N/A

**ALTERNATIVES:** None recommended.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:** N/A

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:** N/A

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**Is this a grant?** No

**Grant Amount:** N/A

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**ATTACHMENTS:**

| Type                                  | Description  |
|---------------------------------------|--|
| <input type="checkbox"/> Ordinance    | Ordinance approving amendments to LDRs establishing the new Boynton Beach Boulevard Overlay Zone |
| <input type="checkbox"/> Staff Report | Staff Report   |
| <input type="checkbox"/> Exhibit      | Exhibit A: Cultural District Overlay Zone Boundary   |
| <input type="checkbox"/> Exhibit      | Exhibit B: Proposed Cultural District Overlay Zone Code Amendments                               |
| <input type="checkbox"/> Exhibit      | Exhibit C: Boynton Beach Boulevard Overlay Zone Boundary   |
| <input type="checkbox"/> Exhibit      | Exhibit D: Boynton Beach Boulevard Overlay Zone Code Amendments                                  |
| <input type="checkbox"/> Exhibit      | Exhibit E: Overlay Zone Waivers  |

**REVIEWERS:**

| Department  | Reviewer         | Action   | Date                |
|-------------|------------------|----------|---------------------|
| Development | Stanzione, Tammy | Approved | 7/11/2017 - 8:44 AM |

**ORDINANCE NO. 17-**

**AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS AMENDING CHAPTERS 2 AND 3 TO CONTINUE THE IMPLEMENTATION OF THE COMMUNITY REDEVELOPMENT PLAN WITH THE ESTABLISHMENT OF THE NEW BOYNTON BEACH BOULEVARD OVERLAY ZONE REGULATING SITE DEVELOPMENT STANDARDS, ZONING USES, AND URBAN DESIGN STANDARDS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the CRA Plan (fka “the Consolidated Plan”) was adopted on October 4, 2016; and

**WHEREAS,** some recommendations of the Plan also include overlay zones intended to provide specific requirements pertaining to scale, design, and architecture for two geographic areas; and

**WHEREAS**, the requirements modify some of the regulations of their underlying zoning districts; and

**WHEREAS**, staff proposes these code amendments to further implement the CRA's Community Redevelopment Plan and to support continued quality development and redevelopment of the area; and

**WHEREAS**, the City Commission of the City of Boynton Beach deems it to be in the best interest of the citizens and residents of the City to amend the Land Development Regulations to continue implementation of the Community Redevelopment Plan with the establishment of the new Boynton Beach Boulevard Overlay Zone regulating site development standards, uses and urban design standards.

32           **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**  
33           **OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:**

34           Section 1.     The foregoing whereas clauses are true and correct and are now  
35           ratified and confirmed by the City Commission.

36           Section 2.     Chapter 2, Article II, Planning and Zoning Division Services,  
37           Section 4, Relief Applications, of the Land Development Regulations, is hereby amended  
38           by adding the words and figures in underlined type, as follows:

39           **Chapter 2, Art. II. Planning and Zoning Division Services**

40           **Sec. 4. Relief Applications**

41           ...

42           E. Waiver (~~Ocean Avenue~~Cultural District Overlay Zone and Boynton Beach Boulevard  
43           Overlay Zone).

44           1.     General.

45           a. Purpose and Intent. The purpose of this subsection is to provide an efficient relief  
46           process to allow for deviations from certain requirements and standards of Chapter  
47           3 and Chapter 4 as they pertain to the ~~Ocean Avenue~~Cultural District Overlay  
48           Zone (~~OAQZ~~CDOZ) and Boynton Beach Boulevard Overlay Zone (BBBOZ).

49           The intent of this application is not to provide a means for circumventing any such  
50           requirement or standard but to allow for a departure from the code upon  
51           demonstration that the subject request satisfies the intent of the review criteria  
52           contained herein.

53           b. Applicability. For property located within the ~~OAQZ~~CDOZ or the BBBOZ, the  
54           waiver process shall be available for deviations from any development and design  
55           standards of Chapter 3, Article III, Section 8.D.

56           2.     Submittal Requirements. The applicant shall submit a letter that addresses the  
57           review criteria of Section 3.E.3. below, in addition to submitting any plans and  
58           exhibits required by the accompanying site plan, whenever applicable.

59           3.     Review Criteria. The applicant shall justify each waiver request as part of the  
60           application for site plan or site plan modification. The applicant shall document the  
61           nature of the request, the extent of its departure from the standard regulation, and the  
62           basis for the request. The City may request additional information and documentation  
63           from the applicant, such as a shared-parking study, or other type of performance  
64           related analysis that further justifies the waiver request. The burden of proof shall be



65 on the applicant to present a superior design alternative and demonstrate that the  
66 application would further the purpose and intent of the Overlay Zone~~OAQZ~~ and not  
67 have any detrimental impact on adjacent properties or the surrounding area.

68 4. Approval Process. A waiver request may be approved by staff if the subject  
69 request is reviewed concurrently with a minor site plan modification application, and  
70 such application requires administrative review pursuant to the review criteria of  
71 Section 2.F. above. Otherwise, the waiver application requires review by the City  
72 Commission and shall be processed in accordance with Chapter 2, Article 1, Section  
73 3.

74 5. Denial. Upon the denial of an application for relief hereunder, in whole or in part,  
75 a period of one (1) year must elapse prior to the filing of the same or similar  
76 application affecting the same property or any portion thereof; however, this  
77 restriction shall not apply to applications which further the City's economic  
78 development, workforce housing, or green building programs.

79 6. Expiration. A waiver shall remain valid as long as the corresponding site plan or  
80 site plan modification approval remains in effect, or unless there is any amendment to  
81 the original waiver. Any amendment to the original approval shall require application  
82 for, and approval of, a new waiver.

83

84 Section 3. Chapter 3, Article III, Zoning Districts and Overlay Zones, Section  
85 8, Overlay Zones, of the Land Development Regulations, is hereby amended by adding  
86 the words and figures in underlined type, as follows:

87 Article III Zoning Districts and Overlay Zones

88 ...

89 Sec. 8. Overlay Zones.

90 ...

91 F. Boynton Beach Boulevard Overlay Zone

92 1. **Purpose and Intent.** The Boynton Beach Boulevard Overlay Zone (BBBOZ) is comprised  
93 of multiple properties and a mix of zoning districts that currently accommodates primarily  
94 commercial, residential (single-family), and institutional land uses. The CRA Redevelopment  
95 Plan recommends the Mixed Use Low, Mixed Use Medium, and Mixed Use High Future Land  
96 Use Classification along Boynton Beach Boulevard, increasing in intensity as the District  
97 approached Downtown. The purpose and intent of the BBBOZ are as follows:

98 a. Provide for a mix of selected commercial, residential, and office uses, with an  
99 emphasis on employment and entertainment uses that will encourage

- 100                    redevelopment of underutilized property and enhance the pedestrian scale and  
101                    character of the area;
- 102            b.        The western area is to act as a welcoming and attractive entry to the City, while  
103                    the eastern area is to act as the entry to the City's Downtown;
- 104            c.        Encourage the location of restaurant, retail, office, and entertainment  
105                    establishments, along with pedestrian-friendly improvements that would  
106                    complement and support the Downtown.
- 107            d.        Continue implementation of various recommendations contained within CRA  
108                    Redevelopment Plan related to;
- 109            e.        Ensure that redevelopment within this area, regardless of underlying zoning  
110                    district, will maintain a consistent character; and
- 111            f.        Improve overall livability of the general area and stabilize and improve property  
112                    values.
- 113
- 114        2.        **Defined.** The Boynton Beach Boulevard Overlay Zone (BBBOZ) shall be bounded on the  
115                    east by the Florida East Coast Railroad (F.E.C.), on the west by NW 5<sup>th</sup> Street, further by  
116                    Interstate 95, on the south by NE and NW 1<sup>st</sup> Avenue, and on the north by NE 3<sup>rd</sup> Avenue  
117                    and NW 3<sup>rd</sup> Court.
- 118
- 119        3.        **Conflict.** Unless deemed otherwise by the Planning & Zoning Director, in the event of  
120                    any conflict between the provisions of the Boynton Beach Boulevard Overlay Zone and any  
121                    other sections of the Land Development Regulations, the provisions of this section shall  
122                    prevail. These provisions shall not be construed to supersede any federal, state, or county  
123                    laws
- 124
- 125        4.        **Uses:** Active commercial uses shall be required on the street frontage of Boynton Beach  
126                    Boulevard.
- 127
- 128            a.        Uses shall be determined by the underlying zoning district, see "Use Matrix  
129                    Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following  
130                    prohibited uses:
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135                    Auto Dealer, Used  
136                    Automotive Parts Store  
137                    Boat Dealer/Rental  
138                    Cleaning Supply Store (Swimming Pool, Janitorial)  
139                    Convenience Store  
140                    Gasoline Station  
141                    Auto Broker

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- 143 Automotive, Major Repair
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- 154 Coin-operated Laundry
- 155 Funeral Home
- 156 Pet Care (Boarding and Daycare)
- 157 Cemetery
- 158 Church
- 159 Civic & Fraternal Club/ Organization
- 160 Group homes Type I, II, III, and IV
- 161 College, Seminary, University
- 162 School, Primary and Secondary
- 163 School, Industrial & Trade
- 164 Shooting Range, Indoor
- 165 Adult entertainment
- 166 Temporary employment agency
- 167 Social service agency
- 168 All Industrial Uses
- 169 b. Any other automobile-oriented use not listed above are prohibited.
- 170 (1) An “automobile oriented use” shall be construed as a business which has a
- 171 principal purpose of servicing an automobile or consists of a building type or
- 172 feature which is designed for an automobile.
- 173 c. Drive-throughs are prohibited.
- 174 (1) Drive- throughs may only be permitted when the drive-thru not visible from any
- 175 right-of-ways; and
- 176 (2) Drive- throughs must be designed to be completely behind a portion of the
- 177 building or structure it serves.
- 178 d. Live-work units are permitted, but may not front Boynton Beach Boulevard or
- 179 Seacrest Boulevard.
- 180 e. Additionally, no legally, existing use shall be deemed non-conforming as a result
- 181 of the BBBOZ regulations.
- 182

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184 **5. Modified Building and Site Regulations.**

| <b><u>MODIFIED BUILDING/SITE REGULATIONS<sup>1</sup></u></b><br><b><u>Boynton Beach Boulevard Overlay Zone</u></b>                    |   |
|---|---|
| <b><u>Minimum Lot Area:</u></b>   | <u>0.75 acre</u>  |
| <b><u>Minimum Lot Frontage:</u></b><br><u>Boynton Beach Boulevard</u>   | <u>150 feet</u>   |
| <b><u>Pedestrian zone:</u></b>  |   |
| <u>Minimum street tree area<sup>3</sup>:</u>  | <u>5 feet</u><br><u>*Measured from the back of curb</u>   |
| <u>Minimum sidewalk width<sup>2</sup>:</u>  | <u>8 feet clear</u><br><u>*Measured from the centerline of street trees</u>   |
| <u>Minimum active area width:</u><br><u>(Applicable to Boynton Beach Boulevard and</u><br><u>Seacrest Boulevard street frontages)</u> | <u>8 feet<sup>4</sup></u><br><u>*Measured from edge of the sidewalk</u>   |
| <b><u>Overhead utilities:</u></b>   | <u>Must be undergrounded in conjunction with any new</u><br><u>development or major modification of existing</u><br><u>developments.</u>  |
| <b><u>Build-to line:</u></b>  | <u>Abuts the pedestrian zone</u>  |
| <b><u>Minimum building frontage:</u></b><br><u>(Applicable to Boynton Beach Boulevard, Seacrest</u><br><u>Boulevard)</u>              | <u>75% of the lot frontage must be occupied by</u><br><u>structure adjacent to the pedestrian zone</u>  |
| <b><u>Maximum structure height:</u></b>   | <u>See Corresponding Zoning District</u>  |
| <u>Boynton Beach Boulevard and Seacrest Boulevard</u>   | <u>45 feet</u><br><u>Any additional height permitted by the zoning</u><br><u>districts must be stepped back proportionately to the</u><br><u>overall height, a minimum of 10' and for every 50</u><br><u>feet above 45 feet in height<sup>6</sup> an additional 10 feet</u><br><u>stepback is required.</u> |
| <b><u>Minimum structure height:</u></b>   | <u>30 feet</u>  |
| <b><u>On-street parking:</u></b>  | <u>Required where possible and in accordance with the</u><br><u>City's Engineering Standards.</u>   |
| <b><u>Minimum yard setbacks:</u></b>  |   |
| <u>Rear:</u>  | <u>10 feet</u>  |
| <u>Abutting NW 1<sup>st</sup> Avenue, NE 3<sup>rd</sup> Avenue, NW</u><br><u>3<sup>rd</sup> Avenue:</u>                               | <u>20 feet</u><br><u>The rear property line shall contain a continuous</u><br><u>vegetative buffer.</u>   |
| <u>Interior side:</u>   | <u>0 feet</u>   |
| <b><u>Minimum Public Space:</u></b>   | <u>1% of lot area</u>   |

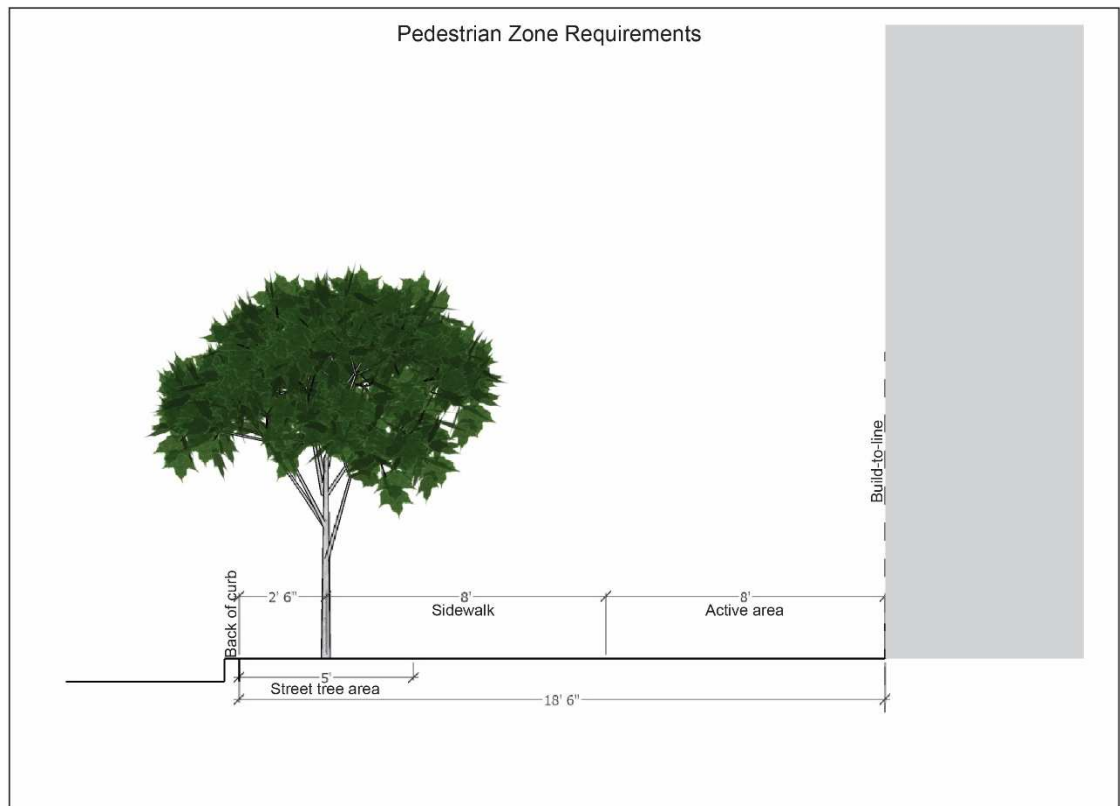
<sup>1</sup> No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.

<sup>2</sup> Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 4S herringbone pattern.

<sup>3</sup> Canopy trees are required 1 per 25 feet.

<sup>4</sup> Permanent structures such as columns, balconies, and walls are not permitted within the required active area.

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189 **6. Accessory Structures.**

190 a. **Fences:**

191 (1) Fences along street frontages are not permitted on Boynton Beach Boulevard or  
192 Seacrest Boulevard.

193 (2) Fences along any street frontages shall not exceed three (3) feet in height.

194 (3) Any fence that is proposed in the reminder of the District shall be decorative in  
195 nature. Walls, chain link, board on board, shadowbox, and similar types of  
196 fences are prohibited.

197           b.       All parking, mechanical equipment, trash containers, and miscellaneous  
198                   equipment shall be landscaped to be screened from view.  
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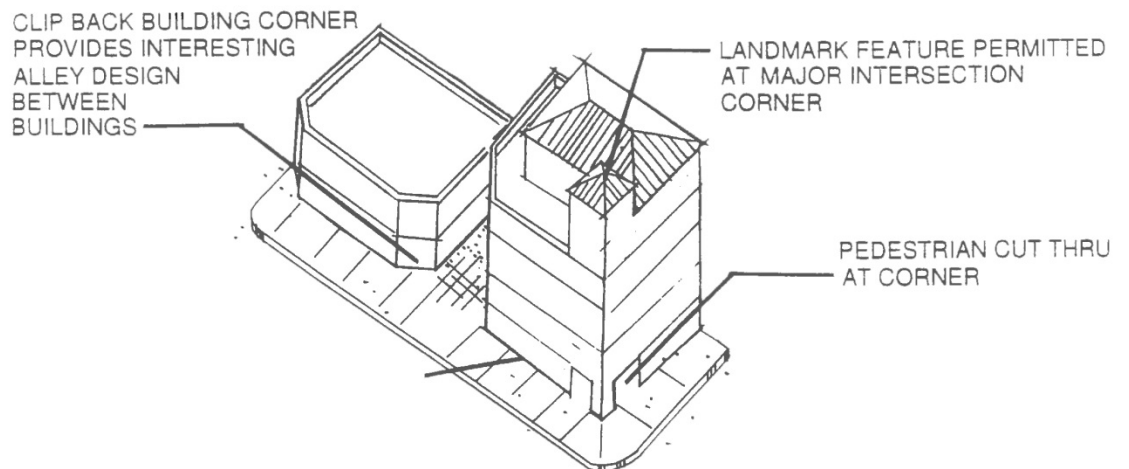
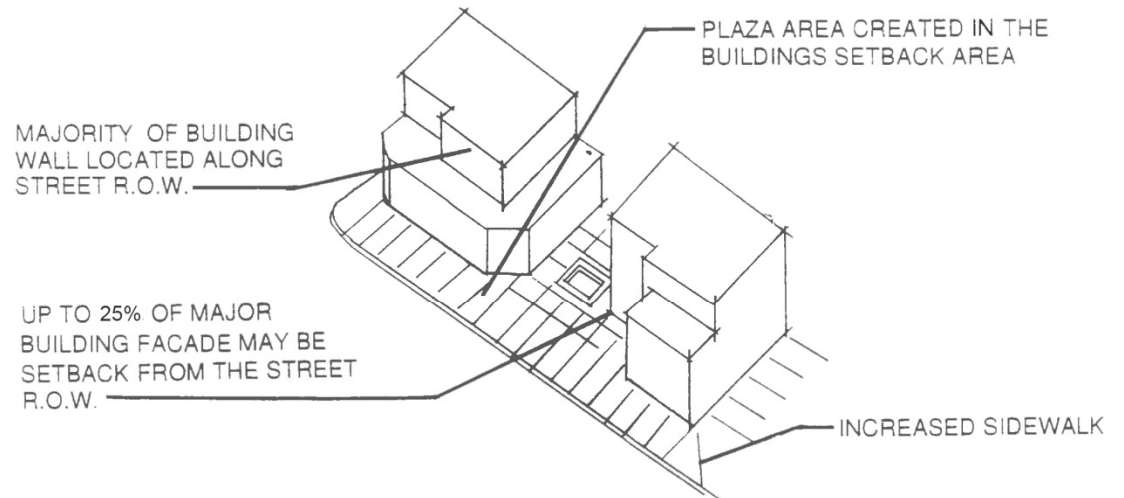
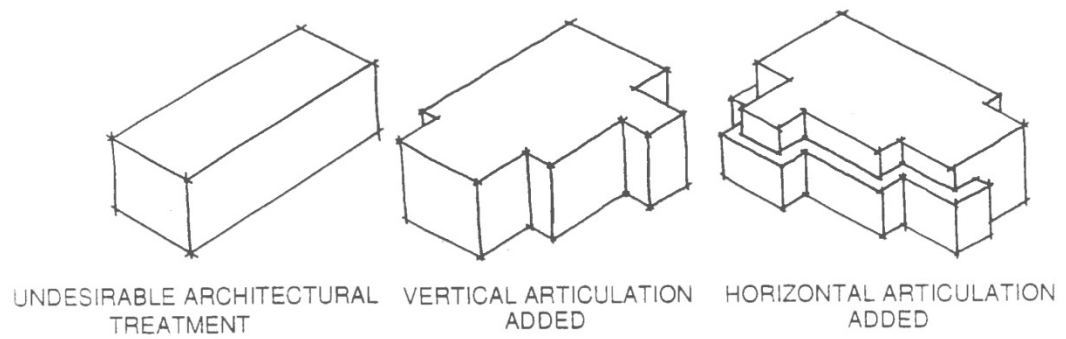
**7. Building Design.**

- a. Building orientation. Lots with frontage on Boynton Beach Boulevard must orient structures to Boynton Beach Blvd. The main pedestrian entry, or front door, must be fronting Boynton Beach Boulevard.
- b. Boynton Beach Boulevard and Seacrest Boulevard shall have maximized glazing on first floors.

| <u>Fenestration Requirements</u>   |  |                                    |
|--|--|------------------------------------|
| <u>Ground-level building facade occupied by transparent window or door openings (minimum area)</u>   | <u>Commercial Mixed-Use Developments (%)</u> | <u>Residential Development (%)</u> |
| <u>Boynton Beach Boulevard</u>   | <u>50<sup>2</sup></u>                        | <u>30<sup>1</sup></u>              |
| <u>Seacrest Boulevard</u>  | <u>50<sup>2</sup></u>                        |                                    |
| <u>NOTES:</u><br><u>1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.</u><br><u>2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 includes above grade.</u> |  |                                    |

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- c. Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:
- (1) The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
- (2) The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.
- d. Building Wall Articulation.
- a. Vertical articulation. Walls shall be offset by a minimum depth of two (2) feet once ever fifty (50) linear feet.
- b. Horizontal Articulation. Buildings shall step-back a minimum of ten (10) feet once the structure reaches forty-five (45) feet in height. Buildings must step back an additional ten (10) feet for every additional fifty (50) feet in height; the additional required step-backs may be dispersed in varying offsets.



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229 **8. Parking.**

- 230 a. Minimum Number of Required Spaces. The minimum number of required off-street  
231 parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2  
232  
233 b. Allowable Location of Off-Street Parking Spaces.  
234 (1) The intent of the BBBOZ is to screen off-street parking areas from abutting  
235 rights-of-way and locate buildings along front and side corner property lines.  
236 Therefore, on-site parking shall be located within rear and side interior yards for  
237 all new projects and those in which parking areas would be altered to  
238 accommodate a proposed building renovation or expansion.  
239 (2) Existing parking areas for existing developments may remain if the spaces are  
240 unaltered as part of any building renovation or expansion. In these instances,  
241 the existing off-street parking area shall be substantially screened from off-  
242 premises by a hedge, decorative fencing, arcades, or a combination thereof,  
243 provided that such proposal remain consistent with the intent of the BBBOZ,  
244 and to the standards of the urban landscape code to the maximum extent  
245 possible. Any deviation from the above standards would require the approval of  
246 a waiver in accordance with Chapter 2. Article II, Section 4.E.  
247 (3) New developments with a Mix Use Low Land Use classification are permitted  
248 one (1), single loaded, row of parking in front of the building.  
249 c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for  
250 additional provisions regarding exceptions to providing required off-street parking.  
251

252 **9. Signage and Exterior Lighting Standards.**  
253

- 254 a. Signs permitted within the Boynton Beach Boulevard Overlay Zone shall be externally  
255 illuminated only, and consist of wall mounted, and/or a projecting sign.  
256 b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign  
257 area per one (1) lineal foot of building frontage measured along the main building  
258 entrance.  
259 c. Projecting signs are only permitted on the first floor. Projecting signs and mounting  
260 brackets shall be decorative in nature, and the sign face shall not exceed five (5) square  
261 feet in size.  
262 d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet  
263 each. All undercanopy signs must have a minimum clearance of 8'  
264 e. Properties with over 250 feet of linear street frontage on Boynton Beach Boulevard are  
265 permitted one monument sign with a maximum height of five (5) feet, a maximum  
266 depth of eighteen (18) inches, and a maximum area of forty (40) square feet.  
267 Monuments signs shall be oriented perpendicular to the street.  
268 f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 40 feet  
269 (first four (4) stories), animated, or moving signs.

- 270 g. All Mixed-use developments are required to provide a plan for parking signage to  
 271 maximize awareness of and access to public parking locations.  
 272 h. General lighting of the site shall harmonize with and blend into residential/mixed use  
 273 environment. Ground lighting and up lighting of the building and landscaping is  
 274 encouraged. However, when the use of pole lighting is necessary, the fixture height shall  
 275 not exceed fifteen (15) feet, be decorative in nature and compatible with the color and  
 276 architecture of the building.  
 277

278  
 279 Section 4. Should any section or provision of this Ordinance or any portion  
 280 thereof be declared by a court of competent jurisdiction to be invalid, such decision shall  
 281 not affect the remainder of this Ordinance.

282 Section 5. Authority is hereby given to codify this Ordinance.

283 Section 6. This Ordinance shall become effective immediately.

284 FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2017.

285 SECOND, FINAL READING AND PASSAGE this \_\_\_\_ day of \_\_\_\_\_,  
 286 2017.

|     |                                     |            |
|-----|-------------------------------------|------------|
| 287 | CITY OF BOYNTON BEACH, FLORIDA      |            |
| 288 |                                     | YES NO     |
| 289 |                                     |            |
| 290 | Mayor – Steven B. Grant             | _____      |
| 291 |                                     |            |
| 292 | Vice Mayor – Justin Katz            | _____      |
| 293 |                                     |            |
| 294 | Commissioner – Mack McCray          | _____      |
| 295 |                                     |            |
| 296 | Commissioner – Christina L. Romelus | _____      |
| 297 |                                     |            |
| 298 | Commissioner – Joe Casello          | _____      |
| 299 |                                     |            |
| 300 |                                     | VOTE _____ |

301 ATTEST:  
 302  
 303 \_\_\_\_\_  
 304 Judith A. Pyle, CMC  
 305 City Clerk  
 306 (Corporate Seal)



## DEPARTMENT OF DEVELOPMENT PLANNING AND ZONING

Memorandum PZ 17-014

**TO:** Chair and Members  
Planning & Development Board

**FROM:** Amanda Bassiely *AB*  
Senior Planner – Urban Designer

**THRU:** Michael Rumpf *MR*  
Planning and Zoning Director

**DATE:** March 13, 2017

**RE:** Amendments to the LAND DEVELOPMENT REGULATIONS, Chapters 2, 3 and 4 to continue the implementation of the Community Redevelopment Plan with the establishment of the new Cultural District Overlay Zone and the Boynton Beach Blvd Overlay Zone regulating site development standards, uses, and urban design standards.

### OVERVIEW

The rewrite of the City's land development regulations (LDR) in late 2010 allowed staff to perform a complete review and analysis of each standard, regulation, and process. As part of the post-adoption process, staff anticipates the periodic need for, and is prepared to expeditiously process, updates and amendments to the LDR for one or more of the following reasons:

1. Furthering business and economic development initiatives;
2. Advancing sustainability initiatives;
3. Maintaining internal consistency;
4. Achieving regulatory compliance; and
5. Incorporating implementation feedback necessary to meet original or current objectives and vision.

The proposed amendments would continue the implementation of the newly adopted CRA Community Redevelopment Plan.

## EXPLANATION

The Boynton Beach CRA Community Redevelopment Plan was adopted on October 4<sup>th</sup>, 2016. Comprehensive implementation of the Plan will require a full “audit” and subsequent revisions of existing zoning and other land development regulations, to be completed by the end of 2017. However, some recommendations have immediate application to pending development projects and will therefore be implemented incrementally as needed.

These recommendations include overlay zones intended to provide specific requirements pertaining to scale, design, and architecture for two geographic areas. The requirements modify some of the regulations of their underlying zoning districts.

### **Proposed Cultural District Overlay Zone**

The Cultural District Overlay Zone (CDOZ) encompasses the entire Cultural District, bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 2<sup>nd</sup> Avenue, and on the north by Northeast 1<sup>st</sup> Avenue.

The Cultural District is envisioned to be the principal hub for the City’s civic uses, public spaces and events. Since this area is essential to exhibiting and experiencing Boynton Beach’s unique character, setting the appropriate scale, design, and architecture is crucial to its success. There is currently an “Ocean Avenue Overlay Zone” on a portion of the District. The proposed amendments revise the existing overlay to be consistent with the vision outlined in the CRA Plan.

The proposed overlay zone enables further regulations to specifically address the goals of the District. The amendments focus on the four key areas:

#### 1. Uses

The overlay restricts specific uses that are not consistent with the goals of the district; most notably, it prohibits auto-oriented uses to promote pedestrian-friendly environment. At the same time, staff recognizes that there are existing uses that may not comply with the proposed standards. The overlay regulations specify that no such uses shall be deemed non-conforming.

#### 2. Site Development Standards

This section modifies the Site Development Standards of each underlying zoning district. The amendments comprise the requirement for a “pedestrian zone” along major roadways to include regulations on street trees, sidewalks, and active areas as well as street frontages, maximum and minimum building heights, build-to-lines, and setbacks.

#### 3. Building design /Architecture

The proposed overlay utilizes, preserves and enhances the existing architectural character of the District by implementing building design standards. Buildings within the Cultural District Overlay Zone should reflect a Coastal Village style of architecture, consisting primarily of hip and/or gable roofs, rectilinear forms with stepbacks, porches, and

building articulation. This style derives its character from various elements associated with the Key West Vernacular and Bungalow styles of architecture, found throughout Boynton Beach and South Florida.

Overhangs for pedestrian canopies and visual interest should be incorporated whenever possible. Overhead structures such as gateways and arches help define space, provide pedestrian comfort, and reinforce character and identity. New structures will be constructed with the pedestrian building entries oriented towards the street, and will be sensitive to the scale, massing and design envisioned in the CRA Redevelopment Plan.

#### 4. Signage and Exterior Lighting Standards

The overlay permits wall signs, limited projecting signs, undercanopy signs, and decorative pedestrian and street lighting. The proposal also requires all mixed-use developments to provide a clear plan for parking signage.

### **Proposed Boynton Beach Boulevard Overlay Zone**

Prior to its inclusion in the 2016 CRA Community Redevelopment Plan, Boynton Beach Boulevard did not have an adopted plan to help guide the development of the area. The Boulevard should act as a welcoming and attractive entry to the City and as the entry to the City's Downtown. The CRA Plan recommends the Mixed Use Low, Mixed Use Medium, and Mixed Use High Future Land Use classifications along the boulevard, increasing in intensity as the District approaches Downtown. The overall intent of the overlay is to encourage the location of restaurant, retail, office, and entertainment establishments, along with pedestrian-friendly improvements that would complement and support the Downtown. The overlay also strives to maintain a consistent character while improving overall livability of the general area and stabilizing/ improving property values.

The Boynton Beach Boulevard Overlay Zone (BBBOZ) will encompass the length of Boynton Beach Boulevard, bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by I-95, on the south by Northeast and Northwest 1st Avenue, and on the north by Northeast and Northwest 3<sup>rd</sup> Avenue and Northwest 3<sup>rd</sup> Court.

The proposed BBBOZ is generally outlined in the same manner as the CDOZ; it addresses four key areas:

#### 1. Uses

The proposed overlay restricts specific uses that are not consistent with the goals of the district and further regulate locations of certain other uses. For example, in an effort to preserve an attractive and pedestrian-friendly streetscape, drive-through uses are permitted only when completely screened from the right-of-way. Staff recognizes that there are existing uses that may not comply with the proposed standards. The overlay regulations specify that no existing use shall be deemed non-conforming.

#### 2. Site Development Standards

This section modifies the Site Development Standards of each underlying zoning district. Similarly to the CDOZ, the amendments include the requirement of a “pedestrian zone” along major roadways. Also included are regulations on street frontages and build-to-lines to maximize the appearance of a ‘street wall’, maximum and minimum building heights to create consistency over the varying land uses, and stepbacks and setbacks to protect adjacent neighborhoods and public areas.

3. Building design /Architecture

The design portion of the BBBOZ focuses on Urban Design’s standards that ensure buildings are oriented towards Boynton Beach Boulevard and require building fenestrations and wall articulation.

4. Signage and Exterior Lighting Standards

The BBBOZ builds on the CDOZ by allowing monument signs on prominent parcels along Boynton Beach Boulevard. Signs’ height, area and orientation are regulated to ensure they are compatible with the District’s goals.

### **CONCLUSION/RECOMMENDATION**

Staff proposes these code amendments to further implement the CRA Community Redevelopment Plan and to support continued quality development and redevelopment of the area.

Attachments

Exhibit A:

Cultural District Overlay Zone Boundary

# CULTURAL DISTRICT OVERLAY ZONE BOUNDARY

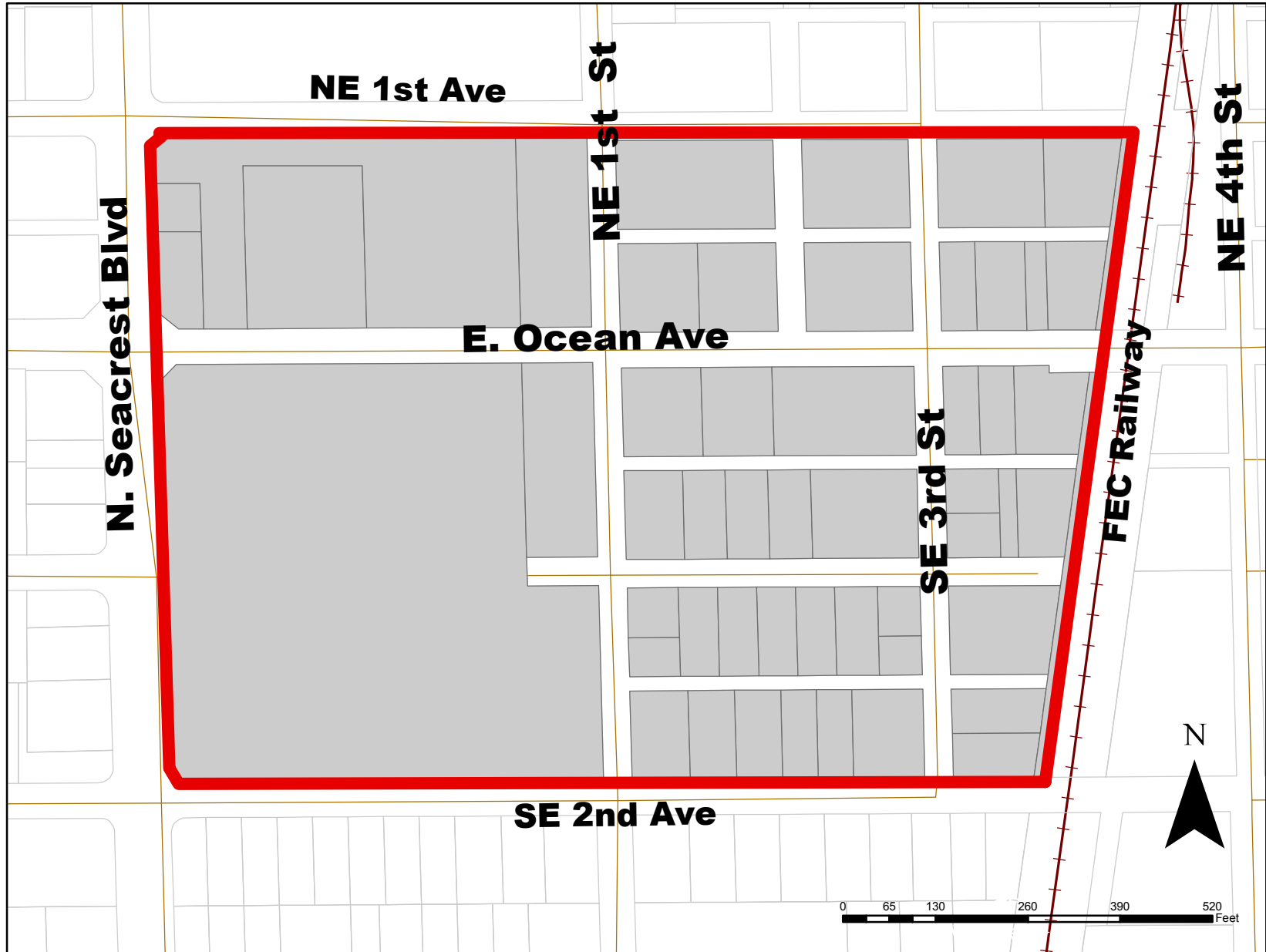




Exhibit B:

Proposed Cultural District Overlay Zone  
Code Amendments

...

Chapter 3. Zoning

...

Article III Zoning Districts and Overlay Zones

...

Sec. 8. Overlay Zones.

D. ~~Ocean Avenue Overlay Zone (OAOZ).~~Cultural District Overlay Zone

**1. Purpose and Intent.** The ~~Ocean Avenue~~Cultural District Overlay Zone (~~OAOZ~~CDOZ) is comprised of multiple properties ~~containing and a mix -varying future land use map (FLUM) classifications and of~~ zoning districts ~~that currently accommodates residential (single-, two- and multi-family), commercial, and institutional land uses.~~ The CRA Redevelopment Plan recommends the Mixed Use Medium Future Land Use Classification for a majority of the District, which allows a maximum density of fifty (50) dwelling units per acre. ~~proposed Future Land Use Classification, per the CRA Redevelopment Plan, is predominantly Mixed Use Medium, and has a density of 50 DU/AC. -The remainder of the District is recommended for the Mixed use High Future Land Use Classification and the corresponding maximum density of 80 dwelling units per acre.~~ The northeastern block from the FEC to NE 3<sup>rd</sup> Street, and from 1<sup>st</sup> Avenue to Ocean Avenue, is proposed to have a Future Land Use Classification of Mixed Use High and a density of 80 DU/AC. ~~As such, the densities of developments shall correspond with the respective FLUM classifications. For new developments however, the maximum allowable density shall be eleven (11) dwelling units per acre for projects on properties with single lot depth. Up to twenty (20) dwelling units per acre may be allowed for when reclassifying lots with double depth to mixed use (MX), and where such project creates a through lot between two (2) or more streets.~~ The purpose and intent of the CD~~OAOZ~~ are as follows:

- a. Provide for a mix of selected commercial, residential, office, and entertainment uses and activities, with an emphasis on arts and cultural ventures that will encourage the adaptive re-use of existing buildings, restoration of historic structures, and maintain and further enhance the pedestrian scale and historic character ~~scale~~ of the area;
- b. Encourage the location of specialty retail, artist related uses and entertainment establishments, along with -pedestrian-friendly improvements in concentrations that ~~will~~ould complement and support relationships between the downtown district and marina / waterfront attractions~~enable and encourage pedestrian movements between businesses, and between the marina / waterfront attractions~~ to the east and the cultural / civic campus~~activities~~ to the west;
- c. Initiate implementation of various recommendations contained within CRA Redevelopment Plan related to approved redevelopment plans;
- d. ~~d.e.~~ Stimulate greater awareness of and pride in the City's architectural, historical, and cultural heritage;
- e. ~~e.f.~~ Ensure that redevelopment within this area, regardless of underlying zoning classification district, will maintain an appropriate development scale; and
- f. ~~f.~~ Improve overall livability of the general area and stabilize and improve property values.

**2. Defined.** The ~~Ocean Avenue~~Cultural District Overlay Zone (~~OAOZ~~CDOZ) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 2nd~~1st~~ Avenue, and on the north by Northeast 1st Avenue, ~~except between Northeast 1st~~

~~Street and Northeast 3rd Street, the north boundary shall be the alley between Northeast 1st Avenue and Boynton Beach Boulevard.~~

**3. Conflict.** Unless deemed otherwise by the Planning & Zoning Director, in the event of any conflict between the provisions of the ~~Ocean Avenue~~Cultural District Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws; and/or any rezoning of lands to a mixed-use zoning district.

**— 4. Uses-Allowed.** Active commercial uses shall be required on the street frontage of Ocean Avenue.

a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:

Accessory Dwelling Unit  
Dwelling, Single- family (detached)  
Dwelling, Two-family (duplex)  
Auto Dealer, New  
Auto Dealer, Used  
Automotive Parts Store  
Boat Dealer/Rental  
Cleaning Supply Store (Swimming Pool, Janitorial)  
Convenience Store  
Gasoline Station  
Auto Broker  
Automobile Rental  
Automotive, Major Repair  
Automotive, Minor Repair  
Automobile Rental  
Auto/Car Wash, Self- serve Bay  
Furniture & Home furnishing  
Auto/Car Wash (Polishing, Waxing, Detailing)  
Showroom warehouse (single-product line)  
Merchandise, Used (Other)  
Merchandise, New (Supercenter, Discount, Department, Club)  
Home Improvement Center  
Automotive Window Tinting/Stereo Installation/Alarms  
Coin-operated Laundry  
Funeral Home  
Pet Care (Boarding and Daycare)  
Cemetery  
Church  
Civic & Fraternal Club/ Organization  
Group homes Type I, II, III, and IV  
College, Seminary, University  
School, Primary and Secondary  
School, Industrial & Trade  
Shooting Range, Indoor  
Adult entertainment  
Temporary employment agency  
Tutoring or Testing Center

Private Parking Lots

Social service agency

b. Any other automobile-oriented use not listed above are prohibited.

(1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile.

c. Drive-throughs are prohibited.

(1) Drive- throughs may only be permitted when the drive-thru not visible from any right-of-ways; and

(2) Drive-thrus must be designed to be completely behind a portion of the building or structure it serves.

d. Live-work units are permitted, but may not front East Ocean Avenue or Seacrest Boulevard

e. School, Professional & Technical

(1) Professional and technical schools allowed in the CDOZ are limited to those that teach the culinary and visual arts.

f. Additionally, no legally, existing use shall be deemed non-conforming as a result of the CDOZ regulations.

~~See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D. Additionally, no existing use shall be deemed non-conforming.~~

—5. **Modified Building and Site Regulations** ~~(Table 3-27)~~. Development within this Overlay Zone, including proposed expansions and additions to existing structures shall be in accordance with the building and site regulations as follows:

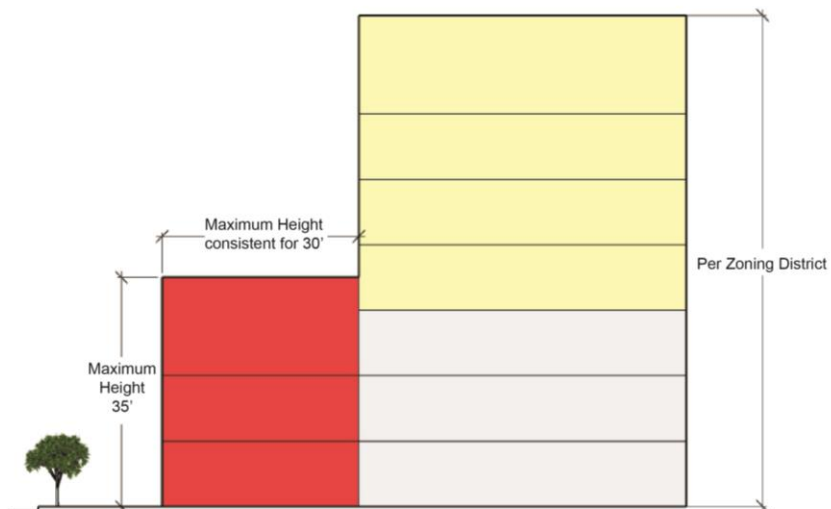
| <b>BUILDING/SITE REGULATIONS</b><br><b>Ocean Avenue Overlay Zone<sup>1</sup></b>  |   |
|---|---|
| <b>(Single Lot Depth)</b>   |   |
| <b>Minimum lot area:</b>  | 5,000 s.f.  |
| <b>Minimum lot frontage:</b>  | 50 feet   |
| <b>Build to line:</b>   | -   |
| —Front:   | 5 ft — 15 ft <sup>2</sup>   |
| —Corner side:   | 5 ft — 15 ft <sup>2</sup>   |
| <b>Minimum yard setbacks:</b>   | -   |
| —Rear:  | 10 feet   |
| <del>Residential district:</del>  | 20 feet <sup>3</sup>  |
| —Interior side:   | 7.5 feet <sup>4</sup>   |
| <del>Historic structures:</del>   | 10 feet   |
| <b>Maximum lot coverage:</b>  | 65%   |
| <b>Maximum structure height:</b>  | 35 feet <sup>5</sup>  |
| <b>(Double Lot Depth)</b>   |   |
| <p>All new developments with double lot depth shall be constructed in accordance with the mixed use low intensity (MU-L1) zoning district building and site regulation Table 3-21 in Section 5.C. above, except as contained herein.</p> <p>See "Single Lot Depth" above for all proposed expansions or additions to existing structures.</p> |   |
| <b>Maximum structure height:</b>  | 35 feet <sup>5</sup>  |
| <b><u>MODIFIED BUILDING/SITE REGULATIONS<sup>1</sup></u></b><br><b><u>Cultural District Overlay Zone</u></b>  |   |
| <b><u>Minimum Lot Area:</u></b>   | <u>10,000 square feet</u>   |
| <b><u>Minimum Lot Frontage:</u></b>   | <u>100 feet</u>   |
| <b><u>Pedestrian zone:</u></b>  |   |
| <b><u>Minimum street tree area<sup>3</sup>:</u></b>   | <u>5 feet</u><br><u>*Measured from the back of curb</u>                     |
| <b><u>Minimum sidewalk width<sup>2</sup>:</u></b>   | <u>8 feet clear</u><br><u>*Measured from the centerline of street trees</u> |

|   |  |
|---|--|
| <b>Minimum active area width:</b><br>(Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1 <sup>st</sup> Street, and NE/SE 3 <sup>rd</sup> Street frontages)   | <u>8 feet<sup>5</sup></u><br><u>*Measured from edge of the sidewalk</u>  |
| <b>Overhead utilities:</b>  | <u>Must be undergrounded in conjunction with any new development or major modification of existing developments.</u>                                 |
| <b>Build-to line:</b>   | <u>Abuts the pedestrian zone</u>   |
| <b>Minimum building frontage</b><br>(Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1 <sup>st</sup> Street, and NE/SE 3 <sup>rd</sup> Street frontages)  | <u>75% of the lot frontage must be occupied by structure adjacent to the pedestrian zone</u>   |
| <b>Maximum structure height:</b>  | <u>See Corresponding Zoning District</u>   |
| <u>Ocean Avenue</u>   | <u>35 feet consistent for a depth of a minimum of 30 feet</u>  |
| <u>Seacrest Boulevard</u>   | <u>35 feet consistent for a depth of a minimum of 10 feet. For every 50 feet above 35 feet in height an additional 10 feet stepback is required.</u> |
| <u>Any properties abutting or adjacent to SE 2<sup>nd</sup> Avenue</u>  | <u>35 feet</u>   |
| <b>Minimum structure height:</b><br><u>Ocean Avenue</u>   | <u>30 feet</u>   |
| <b>On-street parking:</b>   | <u>Required where possible and in accordance with the City's Engineering Standards.</u>  |
| <b>Minimum yard setbacks:</b>   |  |
| <u>    Rear:</u>  | <u>10 feet</u>   |
| <u>    Interior side:</u>   | <u>0 feet<sup>4</sup></u>  |
| <b>Minimum Public Space:</b>  | <u>1% of lot area</u>  |
| <sup>1</sup> <u>No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.</u><br><br><sup>2</sup> <u>Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 4S herringbone pattern</u><br><br><sup>3</sup> <u>Canopy trees are required 1 per 25 feet</u><br><br><sup>4</sup> <u>Minimum interior side setback and maximum height standards may require reductions when adjacent to registered historic structures.</u><br><br><sup>5</sup> <u>Permanent structures such as columns, balconies, and walls are not permitted within the required active area.</u> |  |

### Pedestrian Zone Requirements



### Building Mass



No existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.<sup>2</sup> A paver plaza or "streetscape" design shall be required within the reduced building setback area where buildings are constructed in excess of five (5) feet from the property line.

<sup>43</sup> —Excluding property boundaries that abut rights-of-way. In these instances, the required setback shall be 10 feet.

<sup>5</sup> —The minimum side interior setback shall be five (5) feet for lots with 50 feet of frontage (but less than 75 feet).

<sup>6</sup> —Not to exceed three (3) stories.

#### —6. Accessory Structures.

##### a. —~~a.~~ Fences:

(1) Fences along ~~the front of the property~~ street frontages are not permitted on East Ocean Avenue or Seacrest Boulevard. ~~discouraged.~~

(2) Fences along any street frontage shall not exceed three (3) feet in height.

(3) Any fence that is proposed in the remainder of the District ~~however,~~ shall be decorative in nature. ~~opaque, and not exceed three (3) feet in height.~~ Walls, chain link, board on board, shadowbox, and similar types of fences are expressly prohibited.

~~a.b.~~ —~~b.~~ All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

#### —97. Building Design.

a. Buildings in the Cultural District Overlay Zone (CDOZ) shall reflect a Coastal Village style of architecture, consisting primarily of hip and/or gable roof, rectilinear forms with stepbacks, porches, and building articulation. This style derives its character from various elements associated with the Key West Vernacular and Bungalow styles of architecture found throughout South Florida. Overhangs for pedestrian canopies and visual interest should be incorporated whenever possible. Overhead structures gateways, and arches, help define space, provide pedestrian comfort, and reinforce character and identity.

~~—a. New Buildings. All new buildings used for non-residential purposes shall be designed to be residential in character. The building design is encouraged to utilize sloped roofs, gables, porches, residential style windows and other elements normally associated with the typical frame vernacular buildings found in the City and throughout South Florida, and those of historic structures anticipated to be relocated to the area.~~ New structures shall be constructed with the pedestrian building entrances oriented towards the street and shall be sensitive to the scale, massing and design envisioned in the CRA Redevelopment Plan Downtown Master Plan.

b. Additions and Modifications to Existing Buildings ~~and Structures~~. All building additions shall be sensitive to the original building design relative to the architectural style, building materials/components and treatments, and proportions. ~~Original materials and details, as well as distinctive form and scale features, which contribute to the character of the building and/or surroundings, shall be preserved to the maximum extent feasible. Rehabilitation work shall not destroy the distinguishing quality or character of the property or its environment.~~



For historic structures, any new additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the structure. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic structure and its environment would be unimpaired.

**c. Fenestration Requirements**

| <u>Ground-level building facade occupied by transparent window or door openings<br/>(minimum area)</u>   |  |  |
|--|--|--|
| <u>Street Frontage</u>   | <u>Commercial Mixed-Use<br/>Developments (%)</u> | <u>Residential<br/>Development<br/>(%)</u> |
| <u>Ocean Avenue</u>  | <u>50<sup>2</sup></u>                            | <u>30<sup>1</sup></u>                      |
| <u>SE 2<sup>nd</sup> Avenue</u>  | <u>30</u>  |  |
| <u>Seacrest Boulevard</u>  | <u>50<sup>2</sup></u>                            |  |
| <u>NE/SE 1<sup>st</sup> Street</u>   | <u>50<sup>2</sup></u>                            |  |
| <u>NE/SE 3<sup>rd</sup> Street</u>   | <u>50<sup>2</sup></u>                            |  |
| <u>NOTES:</u><br><u>1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.</u><br><u>2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 inches above grade.</u> |  |  |

(1) Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:

- i. The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
- ii. The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.

**d. RESERVED- Architectural Guidelines: Coastal Village**

**8.7. Parking.**

- a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2 above; however, the total number of required spaces may be reduced by up to fifty percent (50%) for all new developments, excluding ~~multi-family~~ residential projects. When two (2) or more adjacent property owners combine their off-street parking in accordance with the code and construct

a shared parking facility with common access drives, the total number of required off-street parking spaces may be reduced by an additional ten percent (10%).

b. Allowable Location of Off-Street ~~Parking~~ Spaces.

(1) The intent of the ~~CD~~~~OA~~~~OZ~~ is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. ~~T~~~~It is~~ therefore, on-site ~~a requirement to locate off-street~~ parking areas shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.

~~(1)~~(2) ~~Only~~~~E~~-existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades, or a combination thereof, provided that such proposal remains consistent ~~hedge and/or fencing would be compliant~~ with the intent of the ~~CD~~~~OA~~~~OZ~~, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2, Article II, Section 4.E.

~~(2)~~(3) If one hundred percent (100%) of the required off-street parking spaces cannot be provided on-site, they may be provided at an off-site location provided the following conditions are met: 1) the proposed location is not farther than five hundred (500) feet from the subject property as measured by a straight line from a point on the boundary of the property to the closest boundary line of the property to be leased; and 2) the off-site location is owned or leased by the owner or operator of the subject business or property owner. ~~Any lease agreement must be approved by the City Commission.~~ The parent business property shall be posted with signage indicating the location of the off-site parking spaces. All spaces provided by the property/business owner on and off-site shall be maintained as unreserved, unrestricted parking available to the public, except designated handicap spaces required by law.

c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off-street parking.

~~8. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5. for additional regulations regarding required landscaping and streetscape design.~~

~~9-10.~~ Signage and Exterior Lighting Standards.

- a. Signs allowed within the Cultural District ~~Ocean Avenue~~ Overlay Zone shall be externally illuminated only, and be limited to ~~consist of the prototypical monument sign designed for the area,~~ wall mounted, and ~~for a~~ projecting signs.
- b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.
- c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed ~~six five~~ (56) square feet in size.
- d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8'
- e. A-frame signs are permitted when included and reviewed as a part of an overall Sign Program.
- f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 35 feet (first 3 stories), animated, or moving signs.

- [g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.](#)
- [h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen \(15\) feet, be decorative in nature and compatible with the color and architecture of the building.](#)

Part III LDR

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Chapter 3 Zoning

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Article IV Use Regulations

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D. *Use Matrix (Table 3-28).*

*Footnotes*

18. ~~Ocean Avenue~~Cultural District Overlay Zone.

- a. This use is allowed in this zoning district only when proposed on a lot located within the Cultural District~~Ocean Avenue~~ Overlay Zone (CD~~OA~~OZ).
- ~~b. Any proposed non-residential use that would abut a side property line of a residential use located on Northeast 1st Avenue or Southeast 1st Avenue requires conditional use approval.~~
- ~~c. Any allowable use is considered permitted by right, provided that it is proposed on property with frontage on Ocean Avenue; otherwise conditional use approval shall be required. Additionally, no existing uses shall be deemed non-conforming.~~
- ~~d. Professional and technical schools allowed in the OAOZ are limited to those that teach the culinary and visual~~

Part III LDR

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Chapter 4 Site Development Standards

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Article V Minimum Off-Street Parking Requirements

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Sec. 4. Exceptions to Providing Required Off-Street Parking.

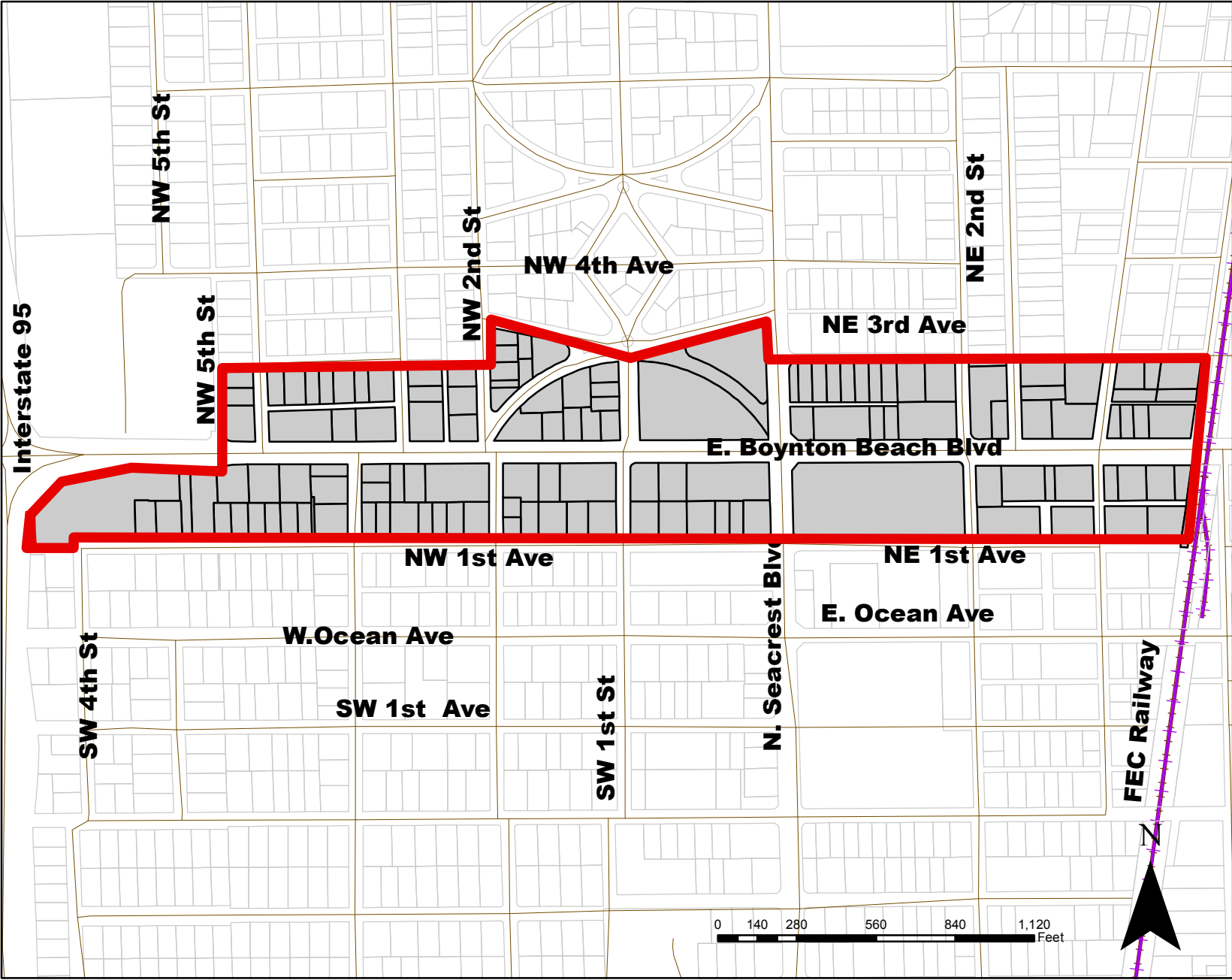
A. Adaptive Re-Use.

1. Applicability. The following described areas shall be eligible for specific parking reductions based upon adaptive re-use, including modifications, of existing buildings:
  - a. ~~Ocean Avenue~~Cultural District Overlay Zone (~~OA~~~~OZ~~CDOZ), as defined in Chapter 3, Article III, Section 8.D.
  - b. No additional parking shall be required where:
    - (1) The structure is enlarged in a manner not exceeding a cumulative total of one hundred percent (100%) of the existing gross floor area; or
    - (2) The capacity of the structure is increased by adding subordinate dwelling units or floor area within the existing building envelop; or
    - (3) The use of a structure is changed; or
    - (4) The number of seats for eating and drinking establishments is increased by up to fifty percent (50%) of the existing total or up to forty (40) seats are provided where the previous use had none.

## Exhibit C:

# Boynton Beach Boulevard Overlay Zone Boundary

# BOYNTON BEACH BLVD OVERLAY ZONE BOUNDARY



## Exhibit D:

# Boynton Beach Boulevard Overlay Zone Code Amendments



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## Chapter 3. Zoning

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### Article III Zoning Districts and Overlay Zones

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#### Sec. 8. Overlay Zones.

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##### F. Boynton Beach Boulevard Overlay Zone

1. **Purpose and Intent.** The Boynton Beach Boulevard Overlay Zone (BBBOZ) is comprised of multiple properties and a mix of zoning districts that currently accommodates primarily commercial, residential (single-family), and institutional land uses. The CRA Redevelopment Plan recommends the Mixed Use Low, Mixed Use Medium, and Mixed Use High Future Land Use Classification along Boynton Beach Boulevard, increasing in intensity as the District approached Downtown. The purpose and intent of the BBBOZ are as follows:
  - a. Provide for a mix of selected commercial, residential, and office uses, with an emphasis on employment and entertainment uses that will encourage redevelopment of underutilized property and enhance the pedestrian scale and character of the area;
  - b. The western area is to act as a welcoming and attractive entry to the City, while the eastern area is to act as the entry to the City's Downtown;
  - c. Encourage the location of restaurant, retail, office, and entertainment establishments, along with pedestrian-friendly improvements that would complement and support the Downtown.
  - d. Continue implementation of various recommendations contained within CRA Redevelopment Plan related to;
  - e. Ensure that redevelopment within this area, regardless of underlying zoning district, will maintain a consistent character; and
  - f. Improve overall livability of the general area and stabilize and improve property values.
2. **Defined.** The Boynton Beach Boulevard Overlay Zone (BBBOZ) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by NW 5<sup>th</sup> Street, further by Interstate 95, on the south by NE and NW 1<sup>st</sup> Avenue, and on the north by NE 3<sup>rd</sup> Avenue and NW 3<sup>rd</sup> Court.
3. **Conflict.** Unless deemed otherwise by the Planning & Zoning Director, in the event of any conflict between the provisions of the Boynton Beach Boulevard Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws
4. **Uses:** Active commercial uses shall be required on the street frontage of Boynton Beach Boulevard.

- a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:
- Accessory Dwelling Unit
  - Dwelling, Single- family (detached)
  - Dwelling, Two-family (duplex)
  - Auto Dealer, New
  - Auto Dealer, Used
  - Automotive Parts Store
  - Boat Dealer/Rental
  - Cleaning Supply Store (Swimming Pool, Janitorial)
  - Convenience Store
  - Gasoline Station
  - Auto Broker
  - Automobile Rental
  - Automotive, Major Repair
  - Automotive, Minor Repair
  - Automobile Rental
  - Auto/Car Wash, Self- serve Bay
  - Furniture & Home furnishing, unless integrated into a mixed use development
  - Auto/Car Wash (Polishing, Waxing, Detailing)
  - Showroom warehouse (single-product line)
  - Merchandise, Used (Other)
  - Merchandise, New (Supercenter, Discount, Department, Club)
  - Home Improvement Center
  - Automotive Window Tinting/Stereo Installation/Alarms
  - Coin-operated Laundry
  - Funeral Home
  - Pet Care (Boarding and Daycare)
  - Cemetery
  - Church
  - Civic & Fraternal Club/ Organization
  - Group homes Type I, II, III, and IV
  - College, Seminary, University
  - School, Primary and Secondary
  - School, Industrial & Trade
  - Shooting Range, Indoor
  - Adult entertainment
  - Temporary employment agency
  - Social service agency
  - All Industrial Uses
- b. Any other automobile-oriented use not listed above are prohibited.
- (1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile.
- c. Drive-throughs are prohibited.
- (1) Drive- throughs may only be permitted when the drive-thru not visible from any right-of-ways; and

- (2) Drive- throughs must be designed to be completely behind a portion of the building or structure it serves.
- d. Live-work units are permitted, but may not front Boynton Beach Boulevard or Seacrest Boulevard.
- e. Additionally, no legally, existing use shall be deemed non-conforming as a result of the BBBOZ regulations.

## 5. Modified Building and Site Regulations.

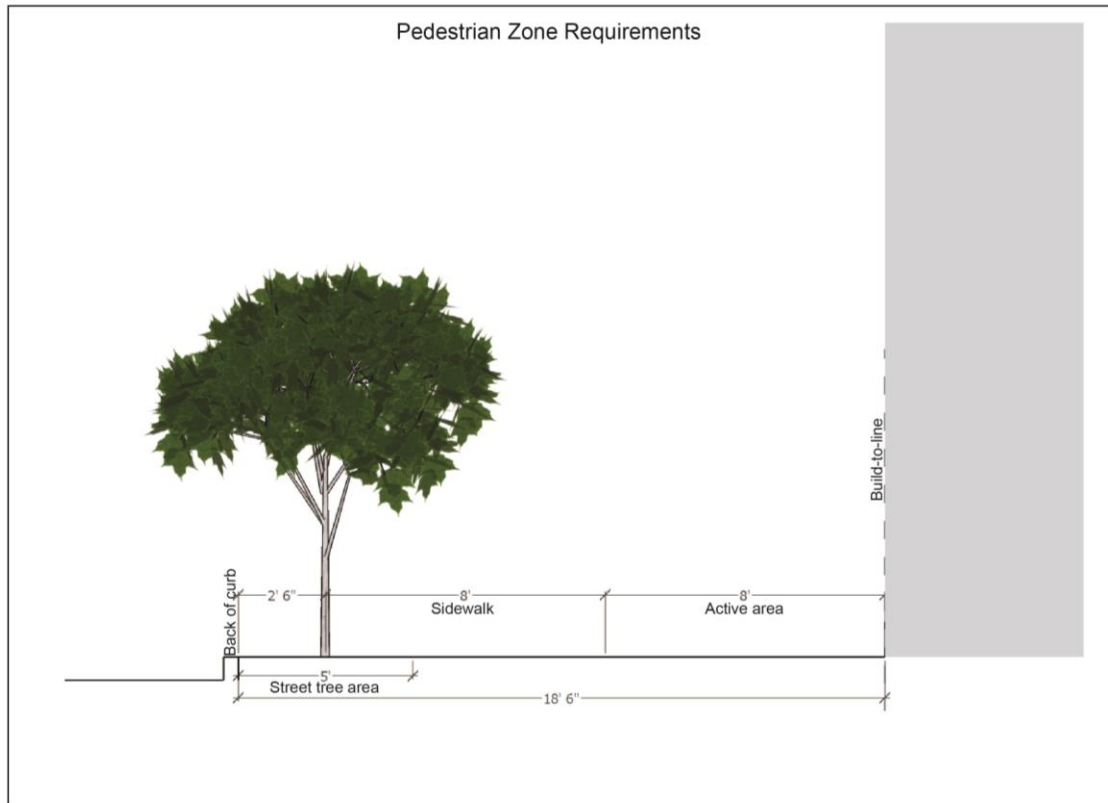
| <b><u>MODIFIED BUILDING/SITE REGULATIONS<sup>1</sup></u></b><br><b><u>Boynton Beach Boulevard Overlay Zone</u></b>                    |   |
|---|---|
| <b><u>Minimum Lot Area:</u></b>   | <u>0.75 acre</u>  |
| <b><u>Minimum Lot Frontage:</u></b><br><u>Boynton Beach Boulevard</u>   | <u>150 feet</u>   |
| <b><u>Pedestrian zone:</u></b>  |   |
| <u>Minimum street tree area<sup>3</sup>:</u>  | <u>5 feet</u><br><u>*Measured from the back of curb</u>   |
| <u>Minimum sidewalk width<sup>2</sup>:</u>  | <u>8 feet clear</u><br><u>*Measured from the centerline of street trees</u>   |
| <u>Minimum active area width:</u><br><u>(Applicable to Boynton Beach Boulevard and</u><br><u>Seacrest Boulevard street frontages)</u> | <u>8 feet<sup>4</sup></u><br><u>*Measured from edge of the sidewalk</u>   |
| <b><u>Overhead utilities:</u></b>   | <u>Must be undergrounded in conjunction with any</u><br><u>new development or major modification of</u><br><u>existing developments.</u>  |
| <b><u>Build-to line:</u></b>  | <u>Abuts the pedestrian zone</u>  |
| <b><u>Minimum building frontage:</u></b><br><u>(Applicable to Boynton Beach Boulevard, Seacrest</u><br><u>Boulevard)</u>              | <u>75% of the lot frontage must be occupied by</u><br><u>structure adjacent to the pedestrian zone</u>  |
| <b><u>Maximum structure height:</u></b>   | <u>See Corresponding Zoning District</u>  |
| <u>Boynton Beach Boulevard and Seacrest</u><br><u>Boulevard</u>   | <u>45 feet</u><br><u>Any additional height permitted by the zoning</u><br><u>districts must be stepped back proportionately to</u><br><u>the overall height, a minimum of 10' and for every</u><br><u>50 feet above 45 feet in height<sup>6</sup> an additional 10</u><br><u>feet stepback is required.</u> |
| <b><u>Minimum structure height:</u></b>   | <u>30 feet</u>  |
| <b><u>On-street parking:</u></b>  | <u>Required where possible and in accordance with</u><br><u>the City's Engineering Standards.</u>   |
| <b><u>Minimum yard setbacks:</u></b>  |   |
| <u>Rear:</u>  | <u>10 feet</u>  |
| <u>Abutting NW 1<sup>st</sup> Avenue, NE 3<sup>rd</sup> Avenue, NW</u><br><u>3<sup>rd</sup> Avenue:</u>                               | <u>20 feet</u><br><u>The rear property line shall contain a continuous</u><br><u>vegetative buffer.</u>   |
| <u>Interior side:</u>   | <u>0 feet</u>   |
| <b><u>Minimum Public Space:</u></b>   | <u>1% of lot area</u>   |
| <sup>1</sup> No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot                   |   |

coverage, or building height.

<sup>2</sup> Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 4S herringbone pattern.

<sup>3</sup> Canopy trees are required 1 per 25 feet.

<sup>4</sup> Permanent structures such as columns, balconies, and walls are not permitted within the required active area.



## **6. Accessory Structures.**

### **a. Fences:**

- (1) Fences along street frontages are not permitted on Boynton Beach Boulevard or Seacrest Boulevard.
- (2) Fences along any street frontages shall not exceed three (3) feet in height.
- (3) Any fence that is proposed in the reminder of the District shall be decorative in nature. Walls, chain link, board on board, shadowbox, and similar types of fences are prohibited.

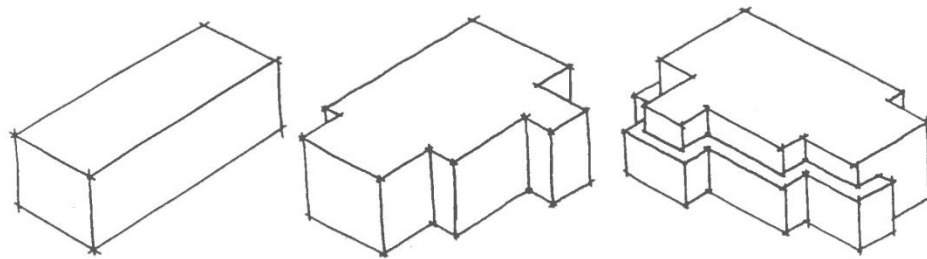
- b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

**7. Building Design.**

- a. Building orientation. Lots with frontage on Boynton Beach Boulevard must orient structures to Boynton Beach Blvd. The main pedestrian entry, or front door, must be fronting Boynton Beach Boulevard.
- b. Boynton Beach Boulevard and Seacrest Boulevard shall have maximized glazing on first floors.

| <u>Fenestration Requirements</u>   |  |                                    |
|--|--|------------------------------------|
| <u>Ground-level building facade occupied by transparent window or door openings (minimum area)</u>   | <u>Commercial Mixed-Use Developments (%)</u> | <u>Residential Development (%)</u> |
| <u>Boynton Beach Boulevard</u>   | <u>50<sup>2</sup></u>                        | <u>30<sup>1</sup></u>              |
| <u>Seacrest Boulevard</u>  | <u>50<sup>2</sup></u>                        |                                    |
| <u>NOTES:</u><br><u>1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.</u><br><u>2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 includes above grade.</u> |  |                                    |

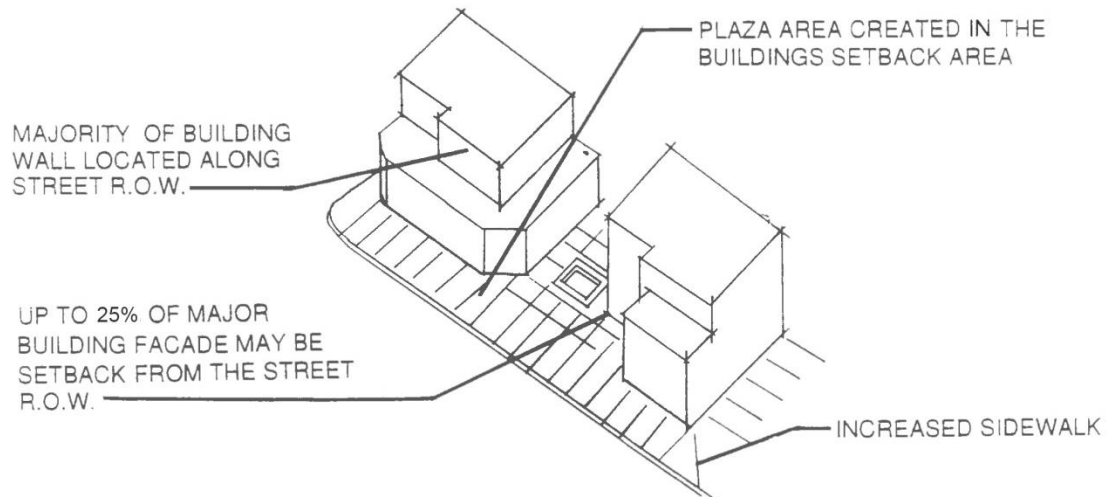
- c. Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:
  - (1) The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
  - (2) The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.
- d. Building Wall Articulation.
  - a. Vertical articulation. Walls shall be offset by a minimum depth of two (2) feet once ever fifty (50) linear feet.
  - b. Horizontal Articulation. Buildings shall step-back a minimum of ten (10) feet once the structure reaches forty-five (45) feet in height. Buildings must step back an additional ten (10) feet for every additional fifty (50) feet in height; the additional required step-backs may be dispersed in varying offsets.



UNDESIRABLE ARCHITECTURAL  
TREATMENT

VERTICAL ARTICULATION  
ADDED

HORIZONTAL ARTICULATION  
ADDED



CLIP BACK BUILDING CORNER  
PROVIDES INTERESTING  
ALLEY DESIGN  
BETWEEN  
BUILDINGS

LANDMARK FEATURE PERMITTED  
AT MAJOR INTERSECTION  
CORNER

PEDESTRIAN CUT THRU  
AT CORNER

## **8. Parking.**

- a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2
- b. Allowable Location of Off-Street Parking Spaces.
  - (1) The intent of the BBBOZ is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. Therefore, on-site parking shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.
  - (2) Existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades, or a combination thereof, provided that such proposal remain consistent with the intent of the BBBOZ, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2. Article II, Section 4.E.
  - (3) New developments with a Mix Use Low Land Use classification are permitted one (1), single loaded, row of parking in front of the building.
- c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off-street parking.

## **9. Signage and Exterior Lighting Standards.**

- a. Signs permitted within the Boynton Beach Boulevard Overlay Zone shall be externally illuminated only, and consist of wall mounted, and/or a projecting sign.
- b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.
- c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed five (5) square feet in size.
- d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8'
- e. Properties with over 250 feet of linear street frontage on Boynton Beach Boulevard are permitted one monument sign with a maximum height of five (5) feet, a maximum depth of eighteen (18) inches, and a maximum area of forty (40) square feet. Monuments signs shall be oriented perpendicular to the street.
- f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 40 feet (first four (4) stories), animated, or moving signs.
- g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.
- h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.



Exhibit E:

Overlay Zone Waivers

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Chapter 2

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Article II Planning and Zoning Division Services

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Sec. 4. Relief Applications.

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E. Waiver (~~Ocean Avenue~~Cultural District Overlay Zone and Boynton Beach Boulevard Overlay Zone).

1. General.

a. Purpose and Intent. The purpose of this subsection is to provide an efficient relief process to allow for deviations from certain requirements and standards of Chapter 3 and Chapter 4 as they pertain to the ~~Ocean Avenue~~Cultural District Overlay Zone (~~OAQZ-CDOZ~~) and Boynton Beach Boulevard Overlay Zone (BBBOZ). The intent of this application is not to provide a means for circumventing any such requirement or standard but to allow for a departure from the code upon demonstration that the subject request satisfies the intent of the review criteria contained herein.

b. Applicability. For property located within the ~~OAQZ-CDOZ~~ or the BBBOZ, the waiver process shall be available for deviations from any development and design standards of Chapter 3, Article III, Section 8.D.

2. Submittal Requirements. The applicant shall submit a letter that addresses the review criteria of Section 3.E.3. below, in addition to submitting any plans and exhibits required by the accompanying site plan, whenever applicable.

3. Review Criteria. The applicant shall justify each waiver request as part of the application for site plan or site plan modification. The applicant shall document the nature of the request, the extent of its departure from the standard regulation, and the basis for the request. The City may request additional information and documentation from the applicant, such as a shared-parking study, or other type of performance related analysis that further justifies the waiver request. The burden of proof shall be on the applicant to present a superior design alternative and demonstrate that the application would further the purpose and intent of the Overlay Zone~~OAQZ~~ and not have any detrimental impact on adjacent properties or the surrounding area.

4. Approval Process. A waiver request may be approved by staff if the subject request is reviewed concurrently with a minor site plan modification application, and such application requires administrative review pursuant to the review criteria of Section 2.F. above. Otherwise, the waiver application requires review by the City Commission and shall be processed in accordance with Chapter 2, Article 1, Section 3.

5. Denial. Upon the denial of an application for relief hereunder, in whole or in part, a period of one (1) year must elapse prior to the filing of the same or similar application affecting the same property or any portion thereof; however, this restriction shall not apply to applications which further the City's economic development, workforce housing, or green building programs.

6. Expiration. A waiver shall remain valid as long as the corresponding site plan or site plan modification approval remains in effect, or unless there is any amendment to the original waiver. Any amendment to the original approval shall require application for, and approval of, a new waiver.



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Vice Mayor Katz requested discussion on possible disposition of City-owned land east of Boynton Beach Leisureville.

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**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                |
|--------------|------------------|----------|---------------------|
| City Clerk   | Pyle, Judith     | Approved | 7/12/2017 - 9:52 AM |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 5:02 PM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:46 AM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Vice Mayor requested to discuss possible uses of the area owned by the City and known as Girl Scout Park. It is "deed restricted".

---

**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                |
|--------------|------------------|----------|---------------------|
| City Clerk   | Pyle, Judith     | Approved | 7/12/2017 - 9:53 AM |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 5:02 PM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:57 AM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Mayor Grant requested discussion on the use and placement of a traveling sauna in the City of Boynton Beach.

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**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                |
|--------------|------------------|----------|---------------------|
| City Clerk   | Pyle, Judith     | Approved | 7/12/2017 - 9:55 AM |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 4:58 PM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:57 AM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE: 7/18/2017**

**REQUESTED ACTION BY COMMISSION:**

**PROPOSED ORDINANCE NO. 17-011 - SECOND READING** - Approve amendments to the Comprehensive Plan Future Land Use Element (CPTA 17-001) and related Future Land Use Map Amendments (LUAR 17-004). City-initiated.

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**EXPLANATION OF REQUEST:**

In October of 2016, the City adopted the CRA Community Redevelopment Plan. The proposed amendments to the text of the Comprehensive Plan's Future Land Use Element and the Future Land Use Map seek to implement the Plan's recommendations pertaining to the Future Land Use (FLU) classification system.

In addition, the amendments adjust applicable policies for consistency with the amendments to the policies of the Coastal Management Element adopted in 2016, and modify other objectives/policies to account for completions and changes in the City's vision/programs.

The proposed changes to the FLU classification system affect solely residential and mixed use land use categories and include elimination of existing and addition of new categories, as well as changes to maximum density thresholds. These changes trigger city-wide concurrent map amendments.

The main changes to FLU categories include:

- Elimination of Moderate Density Residential (merged with Low Density Residential)
- Elimination of Mixed Use
- Elimination of Mixed Use Suburban (replaced with Mixed Use Low)
- Addition of Mixed Use Low and Mixed Use Medium
- Density increases for Low Density Residential (5 to 7.5 du/acre); Mixed Use Medium (10 to 11 du/acre); and Mixed Use High (11 to 15 du/acre)

The corresponding map amendments will be as follows:

- All Moderate Density Residential properties will be reclassified to Low Density Residential
- All High Density Residential properties will be reclassified to Medium Density Residential
- All Mixed Use properties will be reclassified to Mixed use Low, Moderate or High Density Residential per CRA Plan
- All Suburban Mixed Use properties will be reclassified to Mixed Use Low

The proposed FLU amendments will create a coherent residential and mixed use classification system through elimination of overly large or too small density gaps between certain FLU categories and integration of the Suburban Mixed Use Category into a unified mixed use framework.

The amendments will allow for continued implementation of the CRA Plan: they will support creation of a successful downtown with a well-functioning transit hub, better "fit" between available FLU categories and vision for each district, and high quality design.

The amendments were approved for transmittal to the Department of Economic Opportunity (DEO) and other

state/local reviewing agencies after the public hearing on April 18, 2017. This review has been completed, and produced no objections or comments. However, staff made minor changes to the proposed text amendments, adding two uses to the permitted use list for Mixed Use FLU categories and correcting eligibility for 25% density bonus within the Downtown TOD District.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

Higher densities will in time require adjustments to the City 's programs and services. As redevelopment proceeds, the City will continue to monitor capacity of the water/sewer infrastructure as well as safety services.

**FISCAL IMPACT:**

The amendments support intensification of development/redevelopment, which, as the City's tax base increases, should have a significant fiscal impact.

**ALTERNATIVES:**

Staff recommends no alternatives.

**STRATEGIC PLAN:** Energetic Downtown: Focal Point for Boynton Beach

**STRATEGIC PLAN APPLICATION:**

The proposed amendments are related to Action Item #2.3 of the 2015/2016 Strategic Plan.

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

N/A

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**Is this a grant?** No

**Grant Amount:**

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**ATTACHMENTS:**

| Type           | Description   |
|----------------|---|
| ▣ Ordinance    | Ordinance   |
| ▣ Staff Report | Staff Report for CPTA/LUAR                                |
| ▣ Exhibit      | Exhibit A. FLU Element Proposed Changes                   |
| ▣ Exhibit      | Exhibit B1a. FLU current residential classifications      |
| ▣ Exhibit      | Exhibit B1b. FLU proposed residential classifications     |
| ▣ Exhibit      | Exhibit B2a. FLU Current Mixed Use                        |
| ▣ Exhibit      | Exhibit B3a. FLU current Mixed Use Suburban               |
| ▣ Exhibit      | Exhibit B2b. FLU proposed Mixed Use                       |
| ▣ Exhibit      | Exhibit B3b. Prop. reclassification of Mixed Use Suburban |
| ▣ Other        | Exhibit C. 2016 CRA Consolidated Plan                     |
| ▣ Exhibit      | Exhibit D. Vacant parcels classified LDR                  |

**REVIEWERS:**

| Department             | Reviewer         | Action   | Date                 |
|------------------------|------------------|----------|----------------------|
| Planning and Zoning    | Rumpf, Michael   | Rejected | 6/30/2017 - 7:57 AM  |
| Planning and Zoning    | Matras, Hanna    | Approved | 6/30/2017 - 8:39 AM  |
| Planning and Zoning    | Rumpf, Michael   | Approved | 7/11/2017 - 3:20 PM  |
| Planning and Zoning    | Mack, Andrew     | Approved | 7/13/2017 - 12:07 PM |
| Planning and Zoning    | Groff, Colin     | Approved | 7/13/2017 - 5:52 PM  |
| Finance                | Howard, Tim      | Approved | 7/14/2017 - 9:08 AM  |
| Assistant City Manager | Groff, Colin     | Approved | 7/14/2017 - 9:11 AM  |
| Legal                  | Swanson, Lynn    | Approved | 7/14/2017 - 11:35 AM |
| City Manager           | LaVerriere, Lori | Approved | 7/14/2017 - 2:10 PM  |

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**WHEREAS**, in October of 2016, the City adopted the CRA Community Redevelopment

The proposed amendments to the text of the Comprehensive Plan's Future Land Use

nt and the Future Land Use Map seek to implement the Plan's recommendations

ing to the Future Land Use (FLU) classification system; and

**WHEREAS**, the proposed changes to the FLU classification system affect solely residential and mixed use land use categories and include elimination of existing and addition of new categories, as well as changes to maximum density thresholds. These changes trigger city-wide concurrent map amendments; and

- Elimination of Moderate Density Residential (merged with Low Density Residential)
- Elimination of Mixed Use

- Elimination of Mixed Use Suburban (replaced with Mixed Use Low)
- Addition of Mixed Use Low and Mixed Use Medium
- Density increases for Low Density Residential (5 to 7.5 du/acre); Mixed Use Medium (10 to 11 du/acre); and Mixed Use High (11 to 15 du/acre); and

WHEREAS, the corresponding map amendments will be as follows:

- All Moderate Density Residential properties will be reclassified to Low Density Residential
- All High Density Residential properties will be reclassified to Medium Density Residential
- All Mixed Use properties will be reclassified to Mixed use Low, Moderate or High Density Residential per CRA Plan
- All Suburban Mixed Use properties will be reclassified to Mixed Use Low; and

WHEREAS, the proposed FLU amendments will create a coherent residential and mixed use classification system through elimination of overly large or too small density gaps between certain FLU categories and integration of the Suburban Mixed Use Category into a unified mixed use framework; and

WHEREAS, the amendments will allow for continued implementation of CRA Plan: they will support creation of a successful downtown with a well-functioning transit hub, better “fit” between available FLU categories and vision for each district, and high quality design, and

WHEREAS, these amendments were reviewed by the Planning & Development Board on March 28th and are forwarded with a recommendation for approval, and

WHEREAS, Section 163.3167, Florida Statutes, requires that each local government prepare a Comprehensive Plan in compliance with the Local Government Comprehensive Planning and Development Act, as amended; and

WHEREAS, the City of Boynton Beach, Florida, pursuant to the Local Government Comprehensive Planning Act, and in accordance with all of its terms and provisions, adopted a

Comprehensive Plan which has been found to be “in compliance” by, the State Department of Community Affairs (DCA); and,

**WHEREAS**, Section 163.3184, Florida Statutes allows the Comprehensive Plan to be amended in order to further the City’s planning goals and objectives and address changing conditions; and,

**WHEREAS**, the proposed text amendments when adopted will affect the FLU Element’s objectives and policies pertaining to: (1) The structure of the future land use classifications, to implement recommendations of the CRA Community Redevelopment Plan (**Exhibit “C”**); (2) The classifications’ permitted uses, to update use categories so they better align with changes in the economy and in the City’s vision; and (3) Measures to protect life and property from natural hazards, as addressed in the recently adopted amendments to the Coastal Management Element, and

**WHEREAS**, the proposed FLU Map amendments constitute an execution of the proposed changes in the structure of the future land use classifications, as applicable, to properties within the City; and,

**WHEREAS**, Exhibit “A” sets forth the proposed text amendments to the Future Land Use Element, and Exhibits “B1,” “B2,” and “B3” set forth related Future Land Use Map amendments.

**WHEREAS**, the Local Planning Agency and City Commission of the City of Boynton Beach have conducted the required public hearings on this Amendment to the City of Boynton Beach adopted Comprehensive Plan; and,

**WHEREAS**, the reports, records, and materials set forth in DEVELOPMENT DEPARTMENT PLANNING AND ZONING DIVISION MEMORANDUM NO. PZ 17 – 002

are incorporated herein and relied upon by the City Commission to the extent not inconsistent with this Ordinance; and,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA:**

**SECTION 1:** The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of the Ordinance upon adoption hereof; all exhibits attached hereto or referenced herein are incorporated herein and made a specific part of this Ordinance.

**SECTION 2:** In accordance with the requirements of Section 163.3184, Florida Statutes, the City Commission hereby adopts the amended elements of the City of Boynton Beach Comprehensive Plan: Future Land Use Element, as set forth in **DEVELOPMENT DEPARTMENT PLANNING AND ZONING DIVISION MEMORANDUM NO. PZ 17 – 002** attached hereto. City staff is directed to incorporate and properly format the amendments as required for submission to the State of Florida and thereafter to assist in codification of the amendments,

**SECTION 3:** All Ordinances or parts of Ordinances, and all Resolutions or parts of Resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4:** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 5:** This Ordinance shall become effective as provided by law.

FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2017.

111 SECOND, FINAL READING and PASSAGE this \_\_\_\_ day of \_\_\_\_\_, 2017.

112 CITY OF BOYNTON BEACH, FLORIDA

113  
114 YES NO

115  
116 Mayor – Steven B. Grant \_\_\_\_\_

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118 Vice Mayor – Justin Katz \_\_\_\_\_

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120 Commissioner – Mack McCray \_\_\_\_\_

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122 Commissioner – Christina L. Romelus \_\_\_\_\_

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124 Commissioner – Joe Casello \_\_\_\_\_

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128 VOTE \_\_\_\_\_

129 ATTEST:

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132 \_\_\_\_\_  
133 Judith A. Pyle, CMC  
134 City Clerk

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136 (Corporate Seal)  
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**DEVELOPMENT DEPARTMENT  
PLANNING AND ZONING DIVISION  
MEMORANDUM NO. PZ 17 - 002**

**STAFF REPORT**

TO: Chairman and Members  
Planning and Development Board

FROM: Hanna Matras  
Senior Planner

THRU: Michael W. Rumpf  
Director of Planning and Zoning

DATE: March 9, 2017

PROJECT NAME/NO: Comprehensive Plan's Future Land Use Element Text Amendments (CPTA 17-001) and related Future Land Use Map Amendments (LUAR 17-004)

REQUEST: Approve amendments to the Comprehensive Plan's Future Land Use Element and the Future Land Use Map that 1) implement recommendations of the 2016 CRA Community Redevelopment Plan pertaining to the future land use classifications; 2) adjust applicable policies to reflect the recently adopted changes to the Coastal Management Element; and 3) adjust remaining objectives and policies to account for changes in the City's vision and programs.

**PROCEDURE**

The proposed amendments to adopted Comprehensive Plan policies are text amendments and related Future Land Use Map amendments subject to the Expedited State Review Process per provisions of Chapter 163.3184(3) and (5), Florida Statutes, adopted by the 2011 legislation. The Expedited State Review Process applies to all comprehensive plan amendments except for small scale amendments and amendments that must follow the State Coordinated Review Process, such as the Evaluation and Appraisal Review (EAR)-based amendments to the Coastal Management Element adopted by the City on December 6, 2016.

If the Commission approves the proposed amendments, they will be transmitted for



review to the Florida Department of Economic Opportunity (DEO), currently the state land planning agency. (Within the DEO, the program is administered by the Division of Community Planning and Development, Bureau of Comprehensive Planning.) The final adoption by the City Commission is tentatively scheduled for July of 2017.

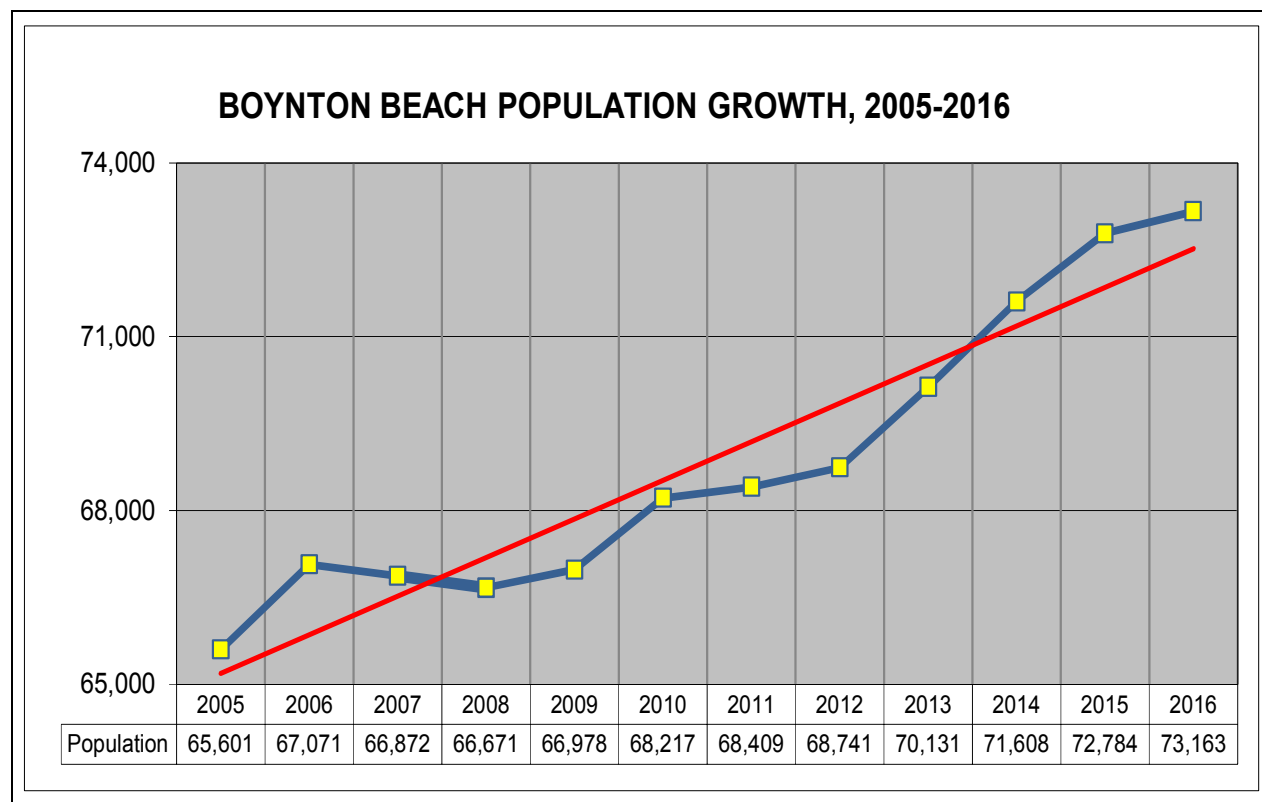
See **Exhibit “A”** for the proposed text amendments to the Future Land Use Element, and **Exhibits “B1,” “B2,”** and **“B3”** for the related Future Land Use Map amendments.

## **UPDATE 2017: POPULATION GROWTH AND LAND USE PROFILE**

### **Population Trends**

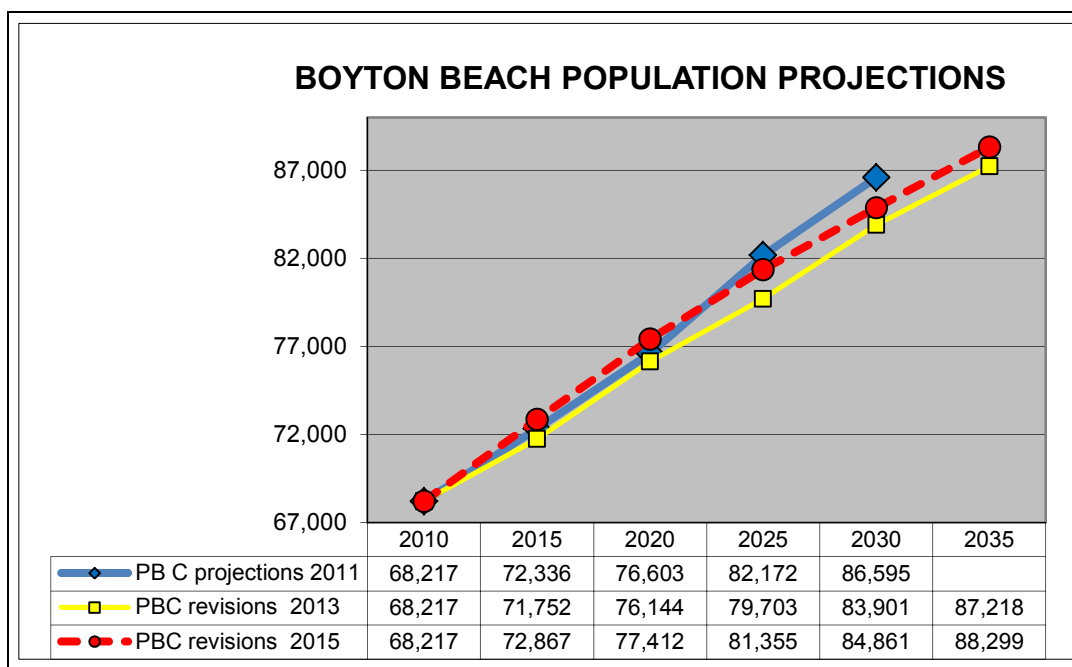
The population of the City of Boynton Beach grew rapidly, at the average annual rate of 6.3%, throughout the decades of 1960’s and 1970’s. The growth rate decreased in the 1980’s and 1990’s, but remained at a fairly high level of 2.7% until the year 2000. During the decade of 2000-2010, the rate declined further, to an average annual of 1.2%. Between 2010 and 2016, Boynton’s population grew even slower, at about 1.1% per year.

This trend is mainly due to the fact that the city is nearing buildout, but population growth has been decelerating in both Palm Beach County and the state, after a severe nation-wide recession has stalled—at least temporarily—population influx to Florida.



Source: University of Florida, Bureau of Economic and Business Research (BEBR) and US Census (2010)

Currently, the City's 2016 permanent population is estimated by the University of Florida to be 73,163. (The last available US Census number for July 2015 is slightly higher, at 73,966.)



Source: Palm Beach County Planning Department, based on the county's projections by Bureau of Economic and Business Research (BEBR), University of Florida. No projections for 2035 were generated in 2011.

In 2015—as Palm Beach County continued to recover from the “great recession”—the County adjusted upwards its 2013 population forecast for the City. This action came after more optimistic BEBR county-level projections; however, the 2015 numbers for 2025 and 2030 remain below the levels projected for these years in 2011. (The PBC allocates the BEBR projections among the county's municipalities based on their future land use patterns.)

According to these estimates and projections, by 2035 the City may add over 15 thousand new residents and (assuming the 2.3-person average household size) will need some 6,500 housing units to accommodate them. As of November 2016, already about 2,500 units are under construction, in the approval process, or under preliminary consideration. In the upcoming years, more units will be generated, predominantly through redevelopment, especially within the Downtown Transit-Oriented Development District (where a 25% density bonus is permitted) and surrounding neighborhoods.

Please note that the last 10-Year Water Supply Facilities Work Plan, published in January of 2015, includes the City's population projections issued in 2013, not the revised, slightly higher 2015 numbers. Regardless, no capacity issues are anticipated within the 10 year planning period.

The projections do not include any assumptions regarding future annexations, though ultimately they are likely to occur, further contributing to the population growth. Some

properties within the City's service area, which extends west of its boundary into the area referred to as "West Boynton," may eventually be annexed; there are also two large enclaves (approximately 22 and 8 acres) as well as several pockets at the southeast boundary of the City. No annexation initiatives are currently under consideration.

### **Seasonal Population**

Seasonal population estimates are based on the number of housing units used for "seasonal, recreational or occasional" purpose as reported by the US Census. That number has been rising from 2,762 in 1990 to 2,944 and 3,330 in 2000 and 2010, respectively. The American Community Survey's 5-year, 2015 estimate—the last available—was 4,158 (with a margin of error of +/- 531). Assuming the average seasonal household size of 1.8 persons, Boynton seasonal population is likely to be between 6,000 and 8,000.

The decennial census data shows that percentage of units for seasonal, recreational or seasonal use (in the total number of dwellings) decreased slightly between 2000 and 2010, from 9.6% to 9.2%, while their share based on the ACS 2015, 5 year estimates was significantly higher, at 11.4%. Given the ACS methodology, no conclusions can be drawn about trends and projections for seasonal population until the 2020 Census data arrives.

### **Future Land Use Profile**

| TYPE OF FUTURE LAND USE CLASSIFICATION                    | ACRES         | PERCENT OF TOTAL |
|---|---------------|------------------|
| LOW DENSITY RESIDENTIAL (LDR) Max. 5 D.U./Acre            | 3433.7        | 40.9%            |
| MODERATE DENSITY RESIDENTIAL (MODR) Max. 7.5 D.U./Acre    | 935.4         | 11.1%            |
| MEDIUM DENSITY RESIDENTIAL (MEDR) Max. 10 D.U./Acre       | 255.3         | 3.0%             |
| HIGH DENSITY RESIDENTIAL (HDR) Max. 11 D.U./Acre          | 909.8         | 10.8%            |
| SPECIAL HIGH DENSITY RESIDENTIAL (SHDR) Max. 20 D.U/ Acre | 125.0         | 1.5%             |
| <b>TOTAL RESIDENTIAL</b>                                  | <b>5659.1</b> | <b>67.4%</b>     |
| OFFICE COMMERCIAL (OC)                                    | 69.5          | 0.8%             |
| LOCAL RETAIL COMMERCIAL (LRC)                             | 558.3         | 6.7%             |
| GENERAL COMMERCIAL (GC)                                   | 24.9          | 0.3%             |
| INDUSTRIAL (I)  | 347.9         | 4.1%             |
| <b>TOTAL COMMERCIAL AND INDUSTRIAL</b>                    | <b>1000.7</b> | <b>11.9%</b>     |
| RECREATIONAL (R)  | 474.0         | 5.6%             |
| PUBLIC & PRIVATE GOVERNMENTAL/INSTITUTIONAL (PPGI)        | 258.8         | 3.1%             |
| MIXED USE (MX)  | 92.9          | 1.1%             |
| MIXED USE CORE (MXC)                                      | 39.8          | 0.5%             |
| MIXED USE SUBURBAN (MXS)                                  | 76.7          | 0.9%             |
| DEVELOPMENT OF REGIONAL IMPACT (DRI)                      | 723.2         | 8.6%             |
| CONSERVATION (CON)  | 67.0          | 0.8%             |
| <b>TOTAL</b>  | <b>8392.4</b> | <b>100.0%</b>    |

The table shows the current distribution of future land use categories. Over 67% of land

carries one of the five residential classifications, with 41% of the total classified Low Density Residential. Projects under the current “urban” mixed uses—Mixed Use and Mixed Use Core—occupy approximately 133 acres in the CRA.

The City is almost built-out. Out of the 419 privately-owned parcels totaling 199 acres, 386 (92%) are smaller than 1 acre. Generally, assembling such small properties for a developable site has been difficult as the properties are usually owned by different people. Out of the remaining 8%, only two are more than 10 acres (one of the two is under the Conservation Overlay, limiting its development potential).

Both the City and the CRA own vacant parcels. The 46 undeveloped, CRA-owned properties are concentrated in the downtown and surrounding neighborhoods, mostly in the Heart of Boynton area east of N. Seacrest Boulevard. Of the City-owned 83 acres of vacant parcels, about 60 acres are currently considered undeveloped parkland.

## **FLU ELEMENT TEXT AND FLU MAP AMENDMENTS**

### **INTRODUCTION**

The proposed text amendments affect the FLU Element’s objectives and policies pertaining to:

1. The structure of the future land use classifications, to implement recommendations of the CRA Community Redevelopment Plan (**Exhibit “C”**);
2. The classifications’ permitted uses, to update use categories so they better align with changes in the economy and in the City’s vision; and
3. Measures to protect life and property from natural hazards, as addressed in the recently adopted amendments to the Coastal Management Element.

The proposed FLU Map amendments constitute an execution of the proposed changes in the structure of the future land use classifications, as applicable, to properties within the City.

The main objective of the proposed amendments is the implementation of the 2016 CRA Community Redevelopment Plan, which will be added to the Support Documents of the Future Land Use Element. The Plan was adopted by the City Commission on October 4, 2016. It consolidates the previous redevelopment plans, delivers a comprehensive update reflecting the changes in economic environment and the City’s vision and organizes the CRA area into six districts, providing specific recommendations for each, including future land use, urban design and streetscapes reflecting principles of the Complete Streets programs.

The Plan’s future land use recommendations include a modified structure of the future land use classifications as well as changes to CRA area-specific future land use designations on the City’s FLU Map. While the former is the focus of the proposed amendments, the latter will be implemented incrementally through private development and redevelopment applications and occasional preemptive, City-initiated FLU Map

amendments for selected sites (such as the concurrently processed amendments for the planned Town Square project). Each of these will be reviewed on their own merit, the CRA Plan recommendations notwithstanding.

Note that proposed changes in the future land use classification structure affect not just the CRA but the City as a whole. The changes trigger the FLU Map amendments as analyzed below in this report.

## 1. **Changes to the FLU Structure and Resulting Changes to the FLU Map**

### A. **Proposed Changes to FLU Structure**

The amendments include elimination of several future land use categories and creation of new ones, as well as modifications of the density caps. As shown in the table below, proposed changes cover the future land use classifications within the residential group (except Special High Density Residential) and mixed use categories.

| Existing FLU                              | Density du/acre | Proposed FLU                | Density du/acre | Change  |
|---|-----------------|-----------------------------|-----------------|---|
| <b>Residential Classifications</b>        |                 |                             |                 |   |
| Low Density (LDR)                         | 5               | Low Density (LDR)           | 7.5             | Merged into one LDR category; MODR category eliminated                    |
| Moderate Density (MODR)                   | 7.5             |                             |                 |   |
| Medium Density (MEDR)                     | 10              | Medium Density (MDR)        | 11              | Density increased to 11 du/acre   |
| High Density (HDR)                        | 11              | High Density (HDR)          | 15              | Density increased to 15 du/acre   |
| Special High Density (SHDR)               | 20              | Special High Density (SHDR) | 20              | No change   |
| <b>Urban Mixed Use Classifications</b>    |                 |                             |                 |   |
| N/A                                       |                 | Mixed Use Low (MXL)         | 20              | New FLU category; also replaces MXS in suburban mixed use classifications |
| Mixed Use (MX)                            | 40              | Mixed Use Medium (MXM)      | 50              | New MXM FLU category; MX category eliminated                              |
| Mixed Use Core (MXC)                      | 80              | Mixed Use High (MXH)        | 80              | Renamed for consistency   |
| <b>Suburban Mixed Use Classifications</b> |                 |                             |                 |   |
| Mixed Use Suburban (MXS)                  | 20              | Mixed Use Low (MXL)         | 20              | MXS category eliminated, replaced by MXL                                  |

The proposed changes within the residential categories can be summarized as follows:

- Merging the Moderate Density and Low Density residential future land use classifications into a single classification of Low Density Residential (LDR), with the maximum allowable density of 7.5 dwelling units per acre (du/acre).
- Increasing the maximum density for: (a) Medium Density Residential (MEDR) future land use classification, from 10 to 11 du/acre, and (b) High Density Residential (HDR) classification, from 11 to 15 units per acre.

As expected, the CRA Plan recommendations emphasize mixed use FLU classifications, which are intended to play a major role in the ongoing revitalization of the CRA area, encouraging high quality design by providing greater flexibility.

The proposed changes within the mixed use categories include:

- Transition from two Urban mixed use future land use classifications—Mixed Use (MX) and Mixed Use Core (MXC) with maximum densities of 40 and 80 du/acre, respectively—to three classifications of Mixed Use Low (MXL), Mixed Use Medium (MXM) and Mixed Use High (MXH). The proposed changes address a considerable density gap of 40 du/acre between the two existing categories that has been determined to hinder creation of a desired urban form and urban identity for the Downtown and adjacent districts of the CRA.
  - Mixed Use Medium with the density cap of 50 du/acre would replace the current Mixed Use category with the density cap of 40 du/acre.
  - Mixed Use Low (MXL) is a new category, with the same maximum residential density of 20 du/acre as the Special High Density Residential (SHDR) category. Even though MXL would not necessarily require inclusion of commercial uses, maintaining a SHDR as a residential-only classification is important as it may be more appropriate than Mixed Use Low for certain locations. (SHDR does not allow commercial uses except for marine-oriented and water-dependent uses in conjunction with the Palm Beach County Manatee Protection Plan).
- The Mixed Use Suburban (MXS) classification will be eliminated, replaced by the Mixed Low (MXL) category (no change in maximum density: both have the same 20 du/acre density cap). Note that this change is not included among the recommendations of the CRA plan as there are no properties in the CRA area carrying this classification; rather, it is proposed to consolidate the mixed use categories into a more coherent classification scheme.

No changes are proposed to the DRI (Development of Regional Impact FLU classification), a de facto mixed use category. This category is defined by (three) individual projects' DRI use profiles and therefore cannot be absorbed into this structure.

#### **B. Changes to FLU Map**

As demonstrated in **Exhibits “B1,” “B2,” and “B3,”** the changes to the structure of the future land use classifications described above would result in significant amendments to the FLU Map.

For the residentially classified properties (Exhibits “B1a” and “B1b”), the amendments include the following:

- All properties currently classified Moderate Density Residential would be reclassified

to Low Density Residential.

- All properties currently classified High Density Residential would be reclassified to Medium Density Residential. Temporarily, there will be no properties carrying the “new” High Density Residential classification with an increased density of 15 du/acre, although the classification would be available for developers in CRA locations as indicated by the CRA Community Redevelopment Plan.

For the properties with urban/suburban mixed use classifications (Exhibits “B2a”/”B2b” and “B3a”/”B3b”), the amendments include the following:

- Properties currently classified Mixed Use would be reclassified—based on the Plan’s recommendations—either to Mixed Use Low, Mixed Use Medium or Mixed Use High.
- All properties currently classified Mixed Use Suburban would be reclassified to Mixed Use Low.

The proposed amendments, including the new density caps, have been noted within the maps’ legends (see exhibits).

*C. Analysis and Impact of the Proposed Density Changes*

- Low Density Residential: proposed density increase from 5 to 7.5 du/acre

The first impact of merging of the Low- and Moderate Density Residential future land use classifications under the LDR category with a 7.5 du/acre density cap would be a “house cleaning” of the City’s FLU map—namely, the elimination of a City-wide discrepancy whereby a significant number of properties classified LDR carry conventional zoning designations with maximum densities exceeding the 5 du/acre maximum of the LDR category. These zoning designations (with density caps of 5.5, 6.0 and 7.5 du/acre) currently correspond to the Moderate Density Residential category, but, with the latter to be eliminated, would be moved to the LDR category with the increased maximum density of 7.5 du/acre.

The total area under the LDR classification is about 3,434 acres, of which 2,003 acres, or 58%, is developed as Planned Unit Developments (PUDs); the rest carry conventional zoning designations. Of the latter, some 1,286 acres are located within zoning districts with maximum densities already exceeding the LDR’s cap of 5 du/acre.

The issue is a legacy of the past. In 1979, Boynton Beach adopted and started implementation of its first Comprehensive Plan. In the subsequent years, the City proceeded with a slow reconciliation of the zoning structure used prior to 1979—already reflected in the land use patterns “on the ground”—with the newly minted Plan’s land use categories and other Plan’s policies. On some already developed properties the discrepancies were never completely resolved.

The chief factor limiting the potential impact of the proposed density increase is the fact that almost all land under the LDR classification is already developed (see Exhibit “D”,

the map of Vacant Parcels Classified Low Density Residential FLU). Only 52 acres of land classified LDR are vacant; of these, there are three parcels of more than 2 acres (2.4, 8 and 16 acres)—the rest are below one acre.

Ultimately, rezoning any of these properties to districts allowing densities over 5 du/acre would be reviewed under the LDR's rezoning criteria, including compatibility with the current and future use of adjacent and nearby properties, as part of the approval process.

- Medium Density Residential: proposed density increase from 10 to 11 du/acre

Medium Density Residential (MEDR) currently occupies the second smallest area, 255.3 acres (3%), within the residentially-classified lands. Some 26 acres of this area are undeveloped, with only one parcel (slightly) exceeding one acre in size. Staff is of the opinion that an impact of 1 du/acre increase in density would be negligible.

The MEDR category would absorb 910 acres of properties which are now under the High Density Residential category; the current zoning designations for both would merge. Again, rezoning of any of the properties currently under the MEDR classification to a zoning district allowing a density of 11 du/acre would be reviewed under the LDR's rezoning criteria, including compatibility with the current and future use of adjacent and nearby properties, as part of the approval process.

- High Density Residential: proposed density increase from 11 to 15 du/acre

Temporarily, there will be no properties carrying the “new” High Density Residential classification with an increased density of 15 du/acre, although the classification would be available for developers in CRA locations as indicated by the CRA Community Redevelopment Plan, providing the review criteria for future land use map amendments are met. It would also be available in other locations in the City, for which no Redevelopment Plans have been developed, depending on outcomes of the LDR's criteria-based review.

- Density impact of Mixed Use property reclassifications

As already stated in this report, the 2016 CRA Plan recommends both changes to the structure of the FLU classifications and extensive changes to the existing classifications of properties within the CRA. The only FLU Map amendments proposed as part of the subject request are limited to those necessitated by changes to the FLU structure. To reiterate, they include:

- Citywide reclassifications of residentially classified properties forced by (a) the elimination of the MODR category and (b) an increase of the density cap of the MEDR category to that currently associated with the HDR category and the resulting incorporation of HDR-classified properties into the MEDR classification;
- CRA-wide reclassifications of Mixed Use classified properties—forced by the elimination of the Mixed Use category—to other mixed use categories consistent with the Plan's recommendations; and
- Reclassifications of properties classified Mixed Use Suburban forced by the



elimination of that category.

The impact of the reclassifications of Mixed Use properties included in the subject request should be considered in the context of their location.

All the Mixed Use properties subject to proposed reclassifications and located within the Downtown Transit-Oriented Development District (DTODD)—which covers a ½ mile radius around the future station (just south of Boynton Beach Boulevard) of the planned Tri-Rail Coastal Link commuter service—would carry classifications with a higher density cap than their current 40 du/acre. These are proposed to be either the Mixed Use Medium with a maximum density of 50 du/acre or Mixed Use High, with the permitted density of up to 80 du/acre. The City aims to improve land development patterns in the area in advance of station development through District-specific regulations, which now include a 25% density bonus.

An increased density and intensity of development are the most significant transit-supportive features of Transit-Oriented Development districts, with minimum levels of development recommended by Florida Department of Transportation. According to the Department's TOD 2012 Guidebook, a Community Center Station, a model for the Boynton Beach DTOD District, needs densities between 11 (corresponding to 4,862 units in the subject area) and 16 dwelling units per acre. The total number of units within the District is currently about 3,100, resulting in the gross density of 7.027 dwelling units per acre. The subject reclassifications and FLU Map amendments implementing the 2016 CRA Plan—including the concurrently processed amendment for the Town Square project—would help the DTOD District close this density gap.

Other proposed reclassifications of Mixed Use-classified properties indicated on the FLU Map in Exhibit "B2" (also consistent with the Plan's recommendations) include:

- South of DTOD district: the property on the northwest corner of US 1 and Woolbright Road, developed with the mixed use Las Ventanas project in 2009 (not likely to be intensified in the foreseeable future and located across the intersection from the property on the southeast corner with the same MXH future land use classification);
- North of DTOD district: reclassifications to Mixed Use Low; with lower density more compatible with the surrounding single-family neighborhood; and
- North-west of the DTOD district: reclassification to Mixed Use Medium of the area fronting Martin Luther King Jr. Boulevard, adjacent to properties classified Local Retail Commercial. A 10 du/acre density increase will support a commercial node at the Martin Luther King Jr. Boulevard/ Seacrest Boulevard intersection.

## **2. Amendments to Permitted Uses**

A list of permitted uses have been created for the new Mixed Use Low FLU classification; for the existing classifications, significant amendments to permitted uses are proposed, mainly for the commercial and industrial categories (some are also

proposed for residential and mixed use ones). Generally, the reasons for the latter are:

- Most of the subject policies of the Land Use Element are nearly 30 years old. This translates into some outdated uses or outdated language in use descriptions, as well as a presence of uses that are no longer feasible, appropriate or aligned with the City vision (for example racetracks, arenas, amusement parks and revival tents).
- Some of the general descriptions lack clarity, others include unnecessarily detailed characteristics of uses more appropriate at a zoning level; a number appear redundant.
- Revisions will assure clear and unambiguous consistency between a general category of a use permitted in a given FLU category and uses under that category permitted in corresponding zoning districts. No use can be allowed in a zoning district if it cannot be reasonably linked to a permitted use in the underlying future land use classification.

### **3. Other Proposed Amendments**

#### **Adjustment to Objectives and Policies for consistency with the Coastal Management Element**

On December 6, 2016, the City commission adopted amendments to the Coastal Management Element based on the Evaluation and Appraisal review of the Comprehensive Plan pursuant to Section 163.3191(1), Florida Statutes (F.S.), and Rule Chapter 73C-49, Florida Administrative Code. The amendments were in response to, and addressed, new statutory requirements for the CM Element contained in section 163.3178(2)(f) enacted on July 1, 2015, pertaining to prevention/mitigation of flood hazards in the coastal areas.

Amendments to several objectives and policies are proposed to assure consistency with the above mentioned amendments to the Coastal Management Element. They include changes to Objective 1.10 and its policies, aimed at steering population concentrations—especially those of vulnerable populations—away from high flood risk areas such as Coastal High Hazard Areas and FEMA-defined Special Flood Hazard Areas. The current Policy 1.11.4 was revised, committing the City to amend Land Development regulations to prohibit hospital and residential quarters for the elderly and other people with special needs to locate within either of these high flood risk zones.

#### **Amendments to the economic development section (Objective 1.17)**

The policies in this section aim at protecting the City from further loss of commercial and industrial lands to other uses. As part of the 2016 CRA Community Redevelopment Plan, there have been recommendations for area-specific future land use changes that eliminate commercial and industrial categories in selected locations but then add them to other areas. The proposed amendments include a policy requiring future redevelopment plans to apply a comparable zero-sum game approach to future land

use reclassifications.

Another proposed revision pertains to the City's Economic Development Strategic Plan, completed in November of 2016. Instead of creating a new, Economic Development element to the Comprehensive Plan, the City will add it to the Future Land Use Support Documents and consider its recommendations when amending the Comprehensive Plan or the Land Development Regulations.

### **RECOMMENDATION**

As indicated herein, the proposed City-initiated text amendments and related FLUM amendments implement the recommendations of the 2016 CRA Community Redevelopment Plan and provide for consistency of the FLU element with the recently amended Coastal Management element. Therefore, staff recommends the approval of the proposed Future Land Use Map amendments and the concurrently processed amendments to the Future Land Use element for the transmittal to the State for an Expedited State Review.

### **ATTACHMENTS**

# City of Boynton Beach

## Future Land Use Element

### Goals, Objectives, and Policies

**GOAL 1**                      *Provide a range of land uses which accommodate a full range of services, and activities, and housing types, while minimizing land use conflicts, maintaining the character of the community, ensuring adequate public facilities, and minimizing adverse impacts on natural resources.*

**Objective 1.1**            Land development and future land uses shall continue to be coordinated with the provision of the following facilities and services, concurrent with the needs of the existing and future land uses, and consistent with the adopted minimum levels of service standards contained in this Comprehensive Plan:

1. Roadways
2. Potable Water
3. Sanitary sewer
4. Solid Waste
5. Stormwater Drainage
6. Recreation and Open Space
7. Public School Facilities

*Measurability:*            *Number of permits issued in conformance with concurrency ordinances.*

**Policy 1.1.1**              The City shall issue development orders or permits only if infrastructure for potable water, sanitary sewer, solid waste and stormwater drainage exist, is provided for in accord with the requirements of this Comprehensive Plan, or will exist concurrent with the impacts of the development, and is sufficient to maintain or exceed adopted levels of service.

**Policy 1.1.2**              The City shall issue development orders or permits only if roadways, recreation, and school facilities exist, are provided for in accord with the requirements of this Comprehensive Plan, or will be available to serve new development in accord with conditions set forth in Policies 9.2.2 and 9.2.3 of the Capital Improvements Element, and are sufficient to maintain or exceed adopted levels of service.

**Policy 1.1.3**              The City shall continue the enforcement of the adopted County-wide Traffic Performance Standards Ordinance, and conformance

to the Level of Service Standards set forth in that ordinance, except where reasonable exceptions have been approved in accordance with that ordinance and do not exceed the Level of Service Standards set forth in Objective 2.1 of the Transportation Element.

Policy 1.1.4           The City shall continue to coordinate with the Palm Beach County School District to ensure that adopted levels of service for school concurrency are met.

Policy 1.1.5           The City shall continue to ensure, through coordination with the Palm Beach County Solid Waste Authority, that adequate solid waste disposal capacity is available before approving any changes to the Future Land Use Map.

Policy 1.1.6           The City shall continue to require that all development approvals be conditioned upon obtaining required approvals and permits from the South Florida Water Management District and the Lake Worth Drainage District.

Policy 1.1.67           The City shall ensure that all proposed land use changes submitted to the Department of ~~Community Affairs~~Economic Opportunity will include data and analysis demonstrating that adequate water supplies and associated public facilities are available to meet projected growth demands. If necessary, an amendment to the Capital Improvements Element will also be included.

**Objective 1.2           The City shall continue to ensure the availability of land for utilities and services by evaluating the need for such land, particularly in the review of development projects, and shall allow adequately-zoned land for same.**

*Measurability:           Land area allocated or available for utilities and services.*

Policy 1.2.1           The City shall continue to enforce regulations to require the dedication of sites, easements, and rights-of-way for utilities and services which are needed to serve the project and surrounding land uses, as a condition of approval of development plans.

Policy 1.2.2           Should dedication of sites, easements and rights-of-way be required, the dedication shall not reduce the density or intensity of the development, where doing so would be reasonably possible; otherwise, the City shall consider the purchase of property, if dedication of land is not feasible.

Policy 1.2.3 The City shall continue to allow potable water wellfields to be located in any land use category or zoning district.

Objective 1.3 Future development and redevelopment within the City shall continue to be regulated through administration of the Land Development Regulations specified within the City's Zoning Code, Community Redevelopment Plans, Florida Building Code and subdivision regulations.

Measurability: ~~Monitoring Continued implementation of the Land Development Regulations for consistency with the said policy documents as verified by the lack of development orders or permits issued in violation of this objective.~~

Policy 1.3.1 The City shall continue to implement the ~~Future Land Use Plan~~ future land use categories in accordance with the ~~following~~ descriptions ~~of land use categories as provided in this policy.~~ ~~and designations.~~ The ~~uses,~~ densities and intensities shall be the maximums allowed, but ~~shall not indicate that~~ those maximums ~~are will not~~ necessarily ~~be allowed permitted~~ in corresponding a land use category or zoning districts. The ~~L~~and ~~d~~evelopment regulations or other provisions of the City's Comprehensive Plan or Code of Ordinances may prohibit or regulate certain specific uses if doing so would be reasonable. Furthermore, other uses which may have land use characteristics very similar to those uses listed under a particular land use category may also be allowed in that land use category. One or more zoning districts, including planned development districts, shall be established to implement each of the following land use categories.

- a. *Residential category* shall provide a mix of available residential densities to accommodate a variety of housing types sufficient to meet the needs of the present and projected population of the City, including the provision of adequate sites for housing very low-, low- and moderate income households and for mobile and manufactured homes. Residential land use designations are described below:

| Future Land Use Designation             | Maximum Gross Density<br>Dwelling Units (DU)/Acre (AC) |
|---|--|
| Low Density Residential                 | <del>5-7.5</del> DU/AC                                 |
| <del>Moderate Density Residential</del> | <del>7.5</del> DU/AC                                   |
| Medium Density Residential              | <del>10-11</del> DU/AC                                 |
| High Density Residential*               | <del>11-15</del> DU/AC                                 |

~~This designation shall only be utilized in the CRA area if consistent with the applicable redevelopment plan.~~

\*Maximum density for projects located in Downtown TOD District shall be 25 18 DU/AC.

In addition to dwelling units, other land uses in support of the residences may also be appropriate therein:

1. Home occupations ~~and other uses accessory to a dwelling unit~~;
2. Parks, playgrounds, golf courses, open space and other outdoor recreational facilities and recreational, civic or cultural buildings ancillary to the primary outdoor recreational use of the site;
3. Community facilities designed to serve the residential area, such as elementary, middle and high schools, churches, day care centers, governmental administration, police and fire protection facilities, libraries and civic centers; Group homes, ~~rooming and boarding homes~~, and nursing homes or related health-care facilities which are comparable in density, character and impact;
4. Public utilities including transmission facilities, pumping and transfer stations; excluding water and wastewater treatment plants, landfills and electric power generating facilities;
5. ~~All new mobile~~ mobile home parks which shall conform to the density shown on the Future Land Use Plan; however, ~~Mobile-mobile~~ home parks in which the residential density exceeds the maximum density shown on the Future Land Use Plan shall be permitted to continue at the existing non-conforming density until the use of the entire mobile home park is terminated; and
6. Retail, restaurants, personal and other services as accessory.

In addition to other allowed non-residential uses, the City may allow marine-oriented and water-dependent uses in the Special High Density Residential category in conjunction with the Palm Beach County Manatee Protection Plan (the MPP) as adopted in August of 2007. A site for a proposed facility must be designated as "preferred" by the Boat Facility Siting Plan contained in the MPP and must be consistent with all applicable Plan recommendations and policies for boat facilities. The City shall also establish land development regulations that maximize land use compatibility and

protect residential neighborhoods from negative impacts of subject uses.

*Commercial category* shall allow a broad range of commercial uses to provide for business, retail, service, office and other commercial enterprises which support the resident and visitor populations and create employment opportunities. Commercial designations on the City's Future Land Use Map include the following:

**Future Land Use Designation      Maximum Floor Area Ratio (FAR)**

|                         |      |
|-------------------------|------|
| Office Commercial       | 0.40 |
| Local Retail Commercial | 0.50 |
| General Commercial      | 0.50 |

In the **Office Commercial** designation, the allowed uses will be limited to, but not necessary include, the following:

1. Business, professional and administrative offices;
2. Financial institutions;
3. Funeral homes;
4. Places of worship;
5. Schools and instruction, day-care centers and educational institutions;
6. Museums;
7. ~~Hospitals and other health care services~~Health care services and facilities, group homes and nursing homes; ~~and related health care facilities~~;
8. Social and civic clubs and organizations;
9. Civic and community centers;
10. Limited retail and business services related to the above uses;
11. Dwelling units as accessory; and
- 10.12. Cemetery as accessory to a funeral home.

Uses allowed in the **Local Retail Commercial** designation will be limited to, but not necessarily include, all uses permitted in the Office Commercial designation and the uses listed below:

1. Retail uses, personal services and repair of consumer goods;
- 1.2. Showroom warehouses;



- ~~2. Wholesale of non-hazardous commodities;~~
3. Business services which are compatible with retail uses;
- ~~4. Indoor and outdoor e~~Entertainment, recreation and fitness facilities; ~~amusements, attractions and exposition halls;~~
- ~~4.5.~~ Artist studios
- ~~5.6.~~ Lodging facilities;
- ~~6.7.~~ Marinas and boat storage;
- ~~7.~~ Passenger transportation facilities; ~~also;~~
8. ~~High Density Residential (maximum 11 du/ac), including mixed-use developments;~~
- ~~9.~~ Limited light industrial uses; ~~in planned commercial developments (Flex-space); and~~
- ~~9.10.~~ Adult entertainment.

Uses allowed in the **General Commercial** designation shall be limited to, but not necessary include, all uses permitted in the Local Retail Commercial designation (except non-accessory residential uses), and the uses listed below:

1. Business services;
- ~~1.2.~~ Day and Trade Labor Pool;
- ~~2.3.~~ Vehicle and boat Sstorage; and
- ~~3.~~ Household storage;
- ~~4. Shops Limited manufacturing, for fabrication, rebuilding and repair on a custom basis. warehousing and repair.~~

- c. *Industrial category* shall allow industrial uses which provide opportunities for the retention and expansion of economic activities associated with manufacturing, processing or assembly plants and their support enterprises for warehouse, storage, distribution, research and development. Development within this designation shall have a maximum Floor Area Ratio (FAR) of 0.50.

Uses allowed in this land use category will be limited to, but not necessary include, the following:

1. Manufacturing, fabrication, and processing uses;
- ~~1.2.~~ Research and Development;

- ~~3. Industrial uses, research and development, Wholesale, and distribution, business and repair services, warehousing and storage;~~
- ~~2.4. Business and repair services;~~
- ~~3.5. Transportation, communications, and utility facilities;~~
- ~~6. Limited retail sales and office uses; of home improvement goods, tools, and machinery;~~
- ~~7. Fitness clubs and athletic instruction;~~
- ~~8. Trade and industrial schools;~~
- ~~4.9. Indoor entertainment; and~~
- ~~5-10. Adult entertainment establishments;~~
- ~~6. Trade and industrial schools;~~
- ~~7. Major recreation facilities such as racetracks, arenas, amusement parks, exposition halls, and the like;~~
- ~~1. Offices and retail uses in planned industrial developments~~
- ~~2. Restaurants which are accessory to the above uses; and~~
- ~~3. Temporary amusements, revival tents, and the like.~~

- d. *Mixed Use category* shall provide for the vertical or horizontal mixing of land uses within a single site in order to allow development and redevelopment in specific geographic areas of the City that take maximum advantage of existing utility systems and services; and promote compact development, safe and pedestrian-friendly streets, and provide transportation choices.

All privately-initiated land development located within any mixed use designation shall be required to submit a plan that includes a single unified design for the project. ~~and shall conform to any adopted redevelopment and design plan(s) for the area covered by the designation.~~

| Future Land Use Designation               | Use | Maximum Density (du/ac) or Floor Area Ratio (FAR)  |
|---|-----|--|
| <u>Mixed Use Low</u>                      |     | <u>20 du/acre and 2.5 FAR (excluding parking structures)*</u>  |
| Mixed Use <u>Medium</u><br>(east of I-95) |     | <u>40-50</u> du/ac and 3.0 FAR (excluding parking structures)**<br>(A FAR of 3.5 may be considered for development abutting the Mixed Use <u>High-Core</u> designation or meeting other locational criteria) |

---

|  |   |
|--|---|
| Mixed Use- <del>Core</del> <u>High</u><br>(east of I-95) | 80 du/ac and 4.0 FAR (excluding parking structures) <sup>***</sup> <u>-</u> |
|--|---|

|  |  |
|--|--|
| <del>Mixed-use Suburban</del><br><del>(west of I-95)</del> | <del>20 du/ac and 1.0 FAR (excluding parking structures)</del> |
|--|--|

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~~\* Maximum density for projects located in Downtown TOD District shall be 25 DU/AC~~

~~\*\*Maximum density for projects located in Downtown TOD District shall be 5062 DU/AC.~~

~~\*\*\*Maximum density for projects located in Downtown TOD District shall be 100 DU/AC.~~

~~Note: In the area east of Federal Highway, the overall gross density shall not exceed 40 du/acre.~~

In the **Mixed Use** designations, the allowed uses will be limited to, but not necessary include, the following:

1. Business, professional and administrative offices;
2. Retail uses, personal services, business services which are compatible with retail uses;
3. Storage;
- ~~2.~~4. Marinas;
5. Indoor eEntertainment, —recreation— facilities, amusements, attractions and exposition halls;
- ~~3.~~6. Fitness clubs and athletic instruction;
- ~~4.~~7. Hotels;
8. Residential uses with a gross density of 40 du/aeas defined by the table above;
- ~~5.~~9. Health care services/facilities, group homes and nursing homes;
10. Places of worship;
- ~~6.~~11. , elementary and high Sschools and day-care services;
- ~~7.~~12. Governmental uses; and
- ~~8.~~13. Home occupations.

Land use types shall be permitted according to the following ranges, expressed as a percentage of the total area in this plan designation. The percentages shall be applied on an areawide basis but shall not be interpreted to require each development to have a mixture of uses.

For the Mixed Use Low, Ranges of Allowable Percentages of Land Use w~~W~~ithin the Area are:

|                 |                   |
|-----------------|-------------------|
| Residential     | 70%-9 <u>05</u> % |
| Non-residential | <u>105</u> %-30%  |

For the Mixed Use Medium, Ranges of Allowable Percentages of Land Use within the Area are:

|                        |                |
|------------------------|----------------|
| <u>Residential</u>     | <u>70%-90%</u> |
| <u>Non-residential</u> | <u>10%-30%</u> |

For the Mixed Use High, Ranges of Allowable Percentages of Land Use within the Area are:

|                        |                |
|------------------------|----------------|
| <u>Residential</u>     | <u>30%-70%</u> |
| <u>Non-residential</u> | <u>30%-70%</u> |

The cumulative development in these areas shall be monitored to ensure that the proportional mix of uses is achieved by the year 2025.

~~In the Mixed Use Core designation, the allowed uses will be limited to, but not necessary include, the following:~~

- ~~1. Business, professional and administrative offices;~~
- ~~2. Retail uses, personal services, business services which are compatible with retail uses;~~
- ~~3. Entertainment, recreation facilities, amusements, attractions and exposition halls;~~
- ~~4. Hotels;~~
- ~~5. Residential uses with a gross density of 80 du/ac; however, in the area east of Federal Highway within the Hurricane Evacuation Zone, the overall density for this land use designation shall not exceed 40 du/ac;~~
- ~~6. Places of worship, elementary, middle and high schools and day care services;~~
- ~~7. Governmental uses; and~~
- ~~8. Home occupations~~

~~Land use types shall be permitted according to the following ranges, expressed as a percentage of the total area in this plan designation. The percentages shall be applied on an areawide basis but shall not be interpreted to require each development to have a mixture of uses.~~

~~Ranges of Allowable Percentages of Land Use Within the Area:~~

|                            |                    |
|----------------------------|--------------------|
| <del>Residential</del>     | <del>30%-70%</del> |
| <del>Non-residential</del> | <del>30%-70%</del> |

~~The cumulative development in these areas shall be monitored to ensure that the proportional mix of uses is achieved by the year 2025.~~

~~The **Mixed Use Suburban** designation encourages a mixture of the following uses:~~

- ~~1. All uses allowed above in the Local Retail Commercial land use category; and,~~
- ~~2. All uses allowed above in the Residential land use category.~~

~~All land development located in the Mixed Use Suburban category shall be required to submit a plan that includes a single unified plan for the project, which encourages synergy between proposed uses, promotes pedestrian or multi-modal linkages, maximizes usable open spaces and public spaces, and establishes design objectives for the project.~~

~~Land use activities shall be illustrated on the master plan and are permissible according to the following ranges, expressed as a percentage of net area in this plan category, which does not include areas dedicated solely to roadways, drainage or recreation tracts. The percentages shall require development with a mixture of such uses.~~

~~For projects containing 100% vertical mixed use:~~

|                                |                      |
|--------------------------------|----------------------|
| <del>— Residential —</del>     | <del>15% - 85%</del> |
| <del>— Non-residential —</del> | <del>15% - 85%</del> |

~~In all other projects:~~

~~Minimum 10% of net land area must be vertical mixed use;  
and~~

~~Maximum of 80% may be single-use residential; and~~

~~Maximum of 20% may be single-use commercial~~

~~The cumulative development in these areas shall be monitored with each site plan to ensure that the proportion of mixed uses is maintained. The mix of uses proposed for any land development located in the Mixed Use Suburban category shall be reviewed for aesthetics, design quality and physical compatibility with adjacent land uses; shall be required to submit a plan that includes a single unified design of the project; and shall conform to any adopted design plan(s) for the area covered by the category.~~

b. **Development of Regional Impact (DRI)** category shall consist of all approved DRIs. Each DRI shall adhere to the conditions contained within its adopted Development Order as amended from time to time. The approved development amounts for each land use type for each DRI are found below. Minimum and maximum limits on development represent a 30% variation from approved levels. Development beyond those levels would represent a Substantial Deviation pursuant to the requirements of Subparagraph (b) of Subsection (19), Chapter 380.06, Florida Statutes.

1. The **Renaissance Commons (fka Motorola) Development of Regional Impact (DRI)**, approved by Ordinance 79-36, as most recently amended by Ordinance 04-013 (the "Development Order"), is a multiple-use project proposed to contain multi-family residential, commercial and office uses.

Consistent with the Renaissance Commons DRI Development Order, the approved land uses and intensities shall be as follow:

| Land Use                        | Minimum-Maximum Intensity |    |            |
|---------------------------------|---------------------------|----|------------|
| High density Residential        | 1,085 du                  | to | 2,016 du   |
| Office Commercial               | 173,460 sf                | to | 322,140 sf |
| Local Retail/General Commercial | 149,100 sf                | to | 276,900 sf |

Traffic generation for the Renaissance Commons DRI shall not exceed 1,634 p.m. peak hour trips (For compliance with Article 12, Traffic Performance Standards of the Palm Beach County Unified Land Development Code).

2. The **Boynton Beach Mall Development of Regional Impact (DRI)**, approved in Palm Beach County by resolution R-74-343, and most recently amended by City of Boynton Beach Resolution 05-049, is a single use retail mall.

Consistent with the Boynton Beach Mall DRI Development Order, the approved land use and intensity shall be as follow:

| Land Use | Minimum-Maximum Intensity |  |  |
|----------|---------------------------|--|--|
|----------|---------------------------|--|--|

|                         |              |    |               |
|-------------------------|--------------|----|---------------|
| Local Retail Commercial | 808,107 gla* | to | 1,500,771 gla |
|-------------------------|--------------|----|---------------|

\*Gross Leasable Area

Traffic generation for the Boynton Beach Mall DRI shall not exceed 3,306 p.m. peak hour trips (For compliance with Article 12, Traffic Performance Standards of the Palm Beach County Unified Land Development Code) as approved in the ADA dated May 7, 1974.

3. The **Quantum Park (fka Boynton Beach Park of Commerce) Development of Regional Impact (DRI)** approved by City of Boynton Beach Ordinance ~~084-51~~, and most recently amended by Ordinance ~~06-07512-001~~, is a mixed use project containing industrial, office, commercial, residential and governmental/institutional uses.

Consistent with the Quantum Park DRI Development Order, the approved land uses and intensities shall be as follows:

| Land Use                        | Minimum-Maximum Intensity |    |              |
|---------------------------------|---------------------------|----|--------------|
| High Density Residential        | 1,334 du                  | to | 2,477 du     |
| Office Commercial               | 446,530 sf                | to | 829,270 sf   |
| Local Retail/General Commercial | 500,506 sf                | to | 929,512 sf   |
| Industrial                      | 1,205,890 sf              | to | 2,239,510 sf |
| Governmental/Institutional      | 239,510 sf                | to | 443,947 sf   |

Traffic generation for the Quantum Park DRI shall not exceed 8,058 p.m. peak hour trips (For compliance with Article 12, Traffic Performance Standards of the Palm Beach County Unified Land Development Code) as approved in the ADA dated December 18, 1984.

- f. ***Public and Private Governmental/Institutional*** category shall include sites which are occupied by city hall, public works complexes, hospitals, libraries, utility plants, cemeteries, and civic or community centers, places of worship, and public and private schools. Land within this designation shall have a maximum Floor Area Ratio (FAR) of 1.0.

The uses allowed in this land use category shall be limited to, but shall not necessarily include, the following:

1. Government office buildings, libraries, police and fire stations;
2. Utility plants, stations, and substations;
3. Government storage and maintenance facilities;
4. Other government-owned or -operated uses;
5. Public schools, places of worship, private schools, day-care services;
6. Hospitals, and ancillary uses;
- 6.7. Medical facilities as accessory;
8. Social and civic clubs or organizations;
9. Retail sales, restaurants as accessory;
10. Cemeteries; civic and community centers, and their ancillary outdoor recreation facilities; and-
- 7.11. Funeral homes.

g. **Recreational** category shall include active and passive recreation facilities and parks that are both publicly owned and privately owned. It shall be the policy of the City that all land acquired for public parks, excluding those which are located in planned zoning districts shall be placed in the Recreational land use and zoning category within five years of acquisition. Development within this designation shall have a maximum Floor Area Ratio (FAR) of 0.50

The uses allowed in this land use category shall be limited to, but shall not necessarily include, the following:

1. Public parks and recreational facilities;
2. Golf courses;
3. Private parks and recreation facilities;
4. Indoor entertainment as accessory;
- 3.5. Theaters;
6. Social and civic clubs and organizations;
- 4.7. Governmental offices;
8. Civic and community centers; ancillary to outdoor recreational facilities.
9. Museums;
10. Medical facilities as accessory; and
- 5.11. Retail sales, restaurants as accessory.

h. **Conservation** shall be applied to any natural areas acquired within the City for the purpose of conserving or protecting natural resources or environmental quality. These areas may be used for wildlife management, passive recreation and



environmental restoration/protection. No development is allowed in the Conservation land use category other than site improvements to support uses that are deemed appropriate and consistent with the function of the designated area. The City shall coordinate with Palm Beach County to designate environmentally sensitive lands that are publicly acquired within the incorporated area as Conservation.

**Conservation Overlay:** The uses, densities and intensities allowed in this land use category shall be the same as for the underlying land use category, however, in accordance with the policies contained in the Conservation Element, a minimum of 25% of native habitat occurring on any development site shall be preserved; furthermore, mangroves which occur on these sites shall be preserved consistent with federal, state, and Palm Beach County regulations, and policies contained in the Strategic Regional Policy Plan. The City may allow reasonable intensification of the remainder of sites in this category above the intensities which are generally permitted for the purpose of preserving more than 25% of the native habitat on site.

Policy 1.3.2

The City shall continue to administer land development regulations that address and regulate the following:

- a. All land uses identified on the Future Land Use Map;
- b. The coordination of ~~future~~ land uses with the appropriate topography and soil conditions;
- c. Compatibility of adjacent land uses and buffering and screening of uses;
- d. The subdivision of land;
- e. Signage;
- f. Areas subject to seasonal or periodic flooding and provisions for drainage and stormwater management;
- g. The protection of environmentally sensitive lands, water wellfields and aquifer recharge areas;
- h. Access ~~m~~Management;
- i. On-site vehicular circulation, parking lots and loading areas designed and sized to provide the maximum reasonable degree of safety and convenience;
- j. The provision of open space;
- k. The protection of known and discovered archaeological sites;
- l. The identification, documentation, and preservation of historic and cultural resources;

- m. The protection of natural resources; and,
- n. The availability of facilities and services at adopted levels of service concurrent with the impacts of development.

**Objective 1.4      The City shall encourage innovative land development regulations that implement this Comprehensive Plan.**

*Measurability:      Number of amendments to the land development regulations that foster innovative regulations consistent with the objective.*

Policy 1.4.1      The City shall encourage a mixture of quality light industrial, commercial and office uses within commercial and industrial districts where such projects would not create significant land use conflicts and adequate public facilities are available to serve such uses.

Policy 1.4.2      The City shall continue to modify land development regulations as needed to make them more effective or less burdensome in achieving goals and objectives of this Plan, and to seek innovative regulatory solutions to promote economic development and sustainability initiatives.

**Objective 1.5      Land development shall be accomplished in a manner which minimizes erosion, flooding, and other problems due to topography.**

*Measurability:      Incidences of flooding, erosion and other problems due to topography in new development projects.*

Policy 1.5.1      The City shall continue to enforce regulations that prohibit the destruction of oceanfront dunes.

Policy 1.5.2      ~~The City shall continue to enforce regulations requiring that all buildings shall be constructed with the minimum first floor elevation above the 100-year flood elevation.~~ Construction of buildings, structures, and infrastructure shall comply with the City's ~~Flood Damage Prevention Ordinance~~Flood Prevention Code which shall comply with the requirements of the National Flood Insurance Program, and the Florida Building Code, as well as applicable regulations of the South Florida Water Management District and Lake Worth Drainage District.

Policy 1.5.3            The City shall continue to adopt and enforce regulations that prohibit the removal of rock or soil from property, except to the extent necessary to prepare a site for development.

Policy 1.5.4            The City shall continue to enforce regulations to provide that the grading of development sites shall take into consideration the existing and future grade of adjacent properties and rights-of-way.

**Objective 1.6**            **The City shall coordinate future land uses with soil conditions so that urban land uses are prohibited in locations where it is not economical to remove or treat unsuitable soils that would adversely affect the performance of infrastructure, buildings and other structures, and drainage. Furthermore, the City shall require land development and construction to be accomplished in such a manner so as to prevent unsuitable soils from adversely affecting the performance of infrastructure, building and other structures, and drainage.**

*Measurability:*            *Number of development orders or permits denied because of unsuitable soil conditions.*

Policy 1.6.1            The City shall continue to adopt and enforce regulations to prohibit development of urban land uses where the removal or treatment of unsuitable soils would be uneconomical, provide that unstable soils shall be removed in all construction and land development sites where these soils would affect the performance of infrastructure, drainage, and buildings or other structures.

Policy 1.6.2            The City shall continue to adopt and enforce regulations to require that soils be tested and results of same submitted with subdivision plans and building permit applications, in accordance with the Florida Building Code.

Policy 1.6.3            The City shall continue to adopt and enforce regulations that require subdivisions to be designed and constructed so as to remove unstable or impervious soils which would adversely affect the performance of buildings, structures, infrastructure, or drainage.

**Objective 1.7**            **The City shall strive to eliminate-improve blighted residential neighborhoods and business districts through the adoption and implementation of the Community Redevelopment Plans within the commercial and residential-Community Redevelopment Area.**

|                |  |
|----------------|--|
|                | <del>This includes areas east of I-95, notably in the Federal Highway corridor, the Heart of Boynton and Boynton Beach Boulevard areas, and the Ocean District.</del>  |
| Measurability: | <del>Number of redevelopment plans adopted or amended for the 2916 Community Redevelopment Plan implementation progress</del> <u>Area.</u>   |
| Policy 1.7.1   | The City shall <del>consider</del> <u>follow</u> the recommendations of <del>the</del> adopted Community Redevelopment Plans <del>and design guidelines to the maximum extent feasible</del> when reviewing <del>all requests for land use amendments and rezonings</del> <u>development applications pertaining to</u> <del>for</del> property within the Community Redevelopment areas.  |
| Policy 1.7.2   | The City shall encourage land assembly to promote large-scale redevelopment and infill projects.   |
| Policy 1.7.3   | The City shall require that designs for redevelopment and infill projects encourage the use of public transit, pedestrian and bicycle travel as alternatives to the car and shall maximize personal safety.  |
| Policy 1.7.4   | <del>By the end of 2017, t</del> The City shall evaluate <del>continuing a</del> need for redevelopment plans <del>in for</del> specific areas of the City that are not within the City's designated Community Redevelopment Area. If an evaluation determines such a need, the development of such plans shall be added to staff work program.  |
| Objective 1.8  | The City shall discourage <del>the proliferation of</del> urban sprawl <del>and shall facilitate</del> <u>by continuing to promote</u> a compact urban development pattern that provides opportunities to more efficiently use <del>and develop</del> infrastructure, land, and other resources and services. <del>by concentrating more intensive growth within the City and the City's utility service area.</del>             |
| Measurability: | <del>Approved "compact" projects</del> <u>Number of development applications denied because of evidence of proliferation of urban sprawl.</u>  |
| Policy 1.8.1   | The City shall provide water and sewer service, according to appropriate contribution requirements, to all existing and proposed urban land uses within the water and sewer service areas delineated in the Potable Water and Sanitary Sewer Sub-Elements, up to the densities and intensities <del>which were</del> utilized in <u>the 2015 planning the water and sewer systems. 10-Year Water Supply Facilities Work Plan</u> |

Policy 1.8.2

The City shall ~~further~~ discourage urban sprawl by;

- A. ~~Preventing the presence or frequency of the primary indicators of urban sprawl through continuous~~ Continuing to promote ~~ion~~ compact developments within the City's utility service areas, while requiring the maximization of all public services for each development in the most cost effective manner possible; and
- B. Requiring, in all future development and redevelopment in the City, land use patterns that are non-strip in nature and demonstrate the ability to attract and encourage a functional mix of uses.

**Objective 1.9**

~~As a part of Urban Infill and redevelopment strategies, higher densities and intensities will be encouraged in the Urban Core. Pursuant to Section 380.06(2)(e), Florida Statutes and Rule 28-24.014(1), F. A. C., the Urban Central Business District, as depicted on the Future Land Use Map, is hereby established to increase the development of regional impact guidelines and standards. These increased thresholds shall apply only to those developments approved after the effective date of the implementing ordinance (Ordinance 03-039).~~

~~Measurability: Number of developments approved in accordance with the objective.~~

~~Policy 1.9.1 For residential, hotel, office or retail developments, the applicable guidelines and standards of Rule 28-24.014(10), F. A. C. shall increase by 50 percent.~~

~~Policy 1.9.2 The applicable multi-use guidelines and standards shall increase by 100%, provided that one land use of the multi-use development is residential, and that residential development amounts to not less than 35 percent of the city's applicable residential threshold.~~

~~Policy 1.9.3 If any portion of a proposed development is located outside the delineated Urban Central Business District, the increased guidelines and standards shall not apply.~~

**Objective 1.109**

The City shall reduce, and eventually eliminate, uses that are inconsistent with the character of the City, or with adopted redevelopment plans. ~~, and insure the compatibility of future development plans.~~

*Measurability: Number of inconsistent uses reduced or eliminated within the planning period.*

|                             |  |
|-----------------------------|--|
| Policy 1. <del>109</del> .1 | New development and redevelopment shall be consistent with the <u>guidelines-policies</u> of the Future Land Use Element and <u>conform to the</u> Future Land Use Map <u>future land use change</u> -. <u>or, if applicable, comply with the future land use recommendations of the CRA Community Redevelopment Plan and any future redevelopment plans.</u>  |
| Policy 1. <del>109</del> .2 | The City shall actively work toward the elimination of uses that are incompatible with surrounding uses and shall consider amending the zoning regulations to require that all nonconforming uses determined to be severely incompatible with the character of the community will be phased out through an amortization schedule.  |
| Policy 1. <del>109</del> .3 | All attached single-family, condominium, and cooperative dwellings which exist at the time of the adoption of this comprehensive plan shall be construed to be in conformance with the densities shown on the Future Land Use Map, regardless of the existing density, with respect to the continuance, repair, and reconstruction of same, unless the entire site occupied by such dwellings is cleared and redeveloped, in which case, the maximum density shall be that which is shown on the Future Land Use <del>Plan</del> . <u>Map or is recommended by the CRA Community Redevelopment Plan.</u> |
| Policy 1. <del>109</del> .4 | Dwellings, <del>which are</del> built on nonconforming lots with a reasonable lot area and on which construction is permitted in the zoning regulations, shall be construed to conform to the densities shown on the Future Land Use <del>Plan</del> <u>Map</u> .  |
| Policy 1. <del>109</del> .5 | The City shall continue to use regulations requiring buffering of incompatible land uses as set forth in the City's land development regulations.  |
| <del>Objective 1.10</del>   | <u>The City shall manage its planning, regulatory and utility services to steer future population concentrations away from the Coastal High Hazard Areas (CHHA), which is defined as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model</u>   |
| <del>Objective 1.11</del>   | <del>Coastal High Hazard Area population densities shall not be increased above the number that can be accommodated by streets and roads in the event that hurricane evacuation is necessary and shall be limited to those areas that are planned to accommodate</del>   |

~~such development through the provision of adequate public facilities and services. Such development must meet minimum standards for High Velocity Hurricane Zones as required by the Florida Building Code.~~

Measurability: *Number of developments approved in accordance with the objective.*

~~Policy 1.11.1 The City shall adopt the definition of the Coastal High Hazard Area as the "area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model."~~

Policy 1.101.21 The City shall not approve any increases in hotel/motel beds and residential densities in the Coastal High-Hazard Area that would increase evacuation times above the 16 hours level of service for out-of-county hurricane evacuation for a category 5 storm event as measured on the Saffir-Simpson scale as provided in Section 163.3148(9)(a), F. S.

~~Policy 1.11.3 The City shall annually demonstrate hurricane shelter space availability for at least 20% of the population increase within the TCEA associated with hotel/motel and residential developments within the hurricane vulnerability zone. In the event the City is unable to satisfactorily demonstrate hurricane shelter space availability, the City shall coordinate with Palm Beach County Emergency Management and the Red Cross to provide adequate hurricane shelter space within a timely manner. The City shall also participate in a long-term, Countywide, comprehensive shelter program coordinated with public, private, non-profit organizations to ensure adequate shelter space is available for the long term needs of the TCEA and the County.~~

Policy 1.101.24 By 2017, The City shall amend the Land Development Regulations to prohibit discourage hospitals, congregate living facilities for persons with special needs, nursing homes, and the like from locating within Coastal High-Hazard Area and FEMA-defined Special Flood Hazard Area, and ~~shall also~~ encourage such existing facilities to relocate to safer locations within the City.

Objective 1.112 The City shall promote the development of a variety of rental and owner-occupied, single- and multi-family housing ~~and housing~~ for a broad range of income groups, diverse cultures and for groups with special needs, ~~so as to balance the mix of residential~~



~~uses~~ and to protect residential environments by preventing or minimizing land use conflicts.

*Measurability:* Number of developments approved in accordance with the objective.

Policy 1.1~~2~~.1 The City shall continue efforts to encourage a variety of housing choices by allowing a full range of residential densities to accommodate a diversity of housing choices including, single family, multi-family, manufactured and mobile dwellings and group homes.

Policy 1.1~~2~~.2 The City shall continue to maintain and improve ~~the character of the~~ existing single-family and lower-density neighborhoods, by preventing conversions to higher densities, except when consistent with adjacent land uses, contributes to the implementation of adopted redevelopment plans, or furthers the City's affordable housing programs.

**Objective 1.1~~2~~3** The City shall continue to encourage the provision of workforce housing to maintain a diversified and sustainable City having character and sense of community where people can live and work in the same area.

*Measurability:* Increase in the number of workforce housing units produced in the City.

Policy 1.1~~3~~2.1 The City shall continue to utilize the Workforce Housing Program to facilitate the construction of affordable rental and for-sale housing units.

Policy 1.1~~3~~2.2 In order to be granted higher densities possible in the Special High Density Residential ~~and mixed use~~, ~~Mixed Use, and Mixed Use-Core~~ future land use designations, established percentages of the residential development must be affordable to Low Income and Moderate Income households.

Policy 1.1~~2~~3.3 The Workforce Housing Program shall continue to offer developers alternatives to on-site provision of affordable units, which include:

1. Payment in-lieu contributions;
2. Land donation within the City;
3. Off-site construction of units; and
4. Purchase and donation of existing market rate units to be donated to the city or sold to eligible households.



Policy 1.1~~23~~.4 All workforce housing units constructed under the program shall remain affordable for a period of thirty (30) years through the use of restrictive covenants.

Policy 1.1~~23~~.5 The City shall continue to explore innovative development regulations, ~~the use of prefabricated housing, including~~ regulations regarding non-conforming lots and other policy tools to provide increased access to affordable housing.

**Objective 1.1~~43~~** **The City shall continue to protect native habitat, and preserve wetlands.**

*Measurability:* Number of areas or sites protected.

Policy 1.14.1 The City shall continue to enforce regulations requiring the preservation of 25% of ~~all the area occupied by "A", "B", and "C"~~ rated native plants on sites of 10 or more acres classified "Conservation Overlay" and shall require that these standards are placed as conditions of approval for development orders and permits where applicable.

**Objective 1.15** **The City will continue to expand through annexation of enclaves, pockets and other contiguous properties.**

*Measurability:* Number of annexations processed.

Policy 1.15.1 The City shall continue to promote the orderly annexation of lands consistent with Chapter 171, Florida Statutes, ~~and the Palm Beach County Annexation Policy.~~

Policy 1.15.2 The City shall utilize four methods of annexation:

1. Voluntary annexation by petition of owner;
2. Annexation by interlocal agreement with Palm Beach County;
- ~~3. Compliance with pre-annexation Execution of the annexation clause in~~ water service agreements ~~from with~~ the City; ~~and~~ 3. Annexation of enclaves; and
4. Referendum.

Policy 1.15.3 The City shall require that property owners requesting annexation into the City concurrently apply for land use amendment and rezoning to the City's land use classification and zoning district. Reclassification and rezoning of properties annexed through city-

initiated actions can be postponed for up to 6 months unless improvements are requested.

**Objective 1.16**      **The City shall continue its involvement in the process of coordination and collaboration between the County, local governments, and the School District in the planning and siting of public school facilities in coordination with planned infrastructure and public facilities.**

*Measurability:*      *Number of public school facilities developed or redeveloped within the City.*

**Policy 1.16.1**      The City of Boynton Beach shall coordinate and provide for expedited review of development proposals with the School District during the development review process to ensure integration of public school facilities with surrounding land uses and the compatibility of uses with schools.

**Policy 1.16.2**      There shall be no significant environmental conditions and significant historical resources on a proposed site that cannot be mitigated or otherwise preclude development of the site for a public educational facility.

**Policy 1.16.3**      The proposed site shall be suitable or adaptable for development in accordance with applicable water management standards, and shall not be in conflict with the adopted or officially accepted plans of the South Florida Water Management District, or any applicable Stormwater Utility or Drainage District.

**Policy 1.16.4**      The proposed location shall comply with the provisions of the Coastal Zone Management Element of the comprehensive plan, if applicable to the site.

**Policy 1.16.5**      The City of Boynton Beach shall encourage the location of schools proximate to urban residential areas by:

- Assisting the School District in identifying funding and/or construction opportunities (including developer participation or City Of Boynton Beach capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements;
- Providing for the review for all school sites as indicated in Policy 1.16.1 above; and,
- Allowing schools as a permitted use within all urban residential

land use categories.

Policy 1.16.6      The City of Boynton Beach shall coordinate with the School District for the collocation of public facilities, such as parks, libraries, and community centers with schools, to the extent possible, as sites for these public facilities and schools are chosen and development plans prepared.

**Objective 1.17      The City shall pursue economic development opportunities to support a competitive and diversified economy, and a good quality of life for residents.**

*Measurability:      Number of actions taken in accordance with the objective.*

Policy 1.17.1      The City shall continue to review the Land Development Regulations to improve approval processes and to remove unnecessary hurdles hindering industrial and commercial uses that create jobs, contribute to the tax base, and accommodate market trends.

Policy 1.17.2      The City shall preserve industrial land for industrial and job-generating purposes; will work to ensure these sites are utilized to their full potential as development and redevelopment occurs, and will encourage private investment through targeted incentives

Policy 1.17.13      The City shall monitor the amount of land available for industrial/commercial development and, by the end of 2014~~7~~, review the Future Land Use and Official Zoning maps for recommendations pertaining to current location and potential expansion of industrial and commercial districts.

Policy 1.17.4      Future redevelopment plans for areas outside of the CRA shall ensure that any loss of land with industrial or general commercial designations through a recommended reclassification to other uses will be offset by expansion of such land in other locations.

Policy 1.17.5      Re-classifications to industrial use of lands adjacent to industrial districts can proceed only if lot consolidation is deemed adequate and screening is provided to minimize impacts on adjacent residential uses.

|                          |   |
|--------------------------|---|
| Policy 1.17.6            | <u>The City shall continue to apply Economic Development Benefits review criteria to all rezoning and Future Land Use Map amendment requests to limit the conversion of industrial and commercial land to other uses.</u>   |
| <del>Policy 1.17.2</del> | <del>The City shall preserve industrial land for industrial and job-generating purposes; will work to ensure these sites are utilized to their full potential as development and redevelopment occurs; and will encourage private reinvestment through targeted incentives.</del>   |
| <del>Policy 1.17.3</del> | <del>By the end of 2014, the City shall review the Land Development Regulations to improve approval processes and to remove unnecessary hurdles hindering industrial and commercial uses that create jobs, contribute to the tax base, and accommodate market trends.</del>   |
| Policy 1.17.4 <u>7</u>   | The City shall restrict the non-industrial use of industrial lands to uses that are of a type, size and number so as to be complementary to industrial activities, and that do not deplete the supply of industrial land, and do not create potential land use conflicts with industrial activities.                                    |
| <del>Policy 1.17.7</del> | <del>The City shall protect industrial lands from encroachment by other land uses that would reduce the economic viability of industrial lands.</del>   |
| Policy 1.1 <u>6</u> 7.8  | <del>By the end of 2016, T</del> he City shall <u>consider recommendations of create anthe 2016</u> Economic Development Strategic Plan <u>when amending and adopt it into the new Economic Development Element of this its</u> Comprehensive Plan <u>and Land Development Regulations</u> to promote economic growth and job creation. |
| <del>Policy 1.16.8</del> | <del>By the end of 2017, the City shall amend the Land Development regulations to facilitate implementation of the Economic Development Element and the underlying Economic Development Strategic Plan.</del>   |
| Policy 1.1 <u>7</u> 6.9  | The City shall continue to coordinate economic development efforts with the Community Redevelopment Agency, the Boynton Beach Chamber of Commerce and the Palm Beach Business Development Board.  |

**Objective 1.18**      **The City shall encourage transit-supportive land development patterns to promote multi-modal transportation and increased mobility.**

*Measurability:*      *Volume of transit ridership within the City and the Downtown TOD district; change in density and development intensity within the Downtown TOD district*

Policy 1.18.1      The City shall continue to implement the Transit-Oriented Development (TOD) approach, as described in the 2012 Florida Department of Transportation's TOD Guidebook, to manage future growth within the Downtown TOD District (a ½ mile radius around the intersection of Ocean Avenue and the Florida East Coast rail corridor, ~~which is~~ the anticipated location of the Downtown Boynton Beach Station for the planned commuter Tri-Rail Coastal Link service on the FEC Corridor). ~~This area will be referred as the Downtown TOD District hereforth.~~ The inner ¼-mile core of this District shall be designed to accommodate the greatest density and intensity of development.

Policy 1.182.2      The City shall aim to transform the Downtown TOD District area into an active, mixed-use, pedestrian-friendly activity zone, supporting new housing to increase potential ridership, intensifying land development activity, and adding amenities and destination uses for future transit riders. The City shall strive to achieve this goal through facilitating compact, high density and intensity development of a varied mix of land uses. Specifically, the City shall:

- a. ~~The City shall m~~Maintain both a maximum and minimum residential density within the ¼ mile area around the future station for all zoning districts with the underlying Mixed-Use ~~Core-High~~ or Mixed- Use Medium future land use classifications.
- b. ~~The standard maximum~~Allow -density increase of up to 25% for properties classified Special High Density Residential, Mixed Use Low, Mixed Use Medium or Mixed Use ~~Core High~~, and located within the Downtown TOD District, ~~can be increased by up to 25%.~~
- c. ~~The City shall m~~Monitor the number of residential units approved within the Downtown TOD District for

conformance with thresholds established for the TCEA, and coordinate as appropriate with the Palm Beach County Emergency Department regarding provision of adequate hurricane shelter space to accommodate population growth.

- d. ~~The City shall~~ Ensure that new development contributes to the creation of an enhanced pedestrian environment through well-located public plazas, expanded public sidewalks, and pedestrian-scaled street and block structure for maximized internal and external connectivity.

Policy 1.18.3 The City shall ~~incorporate maintain the planned Tri-Rail Coastal Link service and~~ the Downtown TOD District ~~into o~~ the Future Land Use Map ~~and revise redevelopment plans as appropriate.~~

Policy 1.18.4 The City shall monitor changes over time in the density and intensity of development within the Downtown TOD District (cumulatively and individually on development parcels), total numbers of residential units and jobs, and the percentage composition of land uses, including ratio of jobs-to-housing. This data shall be collected every five years and distributed to relevant public agencies involved in regional transportation planning and service.

**Objective 1.19 The city shall continue to identify, document, and preserve historic and cultural resources.**

*Measurability: Number of areas or sites added to the Boynton Beach Register of Historic Places and the Florida Master Site File.*

Policy 1.19.1 The City shall continue to maintain and update “The City of Boynton Beach Historic Sites Survey” and the Florida Master Site File.

Policy 1.19.2 The City shall continue to maintain and update “The Boynton Beach Register of Historic Places” and the “National Register of Historic Places”.

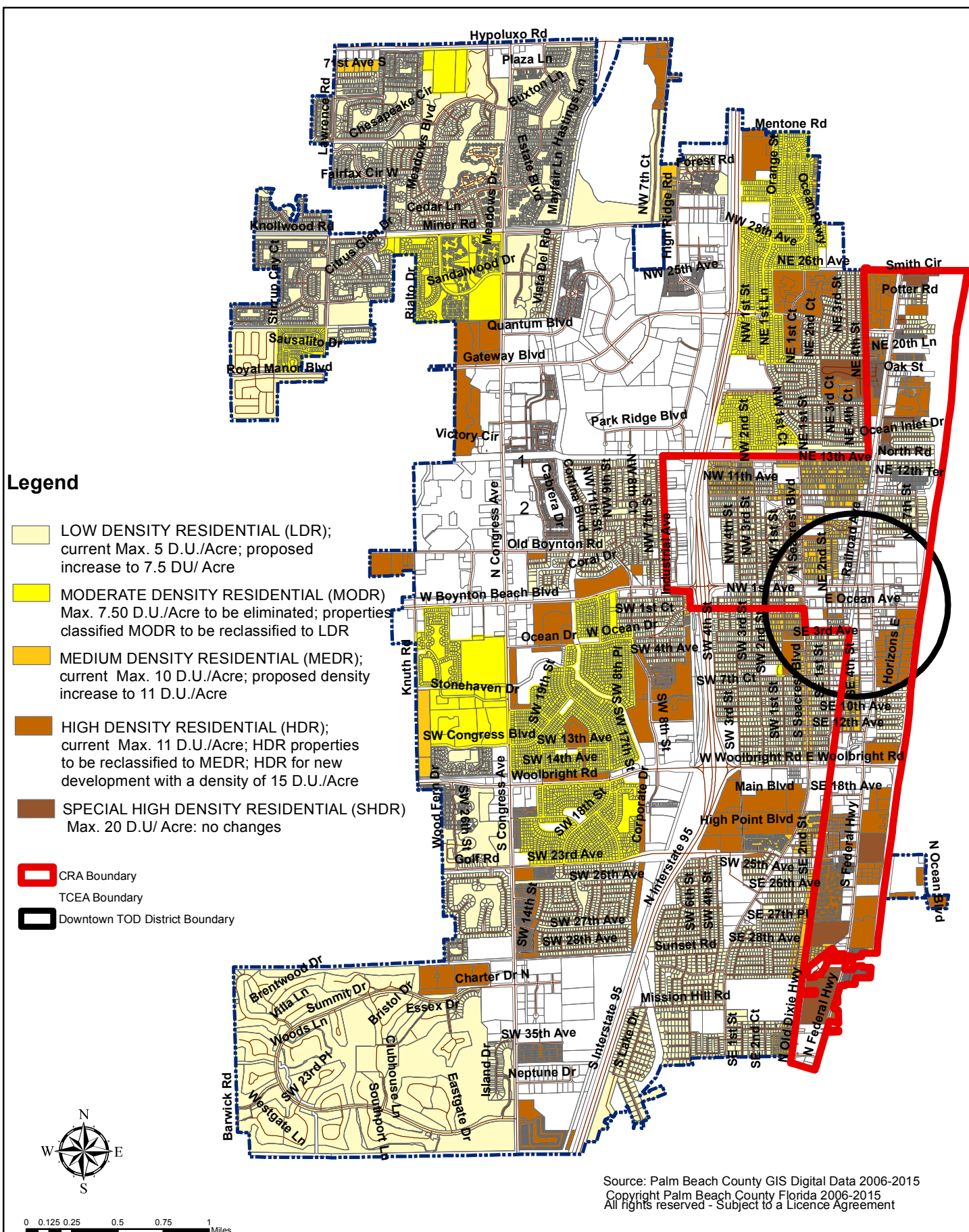
Policy 1.19.3 The City shall continue processing additions to “The Boynton Beach Register of Historic Places”.

- Policy 1.19.4 Historic and cultural resources identified in “The Boynton Beach Register of Historic Places” shall be incorporated into the Future Land Use Map series and shall be protected from development and redevelopment activities through the approved review process.
- Policy 1.19.5 The City’s land development regulations shall continue to provide protection for historic and cultural resources.
- Policy 1.19.6 The City shall, through the enforcement of pertinent regulations, continue to require that, in the event of prior knowledge of any archaeological site on a development site, or the discovery of archaeological artifacts during project construction, the developer shall stop construction in that area and immediately notify the Bureau of Archaeological Research in the Florida Department of State. Proper protection of such resources to the satisfaction of the bureau shall be provided by the developer.
- Policy 1.19.7 The City shall continue to meet the criteria necessary for participation in the Certified Local Government Program.
- Objective 1.20 The City shall continue to pursue funding opportunities and offer incentives that will contribute to the preservation of historic and cultural resources.**
- Measurability: The amount of funding received and number incentives awarded.*
- Policy 1.20.1 The City shall continue to pursue grant funding for projects that contribute to the preservation of historic and cultural resources.
- Policy 1.20.2 The City shall continue to offer incentives that will contribute to the preservation of historic and cultural resources.
- Objective 1.21 The City shall continue to identify and provide educational opportunities to encourage a greater understanding and appreciation of historic and cultural resources.**
- Measurability: Number of opportunities identified and provided.*
- Policy 1.21.1 The City shall continue to increase awareness and understanding of historic and cultural resources for educational and heritage tourism purposes.

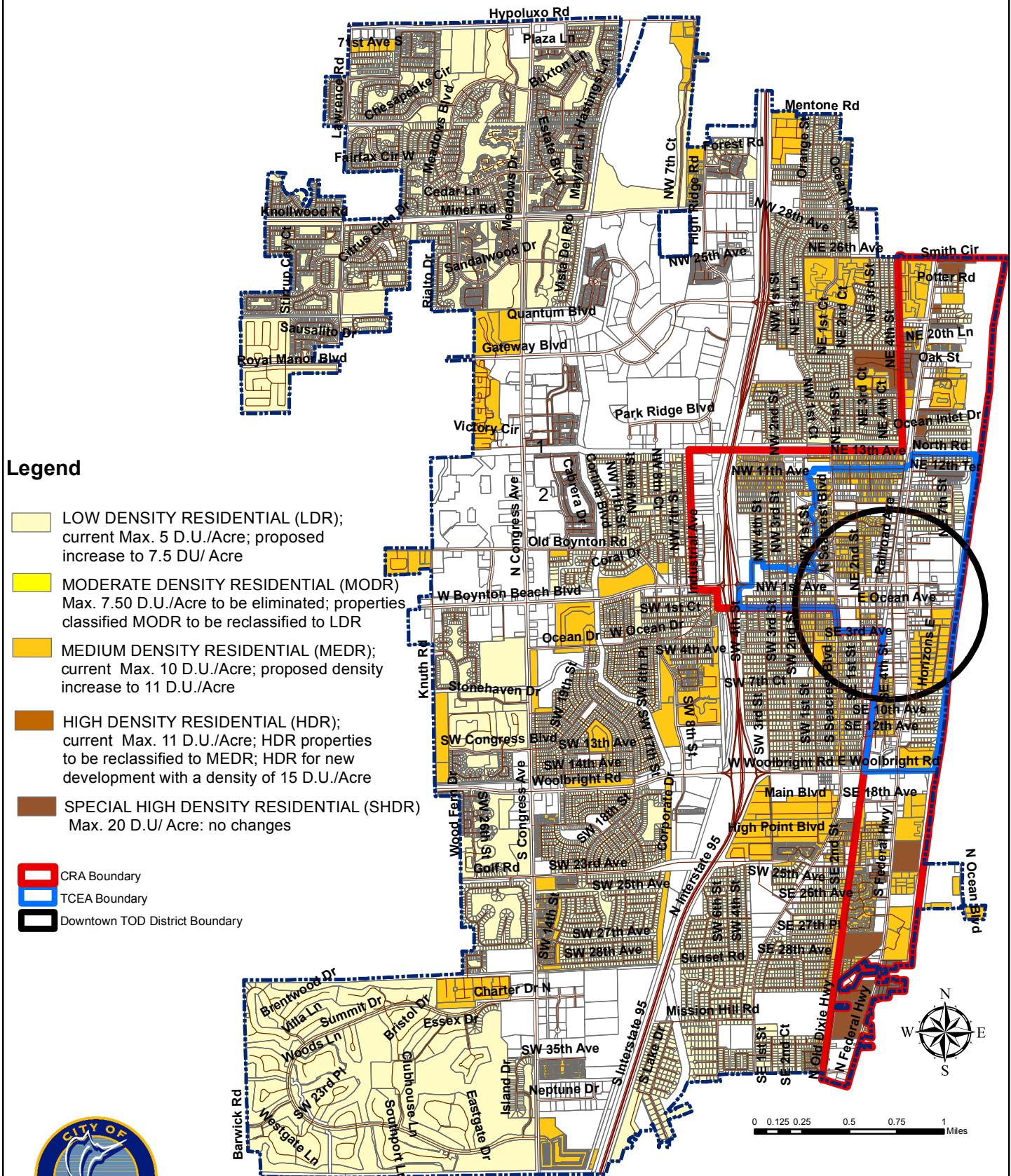
Policy 1.21.2      The City shall continue to work with heritage and educational organizations to increase awareness and understanding of historic and cultural resources.



# CITY OF BOYNTON BEACH 2026 FUTURE LAND USE CURRENT RESIDENTIAL CLASSIFICATIONS



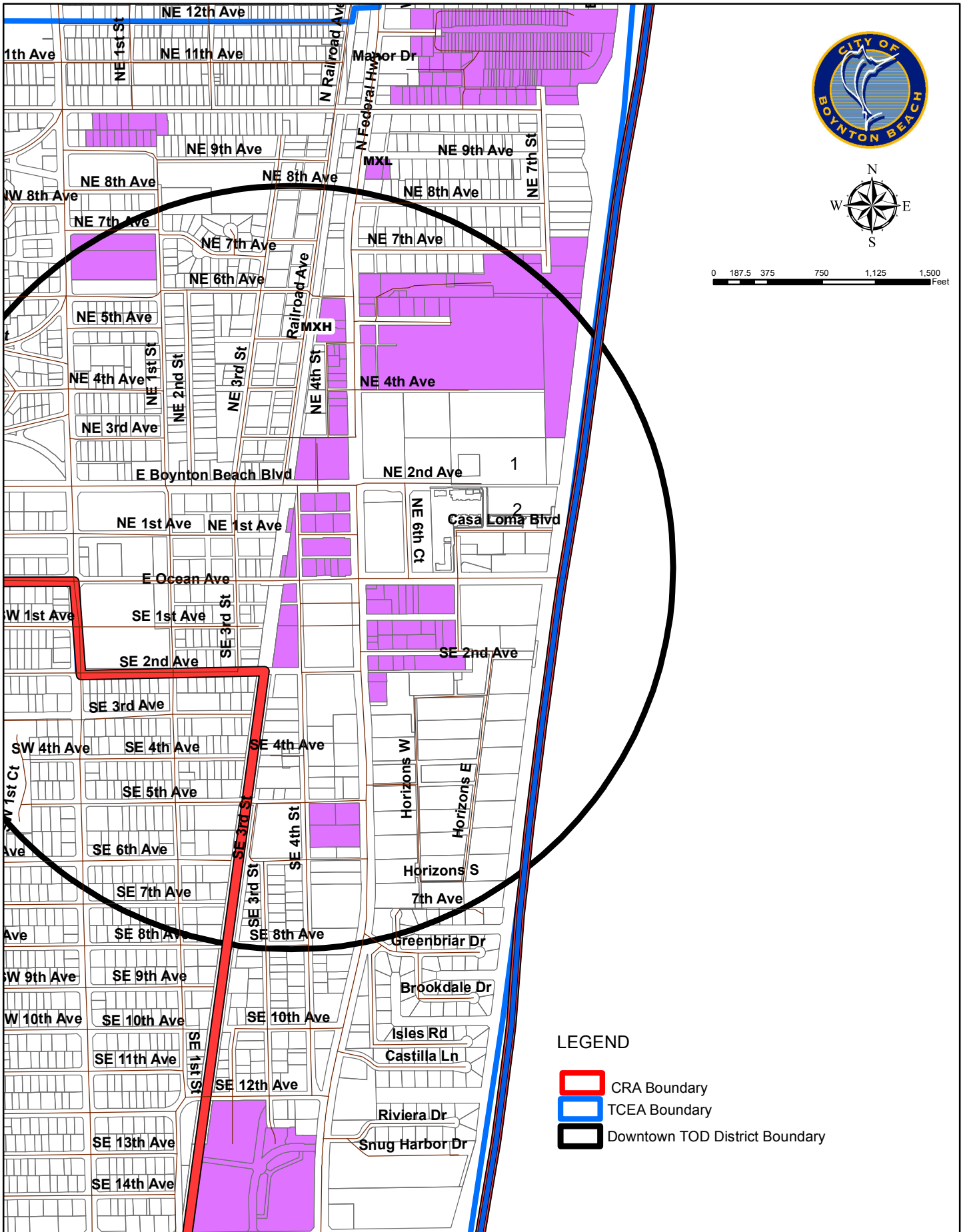
# CITY OF BOYNTON BEACH 2026 FUTURE LAND USE PROPOSED RECLASSIFICATIONS OF RESIDENTIAL PROPERTIES



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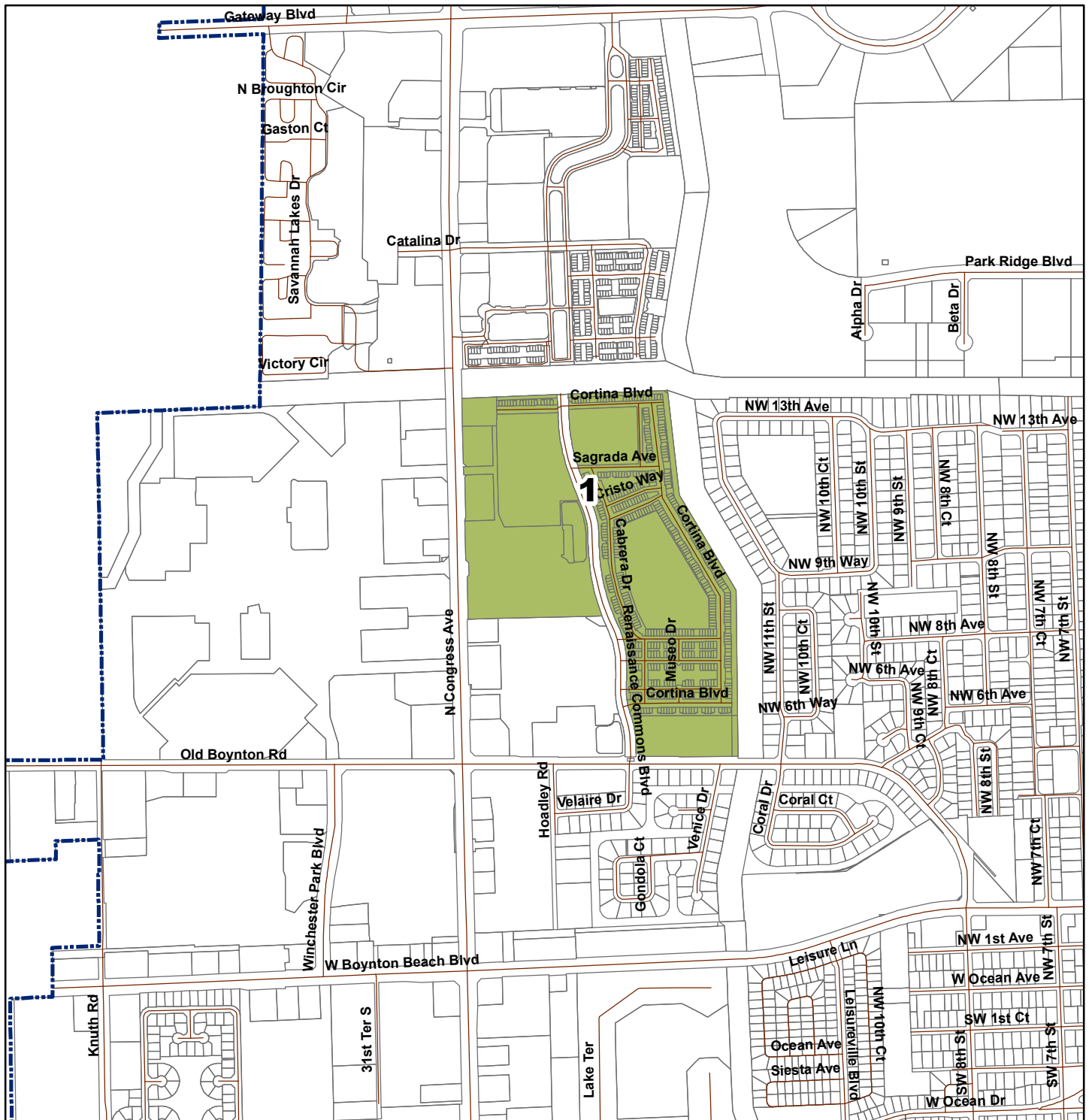


# CITY OF BOYNTON BEACH 2026 FUTURE LAND USE PROPERTIES CURRENTLY CLASSIFIED MIXED USE



# CITY OF BOYNTON BEACH 2026 FUTURE LAND USE

## PROPERTIES CURRENTLY CLASSIFIED MIXED USE SUBURBAN

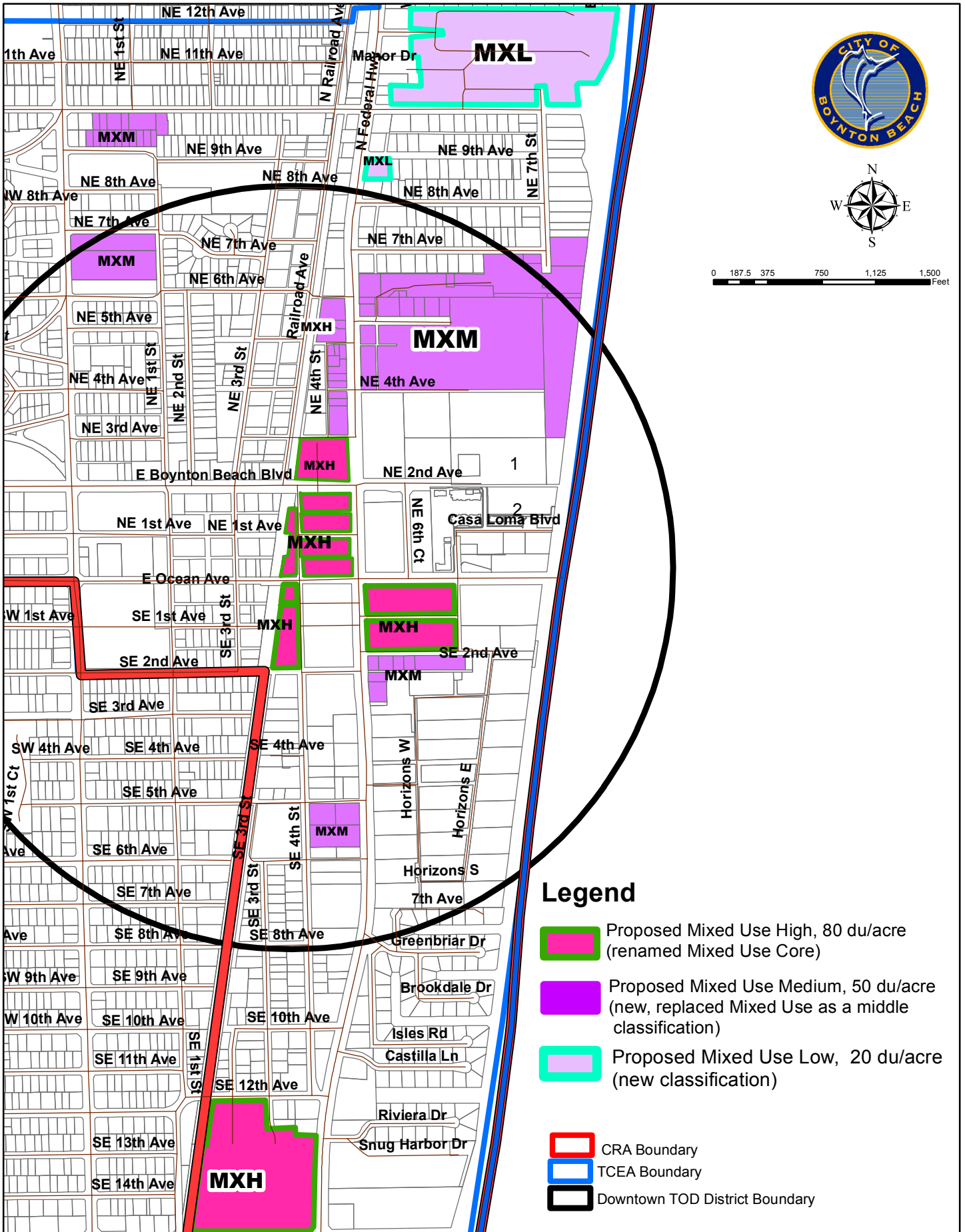


0 180 360 720 1,080 1,440 Feet

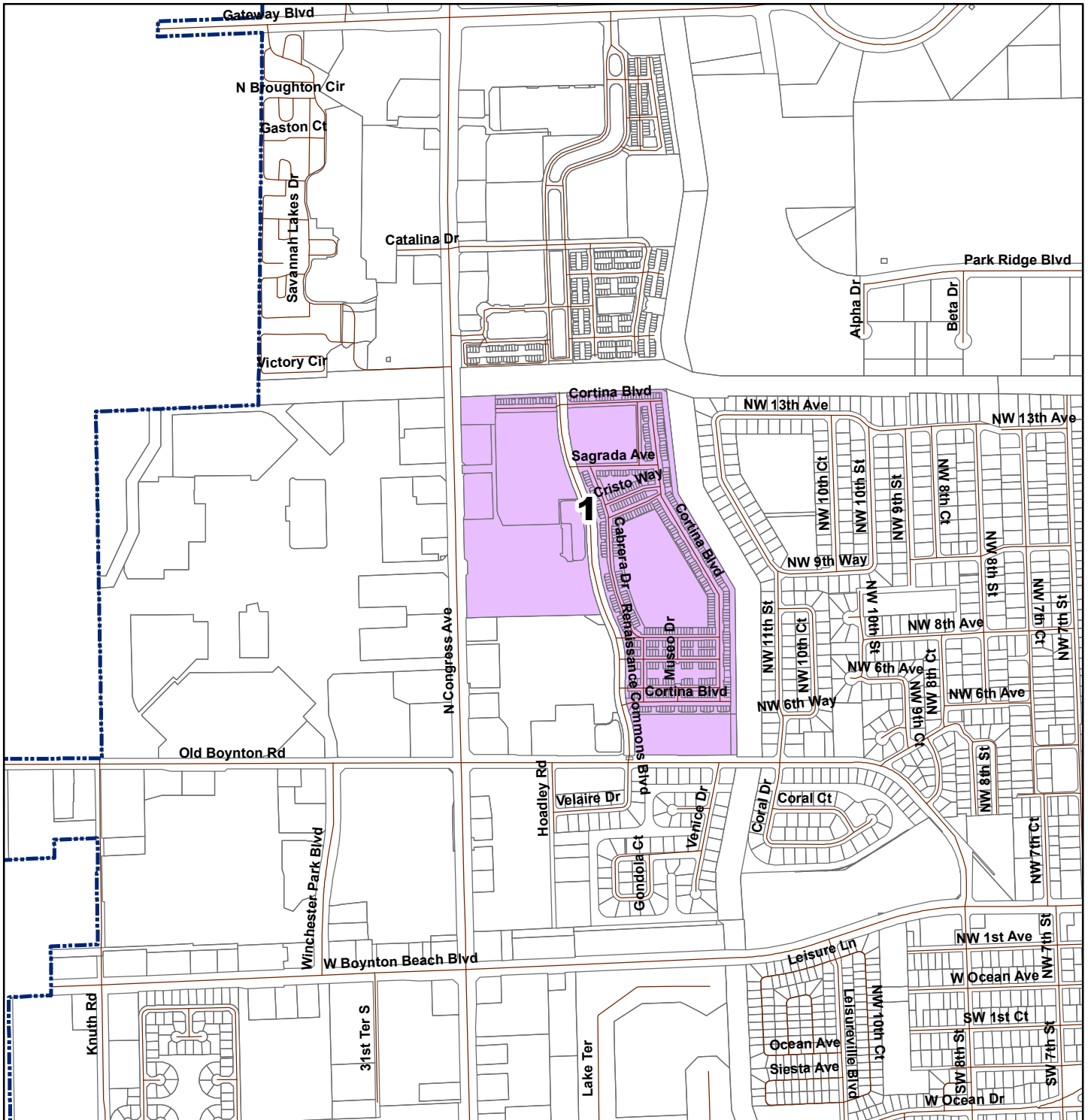
1. This property is restricted to a maximum 1,120 residential units, 10,000 sf of commercial office use and 149,000 sf of local retail commercial use.

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# CITY OF BOYNTON BEACH 2026 FUTURE LAND USE PROPOSED RECLASSIFICATIONS OF MIXED USE PROPERTIES



# CITY OF BOYNTON BEACH 2026 FUTURE LAND USE PROPOSED RECLASSIFICATIONS OF MIXED USE SUBURBAN PROPERTIES



### Legend

-  Proposed MIXED USE LOW (MXL), max. density 20 D.U./Acre to replace the current Mixed Use Suburban classification with the same max. density of 20 du/acre



0 180 360 720 1,080 1,440 Feet

1. This property is restricted to a maximum 1,120 residential units, 10,000 sf of commercial office use and 149,000 sf of local retail commercial use.

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2016

# BOYNTON BEACH

## *Community Redevelopment Plan*







# ***Boynton Beach Community Redevelopment Plan***



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***Adoption Date: October 4, 2016***

# *Executive Summary*

The City of Boynton Beach created the Boynton Beach Community Redevelopment Area and Agency in 1982 as a tool for the redevelopment of the downtown area. Through several expansions, the area has grown to its current size of 1,650 acres.

Until now, the redevelopment activities were guided by four different plans that overlapped and did not provide a focused vision for the entire CRA area. In August 2014, the City Commission and CRA Board held a Strategic Planning Initiative work session, out of which came a high priority recommendation to consolidate the existing plans with a comprehensive update that would reflect the changes in economic environment, the objectives, as well as the achievements of the previous efforts. There has been a consensus that, in spite of these significant achievements, the vision of a vibrant downtown with revitalized corridors has yet to be realized. The first phase of the consolidation—the analysis of the current conditions—confirmed this assessment and provided a base for the Plan’s recommendations.

The overarching goal of creating this comprehensive CRA Plan is to provide a clear and consistent vision for the CRA District and therefore predictability for new development and investment in the area. It effectively and clearly communicates the direction of the Community Redevelopment Agency and key redevelopment opportunities. It also covers areas of the CRA District that have not, in the past, had formally adopted plans.

## KEY FINDINGS OF THE EXISTING CONDITION ANALYSIS

The Existing Condition Report and the related research yielded the following findings:

### Population:

- A significant population growth is projected for the area by 2035: the current population of 12,000 is projected to grow by 52%, to about 18,200;
- There is a significant racial and ethnic diversity: the area’s profile shows approximately 52% Whites, 42% Blacks/African Americans and 12% Hispanics;
- There is a high share of the elderly: nearly one-fifth of all residents are 65 or older;
- The level of education is generally low: in most areas, less than 20% of population has a Bachelors’ degree;
- Median household income is low: below \$33,000 in much of the area, as compared to about

\$44,000 for the City as a whole and \$52,000 for the Palm Beach County.

#### Housing:

- Housing stock is old: some 60% of homes were built prior to 1971.
- Median values of homes in all categories are low: 78% of single-family homes and condominiums and 48% of townhomes have a taxable value below \$100 K.
- Housing ownership is low: at 56.1%, compared to 64% for the City as a whole and 70% for the Palm Beach County.
- Some 17% of homes are used only for seasonal, recreational or occasional purposes.

### KEY RECOMMENDATIONS

The CRA Plan is organized into six districts, identified according to their character, history, location and land use make-up: the Industrial Craft District, the Heart of Boynton District, the Cultural District, the Boynton Beach Boulevard District, the Downtown District and the Federal Highway District. Each district plan reflects a unique vision based on its role in the CRA. Achieving the vision and ultimate role of each district is facilitated by both general and specific recommendations involving topics ranging from the structure of the City's Future Land Use Classifications to the undergrounding of public utilities. Below are the three key recommendations that will have the greatest benefit to the redevelopment of the CRA.

#### Change in the Future Land Use Structure of the Comprehensive Plan

The Plan proposes changes to the existing future land use (FLU) and zoning structures as currently depicted on the City's Official Future Land Use and Zoning Maps. For example, the Mixed Use Core future land use classification currently allows a maximum density of 80 dus/acre, and the Mixed Use classification allows a maximum density of 40 dus/acre. The Plan proposes to establish a third mixed-use classification to fill this intensity gap. This action will facilitate a more appropriate transition in land use densities and intensities characteristic of the newly recognized Districts, and allow the establishment of secondary activity centers called nodes, to support redevelopment of Town Square, property at the future rail station and at Woolbright Road and Federal Highway.

#### Application of the Complete Streets design principles

The Plan proposes the redesign of most major streets within the CRA according to the Complete Streets design principles in order to implement the connectivity and walkability objectives of the Plan. Achieving this objective is critical to the Plan's success which depends on the interconnection of planning districts in a CRA that occupies over 1,600 acres consisting of all types of land uses and varying land use densities and intensities. By building complete streets throughout the CRA, the ideal circulation system will be established to accommodate residents, workers, commuters and visitors traveling within the downtown. These principles will be applied to both public improvements as well as private development to ensure that adequate space is secured to accommodate all components of a complete street including vehicle travel lanes at appropriate widths for the downtown, parking, bike lanes, the "pedestrian zone" and beautification.

## Urban Design Guidelines

The Plan recommends adoption of a comprehensive urban design framework to ensure that the built environment achieves the intended physical vision for the CRA – high quality buildings and vibrant, rich public realm, creating the places in which people will want to live, work and relax. The design guidelines will foster sustainable and predictable development in all districts while helping to realize the Plan’s vision for each. For example, to achieve the desired image and function of Ocean Avenue within the Cultural District, which will built upon its unique scale and ability to accommodate special events, the regulatory standards will address building heights, massing, setbacks and uses.

### MOVING FORWARD

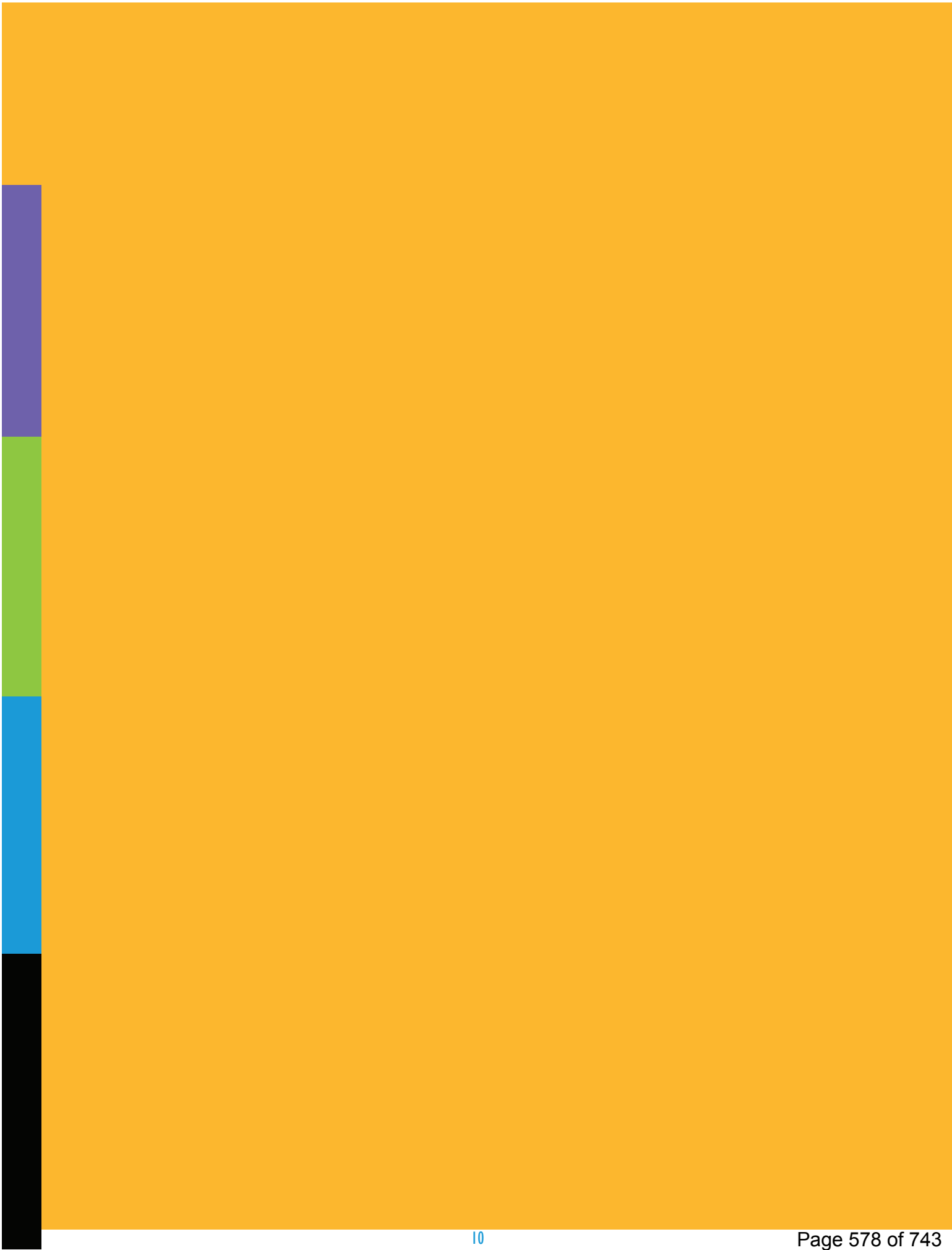
The 2016 Boynton Beach Community Redevelopment Plan will guide the community through the redevelopment of the CRA District for another twenty years. The Plan will be relied upon by staff and elected officials to guide policy recommendations and decisions regarding private development, public improvements and in formulating the annual CRA budget.





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# ***A. Introduction***

Updating the Vision  
Public Participation Process  
Planning Considerations and Strategies  
Organization of the Plan

## Updating the Vision

The Boynton Beach Community Redevelopment Area and Community Redevelopment Agency (both commonly referred to as the “CRA”) were established in 1982, and the area was incrementally expanded over a 16-year period to ultimately envelop approximately 1,650 acres (see location map on opposite page). With the incremental establishment of the CRA came the incremental preparation of redevelopment plans required to guide private development and support the funding and construction of public infrastructure improvements.

Chapter 163 Part III of the Florida Statute enables local governments to designate parts of their jurisdictions as Community Redevelopment Areas after a determination that “slum and blight” criteria have been met. Examples of conditions that can support the designation include, but are not limited to, the presence of substandard or inadequate structures, a shortage of affordable housing, inadequate infrastructure, insufficient roadways, and inadequate parking. To document that the required conditions exist, the local government must survey the proposed redevelopment area and prepare a Finding of Necessity. If the Finding of Necessity confirms the existence of such conditions, the local government may create a Community Redevelopment Area where the tools would be applied intended to foster and support redevelopment.

Pursuant to state law, the City of Boynton Beach approved Resolution 81-SS and therefore established the Community Redevelopment Agency to administer its programs and activities, and subsequently, through Resolution 82-KK declared the downtown area to be “blighted” and created the Community Redevelopment Area.

The boundaries of the originally-designated area, generally encompassing the Central Business District zoning district within the original downtown, were expanded in October of 1982, by Resolution 82-BBB. As per state requirement, the first redevelopment plan for “Downtown Boynton Beach” was adopted in 1984 by Ordinance 84-32.

Three more expansions were made to the CRA between 1984 and 1998, beginning with a small extension of the boundary in April of 1984 by approval of Resolution 84-II. More sizeable expansions of the CRA followed in 1987 and 1998. By Resolution No. 87-QQQ, the 1987 expansion included a 518-acre area bounded by the Boynton (C-16) Canal to the north, the Florida East Coast Railroad to the east, Ocean Avenue to the south and Interstate 95 to the west. The Plan for this area was adopted in December of 1989 by Ordinance 89-49. This area subsequently became referred to as the “Heart of Boynton”.

The 1998, and last expansion was approved by Ordinance 98-33 and extended the CRA area along Federal Highway (east of the FEC Railroad corridor) to both the north and south city limits. This expansion

also included the industrial area located on the northwest corner of Boynton Beach Boulevard and Interstate 95. These expansions were recommended by the “Boynton Beach 20/20 Redevelopment Master Plan.” This plan was completed in 1998 as a product of an American Assembly forum held to “chart a positive course for the City”. The scope of the plan included the entire area east of I-95; however, it emphasized the CRA, recognized the existing CRA plans, and recommended the expansion of the CRA to include the industrial area west of I-95, the Federal Highway corridor, and that portion of the municipal campus located south of Ocean Avenue.

Subsequent to 1998, the land area of the CRA has only been increased as a result of the City annexing unincorporated parcels and enclaves located at the south end of Federal Highway.

## Previous Redevelopment Plans

There were four adopted plans guiding redevelopment within the CRA and a draft plan for the Boynton Beach Boulevard corridor. The adopted plans included the Heart of Boynton Community Redevelopment Plan, the Federal Highway Corridor Community Redevelopment Plan, the Ocean District Community Redevelopment Plan and the Downtown Vision and Master Plan. The original downtown area that was evaluated in the 1984 Plan was first revisited in 1998 as part of the Visions 20/20 Master Plan and again by the Downtown Master Plan in 2009. Below is a brief overview of each plan.

- **The Heart of Boynton Plan** was adopted in 2001, and represented the first update of the original 1989 Plan. The 2001 Plan was prepared by a consultant team and involved extensive public participation, including five charrettes. In June of 2014 a City-CRA staff team completed an update of this Plan which was adopted by Ordinance 14-008. The staff team held a meeting with community stakeholders to obtain input on proposed redevelopment options. The plan included eleven recommendations, and emphasized the preservation of residential neighborhoods west of Seacrest Boulevard, and an increase in the intensity of development in selected areas east of Seacrest Boulevard. Recommendations relative to building form and design were minimal with attention limited to traditional design for commercial structures, and the architectural style adopted by the stakeholders, “Floribbean”, to recognize the historic style present in the area as well as the increase in Caribbean residents.

- **The 2001 Federal Highway Corridor Community Redevelopment Plan**, Plan was the first version of a Plan completed for a portion of the 1998 expansion to the CRA. This Plan was also originally prepared by a consultant, and was updated in June 2006 with a Plan completed by City staff. The plan divides the corridor into five planning areas and provides land use recommendations and strategies for each. The update made few changes to the original recommendations. Additionally, the original plan included market analyses supporting a convention hotel and additional retail and office space in the downtown area; however, the update did not readdress these topics to confirm feasibility. Although the current plan does not include an urban design and architecture section, the general recommendations call for the creation of development standards and design guidelines for bulk and building massing as well as for architectural themes. It should be noted that the plan generated the recommendations for mixed use zoning for redevelopment purposes, which culminated in the codification of the four mixed use zoning districts that are in effect today.

- **The Ocean District Community Redevelopment Plan** was created in-house by an urban designer-led planning team and adopted in February 2004. The plan features two alternative redevelopment scenarios for the District with corresponding detailed design recommendations. The plan’s main focus is the City-owned land which represents 40% of the Ocean District’s total area. This area is referred to as “Town Square”. The plan also includes design concepts for the areas along Boynton Beach Boulevard, Seacrest Boulevard and Ocean Avenue, as well as the area adjacent to the FEC Railroad tracks and the single- and multi-family neighborhoods situated north and south of Ocean Avenue.

The planning process included two in-house workshops and two public workshops for community stakeholders. Aside from the alternative designs, the plan includes four broad recommendations suggesting changes in land development regulations emphasizing signage, building design, and street furniture.

- **The Downtown Vision and Master Plan**, adopted in January 2009, included in its scope the original CRA as studied under the 1984 Plan. The planning process, led by a team of consultants, City and CRA staff, involved stakeholders and City residents and a series of public meetings and visioning charrettes. The Master Plan provides a strategic framework for implementation of goals through five priority action items named “Big Moves”. These include the Transit Oriented Development district, cultural and civic campuses anchored by government offices and services, neighborhood centers along Martin Luther



King, Jr. Boulevard and the Federal Highway gateway and linear park. The Plan emphasized urban design, but also considered regulatory assessment and economic and market factors. The Boynton Beach Boulevard Corridor Redevelopment Plan was drafted by a consultant team in 2004. Until 2004, the corridor only received attention as a subordinate part of the plan for the large 1987 CRA expansion, which understandably placed most emphasis on the extensive residential neighborhoods of this area, and the historic commercial corridor of Martin Luther King Jr. Boulevard. However, the draft plan closely examined existing land use patterns, development constraints of the corridor, recommended zoning, and urban design recommendations for optimal streetscape and residential compatibility. Redevelopment efforts have also been guided by three additional documents: the Urban Design Guidelines manual, adopted by the CRA Board in 2006, the 2005 Boynton Beach Community Redevelopment Agency Economic Development Plan and the 2006 CRA Housing Needs Assessment.

The CRA planning efforts have achieved notable improvements over the past 30 years. However, the outdated status of the redevelopment plans, and the incremental methodology that was used in the individual updates, reinforces the need for the Plans' consolidation and comprehensive revision. The previous approach, applied to consecutive expansions of the CRA, is being replaced with a methodology that facilitates the evaluation of the CRA as a whole. The new, comprehensive approach will use consistent framework, emphasizing interconnectivity and the relationship to focal points and nodes throughout the CRA. It will be based on common land use characteristics and unique attributes, tailoring land use intensities and densities accordingly.

This effort is intended to represent the vision for the entire area through a user-friendly plan, effectively and clearly communicating the direction of the Community Redevelopment Agency and key redevelopment opportunities.



Figure 1: Existing CRA Plans Areas





# Public Participation Process

In October of 2015, the effort to consolidate and update the existing Community Redevelopment Agency Plans commenced with a single draft land use plan ready to be presented to the public for input, questions and comments.

Since November of 2015, CRA and City staff held four (4) public workshops, of which the first three were targeted the general public; the fourth one, while open to the public at large, was specifically tailored for the audience of stakeholders, including developers, real estate professionals and business leaders.

While Workshop #1, held on November 7th, 2015, covered only two CRA districts (Cultural and Industrial) out of the six identified within the consolidated plan, the remaining three, held in 2016 on March 3rd, June 11th, and June 21st, presented an overview of all districts.

The proposed consolidated plan was also presented to the CRA Advisory Board on July 7th, and to the CRA Board on July 12th and July 21st.

During the workshops, “clicker” polling was used to provide instant feedback on a variety of questions. The participants were asked to respond to the proposed land use and zoning structure changes, connectivity and streetscape improvements, and scale and type of redevelopment. For further detailed polling results, see Appendix X.

The following is a record of attendees and their affiliations with the City.

- WORKSHOP #1: Attendance: 6 (polling of audience was not part of workshop itinerary)
- WORKSHOP #2: Attendance: 45, of which Live in City: 58%; Work in City: 8%; Work and Live in City: 21%
- WORKSHOP #3: Attendance: 115, of which Live in City: 56%; Work in City: 23%; Work and Live in City: 17%
- WORKSHOP #4: Attendance: 40, of which 38% Live or Work in City; 31% identify themselves as developers; 10% as planners or architects; 10% represent financial institutions; the remaining 21% are on the “other” category.

The proposed consolidated plan was also presented to the CRA Advisory Board on July 7th, July 21st, August 4th, and to CRA Board on July 12th and August 9th.



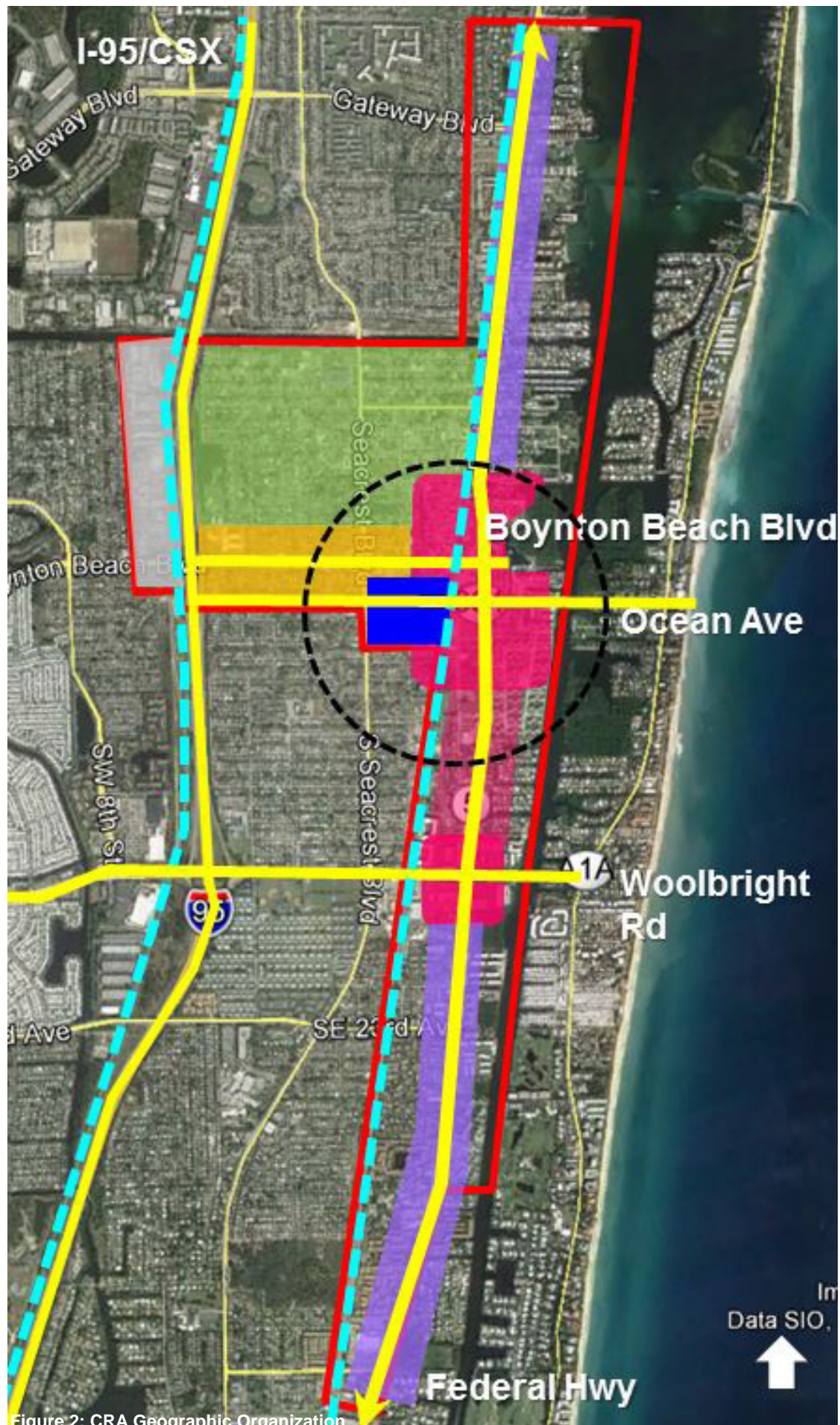


Figure 2: CRA Geographic Organization



# Planning Considerations and Strategies

The process used for the preparation of this Plan considered The Analysis of Existing Conditions (see Appendix No. 5), public input, existing redevelopment plans for the CRA, and growth characteristics. It also considered physical, market, and policy-related factors that have affected (or will affect) land use patterns and development characteristics, and land availability and real estate costs. A brief description of those factors, as well as corresponding strategies, is described below.

## Physical Factors

The principal physical factors affecting historical development patterns or limitations have been identified and include the linear configuration of the CRA; the emphasis on the automobile as indicated by the existence and capacity of two intersecting state roadways; confining and bifurcating boundaries to downtown growth including the F.E.C. Railroad right-of-way, the Intracoastal Waterway; and large tracts of land occupied by mangroves.

Boynton Beach originally had only a small downtown represented by low-intensity, minimal commercial land uses, constricted by abutting single-family neighborhoods, railroad right-of-way and heavy commercial uses. Additionally, the early demographics and historical role of the City in the region was a factor of it being predominantly a bedroom community for the working class and particularly those workers who built the early estates and hotels on the barrier island. A community of this nature did not support or warrant the development of a prominent commercial center and, particularly, the establishment of a notable main street necessary to support the natural evolution and growth or redevelopment of a downtown challenged to survive

during periods of recession and suburban flight. Without a substantial and notable built environment, the downtown lacked influential elements to anchor and guide future expansions.

Just beyond the immediate downtown area, as documented by The Federal Highway Corridor Community Redevelopment Plan, the impact of traffic characteristics of Federal Highway and shallow lot configuration has supported marginal commercial development including small “mom and pop” hotels. Particularly in the north end of the corridor, there has been a predominance of service businesses including automobile sales and repair, a car wash, and truck and trailer rental. Until recently, the Amerigas’ propane gas distribution facility was located in the downtown.



## Policy Factors

Two policy related factors considered while evaluating development opportunities and challenges in the downtown are the planned return of commuter rail service to the F.E.C. Railroad right-of-way and the approval by the County of the Transportation Concurrency Exception Area (TCEA) for a portion of the CRA.

The future Tri-Rail “Coastal Link” train system is planned to begin operating on the F.E.C. Railroad with passenger rail service between Miami and West Palm Beach. This program has the potential for significant benefits for Boynton Beach as it provides convenient access to the tri-county area through the coastal communities. Boynton Beach can offer the region another option for waterfront living - with marina facilities and oceanfront recreation amenities - in a small-scale environment without the congestion that is characteristic of Dade County, Ft. Lauderdale and West Palm Beach.

A significant portion of the CRA is under the Transportation Concurrency Exception Area (TCEA) designation. While the establishment of a TCEA exempts projects within the delineated area from the requirement of meeting the County traffic concurrency requirements, it also sets limits on the amount of development that will be allowed. In addition, there are requirements for periodic monitoring and specific actions to correct any negative effects the TCEA designation may have on mobility, such as establishing a local circulator system to augment the County’s public transit service. The designation overlays the Coastal Residential Exception area, which exempts all residential development east of I-95 from traffic concurrency.

The TCEA policies, as incorporated into the City’s and Palm Beach County’s Comprehensive Plans, set up 2025 development caps for a number of residential units as well as non-residential square footage. The maximum number of residential units was set at 8,050 units. As of the end of March, 2013, the number of units within TCEA was 4,225. The 2004 TCEA Justification Report provided the analysis of the development impacts on roadway links and intersections. Moreover, the Transportation Element’s Policy 2.1.6 states that

“any project utilizing the TCEA and significantly impacting the Florida Interstate Highway System (FIHS) shall be required to address these impacts as required by Palm Beach County.”

Pursuant to Comprehensive Plan policies, the City will monitor the number of approved dwelling units and comply with all the TCEA caps. Consequently, the CRA Plan must consider the proper allocation of land uses and densities to maintain the development allowance under the TCEA.

## Market Factors

Various factors related to consumer behavior must be considered and strategized to maximize the successful implementation of this Plan, including the establishment of appropriate and effective Land Development Regulations.

The commercial core located along the Congress Avenue corridor consists of a significant number of retail and restaurant uses and is anchored by a long-standing urban shopping mall and multi-screen movie complex. This area of Boynton Beach is the resource for most consumer shopping needs of locals as well as unincorporated residents and residents in nearby communities. The strongest business market is food service with extensive selection of restaurants, but also includes clothing, groceries, electronics, appliances, and sporting goods. With another one currently under construction, there will soon be 4 hotels either along or in close proximity to Congress Avenue. The vision and strategy for the Redevelopment Plan must acknowledge the value of, but not attempt to compete with the commercial resource along Congress Avenue.

The chief market factor is an ongoing shift of purchase from brick-and-mortar stores to the internet, which means a change in demand for retail space. Many of the retail players, including the brands traditionally established on Main Street, are facing increasing online competition and are being forced to downsize their footprints. At the same time, many are strengthening their internet capability, changing location and making adjustments to their inventory.

These changing consumer demand patterns must be considered when creating a vision for accommodating retail businesses in the downtown. Forcing excessive commercial space and/or forcing commercial space in the wrong locations can have a negative effect on the successful redevelopment of downtown.

## Strategies and Approach

The target strategies must address the limited supply of developable land, relatively high land costs, pedestrian-unfriendly corridors, potentially incompatible land uses, the lack of available quality space for retail and office uses necessary to support the establishment of a vibrant downtown and insufficient densities to support mass transit. Therefore, specific strategies to guide the development of this Plan include the following:

- Establish districts with common characteristics to promote identity and the creation of a sense of place;
- Identify potential activity centers (or “nodes”), and support appropriate densities and intensities of development including the necessary height provisions and incentives applicable to areas both inside and outside the TCEA in order to offset the lack of easily available land and high land costs in the immediate downtown area.
- Establish a retail land use base through the appropriate and limited concentration of such uses through the strategic allocation of mixed-use zoning districts and applicable regulations.
- Implement a complete street program to shift from an automobile-oriented environment to a multimodal the network.
- Continue conversion of the downtown to a more livable place through greenways and ecotrails, and optimal buffering of residential areas from commercial redevelopment.
- Implement Zoning and Land Development Regulations that capitalize on the planned operation of passenger rail service along the F.E.C. Railroad right-of-way including expansion of development incentives within the Downtown Transit Oriented Development District.
- Accentuate the valuable and unique resources along the eastern fringe of the City to create a complimentary environment that is inviting to

both residents and visitors.

- Reduce dependence on the automobile by accommodating basic goods and services, providing walkable streets and neighborhoods, and achieving efficient interconnectivity between the waterfront, activity nodes, and other places of interest.



# Organization of the Plan

The Plan's roadmap for implementing these strategies and meeting the challenges described above is set up in four sections: Vision and Goals, Frameworks, District Plans, and Implementation Guide.

## Framework

The Framework section of the Plan is further divided into two parts, Connectivity and Structure of Future Land Use and Zoning.

Connectivity. This section presents a comprehensive system of “complete streets” and other pathways that will unify the CRA area, improve multi-modal transportation, and support intensification of development.

A “complete street”, one of the main concepts driving the connectivity system, is a street designed to safely and efficiently accommodate access and travel for all users, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.

In addition to complete streets, the Plan's recommended connectivity system covers greenways, ecotrails and parks, and bicycle facilities. For each, there is a general description, a list of benefits they offer, and an explanation of where they are being proposed. The transit considerations emphasize the future commuter service on the FEC tracks and redevelopment within the Downtown Transit Oriented Development District.

Structure of future land use and zoning. This section describes significant recommended adjustments to both Future Land Use (FLU) classifications and the corresponding zoning districts for residential and mixed uses. These amendments are specifically tailored to address the land use recommendations and target zoning districts for each of the six proposed CRA districts.

## District Plans

Six individual districts were identified based, in part, on their character, history, location, land use make-up. These include:

- Boynton Beach Boulevard District, located along Boynton Beach Boulevard from I-95 to the FEC railroad tracks, bordered by West Ocean Avenue and NE 1st Avenue on its south side and NW/NE 3rd Avenue on its north;
- Cultural District, located along the Ocean Avenue Promenade from the FEC tracks west to S. Seacrest Boulevard, bordered by NE 1st Avenue to the north and SE 2nd Avenue to the south;

- Downtown District, generally located between NE 7th Avenue on the north, SE 12th Avenue on the south, the FEC tracks on the west; and the slightly jagged eastern boundary includes the Intracoastal Waterway and S. Federal Highway connected roughly in the center by Ocean Avenue, SE 6th Street, and SE 2nd Avenue;
- Federal Highway Corridor District (North and South), located along the corridor, with the Downtown District as a divider, they extend to the northernmost and southernmost sections of the CRA area. The south district contains two county-owned enclaves;
- Heart of Boynton District, located north of the Boynton Beach Boulevard District, between the FEC tracks and Interstate 95, with the C. Stanley Weaver (C-16) Canal as its northern border; and
- Industrial Crafts District, located west of I-95, extending from West Boynton Beach Boulevard north to the C. Stanley Weaver Canal.

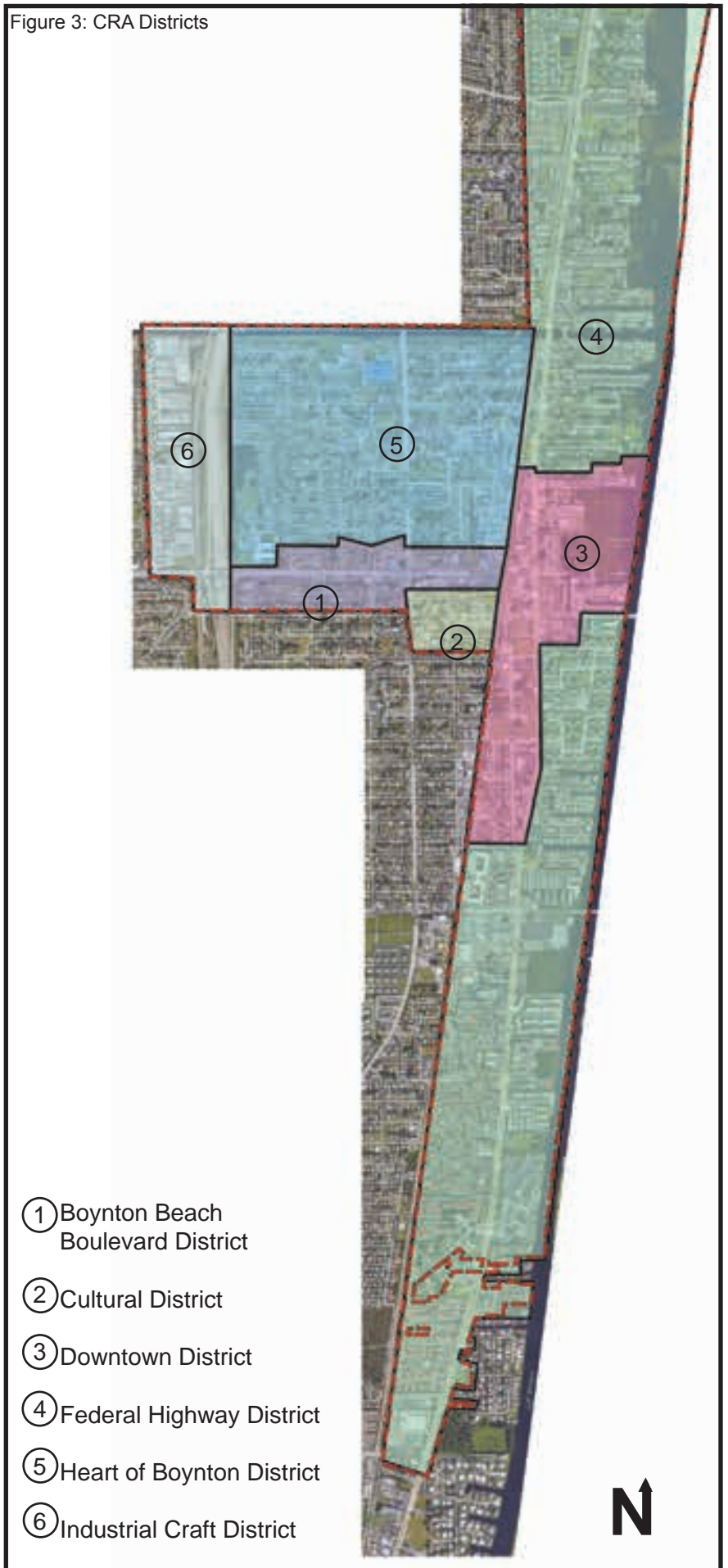
The six self-contained plans created for the districts have uniform format. After the introductory section, which includes the progress update (i.e. recent redevelopment projects and infrastructure upgrades), the plan proceeds to present the recommended streetscape improvements and land use changes (no land use or zoning changes are envisioned for the Industrial Crafts District), as well as infill and development/redevelopment opportunities. Each plan closes with a description of any applicable, recommended design guidelines.

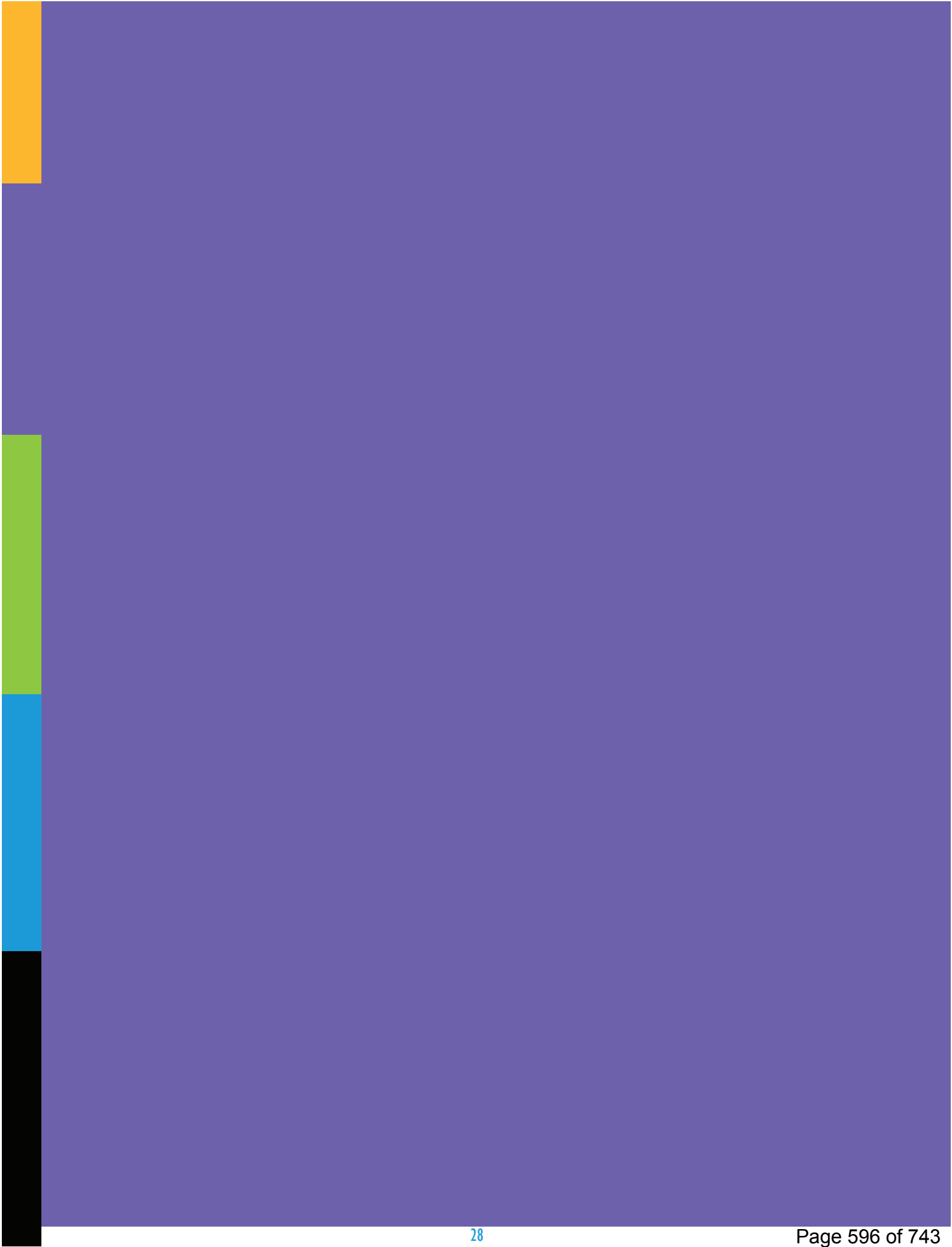
## Implementation Guide

The Implementation Guide is divided into three sections: Planning & Policy, Development & Capital Projects, and Initiatives & Programs. The first section, Planning & Policy, is focused on regulatory matters (e.g. incentives, fees and permitting), the audit of the Land Development Regulations (LDR) and corresponding amendments to the LDR. Next, the Development & Capital Projects section emphasizes site-specific land assembly and streetscape improvements. Lastly, the Initiatives & Programs section involves marketing, branding and signage as well as programmed events and promotions.



Figure 3: CRA Districts





## ***B. Vision and Goals***

Mission Statement  
The Vision  
Goals and Principles

## Mission Statement

*The mission of the Boynton Beach Community Redevelopment Agency (CRA) is to guide and stimulate redevelopment activities, support affordable housing, foster a stronger economy through small business funding programs and provide free special events that contribute to enhanced quality of life for all residents.*

# The Vision

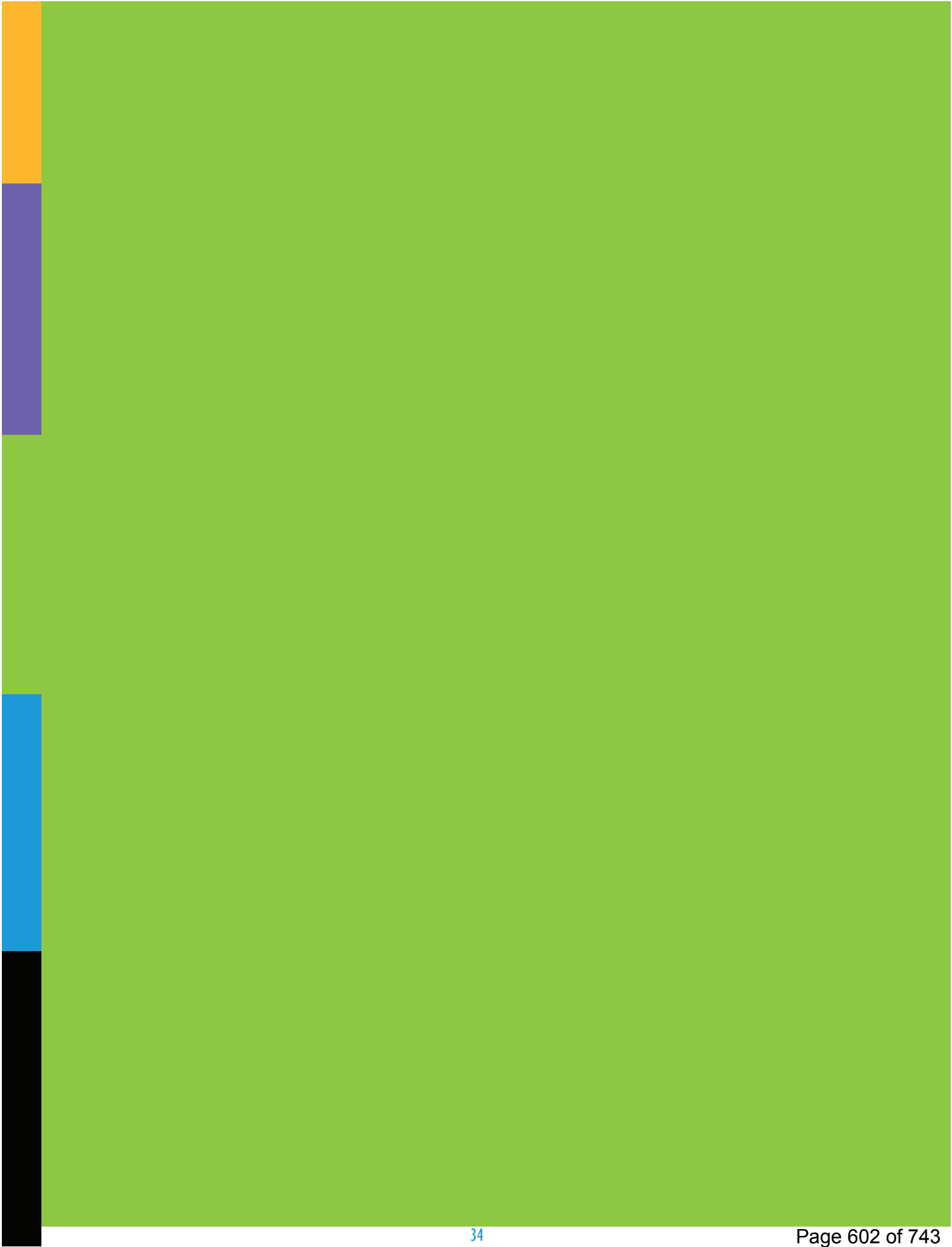
*The Vision of the Boynton Beach CRA Redevelopment Plan is to create a thriving city with a vibrant downtown and distinct districts. The vision includes unifying, connecting, and investing in sustainable, diverse neighborhoods that support strong local economy and enhance the quality of life for residents.*

## Goals and Principles

The CRA has identified a set of Goals which serve as the Planning Principles:

- Create a unique identity for the Districts drawing on elements such as its historic commercial marine industries, recreational amenities and cultural and public arts through special events, programs, projects and marketing.
- Create a balance of sustainable and functional land uses for each District as a base for District plans.
- Protect and enhance existing single-family neighborhoods.
- Encourage the expansion of existing businesses and seek to attract new ones through the use of incentives and technical assistance.
- Develop a coordinated signage program, including welcome signage, way-finding signage and street banners, that will identify and promote each District.
- Program and promote special events through available financial, staffing, marketing or other mechanisms.
- Create a comfortable, walkable and safe pedestrian-scale environment connecting residents and visitors to the commercial, social/cultural and recreational areas within each District.
- Create zoning and land use development regulations that support a diversity of mixed uses in the downtown area and adjacent planning areas including but not limited to residential, destination commercial, retail, restaurants, hotels, office, civic and recreational uses.
- Develop policies and strategies for providing adequate public parking areas within each District to support commercial and residential redevelopment such as but not limited to financial incentives, land acquisition and construction.

- Create/encourage/support land development regulations that provide alternatives to parking requirements.
- Encourage and assist existing development and redevelopment projects that provide employment and economic opportunities.
- Create programs, projects and funding which supports existing and new commercial development and act as a catalyst to leverage additional investment by private sector enterprise such as, but not limited to, economic incentives for rehabilitation or construction activities, development costs or infrastructure improvements.
- Provide programs that market and promote the businesses, activities, special events, development and redevelopment opportunities and projects within each District.
- Pursue development and redevelopment projects, actively engage in land acquisition and disposal, environmental and economic viability studies, building demolition and construction, site and infrastructure improvements, and project design and construction.
- Create, improve and promote the public waterfront areas and public open spaces, parks, greenways, blueways and bikeways.
- Encourage and incentivize the improvement, development and implementation of streetscape enhancements within the Districts, including landscaping, street furniture and hardscape features, signage, pedestrian safety and walkability/connectivity, crosswalk treatments and lighting elements.
- Encourage the preservation of existing affordable housing and the development of new affordable housing by providing technical assistance, incentives and land.
- Encourage the preservation of the commercial and recreational marine industries operating within the CRA, such as, but not limited to, the Boynton Harbor Marina District, by financial investment, physical improvements, special events, marketing and promotional activities.
- Encourage the preservation of the existing public waterfront access areas and—wherever feasible—provide for the addition of new public waterfront access through acquisition, easements or other means available to the Agency.
- Encourage and initiate various innovative community policing techniques and programs, code enforcement, “clean and safe” programs and policies, and other means deemed feasible and appropriate in order to stabilize and enhance neighborhoods and commercial areas.





# *C. Frameworks*

Connectivity Plan  
Land Use & Zoning



# Connectivity Plan

The CRA is directly accessed by Interstate 95 via Boynton Beach Boulevard and a US-1 (a.k.a. Federal Highway). Being dissected by these two State roads, and situated generally between a major freeway and popular marina and oceanfront recreation amenities, the downtown has considerable exposure from local and regional traffic. However, the historic emphasis on accommodating the automobile prevails today, as well as the environment commonly associated with road rights-of-way devoted to wide travel lanes, extensive center turn lanes, minimal sidewalk widths, landscaping, and a deficient and segmented bikeway system.

Using the Complete Streets design concept as a guide, this Plan will support existing efforts to promote alternative modes of travel within the downtown area, as well as fill voids in the system which, in part, may be the result of the previous incremental redevelopment efforts. What have been individual plans and unrelated planning areas throughout the CRA, will become one document unified with a mobility plan comprised of Complete Streets and a planned-out bicycle and pedestrian network. This plan will ensure optimal linkages for residents, employees and visitors, to existing and future activity nodes consisting of the train station and transit area, business and shopping centers, event venues, and recreation amenities interspersed throughout the area.

## Complete Streets

The “Complete Streets” program originated from The National Complete Streets Coalition, a program of Smart Growth America, during a collaborative effort in 2003 to expand a transportation planning initiative beyond bicycle integration. The non-profit alliance of public interest organizations and transportation professionals started this official nationwide movement to integrate people and place in the planning, design, construction, operation, and maintenance of transportation networks. The program promotes policies for various agencies that are responsible for the transportation planning to ensure that streets are routinely designed and operated to enable safe access for all users, regardless of age, ability, or mode of transportation. This means that every transportation project will contribute toward making a city a better place to live.

The Complete Streets initiative for the downtown area is a critical component of the plan that connects a large and linear CRA, involves greater emphasis on densities, intensities, and land uses that support mass transit and, in particular, the commuter rail service on the F.E.C Railroad. To encourage people to get out of their vehicles and use alternative modes of travel such as walking, biking, and transit, there must be safe and esthetic routes.

The following streets represent the principal elements of the roadway network within the CRA and are therefore recommended to ultimately be designed as Complete Streets:

- **Boynton Beach Boulevard** consists of maximized vehicle travel lane widths, minimal bike lane width, narrow sidewalks, minimal separation between the travel lanes and the pedestrian way, and frequent intersections and driveway openings without design and markings for pedestrian safety. This road is the main entrance into the downtown area connecting the CRA to the greater region and the western communities. As indicated above, it is the link for local and regional patrons to ocean amenities whether for active recreation and sport such as fishing, diving and snorkeling, or for passive use of the miles of beachfront parks.
  - **Federal Highway** is the main north-south entry into the CRA, providing access to the downtown and future passenger rail station. Although it is unlikely that the entire length would be traversed on foot on a regular basis, it is a rather short distance to bike. Federal Highway currently has three different retail hubs, and waterfront parks that should be easily accessible by the pedestrian and bicyclist originating from either the east or west sides of Federal Highway. Federal Highway is also one of the main bus routes in the County, with numerous bus stops scattered throughout the CRA. "Walkability" should be the priority in both public and private improvements to maximize access to these bus stops, as well as local resources such as the Walmart grocery store at Gulfstream Boulevard, the shopping node located at the Woolbright Road intersection, and the downtown area at the intersection with Boynton Beach Boulevard. The valuable waterfront parks are conveniently located at the northern middle and southern sections of the corridor, thereby minimizing travel distances for local residents and facilitating the opportunity to bike or walk to these amenities or corresponding special events. Similar to the recommendation for Boynton Beach Boulevard, wide sidewalks and greater separation from the vehicle travel lanes should be a priority. Separation should be accomplished by landscaping, on-street parking and bike lanes along this roadway. Plant selection and landscaping design should emphasize canopy trees where feasible to maximize shading for the pedestrian. Also, the ultimate redesign of this road should include one of more cross-walks to facilitate safe north-south movement west and east of Seacrest Boulevard. To achieve the ideal complete street, dedication of private property may be necessary, which would be timed with private redevelopment projects.
- Furthermore, the vision for the corridor includes greater retail intensity combined with residential land uses in low-rise mixed-use developments. Traffic speeds should be calmed, and pedestrians better accommodated. Wide sidewalks and greater separation from the vehicle travel lanes should be a priority. Separation can be accomplished by landscaping, on-street parking and wider bike lanes along this roadway. Plant selection and landscaping design should emphasize canopy trees where feasible to maximize shading for the pedestrian. Also, the ultimate redesign of this road should include one of more cross-walks to facilitate safe north-south movement west and east of Seacrest Boulevard. To achieve the ideal complete street, dedication of private property may be necessary, which would be timed with private redevelopment projects.



Figure 4: Complete Street Example

- **Ocean Avenue** is unique to the downtown roadway network as it has segments designated with different classifications and under different jurisdictions. One segment (located west of the F.E.C. Railroad tracks) is primarily used by local residents and patrons of the civic uses such as the Children's Museum, Civic Center, Library and the Arts Center. This segment has a 25 mph speed limit, frequent 4-way intersections, on-street parking, and relatively low-scale development. The segment east of Federal Highway changes in purpose, becoming an access route to, and emergency evacuation route from the barrier island. This segment of Ocean Avenue is under State jurisdiction and provides access to a downtown node consisting of the CRA's marina and waterfront park, the Marina Village development, and waterfront restaurants. Also adjacent to this commercial center is the City's Boynton Beach Promenade and Mangrove Park with its boardwalk path through the mangroves to the Intracoastal

Waterway. This area is anticipated to grow in popularity by the natural attraction to the waterfront, the waterfront restaurants and businesses and the park amenities.

Ocean Avenue has an important role in the CRA plan given its quaint charm and connection between the Cultural District and Town Square (civic campus), and the Downtown District. Given its characteristics and relationship to the civic uses, it will continue to serve as a venue for existing and future special events which uses the entire right-of-way in street-festival fashion to accommodate the patrons.

- **Seacrest Boulevard** is a north-south county collector street that dissects the Heart of Boynton District and MLK Jr. Boulevard, represents the western border of Town Square, and separates the large single-family neighborhoods from the civic campus, recreation areas, and the downtown. This road is flanked by, and connects various public, private and institutional uses such as various churches, Poinciana Elementary School, Sara Sims Park and nearby Wilson Park/Denson Pool, one of the City's largest employers (Bethesda Hospital) and City Hall. Historically, the role of this road in the area's roadway network has been a collector street extending south into the City of Delray Beach and north into the Town of Lantana. The design places a greater priority on the motor vehicle and the terminating destinations, than on the pedestrian, bicyclist, and abutting residential neighborhoods. Although streetscape improvements to a portion of the northern segment of Seacrest Boulevard were completed in 2015, the improvements excluded an increase in the sidewalk widths and the expansion of bike lanes, mostly due to the limits of the existing right-of-way and the County's design standards. Given the location within the redevelopment area the abutting land uses including substantial single-family neighborhoods, traffic calming and pedestrian circulation should be a priority in future public infrastructure improvements and in the design of private development.
- **Woolbright Road** is a county collector street serving as a second major linkage between I-95 and Seacrest Boulevard, the activity node at the intersection with Federal Highway, and waterfront land uses and amenities. Although mostly located outside of the CRA, it is a principal connector road within the network, a second entrance into the CRA and the downtown. Similar to segments of Boynton Beach Boulevard, Woolbright Road consists of wide vehicle lanes, an uninterrupted center turn lane, minimal landscaping and no shading for the pedestrian. Despite the fact that the road separates a large single-family neighborhood to the north from a recreation area to the south, it has no direct pedestrian crossings or bike paths, and there is much room for improving the aesthetics of this second access into the CRA.
- **Gateway Boulevard** is the last of the streets recommended to ultimately become "Complete Streets", and is included given its proximity to the CRA and role in the circulation system in the City. Although only a short segment of it is within the CRA it serves as a main access route from I-95 to the north end of the CRA, and connects residential neighborhoods in this northern area to a potential future hub of convenience stores to serve local needs. The F.E.C. Railroad crossing represents a challenge to providing optimal pedestrian access along this short segment of Gateway Boulevard.



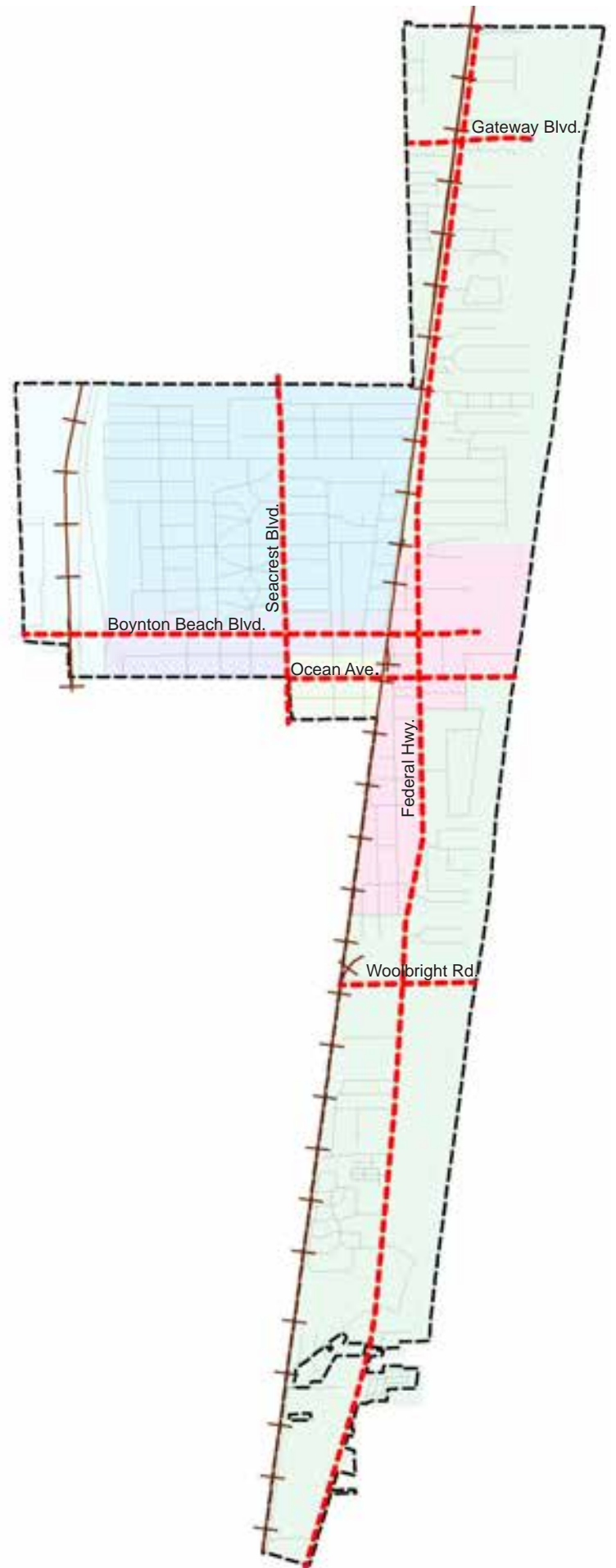


Figure 5: Recommended Complete Streets

## Greenways, Ecotrails & Parks

Greenways and ecotrails represent enhanced public walkways intended to serve as a buffer (or transition) between land use categories, or provide a connection for the pedestrian between parks and conservation areas within the CRA. Depending on the purpose, such walkways could be defined by decorative buffer walls, natural landscaping and dense tree canopies, meandering paths, accentuated cross-walks, way-finding signage, and other public amenities such as covered areas and benches.

Many of the City's natural areas and parks are "off the beaten path" and therefore may not be realized by residents and visitors. Such a walkway or trail system raises awareness of, and increases accessibility to these attractions within the CRA. As described above, they are also used to simultaneously provide a buffer or transition from commercial areas or areas of higher density residential land uses to abutting low density residential neighborhoods.

Consistent with the City's Greenways, Blueways, and Trails Plan completed in 2015, this Plan highlights and recommends segments from this city-wide trails plan to increase access to and through the Mangrove Park, the Boynton Beach Marina and waterfront area, Pence Park, Sara Simms Park, Wilson Park, Palmetto Greens Park, and Barton Greenway.

A pedestrian greenway is recommended for the north side of Northwest 1st Avenue, to promote redevelopment of the full block along the south side of Boynton Beach Boulevard while buffering the single-family neighborhood to the south.



Figure 6: Greenway Example



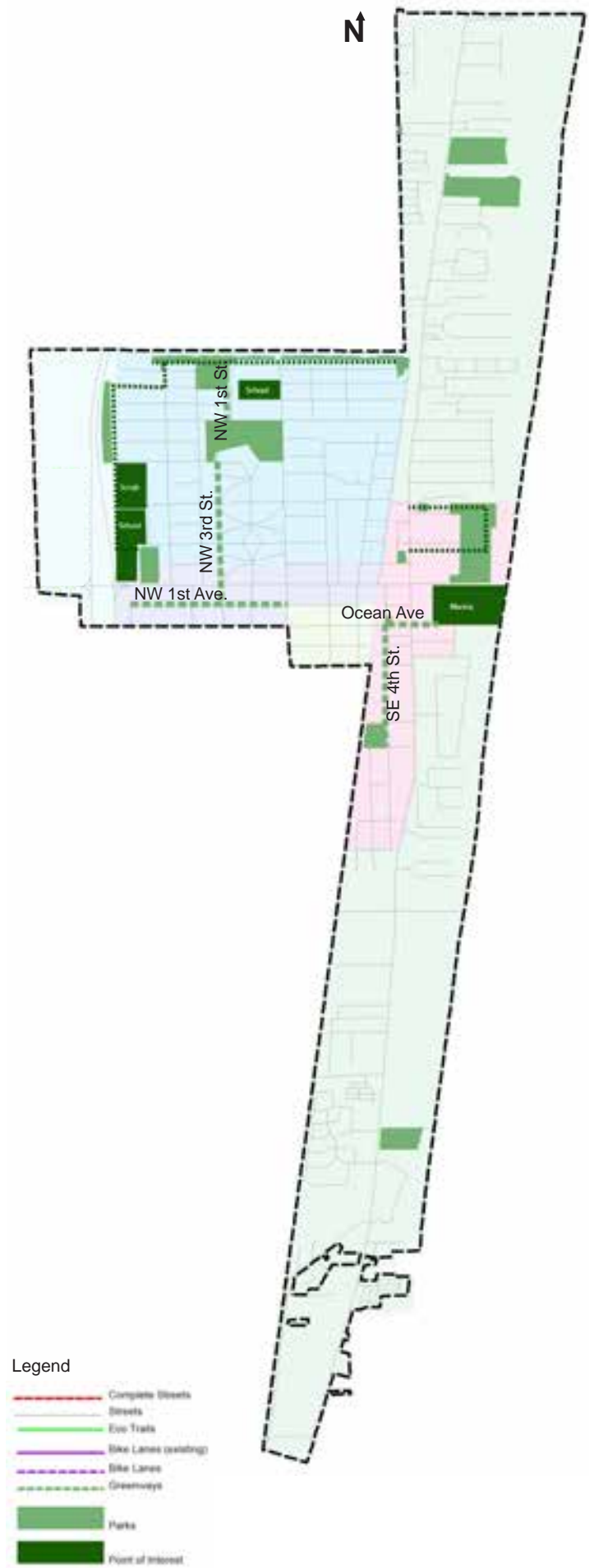


Figure 7: Recommended Greenways & EcoTrails

## Bicycle

With the convenience and low cost of using a bicycle, the increasing availability of bike accommodations throughout the area, the bike accident data and reputation of our streets for being unsafe to bicyclists, bike paths and lanes are basic components of most transportation planning systems and an important part of the connectivity element of this Plan. Most all of the County's Palm Tran system accommodates bikes, and the local commuter train Tri-Rail has dedicated bike storage systems both on the trains and at the stations (most areas are covered or even include enclosed lockers).

Bike accommodations can take the form of on-street bike lanes or shared paths within rights-of-way, or dedicated or shared paths located apart from the public roadway network. As referenced above under Greenways, Ecotrails & Parks, components from the City's Greenways, Blueways and Trails Plan have been emphasized in this Plan to further the connectivity objective, while supporting a more sustainable mode of travel and promoting recreation and healthier living.

In addition to providing direct access to or within the points of interest shown on the corresponding exhibit, bike lanes or paths should be added to and/or maintained or improved on Federal Highway, Boynton Beach Boulevard, Seacrest Boulevard, Woolbright Road, Ocean Avenue, NW 2nd Street, SE 4th Street, and NW 4th Avenue.



Figure 8: Bike Lane Marking Example



Figure 9: Recommended Bike Lanes

The CRA is currently served directly by the Palm Tran System, providing bus transit services with both a fixed route program and a door-to-door paratransit program for the disadvantaged resident and guest. Palm Tran Route #70 follows Seacrest Boulevard with numerous bus stops in the Heart of Boynton; it is an important link between the downtown and the Tri Rail Station located just west of I-95 near Gateway Boulevard. Palm Tran Route #73 primarily traverses Boynton Beach Boulevard from downtown west to Bethesda Hospital West at SR 441 and includes a direct stop at the Boynton Beach Mall. Lastly, Route #1 extends along Federal Highway and terminates at the Gardens Mall in Palm Beach Gardens, and south of Palmetto Park Road in Boca Raton. All three (3) bus routes travel through the City's Downtown Transit Oriented Development (TOD) District and would provide direct access to, or are located within a short walking distance to the planned passenger rail station near Boynton Beach Boulevard and NE 4th Street.

As indicated above, Route #70 provides the link for the downtown to regional commuter rail transit provided by Tri-Rail, which operates on a shared railroad that parallels I-95 through the tri-county area; provides stops within Palm Beach, Broward and Dade Counties; and connects with Amtrak and Metro Rail in Miami. Tri-Rail provides access to major employment centers and educational institutions within the tri-county area as well as all three major airports within the region.

There are future changes on the horizon in transit options for downtown Boynton Beach, which the City has been planning for since it became certain that Tri-Rail services would be expanded to the F.E.C. Railroad. The

F.E.C. Railroad is a historic rail line originally built and operated for passenger service until discontinued in 1968. It traverses the coastal communities along the coast of Florida, closely paralleling Federal Highway within the region. This new service is currently planned to be phased in, starting with service in Miami, followed by phasing in the additional northern stops as justified by demand. Based on demand being a factor of population density and employment, the City began planning for a downtown station with the Transit Oriented Development (TOD) Study; establishment of the Downtown Transit Oriented Development District; and adoption of the initial TOD zoning provisions with density bonus incentives and a minimum density standard. These provisions apply within the Downtown TOD (a.k.a. "Station Area"), which is defined as the area within a one-half mile radius around the future station stop planned for the intersection of Boynton Beach Boulevard and NE 4th Street.

It is important to prioritize the need to improve land development patterns in advance of station development for several reasons: (1) transit-oriented development (TOD) improves ridership for transit service, thereby increasing efficiency; (2) transit service increases access to station areas, thereby increasing potential for higher intensity and density land development; (3) TOD equally accommodates all modes of transportation (car as well as pedestrian, bicycle, and transit), further increasing access to station areas and potential for increased development capacity; and (4) TOD encourages a park-once environment, which reduces vehicular demand on the roadway network and carbon emissions. Furthermore, federal funding for transit projects such as the Tri-Rail Coastal Link are highly contingent upon existing and projected TOD patterns around station areas such as the City's planned rail station. Cities that adopt TOD plans and codes ahead of the planned service help improve the competitiveness of the City for a train stop.



The most significant features of a TOD are (1) increased density and intensity of development, with minimum levels of development recommended by FDOT; (2) walkability and interconnectivity throughout the area; and (3) mix of uses appropriate to the service and area. In July of 2013, the City adopted provisions for TOD and the corresponding standards within the mixed use zoning regulations, including the minimum density standards for mixed use districts within the Transit Core, defined as a ¼ mile radius around the future station.

### Recommendations

- Prepare a Complete Streets program for the targeted streets within the CRA to guide the ultimate redesign and or incremental improvements to implement the connectivity and walkability objectives of the plan.
- Require the completion of all missing sidewalk segments within the CRA and adjoining areas in conjunction with private development or redevelopment, and public improvements.
- Require that development design establish a pedestrian zone along the rights-of-way, tailored per roadway type and anticipated land use.
- Require that streetscape landscape design and species selection emphasize the pedestrian way with optimal location and maximized shading.
- Ensure the completion of greenways through necessary dedications and physical improvements required in conjunction with private and public development.
- Consider the opportunity to promote downtown events in appropriate areas through the use of Festive Street design.
- Consider LDRs that will ensure the installment of the greenway as a condition of rezoning for full block commercial/mixed-use redevelopment of the Boynton Beach Boulevard Corridor.
- To ensure optimal bus stop locations and design, coordinate with Palm Tran as part of the development review process, and consider additional LDRs that require related improvements concurrent with development and redevelopment throughout the CRA.



# Land Use & Zoning

## Recommendations for Changes to Future Land Use and Zoning Structure

The land use recommendations constitute the bedrock of a community redevelopment plan. The Plan proposes to initiate changes to the existing future land use (FLU) and zoning patterns as currently depicted on the City's official Future Land Use and Zoning Maps. Site specific changes will be facilitated and supported by significant adjustment to the future land use and zoning structure, through modifications of both FLU classifications and the corresponding zoning districts for residential and mixed uses. As shown in Table 1 and 2 below, the Plan recommends elimination of several categories and creation of new ones for both future land use and zoning, as well as modifications of the density caps:

| EXISTING FLU                    | DENSITY<br>DU/ACRE | RECOMMENDED FLU             | DENSITY<br>DU/ACRE | CHANGE  |
|---------------------------------|--------------------|-----------------------------|--------------------|---|
| RESIDENTIAL CLASSIFICATIONS     |                    |                             |                    |   |
| Low Density (LDR)               | 5                  | Low Density (LDR)           | 7.5                | Merged into one category                          |
| Moderate Density (MODR)         | 7.5                |                             |                    |   |
| Medium Density (MEDR)           | 10                 | Medium Density (MEDR)       | 11                 | Merged into one category                          |
| High Density (HDR)              | 11                 |                             |                    |   |
| Special High Density (SHDR)     | 20                 | High Density (HDR)          | 15                 | Create a new HDR; SHDR remains                    |
|                                 |                    | Special High Density (SHDR) | 20                 |   |
| URBAN MIXED USE CLASSIFICATIONS |                    |                             |                    |   |
| Mixed Use (MX)                  | n/a                | Mixed Use Low               | 20                 | NEW FLU   |
|                                 | 40                 | Mixed Use Medium            | 50                 | Increased Density                                 |
| Mixed Use Core (MX-C)           | 80                 | Mixed Use High              | 80                 | Renamed. Corresponds with previous Mixed Use Core |

Table 1: Proposed Changes to the Future Land Use (FLU) Classifications

The recommended changes to the existing future land use classifications include a corresponding set of proposed changes to the zoning structure, shown in Table 2.

| RECOMMENDED LAND USE        | DENSITY DU/ACRE | ZONING DISTRICTS                      | DENSITY CAPS | MAX HEIGHT        | CHANGE TO ZONING DISTRICTS   |
|-----------------------------|-----------------|---------------------------------------|--------------|-------------------|--|
| <b>RESIDENTIAL</b>          |                 |                                       |              |                   |  |
| Low Density (LDR)           | 7.5             | R1-AAA, R1-AAB, R1-AA, R-1A, R-1, PUD | 5 TO 7.5     | 30' (2 stories)   | Merged zoning districts corresponding to existing LDR and MODR FLU categories  |
| Medium Density (MEDR)       | 11              | R2                                    | 10           | 30' (2 stories)   | Corresponding to the existing MEDR   |
|                             |                 | R3, PUD, IPUD                         | 11           | 45' (4 stories)   | Previously under the HDR FLU   |
| High Density (HDR)          | 15              | R-4, IPUD, PUD                        | 15           | 45' (4 stories)   | <b>NEW</b> district R-4  |
| Special High Density (SHDR) | 20              | IPUD, PUD                             | 20           | 45' (4 stories)   | No change  |
| <b>URBAN MIXED USE</b>      |                 |                                       |              |                   |  |
| Mixed Use Low               | 20              | MU-1                                  | 20           | 45' (4 stories)   | Density and height same as the MUL-1 zoning district under the existing MX FLU |
| Mixed Use Medium            | 50              | MU-2                                  | 40           | 65' (6 stories)   | <b>Increased density:</b> existing MUL-2 under MX FLU at 30 du/acre            |
|                             |                 | MU-3                                  | 50           | 75' (7 stories)   | <b>NEW</b> district  |
| Mixed Use High              | 80              | MU-4                                  | 60           | 100' (10 stories) | <b>NEW</b> district  |
|                             |                 | MU Core                               | 80           | 150' (15 stories) | <b>Renamed</b> district. Corresponds with previous MU-H.                       |

Table 2: Land Use Structure and Corresponding Zoning

The recommendations emphasize mixed use for development and redevelopment, which are intended to play a major role in the ongoing revitalization of the CRA area, encouraging high quality design by providing both greater flexibility and more control.

Key recommended changes to the mixed use classifications and zoning districts include:

- Transition from two to three future land use classifications, and from four to five urban mixed use zoning districts. A steep increase in density and height caps between the Mixed Use and the Mixed Use Core classifications within the existing structure—from 40 DU/Acre to 80 DU/Acre and from 75 feet to 150 feet—makes for a gap that hinders future creation of a desired urban form and urban identity for the Downtown and adjacent districts of the CRA. There is no zoning district within the Mixed Use Core classification that would bridge the 40 DU/Acre density gap, and the existing



supplemental regulations created to address the vast difference in scale for potential proximity of developments under the Mixed Use and Mixed Use Core classifications are inadequate.

- Replacing of the Mixed Use future land use classification with Mixed Use Medium land use, classification and introducing new zoning district, MU-4 (under the Mixed Use High category) with intermediate density thresholds. The density caps for the new FLU classification and the new zoning district—50 DU/Acre and 60 DU/Acre, respectively—have been established specifically to support the appropriate continuum of scale, addressing the described above density gap.

Key Recommended changes to the **residential classifications** include:

- Merging of the two lowest density residential classifications into a single classification named Low Density Residential Future Land Use Classification (LDR), with the maximum allowable density of 7.5 dwelling units per acre. The existing zoning designations remain and will act to limit densities in neighborhoods developed with densities below 7.5 DU/Acre. This change contributes to “house cleaning,” eliminating a City-wide inconsistency whereby a significant number of residential areas classified as Low Density Residential—for example, areas west of Seacrest Boulevard in the Heart of Boynton district—carry zoning designations corresponding to the Moderate Density future land use category.
- Merging of the Medium Density Residential and High Density Residential future land use classifications into a single classification named Medium Density Residential Classification with a maximum allowable density of 11 dwelling units per acre. The corresponding zoning designations are also merged and now include R-2, R-3, IPUD and PUD will remain unchanged. It is currently under the High Density Residential category. Simply stated, this change merges two land use classifications with closely matching density caps (10 units per acre and 11 units per acre).
- Creation of a new High Density Residential future land use classification with a maximum density of 15 dwelling units per acre. A new multifamily zoning district, R-4, is proposed for this category.

The Special High Density (SHDR) classification remains as is. This classification, limited to the CRA area, does not allow commercial uses except for marine-oriented and water-dependent uses in conjunction with the Palm Beach County Manatee Protection Plan. Its maximum density of 20 DU/Acre is the same as the maximum residential density of the new Mixed Use Low future land use classification. Even though the latter does not necessarily require inclusion of commercial uses, maintaining a SHDR as a residential-only classification (except as stated above) is important as it may be more appropriate than Mixed Use Low for certain locations. Further, significant amount of land within the CRA has already been developed under SHDR classification with the IPUD zoning.

Aside from the CRA area, for which they are intended, the changes will eventually have a City-wide benefit for future redevelopment.



## ***D. District Plans***

Boynton Beach Boulevard District

Cultural District

Downtown District

Federal Highway District

Heart of Boynton District

Industrial Craft District





# ***Boynton Beach Boulevard District***

Introduction  
Planning Challenges  
Planning Considerations  
The Vision  
Recommendations

## Introduction

Currently there is no adopted plan for the Boynton Beach Boulevard corridor. There were public workshops held in 2005 to discuss the vision for the corridor, and many of the recommendations from those workshops are incorporated into this plan. There has been little redevelopment progress along the corridor at the scale envisioned by this Plan due to lack of developable parcels, no clear development vision and little to no public investment.

The CRA invested in a public parking lot in 2015 to serve the future downtown growth. The Agency is currently in the planning phase for improvements to Boynton Beach Boulevard.

The Boynton Beach Boulevard District consists of the Boynton Beach Boulevard corridor between I-95 and the FEC Railway. The District extends north to N.E. 3rd Avenue and south to W. Ocean Avenue (west of Seacrest Boulevard) and N.E. 1st Avenue (East of Seacrest Boulevard).

This area is the main entry into the downtown from the I-95 exit and will therefore establish the first impression that visitors and many residents have of the City. The district also provides easy access to the City's public beach, the Boynton Harbor Marina, City Hall, the Children's Schoolhouse Museum and the Library.

The areas directly north and south of the District are predominately large single-family neighborhoods. There is no buffer between the commercial uses fronting the corridor and residential uses which has held back property values in these neighborhoods.

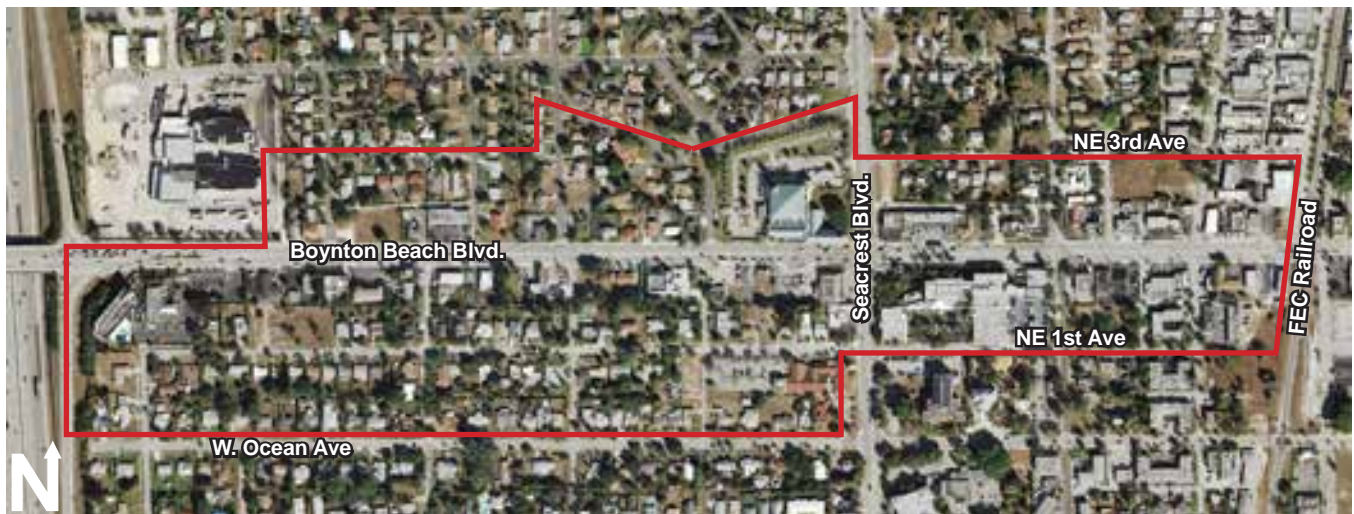


Figure 10: Boynton Beach District Location Map

## Planning Challenges

As the City's population grew, Boynton Beach Boulevard was widened to five lanes thereby accommodating higher traffic speeds and higher traffic volume, while lowering the aesthetic quality of the corridor. Additionally, commercial zoning only extends one-half block deep from Boynton Beach Boulevard which represents insufficient land necessary to support the land

assembly and redevelopment for viable commercial uses. As a consequence, business activity along the corridor has primarily consisted of minimal conversion of single-family houses to commercial uses rather than redevelopment at the scale envisioned for this Plan. Nearly all of the parking for the businesses along the Boulevard is





in front of the buildings meaning that in many cases, cars have to back out into traffic. There are numerous curb cuts for each commercial use along the corridor leaving little room for landscape improvements and the pedestrian zone.

Due to the widening of the Boynton Beach Boulevard over the years, vehicular use has been emphasized over pedestrian or bike use. Under the current configuration of the roadway, there is insufficient right-of-way for landscaping, wider sidewalks, bike lanes, bus shelters and street furniture. Recently large utility poles were installed on the south side of the Boulevard adding to the visual blight of the corridor. There are only three signalized intersections that have formal pedestrian crossing zones. Pedestrians must walk several blocks in order to cross the Boulevard.

There are no destinations along the corridor to attract the interest of visitors or residents other than City Hall, the Public Library, and the Post Office. The majority of the businesses belong to the small service industry with few employees. The buildings are outdated, being constructed from the 1930's to the 1970's. The majority of the buildings are for single-tenant/use with no cross-access for pedestrian or vehicular circulation purposes or for sharing of parking resources. Additionally, there are no large parcels ready for redevelopment thereby requiring land assemblage and willing sellers.

City Hall is located along Boynton Beach Boulevard but is envisioned to be relocated into the Cultural District as part of the Town Square project. City Hall and the other civic uses occupy 3.71 acres and offer an opportunity for a public-private partnership to facilitate a catalyst for redevelopment within the District.



Figure 11: Examples of Districts Planning Challenges





## Planning Considerations

Several factors were considered in determining the land use designations for the Boynton Beach Boulevard District. Just east along the District is the location of the future site of the Tri-Rail Coastal Link commuter service on the FEC Rail line, which will serve the South Florida metropolitan region. To improve land development patterns in advance of station development, the City adopted a Downtown Transit Oriented Development District (DTOD), covering a ½ mile radius around the planned station. The DTOD district regulations support increased intensity of development through a 25% density bonus. The Boynton Beach Boulevard District and DTOD district overlap; only the area from I-95 to (approximately) N.W. 2nd Street is not included within the DTOD District.

A second consideration is that the Boynton Beach Boulevard District is entirely enclosed within the Transportation Concurrency Exception Area (TCEA) which, in addition to the residential exception area applicable east of I-95, exempts all development from the Palm Beach County traffic concurrency thus allowing denser development.

The Plan recommends that the higher density and height occur within this District where both the TCEA and the TOD overlap.

## NW 1st Avenue Historic District:

The potential NW 1st Avenue historic district contains thirteen properties, seven of which would be considered “contributing properties”. The designation process was applied but failed to produce a positive result (although the outcome of the vote was very close). It is recommended that the designation of a historic district be again explored in the future if there has been no assemblage of the properties on the north side of NW 1st Avenue for commercial development. In the meantime, the owners of the “contributing” sites will be contacted to determine their interest in applying for individual designation of their properties.



Figure 12: Historic Property on First Avenue

## Vision

*The Boynton Beach Boulevard District is envisioned to serve as a welcoming and beautiful entry into the Downtown District. Pedestrians will be encouraged to walk along the broad sidewalks in the shade of mature trees to visit the various stores and restaurants along the corridor. Bicyclists will safely travel along the corridor and will be able to park their bikes at one of the local shops where they'll meet a friend for a cup of coffee. Visitors will be able to find their way to the marina, the Children's Schoolhouse Museum and the Public Library using the various way finding signs along the corridor. Investors will see the value of developing in downtown Boynton Beach based on the public improvements and will begin to assemble land for development of mixed-use projects.*

## Recommendations: Streetscape

Streetscape enhancements are recommended for the Boynton Beach Boulevard District. The space for these enhancements may be obtained through either right-of-way dedications or public easements and should include:

- Implement a Complete Streets program for Boynton Beach Boulevard including the addition of:
  - On-street parking
  - Bike lanes
  - Enhance median with mature tree canopy (at time of planting) and landscape lighting
  - Marking of major intersections with materials such as pavers, paint, etc.
  - Narrowing of travel lanes to create space for landscaping and wider sidewalks and to make the street safer for bicyclists and pedestrians.
- Create a Pedestrian Zone adjacent to the right-of-ways that is inviting, safe and includes:
  - Addition of canopy street trees
  - Minimum 8' wide clear sidewalk
  - Minimum 8' wide active use area abutting the building
  - Decorative light poles at both the vehicular and pedestrian scales
  - Enhanced street furniture, bus shelters, bike racks and receptacles
  - Active uses along the first floor of development
- Create a greenway along the north side of NW 1st Avenue per the Connectivity Plan
- Create way finding signage to mark the entry into the City and brand the district
- Install public art in key locations
- Provide additional pedestrian crossings where needed
- Underground overhead utilities



Figure 13: Boynton Beach Blvd. District Streetscape Recommendations Area



#### Entrance enhancements

- Signage / Gateway

#### Intersection enhancements

- Directional signage
- Pavement / material
- Landscaping
- Public art location
- Safe pedestrian crossing

#### Intersection enhancements

- Entry to Downtown
- Directional signage
- Pavement / material
- Landscaping
- Public art location
- Safe pedestrian crossing

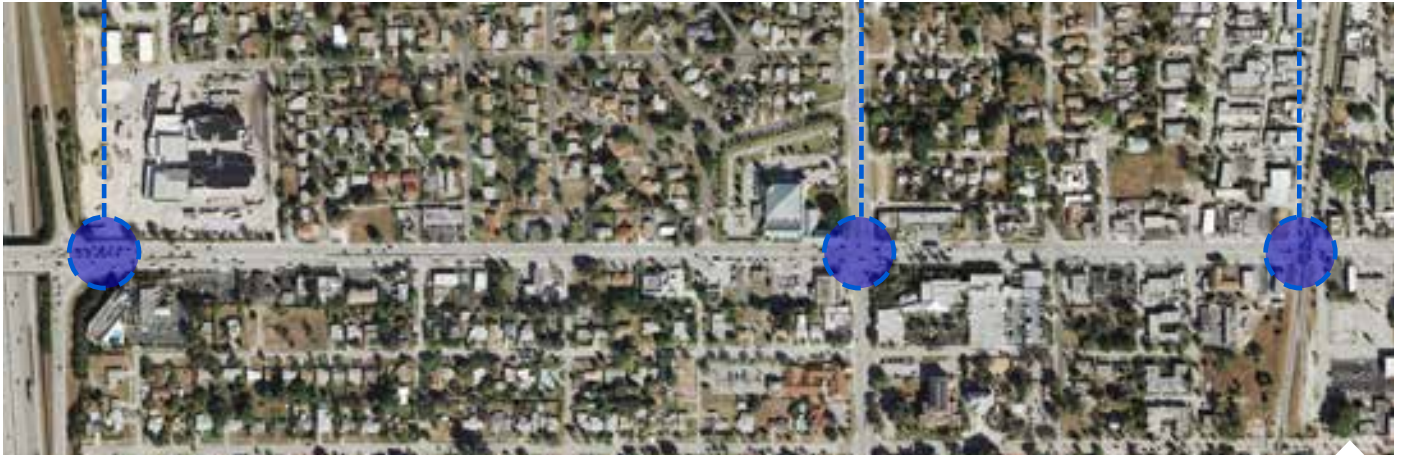


Figure 14: Boynton Beach Blvd. Intersection Enhancements



Figure 15: Boynton Beach Blvd. Example Streetscape Enhancements

## Boynton Beach Boulevard Design: West of Seacrest Boulevard

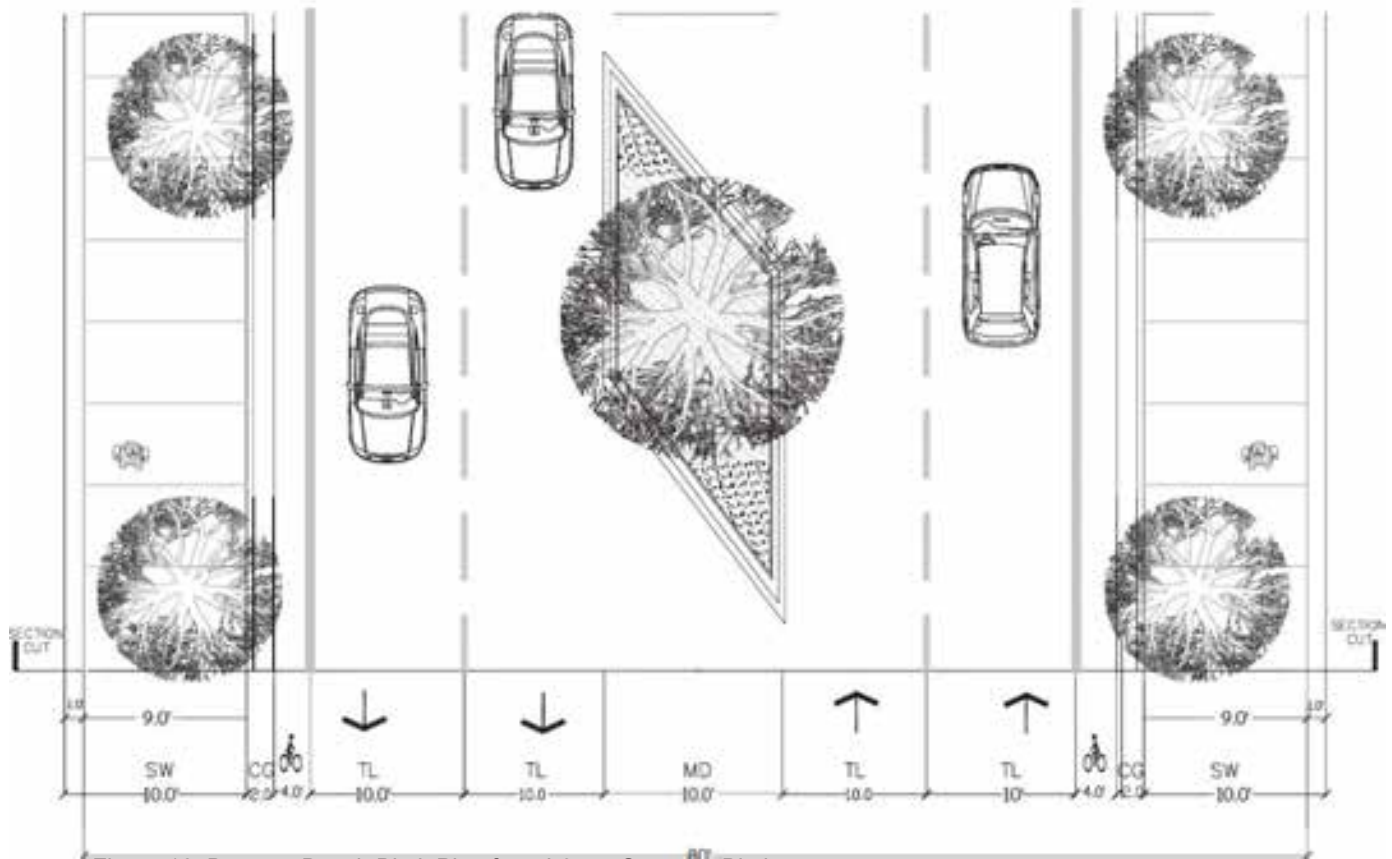


Figure 16: Boynton Beach Blvd. Plan from I-95 to Seacrest Blvd.

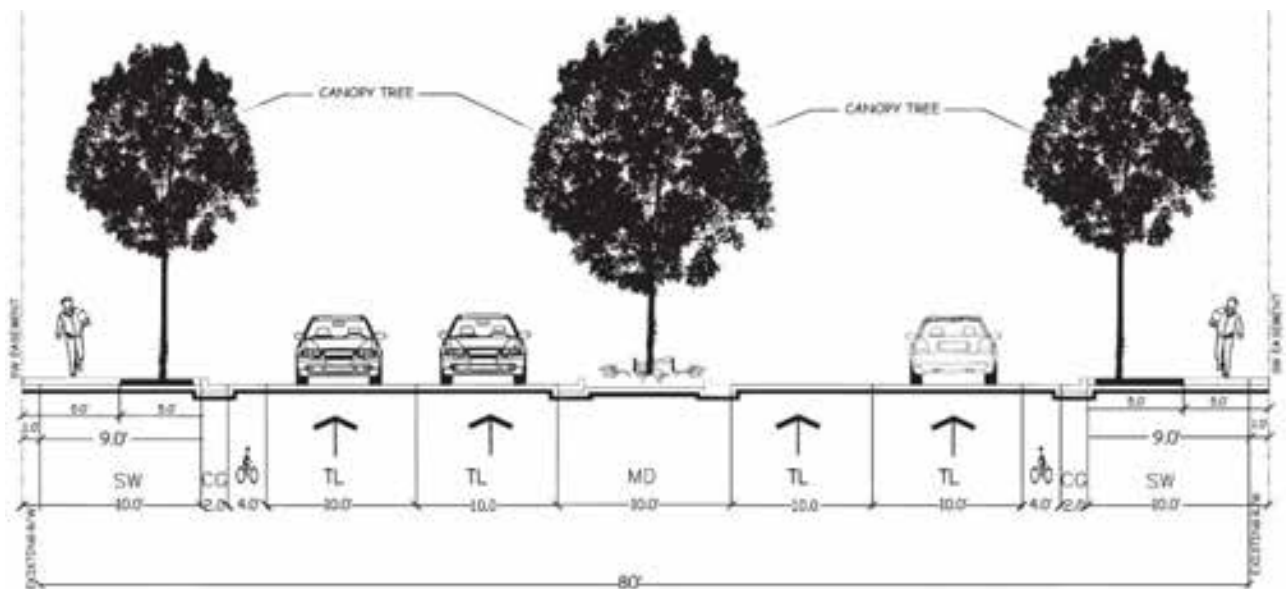


Figure 17: Boynton Beach Blvd. Section from I-95 to Seacrest Blvd.

# Boynton Beach Boulevard Design: East of Seacrest Boulevard

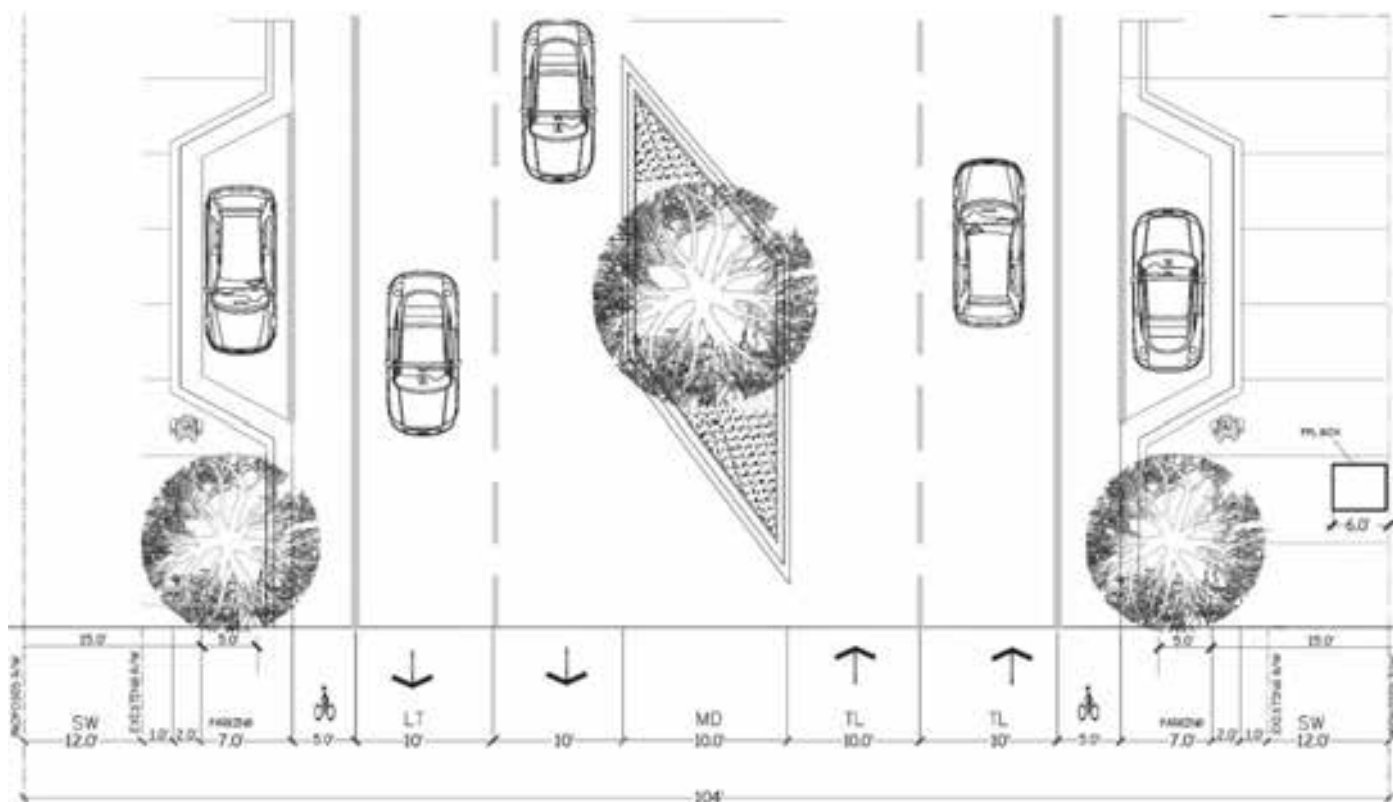


Figure 18: Boynton Beach Blvd. Plan from Seacrest Blvd. to Federal Hwy.

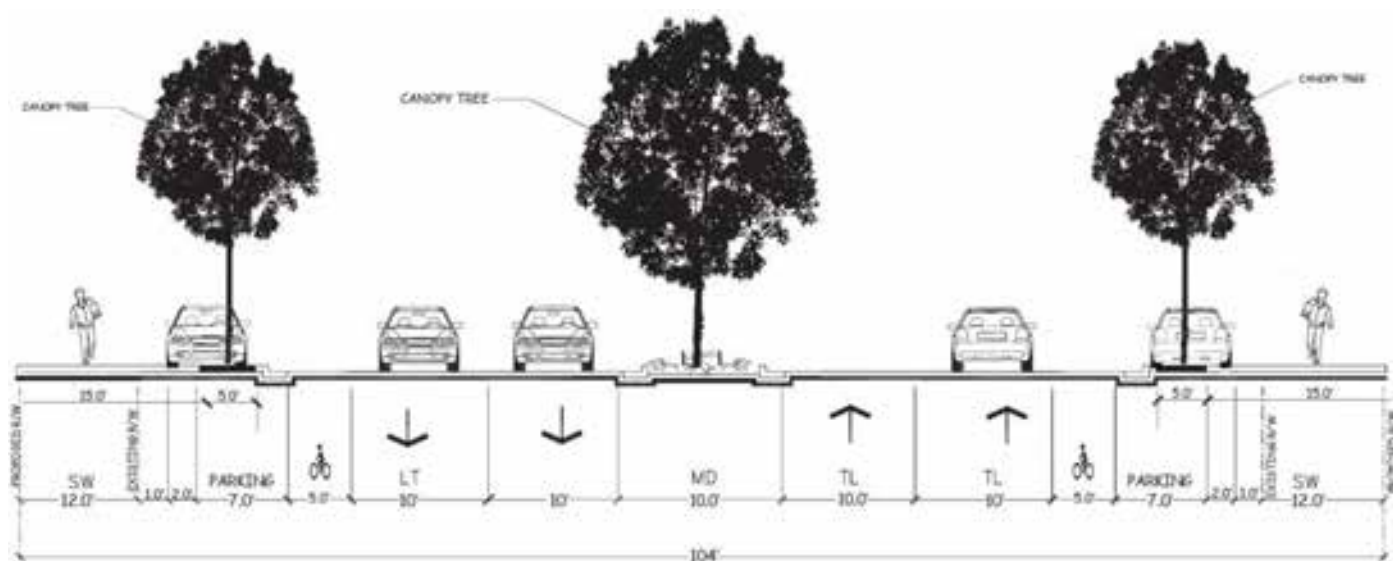


Figure 19: Boynton Beach Blvd. Section from Seacrest Blvd. to Federal Hwy.



## Recommendations: Land Use

The predominant existing future land use designation along the Boynton Beach Boulevard corridor is Local Retail Commercial. Other future land use designations are Public and Private and Governmental/Institutional (where City Hall is located) and Office Commercial. The Local Retail Commercial designation only extends one-half block to the north and south of Boynton Beach Boulevard. The lack of depth has prevented successful projects from being developed along the corridor. In order to encourage a vibrant corridor with the desired private development and public spaces, it is recommended that the following future land use changes be made:

- From I-95 east to N.W. 1st Street, change Local Retail Commercial and Low Density Residential to Mixed-Use Low. The Mixed-Use Low land use designation should extend the depth of the block north and south of Boynton Beach Boulevard.
- From N.W. 1st Street east to N.E. 3rd Street, change Local Retail Commercial, Public and Private Governmental/Institutional, Medium Density Residential, General Commercial to Mixed-Use Medium Future Land Use. The Mixed-Use Medium land use designation should extend the depth of the block north and south of Boynton Beach Boulevard.
- From N. E. 3rd Street east to the FEC Railroad, change General Commercial, Industrial, Local Retail Commercial to Mixed-Use High future land use designation. The Mixed-Use High future land use designation should extend the depth of the block north and south of Boynton Beach Boulevard.

Below is a table showing the proposed land use and zoning designations that will apply along the Boynton Beach Boulevard corridor:

Table 3: Recommended Future Land Use (FLU) Classifications within the Boynton Beach Blvd District

| LAND USE         | DENSITY | CORRESPONDING ZONING                       | DENSITY CAP* | MAX HEIGHT |
|------------------|---------|--|--------------|------------|
| Mixed-Use Low    | 20      | MU-1                                       | 20           | 45'        |
| Mixed-Use Medium | 50      | MU-2                                       | 40           | 65'        |
|                  |         | MU-3                                       | 50           | 75'        |
| Mixed-Use High   | 80      | MU-4                                       | 60           | 100'       |
|                  |         | MU Core (not recommended in this District) | 80           | 150'       |

\* Properties located within the TOD may receive a 25% density bonus



- MU Low**

  - 20 du/ac
  - Max height 45'
- MU- Med**

  - 40 du/ac
  - Max height: 75'
  - TOD Bonuses
- MU- High**

  - 80 du/ac
  - Max height 150'
  - TOD Density Bonus

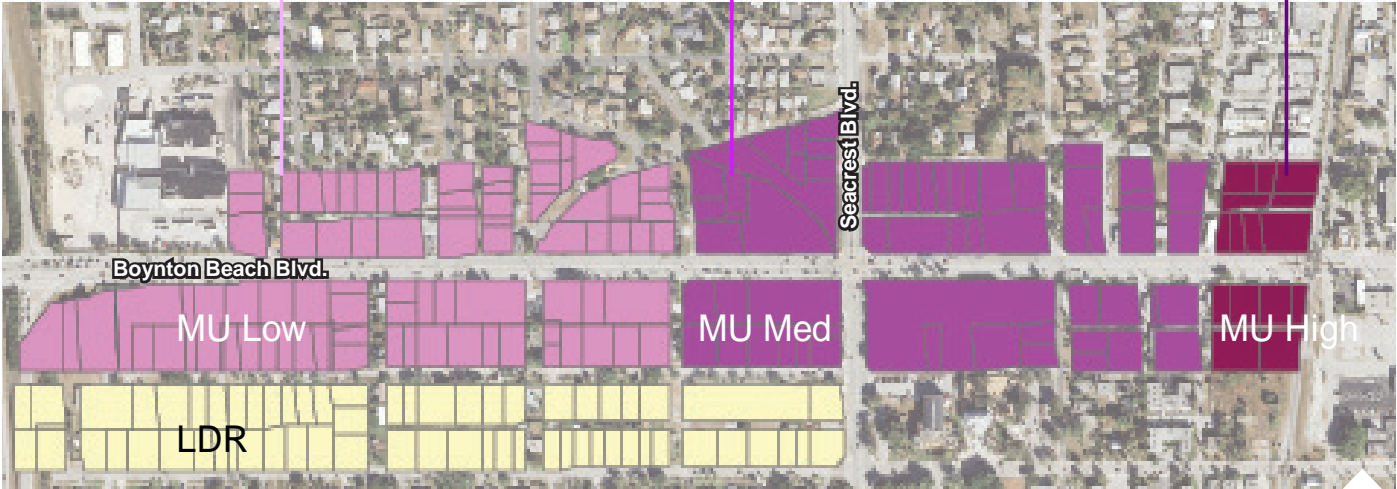


Figure 20: Recommended Future Land Use for the Boynton Beach Blvd. District

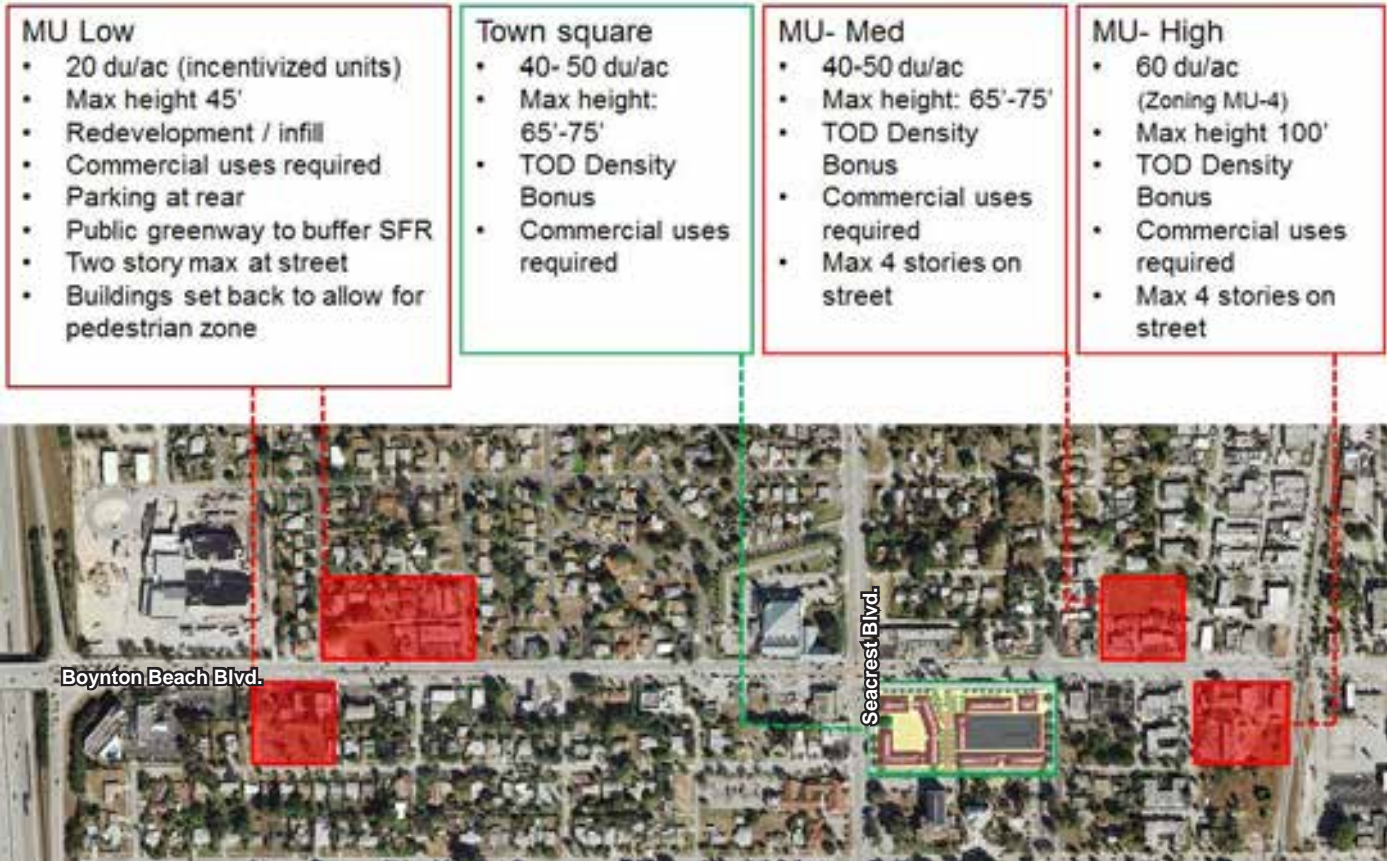


Figure 21: Boynton Beach Blvd. Example Projects





## Recommendations: Urban Design

Create an overlay district for Boynton Beach Boulevard to control height at street frontage, building setback, design, uses, and overall character.

- The building shall be setback to accommodate the pedestrian zone.
- Active commercial uses shall be required on the street frontage of Boynton Beach Boulevard. Automobile oriented uses, such as, gas stations and car washes, are prohibited. Drive-thrus are only permitted when not visible from right-of-ways and completely behind a structure.
- First floor of building shall maximize the amount of glazing.
- Buildings fronting Boynton Beach Boulevard shall have maximized glazing on first floors
- Approximately 75% of the lot frontage must be occupied by structure and adjacent to the pedestrian zone.
- Buildings fronting Boynton Beach Boulevard shall have a minimum height of 30'
- Buildings fronting Boynton Beach Boulevard shall be a maximum of 45', consistent for 30' deep.
- Parking shall be located to the rear or side of the property. MU-L Land Uses are permitted to have one (single loaded) row of parking in front of the structure.
- Only when access is not possible from the rear or side shall curb cuts be permitted on Boynton beach Blvd
- All buildings along Boynton Beach Blvd pedestrian access from the right-of-way/ sidewalks.
- The main pedestrian entry, or front door, must be fronting Boynton Beach Blvd.
- Mixed use projects adjacent to single-family areas shall include greenways for proper buffering

Staff will review architectural styles and make recommendations regarding Architectural Guidelines that may enhance the character of the District. This process will include public input.



Figure 22: Example Greenway Recommended on First Avenue



Figure 23: Boynton Beach Blvd. Example Mixed Use Low Project

Figure 25: Boynton Beach Blvd District Master Plan







Figure 24: Boynton Beach Blvd. Example Mixed Use Medium Project









# ***Cultural District***

Introduction  
Planning Challenges  
Planning Considerations  
The Vision  
Recommendations

## Introduction

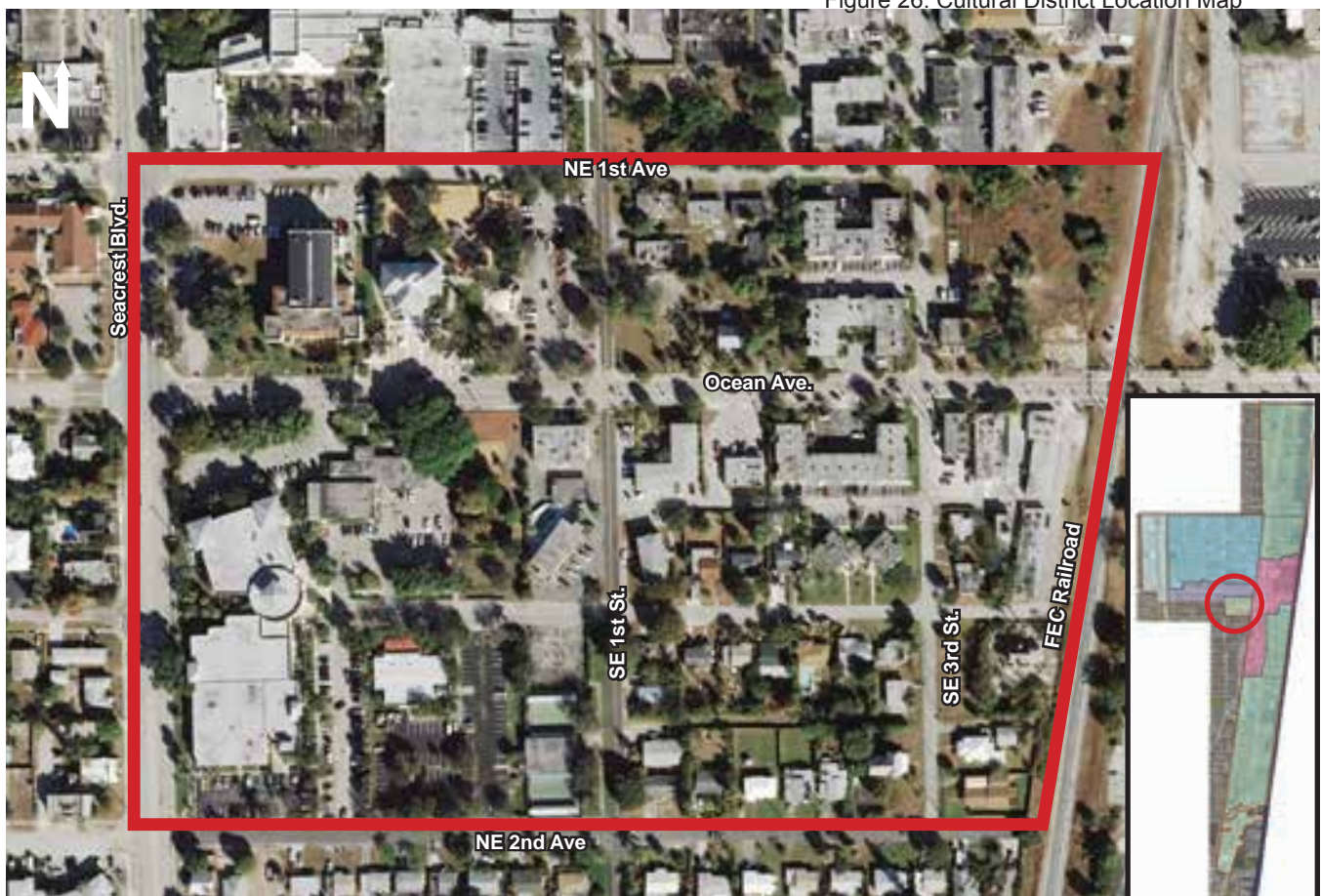
The most recent planning effort that targeted this area was the Downtown Vision and Master Plan adopted in 2009. Prior to that, the Ocean District Plan was adopted in 2004 to guide redevelopment of Ocean Avenue between Seacrest Boulevard and the F.E.C. Railroad tracks, and the properties surrounding this corridor including “Town Square”. The common vision of both plans was to create a cultural district anchored by the Children’s Schoolhouse Museum, library and civic uses, and to maintain and reuse the historic structures.

The City invested in a streetscape project along Ocean Avenue in the late 1990’s. The CRA purchased a historic structure at 211 Ocean Avenue that is in the planning process to be converted to a bar/restaurant, and moved another historic structure onto Ocean Avenue from N.E. 1st Avenue to create a café. In 2011, the CRA developed the amphitheater where most of the CRA events are held. The goal of these projects has been to activate Ocean Avenue as a quaint gathering place and link to downtown and marina.

The Cultural District, at 28 acres, is the smallest of the six planning districts. Its boundaries are Seacrest Boulevard to the west, N.E. 1st Avenue to the north, the FEC Railway to the east and S.E. 2nd Avenue to the south; it is adjacent to the Boynton Beach Boulevard District and the Downtown District.

The western section of the District (west of SE 1st Street) is almost completely occupied by civic uses. The remaining part of the district has a significant number of single-family homes, and several small, older multifamily condo and apartment buildings. North of Ocean Avenue, several vacant parcels are part of a land assemblage targeted for redevelopment.

Figure 26: Cultural District Location Map





## Planning Challenges

The Cultural District has some unique redevelopment challenges. First, the ownership pattern (seven condominium buildings) makes assemblage of developable parcels difficult. The cost and difficulty of assembling these condominium sites make the redevelopment of sections of the District a long term prospect.

A disconnect between the current future land use classifications within the District and recommendations of the redevelopment plans has been a source of confusion for both residents and investors.

A lack of active uses such as cultural venues, restaurants or galleries, discourages visitors from venturing into this area of downtown. Narrow sidewalks or no sidewalks on some streets exacerbate the problem. While the civic campus, including City Hall, the library, the Civic Center and the Art Center attract people during the day, they have no reason to stay in the District.

## Planning Considerations

Several factors were considered in determining the land use designations for the Cultural District. First, located directly east of the District is the future site of the station for the planned Tri-Rail Coastal Link commuter service on the FEC Rail line, which will serve the South Florida metropolitan region. To improve land development patterns in advance of station development, the City adopted a Downtown Transit Oriented Development District (DTOD), covering a ½ mile radius around the station's location. The DTOD district regulations support increased intensity of development through a 25% density bonus.

A second consideration is that the Cultural District is entirely enclosed within the Transportation Concurrency Exception Area (TCEA) which, in addition to the residential exception area applicable east of I-95, exempts all development from the Palm

Beach County traffic concurrency thus allowing denser development.

The existence of these transportation-oriented designations is a factor in considering where increased height and density will occur within the CRA district. The Cultural District, while not an area appropriate for the height recommended in the Downtown District, is located within both the DTODD and the TCEA, supporting the move to higher densities.

A third consideration is the public-private partnership opportunity for the 16 plus acre civic campus, a major potential catalyst for redevelopment at the western end of the downtown core. The relocation of City Hall within this area would make land available at a prominent intersection along Boynton Beach Boulevard. A charrette was held and study prepared yielding various design options supporting higher densities and a mixed of civic, residential and retail uses.



Figure 27: Example of District Planning Challenges

## Vision

*The Cultural District is envisioned to be the principal hub for the City's civic uses, public spaces and events. The concentration of public art and other cultural amenities will foster a sense of community. Public events such as the Kinetic Art Expo and the Haunted Pirate Fest are already anchored within the District and attract residents and visitors to experience Boynton Beach's unique character. Ocean Avenue will maintain its character through the creation of an overlay district.*

### Recommendations: Streetscape

Streetscape enhancements are recommended for both Ocean Avenue and Seacrest Boulevard. The space for these enhancements may be obtained through either right-of-way dedications or public easements and should include:

#### Ocean Avenue

- Implement a Complete Streets program for Ocean Avenue to accommodate bike lanes and bike racks, safe pedestrian crossing at the FEC Railway and on-street parking where possible.
- Create a curbless festival area between Seacrest Boulevard and S.E. 1st Street
- Enhance the intersection of Ocean Avenue and Seacrest Boulevard with a vertical entry feature, with changes in surface materials such as pavers and paints.
- Add signage at the FEC Railway announcing entry into the Downtown area.
- Create a Pedestrian Zone adjacent to the right-of-ways that is inviting, safe and includes:
  - Addition of canopy street trees
  - Minimum 8' wide clear sidewalk
  - Minimum 8' wide active use area abutting the building
  - Decorative light poles at both the vehicular and pedestrian scales



Figure 28: Ocean Ave. Streetscape Recommendations

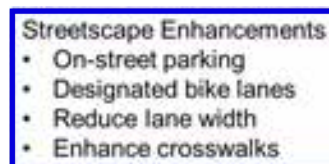


Figure 29: Seacrest Blvd. Streetscape Recommendations



- Enhanced street furniture, bus shelters, bike racks and receptacles
- Active uses along the first floor of development

### Seacrest Boulevard

- Implement a Complete Streets program for Seacrest Boulevard to accommodate bike lanes and bike racks, safe pedestrian crossings, required on-street parking, and consideration for rotary intersection design at Ocean Avenue
- Install public art in key locations
- Provide additional pedestrian crossings where needed
- Underground overhead utilities



Figure 30: Example Entry Features to the Cultural District



Figure 31: Location of Entry Features to the Cultural District



Figure 32: Ocean Ave. Festival Street Section

## Recommendations: Land Use

The predominant existing future land use designation within the Cultural District is Public & Private Governmental/ Institutional. This designation covers 16.5 acres and includes the blocks of City Hall, the library, etc. Other future land use designations are High-Density Residential, Local Retail Commercial and Low Density Residential.

In order to encourage redevelopment of this district into an active, economically viable area, the proposed land use designation and zoning changes are proposed:

- Change entire district to Mixed-Use Medium land use designation
- Create an overlay district for Ocean Avenue to control height at street frontage, building setback, uses, etc.



Figure 33: Cultural District Example Projects

Table 4: Recommended Future Land Use (FLU) Classifications within the Cultural District

| LAND USE         | DENSITY | CORRESPONDING ZONING                           | DENSITY CAP* | MAX HEIGHT |
|------------------|---------|--|--------------|------------|
| Mixed-Use High   | 80      | MU Core (not recommended in Cultural District) | 80           | 150'       |
|                  |         | MU-4   | 60           | 100'       |
| Mixed-Use Medium | 50      | MU-3   | 50           | 75'        |
|                  |         | MU-2   | 40           | 65'        |

\* Properties located within the TOD may receive a 25% density bonus

Figure 34: Recommended Land Use for the Cultural District



## Recommendations: Urban Design

Create/ modify an overlay district for Ocean Avenue, which encompasses the entire Cultural District, to control height at street frontage, building setback, design, uses and overall character.

- Ocean Ave will be designed to have a streetwall (building faces) abutting the pedestrian zone.
- Active commercial uses shall be required on the street frontage of Ocean Ave. Automobile oriented uses, such as, gas stations, car washes, and drive-thrus, are prohibited.
- Structures along Ocean Avenue shall be design to the pedestrian scale and have a maximum height of 35', consistent for a depth of a minimum of 30'.
- Maximize glazing on first floors
- Require street canopy trees
- Public spaces such as plazas or greens shall be created as part of each project.

Staff will review architectural styles and make recommendations regarding Architectural Guidelines that may enhance the character of the District. This process will include public input.



Figure 35: Ocean Ave. Streetwall Design

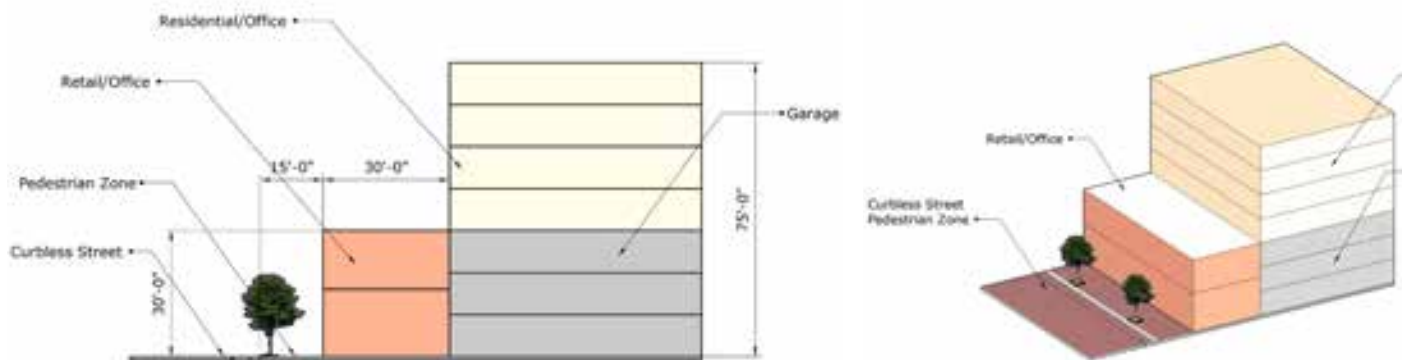


Figure 36: Ocean Ave. Design Diagram





Figure 38: Cultural District Master Plan







Figure 39: Cultural District Example Entry and Streetscape





# ***Downtown District***

Introduction  
Planning Challenges  
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## Introduction

The Downtown District has been included in several planning efforts including the Federal Highway Corridor Plan, the Downtown Vision and Master Plan, and the original CRA plan adopted in 1984. It has long been the desire of the City to reinvigorate the historic center of Boynton Beach. Some progress has been made toward this goal with the development of the Casa Costa and Marina Village condominium projects and the soon to be completed 500 Ocean mixed-use development.

The CRA has invested in the redevelopment of the Boynton Harbor Marina to create a tourism destination, preserve a working waterfront and support the boating community. The Agency planned and constructed the Boynton Beach Promenade that extends from Federal Highway to the Intracoastal Waterway; the Promenade also connects to the City's Mangrove Walk Park and the Marina.

The Downtown District is bound to the north by N.E. 7th Avenue, to the south by S.E. 12th Avenue, to the east by Federal Highway and the Intracoastal Waterway, and to the west by the FEC Railway. The District connects via Federal Highway and S.E. 4th Street to the secondary development node at Woolbright and Federal Highway.

Downtown Boynton Beach is easily accessed via I-95 and Boynton Beach Boulevard: the distance from I-95 to Federal Highway is less than one mile. The City's beach at Oceanfront Park is only 1.7 miles from I-95 or, for residents of one of the new downtown developments, a quick walk over the Ocean Avenue Bridge.

The Tri-Rail Coastal Link commuter rail station is planned for the downtown at N.E. 4th Street between Ocean Avenue and Boynton Beach Boulevard. This led the City to adopt the Downtown Transit Oriented Development District, allowing for a 25% density bonus within ½ mile of the future station.

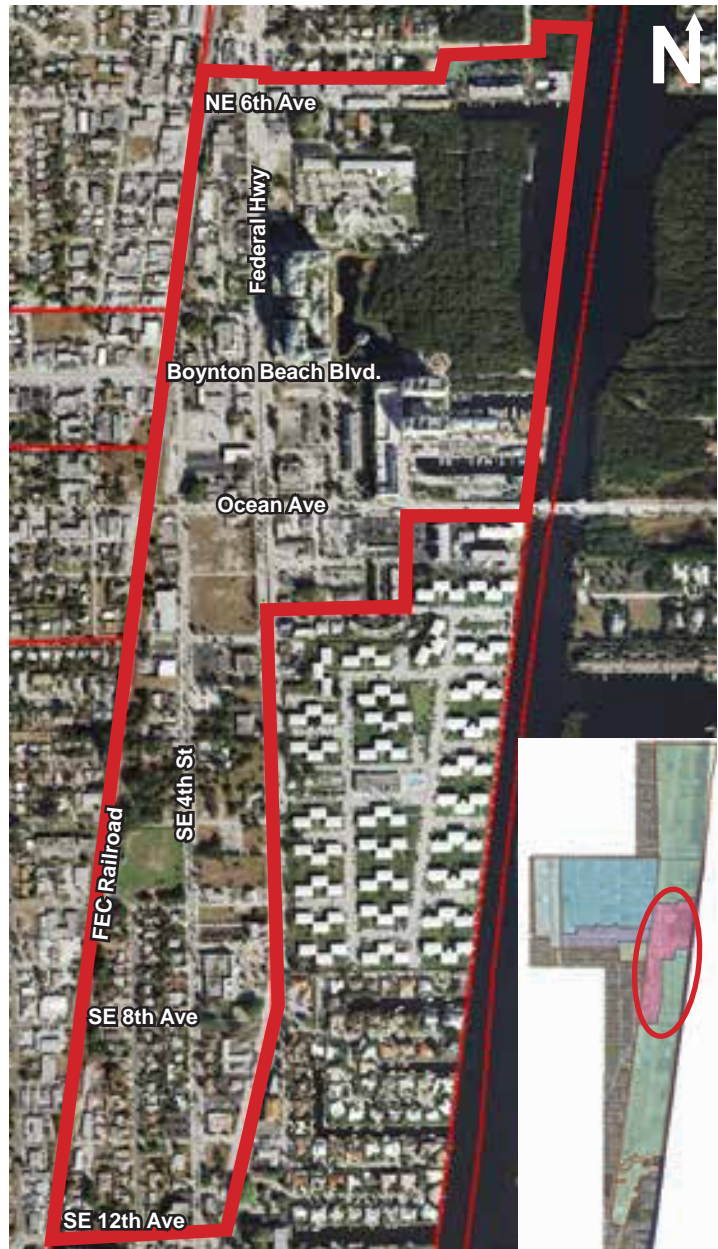


Figure 40: Downtown District Location Map



## Planning Challenges

Unlike Delray Beach or West Palm Beach, Boynton Beach historically has only had a very small downtown area. It extended from just east of Federal Highway to west of Federal Highway at Ocean Avenue. There have been very few commercial buildings that could be repurposed into restaurants and stores as Delray Beach has done. Consequently, the first CRA Plan adopted in 1984 concentrated on the downtown area (smaller than proposed in this plan) as a redevelopment priority.

Some of the planning challenges are:

- Lack of developable parcels – assemblage is required
- Property owners have unrealistic expectations of the value of their property
- Not pedestrian friendly
- No shade trees
- No public parking areas and little on-street parking
- Lack of support for current redevelopment plan recommendations
- Lack of wayfinding signage
- No design theme to create an identity
- Limited space on Ocean Avenue to locate retail and restaurant uses

## Planning Considerations

Several factors were considered in determining the land use designations for the Downtown District. First, the downtown will be the future site of the station for the planned Tri-Rail Coastal Link commuter service on the FEC Rail line, which will serve the South Florida metropolitan region. To improve land development patterns in advance of station development, the City adopted a Downtown Transit Oriented Development District (DTOD), covering a ½ mile radius around the station's location. The DTOD district regulations support increased intensity of development through a

25% density bonus.

A second consideration is that the Downtown District is entirely enclosed within the Transportation Concurrency Exception Area (TCEA) which, in addition to the residential exception area applicable east of I-95, exempts all development from the Palm Beach County traffic concurrency thus allowing denser development.

The existence of both of these transportation-oriented designations is a factor in considering where increased height and density will occur within the CRA district. The Downtown District's location in the center of both the DTODD and the TCEA supports the highest density and height within this district.



Figure 41: Example of District Planning Challenges



## Vision

*Downtown Boynton Beach will be where people live, work and play in an environment that provides bikeable and walkable access to the beach, restaurants, transit, parks and cultural experiences. There will be areas to gather and socialize. Entrepreneurs will open new restaurants and businesses creating financial benefits to the local economy. Attractive new buildings will provide housing for people of all ages and incomes, and accommodate new shops and restaurants.*

## Recommendations: Streetscape

Streetscape enhancements are recommended for the Federal Highway corridor. The space for these enhancements may be obtained through either right-of-way dedications or public easements. The enhancements should include:

- Create a Complete Street design for Federal Highway including the addition of:
  - On-street parking
  - Bike lanes
  - Enhance median with mature tree canopy (at time of planting) and landscape lighting
  - Marking of major intersections with materials such as pavers, paint, etc.
- Create a Pedestrian Zone adjacent to the right-of-ways that is inviting, safe and includes:
  - Addition of canopy street trees
  - Minimum 8' wide clear sidewalk
  - Minimum 8' wide active use area abutting the building
  - Decorative light poles at both the vehicular and pedestrian scales
  - Enhanced street furniture, bus shelters, bike racks and receptacles
  - Active uses along the first floor of development
  - Canopy trees that provide immediate shading at time of construction
- Bus shelters with unique design for the downtown district
- Underground overhead utilities
- Public art in key locations
- Additional pedestrian crossings where needed
- A greenway along SE 4th Street and Ocean Avenue connecting Pence Park and the Marina, per the Connectivity Plan
- An eco-trail connecting the pedestrian zone to Mangrove Park, per the Connectivity Plan.

## Recommendations: Land Use

To attract new residents and businesses, the area must present a unified vision for the future. Therefore, it is recommended that the changes to the Future Land Use map be made using the new future land use/ zoning structure as shown:

Table 5: Recommended Future Land Use (FLU) Classifications within the Downtown District

| LAND USE                 | DENSITY | CORRESPONDING ZONING | DENSITY CAP* | MAX HEIGHT |
|--------------------------|---------|----------------------|--------------|------------|
| High Density Residential | 15      | R-4, IPUD, PUD       | 15           | 45'        |
| Mixed-Use Medium         | 50      | MU-2                 | 40           | 65'        |
|                          |         | MU-3                 | 50           | 75'        |
| Mixed-Use High           | 80      | MU-4**               | 60           | 100'       |
|                          |         | MU Core              | 80           | 150'       |
| General Commercial       | n/a     | C-4                  | n/a          | 45'        |
| Industrial               | n/a     | M-1                  | n/a          | 45'        |
| Recreation               | n/a     | Recreation           | n/a          | 45'        |

\* Properties located within the TOD may receive a 25% density bonus

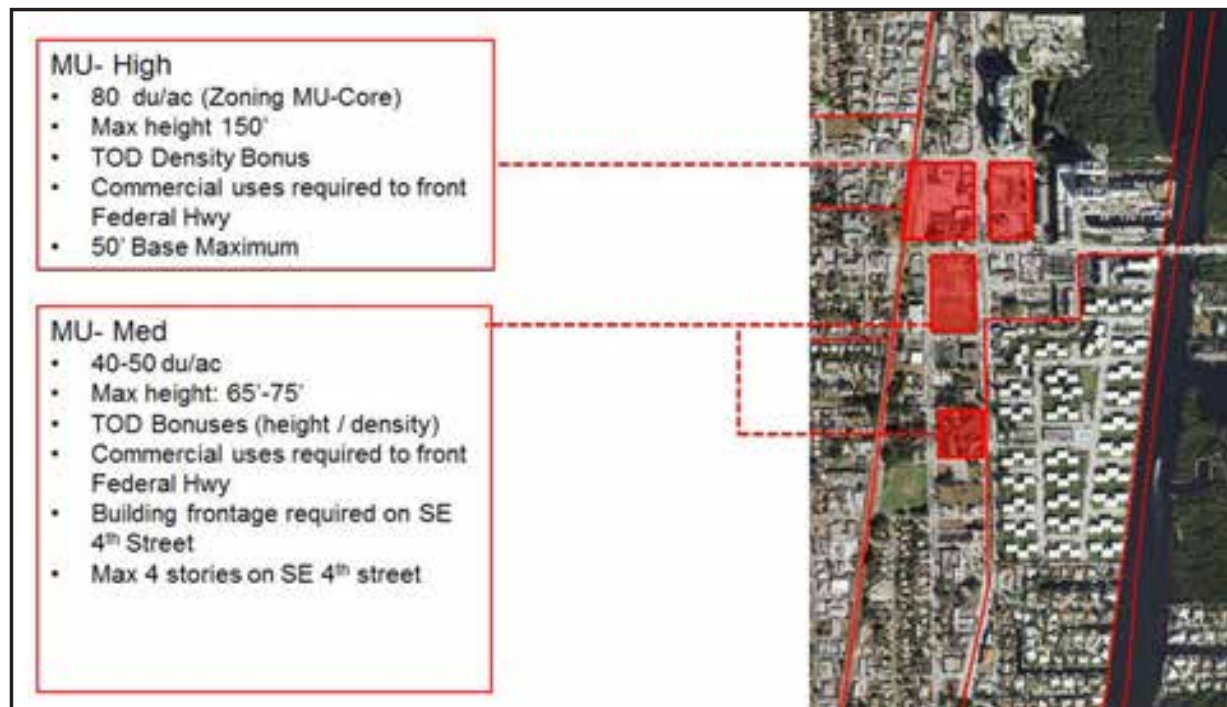


Figure 42: Cultural District Example Projects



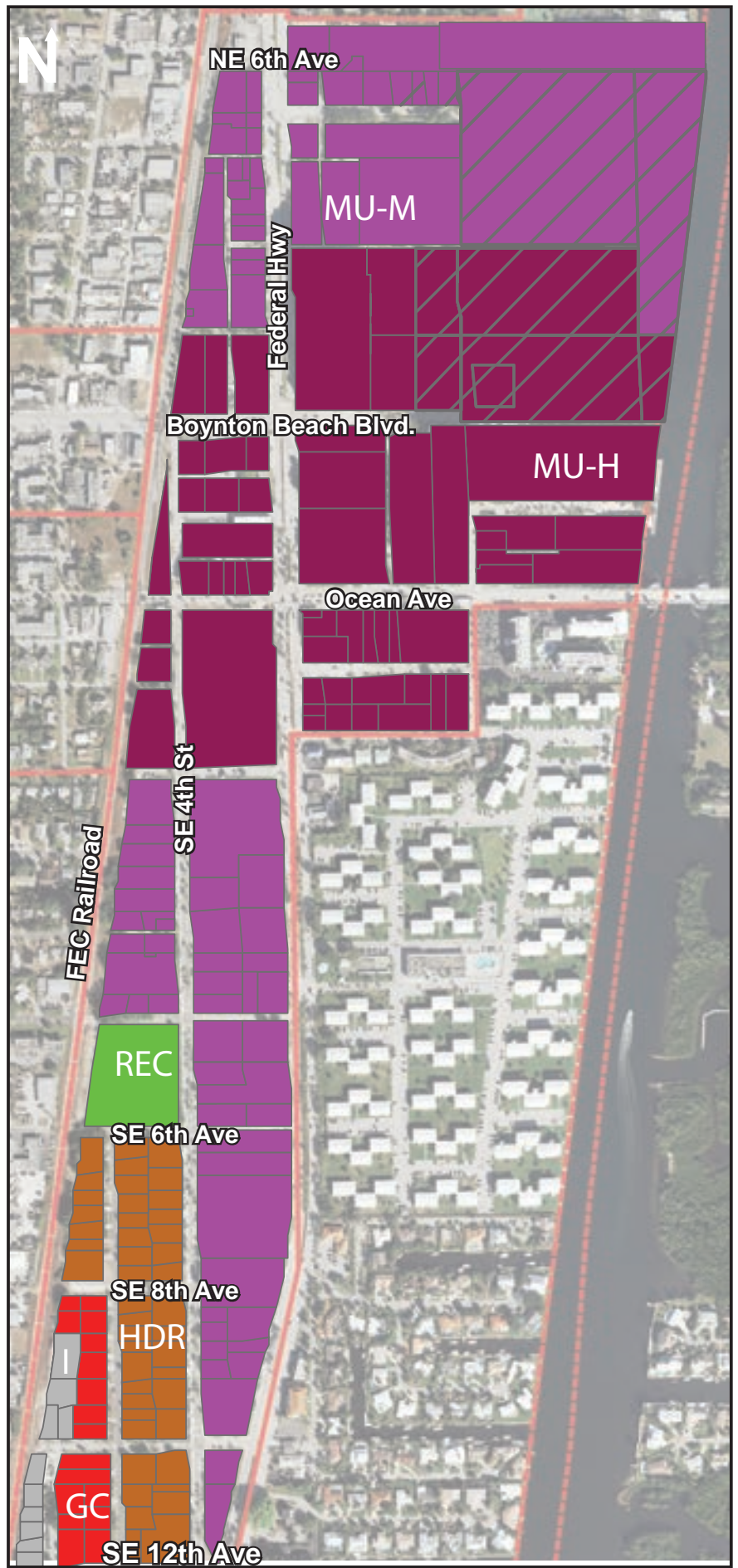


Figure 43: Recommended Land Use for the Downtown District

## Recommendations: Urban Design

In order to promote an active and walkable built environment in the Downtown District, the following recommendations apply:

- Active commercial uses shall be required on the street frontage of Ocean Ave. Automobile oriented uses, such as, gas stations, car washes, and drive-thrus, are prohibited.
- The build-to line shall accommodate a ten foot sidewalk, mature shade trees (at install), street lights and street furniture
- Buildings fronting Federal Highway, Boynton Beach Boulevard and S.E. 4th Street shall have a 60-90% window to wall ratio on the first floor.
- Approximately 75% of the lot frontage must be occupied by structure and adjacent to the pedestrian zone
- Buildings fronting Boynton Beach Boulevard or Federal Highway shall have a minimum height of 30'
- Buildings fronting Boynton Beach Boulevard or Federal Highway shall be a maximum of 45', consistent for 30' deep.
- Parking shall be located to the rear or side of the property.
- Only when access is not possible from the rear or side shall curb cuts be permitted on Boynton beach Blvd or Federal Highway.
- All buildings along Federal Highway must have pedestrian access from the right-of-way/ sidewalks.
- The main pedestrian entry, or front door, must be fronting Federal Highway.
- Where mixed use development is proposed adjacent residential areas, the residential areas shall be protected through the residential compatibility standards and the use of landscape buffers and/ or walls as appropriate.

Staff will review architectural styles and make recommendations regarding Architectural Guidelines that may enhance the character of the District. This process will include public input.



Figure 44: SE 4th St. Example Mixed Use Medium Project

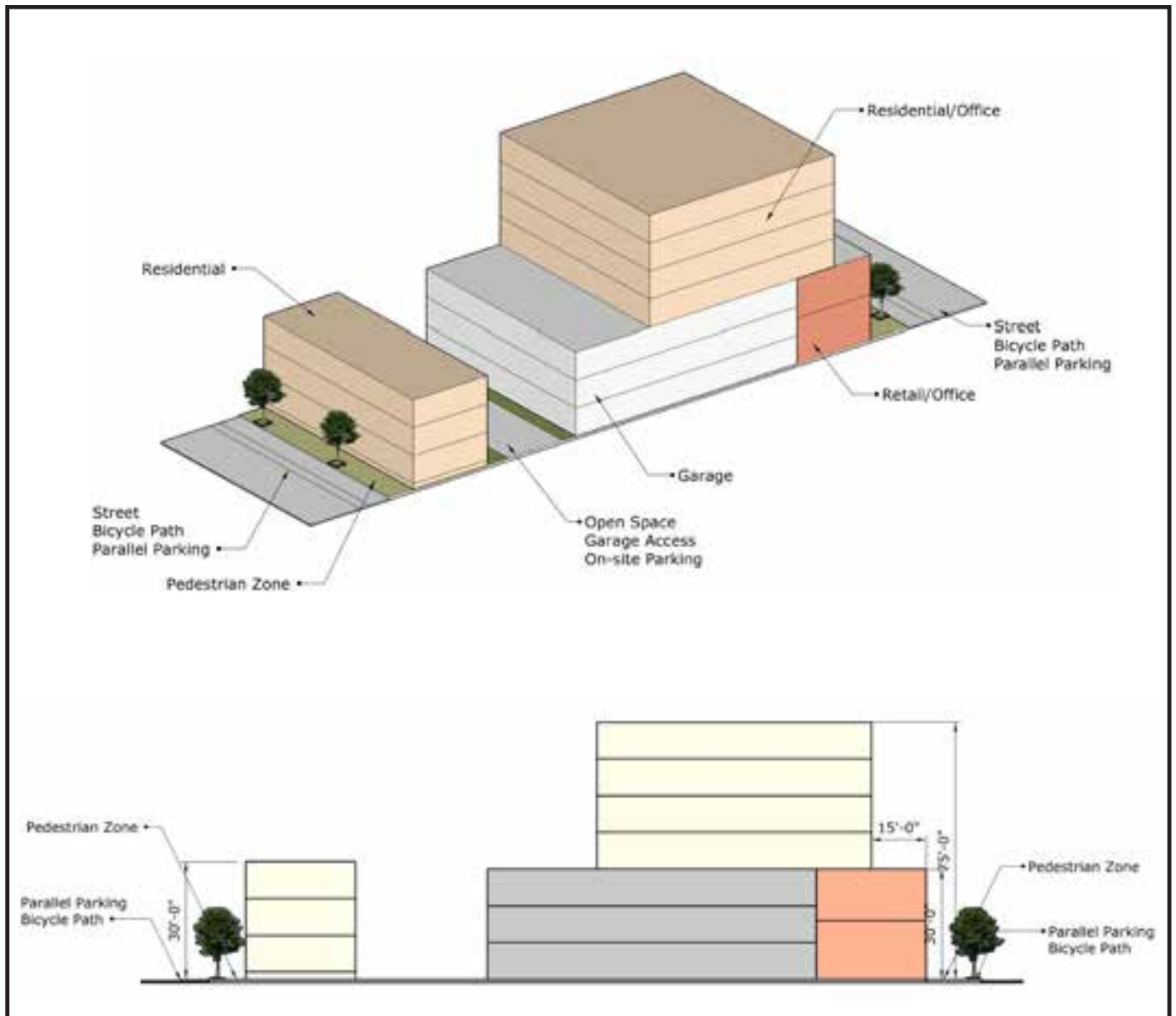


Figure 45: SE 4th St. Design Diagram





Figure 46: Downtown District Example Mixed Use High Project





Figure 47: Downtown District Master Plan







# ***Federal Highway District***

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Planning Challenges  
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## Introduction

The Federal Highway Corridor is approximately 2.5 miles long and runs from the north to the south City boundaries. Corridor redevelopment has been difficult, given the glut of outdated commercial buildings as well as land use and zoning generally out-of-step with the changing economic environment and current vision. In 2001, to address the blight along the Federal Highway corridor, the CRA and City adopted the Federal Highway Corridor Community Redevelopment Plan. The Plan was updated in June of 2006.

The Federal Highway Corridor District benefited from redevelopment activity more than any other district. The land use changes recommended by the 2001 Plan and its update resulted in the development of 2,358 new residential units in the five new projects at the north end of Federal Highway and eight projects along the south end of the District. The CRA recently completed a capital improvement project in the area of the FEC right-of-way, on the west side of Federal Highway between the Stanley Weaver (C-16) Canal and N.E. 15th Avenue. As part of this project, new landscaping, irrigation, lighting and a new entry sign for the City were installed.

This District consists of two sections, North and South. Each section extends north and south from the Downtown District, ending at the City's boundary. On the west, they are mostly bounded by the F.E.C. Railroad right-of-way; on the east, both border on the Intracoastal Waterway. The South and North sections of the District represent the main entries into the City from US Highway 1.

There are two major arterial roadways in the district: Gateway Boulevard, an east-west arterial between I-95 and Federal Highway, and Federal Highway, which runs north/south through the entire CRA district.

The district is home to two City parks: the Harvey Oyer, Jr. Park with 8.79 acres and the Intracoastal Park with 8.97 acres. Both parks provide residents with access to the Intracoastal Waterway.



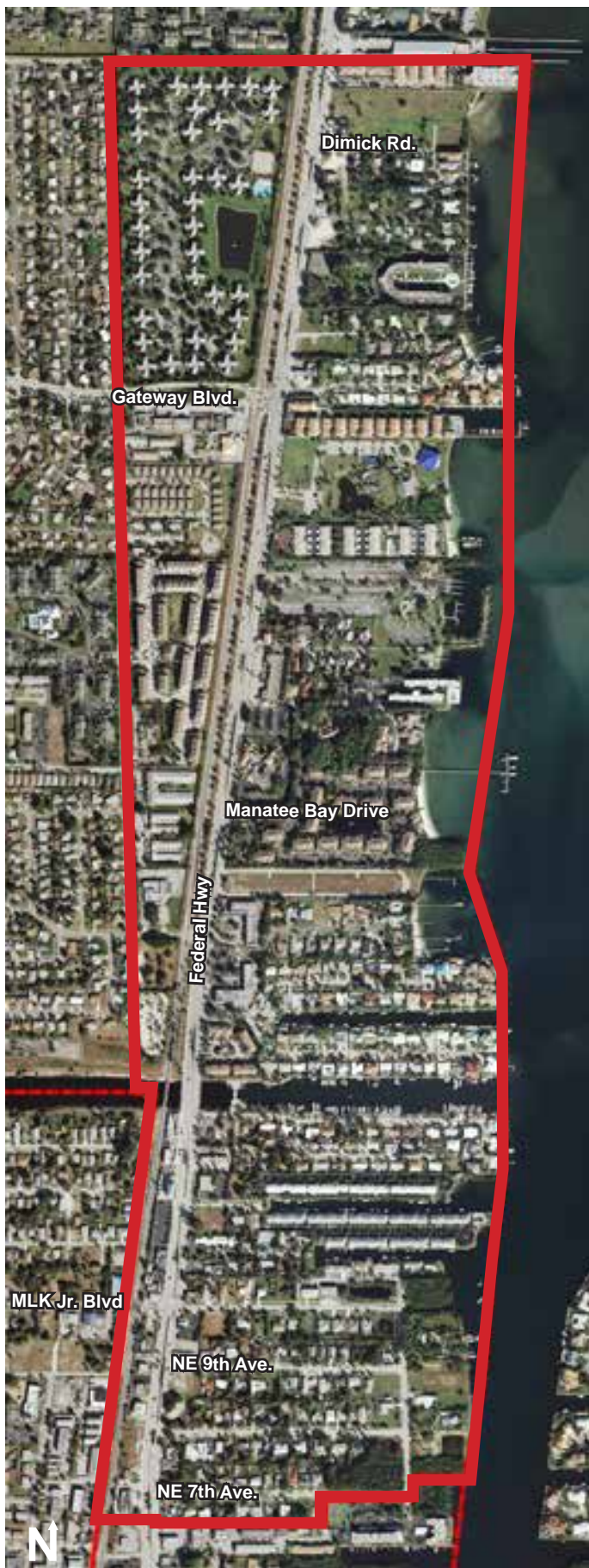


Figure 48: Federal Highway District (North) District Location Map



Figure 49: Federal Highway District (South) District Location Map



## Planning Challenges

One of the most challenging aspects of the north section of the District is the geographic layout imposed by the location of the FEC Rail line and the Intracoastal Waterway. The insufficient depth of land on the west side of Federal Highway makes certain areas undevelopable or at least difficult to develop. On the east side of Federal Highway, the depth of commercial lots is also inadequate to build anything that is responsive to the market. Land assemblage is required to create a developable site; moreover, there are only a few vacant parcels.

Among numerous outdated commercial buildings, some are vacant and many under maintained. Additionally, many of the uses are not compatible with the vision of the Plan or with the adjacent residential neighborhoods.

Another predominant feature that is creating visual blight is the abundance of overhead utilities. Old utility poles often remain after new poles are installed, taking up precious sidewalk space. The sidewalks are too narrow to allow two people to walk side-by-side or to accommodate the installation of mature shade trees and decorative streetlights.

There are insufficient bus shelters along Federal Highway, even though Route 1 is one of the most used of all the Palm Tran routes.

Due to the scale of Federal Highway, the buildings and uses have been oriented to the automobile. There is little in the design of the road, sidewalks or buildings that would encourage biking or walking as an alternative to driving. The drive lanes of Federal Highway are 12' wide, encouraging speeding adjacent to the sidewalk.

A major challenge to redevelopment in the area of Federal Highway is the lack of developable parcels.



Figure 50: Example of District Planning Challenges

## Planning Considerations

There are several additional factors to consider for redevelopment recommendations along the corridor.

The first one is a close proximity to the waterfront, including direct access to the barrier island and oceanfront recreation areas as well as direct access to the Intracoastal Waterway through three public parks located at each end of the corridor. However, it also makes the District vulnerable to flooding from high-tide events, storm surge, stormwater runoff and, eventually, the related impacts of sea level rise. Areas along the east side of the corridor are especially susceptible to flood damage, with large sections both north and south under FEMA-designated Special Flood Hazard Area (SFHA) and storm surge zones extending west past Federal Highway. Portions of these areas are also within evacuation zones for category 3 and 4 hurricanes.

Both the north and south parts of the District overlap with the Comprehensive Plan's Coastal Management area, and therefore are subject of all its policies. The main focus of these policies is flood prevention and mitigation, including policies regarding certain uses, development intensity increases and public infrastructure improvements in areas most prone to flooding. All have to be taken into consideration in redevelopment decisions, striking a balance between people's desire to live on the water and the need to reduce threat to life and property from natural hazards. At the same time, the policies strongly encourage that public waterfront access be a part of all waterfront development.

The return of passenger service to the F.E.C. Railroad as part of the Coastal Link project will also serve as an attraction to downtown living and working as the City redevelops. A portion of both segments of the corridor is within the Downtown Transit Oriented Development District. The entire corridor, future train station and the existing Tri-Rail Station is accessible via a short bus ride on one of the County's most ridden Route #1.





## Vision

*The Federal Highway Corridor shall serve as a major point of entry into the City and the downtown from both the north and south direction. There shall be a mix of uses that front the road, improve and activate the area. The streetscape will encourage biking and walking by providing shade, attractive lighting and a sense of safety. The single-family neighborhoods will experience an increase in value and become more attractive to buyers.*

## Recommendations: Streetscape

Streetscape enhancements are recommended for the Federal Highway corridor. The space for these enhancements may be obtained through either right-of-way dedications or public easements and should include:

- Create a Complete Street design for Federal Highway including the addition of:
  - On-street parking
  - Bike lanes
  - Enhance median with mature tree canopy (at time of planting) and landscape lighting
  - Marking of major intersections with materials such as pavers, paint, etc.
- Create a Pedestrian Zone adjacent to the right-of-ways that is inviting, safe and includes:
  - Addition of canopy street trees
  - Minimum 8' wide clear sidewalk
  - Decorative light poles at both the vehicular and pedestrian scales
  - Require installation of canopy trees that provide immediate shading at time of construction
- Underground overhead utilities
- Provide additional pedestrian crossings where needed
- Create a greenway along SE 4th Street per the Connectivity Plan

## Recommendations: Land Use

To encourage land assemblage for redevelopment of the corridor, the Plan recommends the application of the newly created future land use classification (Mixed-Use Low with a density of 20 units per acre) and zoning district (Mixed-Use 1 zoning with a 45' height limitation). This new land use designation will allow flexibility to develop retail and residential or retail and office uses, allowing the market to determine the best mix. The Mixed-Use Low would apply to the Federal Highway frontage and to Gateway Boulevard at the Federal Highway Intersection. Currently there is commercial land use at this location; however, it is in need of upgrading. Compatibility ordinances will be utilized to minimize impacts of commercial uses on adjacent residential neighborhoods.

To allow for growth within the CRA and the City, it is recommended that the new mixed-use zoning category—Mixed-Use High 4 with a density of 60 units per acre and 100' height limitation—be applied at the four corners of Woolbright and Federal Highway.

Below is a table of the proposed land use and zoning designations that will apply along the Federal Highway corridor:

Table 6: Recommended Future Land Use (FLU) Classifications within the Federal District

| LAND USE                         | DENSITY | CORRESPONDING ZONING                  | DENSITY CAP* | MAX HEIGHT |
|----------------------------------|---------|---------------------------------------|--------------|------------|
| Mixed-Use High                   | 80      | MU-4, MU Core                         | 60-80        | 100'-150'  |
| Mixed-Use Medium                 | 50      | MU-2, MU-3                            | 40-50        | 65'-75'    |
| Mixed-Use Low                    | 20      | MU-1                                  | 20           | 45'        |
| Special High Density Residential | 20      | IPUD                                  | 20           | 45'        |
| High Density Residential         | 15      | R4, Infill-Planned Unit Development   | 15           | 45'        |
| Medium Density Residential       | 11      | R3, Infill Planned Unit Development   | 10-11        | 45'        |
| Low Density Residential          | 7.5     | R1-AAA, R1-AAB, R1-AA, R-1A, R-1, PUD | 5-7.5        | 30'        |
| Recreation                       | n/a     | Recreation                            | n/a          | 45'        |

\* Properties located within the TOD may receive a 25% density bonus



Figure 51: Federal Highway (North) District Example Projects



Figure 52: Federal Highway (South) District Example Projects

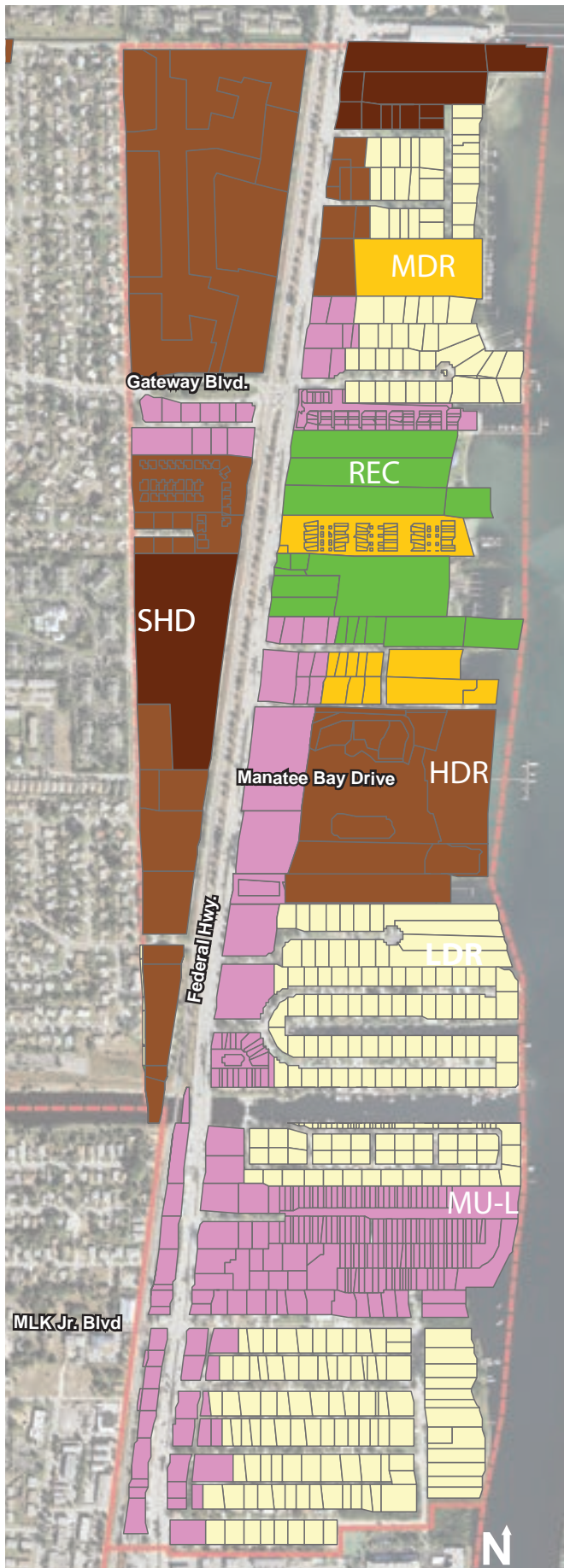


Figure 53: Recommended Land Use for the Federal Highway (North) District

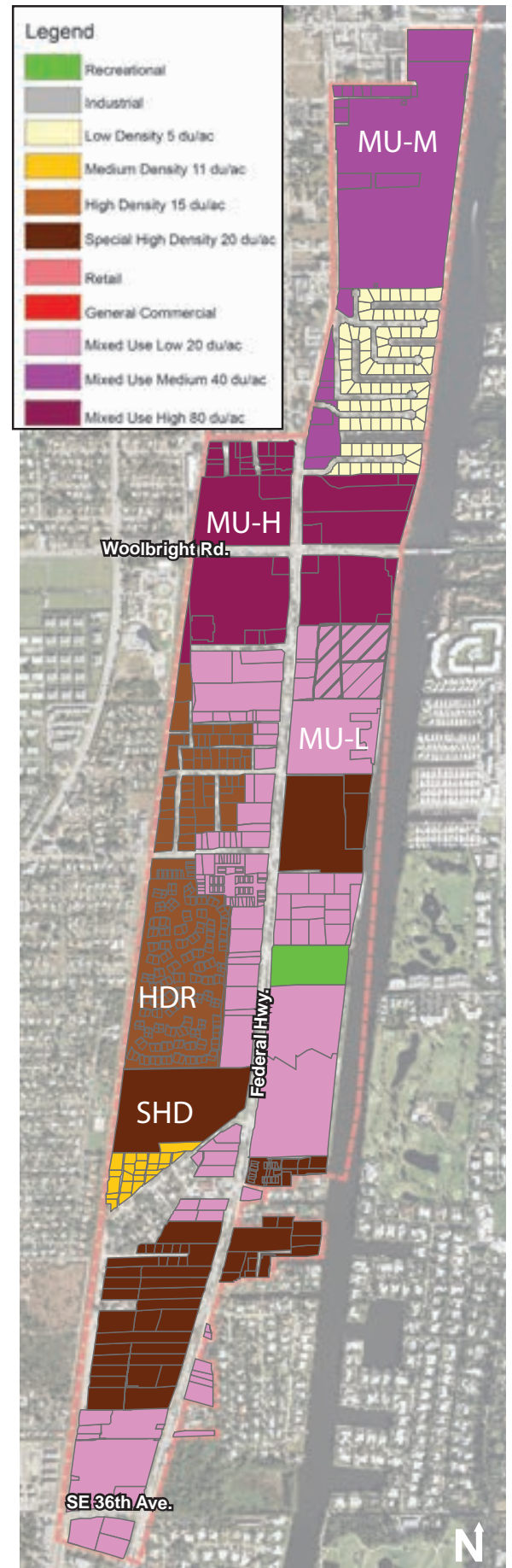


Figure 54: Recommended Land Use for the Federal Highway (South) District

## Urban Design

The following urban design guidelines are recommended for the Federal Highway north district:

- The buildings shall be set back to accommodate on-street parking and the Pedestrian Zone.
- All overhead utilities shall be installed underground.
- For buildings incorporating commercial uses, these uses must front Federal Highway and shall maximize glazing facades visible from rights-of-ways.
- Approximately 75% of the lot frontage must be occupied by structure and be adjacent to the pedestrian zone.
- Buildings fronting Federal Highway shall have a minimum height of 30'
- Buildings fronting Federal Highway shall be a maximum of 45', consistent for 30' deep.
- Parking shall be located to the rear or side of the property. MU-L Land Uses are permitted to have one (single loaded) row of parking in front of the structure.
- Curb cuts shall be permitted on Federal Highway only when access is not possible from the rear or side.
- Adjacent single-family areas shall be protected through the use of landscape buffers and/or walls as appropriate.
- Building roofs shall have vertical breaks to prevent long unbroken spans.
- Building facades shall be articulated with plane changes at least one foot deep with changes in color texture and material.
- All buildings along Federal Highway must have pedestrian access from the right-of-way/ sidewalks.
- The main pedestrian entry, or front door, must be fronting Federal Highway.





Figure 55: Example High Density Residential Project



Figure 56: Example Mixed Use Low Project





# ***Heart of Boynton District***

Introduction  
Planning Challenges  
Planning Considerations  
The Vision  
Recommendations



## Introduction

The Heart of Boynton District is a 380-acre neighborhood developed predominantly with single-family homes. The neighborhood has several parks, two public schools and numerous churches. Unfortunately, it has been the victim of disinvestment over the last 50 years. The two Census blocks of Tract 61 which encompasses this District have the median household income of \$20,848, the lowest in the City.

To counter the decline of the neighborhood, in 2001 the CRA and City adopted the Heart of Boynton Community Redevelopment Plan. The Plan was updated in 2014 to reflect the achievements of the original plan and add new projects to reflect the current market conditions.

A number of recommendations of the original CRA Plan have been implemented, including:

- The demolition of the Cherry Hill public housing project
- The redevelopment of the Boynton Terrace site – Ocean Breeze West – into 21 single-family homes
- Redevelopment of Wilson Park and into Carolyn Sims Community Center
- Expansion of the Palmetto Greens Park
- Redevelopment of Sara Sims Park – Master Plan created, property acquired
- Streetscape Improvements on Seacrest Boulevard
- Redevelopment of Martin Luther King, Jr. Boulevard – Property acquired and Family Dollar developed
- Development of new housing – 60 new single family homes developed in partnership with nonprofits, the City and CRA.

C. Stanley Weaver (C-Canal) canal to the north, I-95 to the west, N.E. 3rd Avenue to the south and the FEC rail line to the east. The area is within walking distance of the Cultural and Downtown Districts.

A major arterial road—Seacrest Boulevard—runs through the neighborhood north/south. Martin Luther King, Jr. Boulevard, once lined with locally-owned businesses, runs east/west.

There are two public elementary schools in the neighborhood, Poinciana and Galaxy. Both schools are STEM schools (Science, Technology, Engineering and Math).

There are a number of parks and special use areas within the neighborhood, such as, Carolyn Sims Community Center, Galaxy Park and Scrub and Sara Sims Park.

The Heart of Boynton District is bounded by the



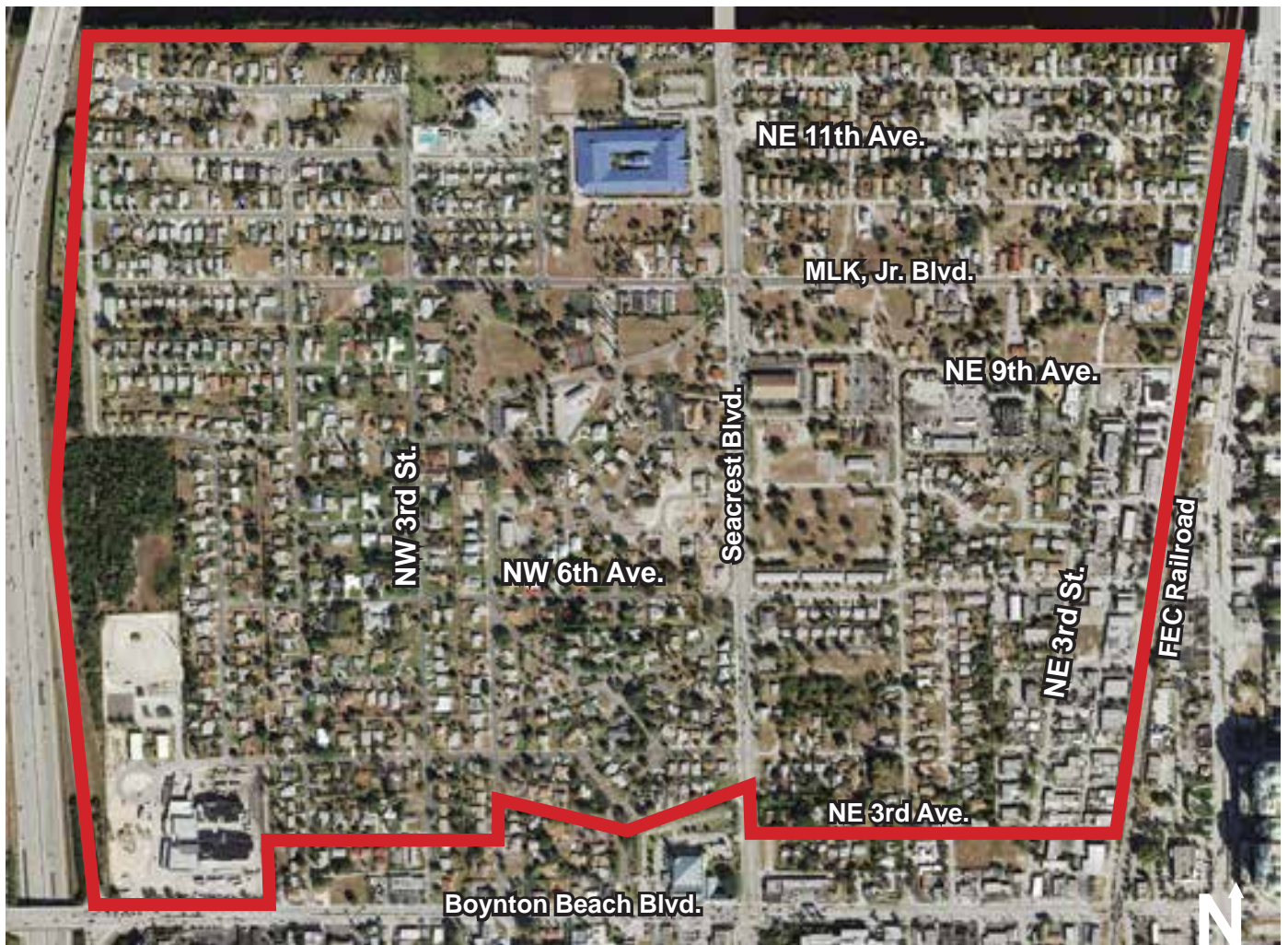


Figure 57: Heart of Boynton District Location Map

## Planning Challenges

The Heart of Boynton area suffers from an aging and poorly maintained housing stock. The CRA and City, in partnership with local non-profits, continue to develop single-family homes, but there is a need for quality affordable multi-family rental housing. The problem is that—given low median household incomes—it cost more to build even modest apartments than many of the families can afford. This gap will has to be filled through some form of a subsidy.

Another major deterrent to private investment is the visible blight and crime. There are still a number of small convenience stores that allow loitering and illegal activities for all to see, discouraging people to buy homes or invest in businesses within the area.

The District is comprised of small parcels platted in the 1920's – 1930's, during Florida's land boom. The parcels are owned by many different people making assembly of a developable site very difficult and expensive. Moreover, many owners have an unrealistic sense of the value of their property.

Over the years, the neighborhood has lost most of their retailers and service providers. There is no full service grocery store and only one take-out restaurant. The majority of commercial use is represented by convenience stores. A new Family Dollar store at the corner of Martin Luther King, Jr. Boulevard and Seacrest Boulevard has been a welcome addition, but there is a need for more retail services.

The neighborhood is bifurcated by a four-lane Seacrest Boulevard, which has only one signalized pedestrian crossing even though there are two elementary schools in the neighborhood. The width of the road and drive aisles encourage speeding through

the neighborhood; clearly, the road is not presently designed at a neighborhood scale.

Both Seacrest Boulevard and Martin Luther King, Jr. Boulevard have older, ill-maintained power poles with overhead utilities, causing a “visual blight.”



Figure 58: Example of District Planning Challenges

## Planning Considerations

Several factors were considered in determining the land use designations for the Heart of Boynton District. A future commuter rail station for the planned Tri-Rail Coastal Link service, which will serve the South Florida metropolitan region, is planned for downtown at N.E. 4th between Ocean Avenue and Boynton Beach Boulevard. To improve land development patterns in advance of station development, the City adopted a Downtown Transit Oriented Development District (DTOD), covering a ½ mile radius around the station's location, including a portion of the Heart of Boynton. The DTOD district regulations support increased intensity of development through a 25% density bonus.

A second consideration is the Transportation Concurrency Exception Area (TCEA) which, in addition to the residential exception area applicable east of I-95, exempts all development from the Palm Beach County traffic concurrency requirements thus allowing denser development.

The Plan recommends increasing density within the area where the TCEA and TOD designations overlap. However, because this District is a low-scale neighborhood, no increase in height over 45' is recommended.

Historic District. There are a significant number of historic cottages located along both sides of NE 3rd Avenue and the south side of NE 4th Avenue between N. Seacrest Boulevard and NE 1st Street. In order to protect these cottages while allowing commercial redevelopment of the south side of NE 3rd Avenue, the Plan recommends that:

- The historic cottages from the south side of NE 3rd Avenue be relocated to the vacant lots on the north side of NE 3rd Avenue.
- On completion of the relocations, a historic district, tentatively called Shepard Funk Addition Historic Cottage District, be created within the block enclosed by N. Seacrest Boulevard, NE 1st Street, NE 3rd Avenue, and NE 4th Avenue.



Figure 59: Planning Consideration Examples



## Vision

*The Heart of Boynton area will become a model neighborhood, with its unique character and history preserved. The vision includes enriching the original vernacular architecture of the neighborhood, investing in housing and commercial uses, and connecting both through the pedestrian and vehicular networks.*

### Recommendations: Streetscape

Streetscape enhancements are recommended for the Seacrest Blvd and Martin Luther King Jr. Blvd. The space for these enhancements may be obtained through either right-of-way dedications or public easements. The enhancements should include:

- Implement a Complete Streets program for Seacrest Boulevard and ML K Jr. Boulevard to accommodate bike lanes and bike racks, widening of sidewalks, decorative street lights, street furniture, and on-street parking.
- Marking of major intersections with materials such as pavers, paint, etc.
- Enhanced median landscaping
- Bus shelters (will be required as part of new construction)
- Additional signalized pedestrian crossings (including mid-block) along Seacrest Boulevard Addition of canopy street trees
- Creation of a Pedestrian Zone adjacent to the right-of-ways that is inviting, safe and includes:
  - Minimum 8' wide clear sidewalk
  - Decorative light poles at both the vehicular and pedestrian scales
  - Require installation of canopy trees that provide immediate shading at time of construction
- Underground of overhead utilities
- Creation of a greenway to connect the greenway proposed along NW 1st Avenue, Sara Sims Park, and Wilson Park per the Connectivity Plan
- Creation of an eco-trail to connect the existing scrub and linear parks per the Connectivity Plan



Figure 60: Seacrest Blvd Streetscape Area



Figure 61: MLK JR. Blvd. Streetscape Area

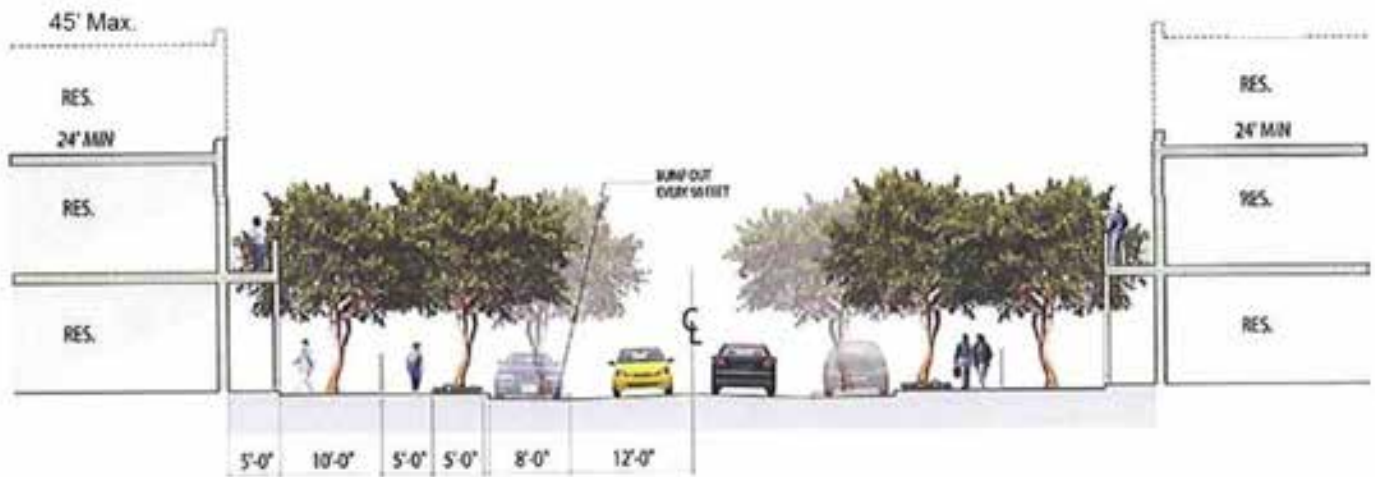


Figure 62: MLK JR. Blvd. Street Section

## Recommendations: Land Use

The existing land use designations within the Heart of Boynton District are:

- Low Density Residential – 5 units per acre (all of this land use designation is concentrated on the west side of Seacrest Boulevard.
- Medium Density Residential – 10 units per acre (this land use designation is concentrated on the east side of Seacrest Boulevard)
- High Density Residential – 11 units per acre (currently over the Ocean Breeze West development and along W. Seacrest from N.W. 8th to N.W. 9th)
- Mixed-Use – 40 units per acre (this land use designation is placed on the CRA-owned Ocean Breeze East block and on CRA-owned property along MLK, Jr. Boulevard)
- Local Retail Commercial, General Commercial, Industrial, Recreational, and Public & Private Governmental/Institutional

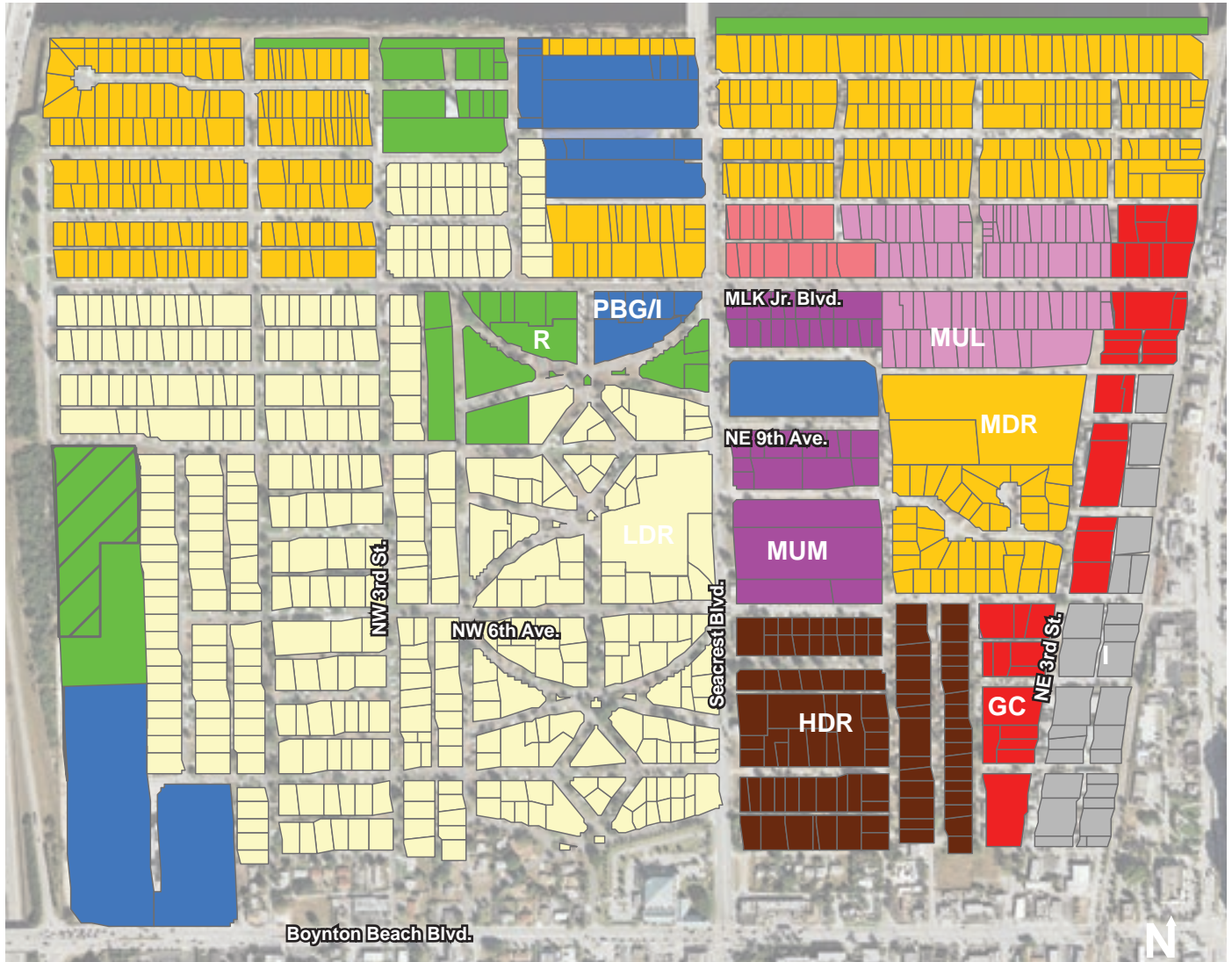
Below is a table of the proposed land use and zoning designations that will apply within the Federal Highway Corridor District:

Table 7: Recommended Future Land Use (FLU) Classifications within the Heart of Boynton District

| LAND USE                   | DENSITY | CORRESPONDING ZONING                      | DENSITY CAP* | MAX HEIGHT |
|----------------------------|---------|---|--------------|------------|
| Mixed-Use Medium*          | 50      | MU-2, MU-3                                | 50           | 75'        |
| Mixed-Use Low              | 20      | MU-1                                      | 20           | 45'        |
| High Density Residential   | 15      | R4, IPUD                                  | 15           | 45'        |
| Medium Density Residential | 11      | R3, IPUD                                  | 11           | 45'        |
| Low Density Residential    | 7.5     | R-1-AAA, R-1-AAB, R-1-AA, R-1-A, R-1, PUD | 7.5          | 45'        |
| Local Retail Commercial    | n/a     | C-2, C-3, PCD                             | n/a          | 45'        |
| General Commercial         | n/a     | C-4                                       | n/a          | 45'        |
| Industrial                 | n/a     | M-1                                       | n/a          | 45'        |
| PPGI                       | n/a     | Public Usage                              | n/a          | 45'        |
| Recreation                 | n/a     | Recreation                                | n/a          | 45'        |

\* Properties located within the TOD may receive a 25% density bonus

Figure 63: Recommended Land Use for the Heart of Boynton District





## Recommendations: Urban Design

- There are three architectural styles of historic structures in the Heart of Boynton: Mission, Frame Vernacular, and Mediterranean Revival. When building in this District, new development shall attempt to utilize one of these architectural styles.
- A Historic Cottage District should be considered adjacent to the proposed Cottage District; where feasible, historically contributing cottages in the area shall be relocated in the Historic Cottage District.
- Commercial buildings fronting MLK Jr., Boulevard and/or Seacrest Boulevard shall maximize the amount of glazing.
- Residential buildings fronting MLK Jr., Boulevard and/or Seacrest Boulevard shall be designed to have pedestrian access from the main road and have front door facing the main road.
- All buildings along MLK Jr., Boulevard and/or Seacrest Boulevard shall be set back to allow for a pedestrian zone.
- Approximately 75% of the lot frontage must be occupied by structure and be adjacent to the pedestrian zone.
- Buildings fronting MLK Jr., Boulevard shall be a maximum of two story and stepped back to continue to the maximum allowed height in the designated Zoning District.
- Parking shall be located to the rear or side of the buildings
- Curb cuts shall be permitted on Boynton Beach Blvd only when access is not possible from the rear or side.
- When adjacent to commercial uses, single-family areas shall be protected through the use of landscape buffers and/or walls as appropriate.

Figure 64: Heart of Boynton Projects



### Sara Sims Park Expansion

Working with residents of the community, the CRA and its consultant created a master plan for the expansion and improvement of Sara Sims Park. The CRA has also purchased seven properties and deeded them to the City in preparation for the eventual expansion of the park. taff will review the feasibility of converting a portion of Sara Sims Park Master Plan, along the western boundary, from Recreational Land Use to Single Family. This process shall include a public meeting, the Parks and Recreation Board review and recommendation, and Clty Commision approval.



Figure 65: Sara Sims Expansion

### Ocean Breeze East

The CRA owns 4.5 acres of vacant land east of Seacrest Boulevard between N.E. 6th and 7th Avenues. The CRA is seeking a private development partner to build a multi-family project on the site.



Figure 66: Ocean Breeze East

### Cottage District

The CRA owns approximately 5 acres on the block between N.E. 4th and 5th Avenue. The CRA's goal with this site is to attract a private development partner to build single-family for-sale homes in the style of the surrounding historic cottages.



Figure 67: Cottage District

### MLK Commercial

Leveraging CRA-owned land and economic development grants, the CRA was able to bring a Family Dollar store to the Martin Luther King, Jr. Boulevard corridor in 2015. The CRA owns additional land on the corridor and continues to work with developers to attract new and needed neighborhood retail.

### MLK Multi Family

Utilizing CRA-owned land, the CRA is seeking to attract a private development partner to build a multi-family development along the Martin Luther King, Jr. Boulevard corridor. The development may include commercial uses.





Figure 68: Example MLK Commercial Project



Figure 69: Example MLK Multi Family Project





# ***Industrial Craft District***

Introduction  
Planning Challenges  
Planning Considerations  
The Vision  
Recommendations



## Introduction

Prior to this Plan, the Industrial Craft District has never been included as part of a Community Redevelopment Plan. The 49 acre area is entirely comprised of industrial uses; however, there is a burgeoning arts scene utilizing some of the existing warehouses for art studios. It is the goal of the CRA and City to make necessary investments to the Industrial District to ensure its economic sustainability.

The Industrial Craft District is located in the westernmost area of the CRA district, bordered to the east by I-95, to the south by Boynton Beach Boulevard, to the west by West Industrial Avenue, and to the north by the C. Stanley Weaver canal.

The area directly to the west of the District is a single-family neighborhood, with minimal buffering against the industrial uses of the District.



Figure 70: Industrial Craft District Location Map



## Planning Challenges

While there are some newer buildings interspersed throughout the District, it is an area of older warehouses build in the 1960' – 1970's. Many of the buildings have not been upgraded and are not well maintained.

The area has easy access from both I-95 and Boynton Beach Boulevard, yet there is little visibility from either roadway; there is no signage identifying the District.

Some of the business use the public right-of way along the roads to store broken equipment, causing the area to appear uncared for. As the businesses lack parking, the right-of-ways are also used for staff and customer parking, and vehicles storage. Also, most of the area has no sidewalks, forcing pedestrians to walk in the street. Moreover, there is insufficient street lighting, making the area feel unsafe in the evening.

The emerging art district, while being an opportunity, is also a challenge. Current Zoning Regulations allow for artists' studios in industrial areas, but do not permit art galleries, which would enable the District to evolve into a unique industrial crafts hub. Additionally, as described above, the area lacks infrastructure necessary to safely accommodate the public events. Lastly, although the art production (i.e. involving industrial materials and processes) may qualify as industrial use by current Zoning Regulations, the art district represents competition for space that the City may intend to reserve for the more traditional industrial businesses that would support the tax base, employment and other economic objectives of the City's Economic Development Program. The City's plan for preserving and expanding lands available for such uses may warrant the establishment of a boundary intended to limit the expansion of the arts district.

## Planning Considerations

Principal considerations in evaluating the redevelopment potential and vision for this District include its location, the relatively new art district, and

the types of businesses that would represent a successful symbiotic relationship between the industrial and art worlds.

The location of this District is an important consideration given its partial visibility from I-95 and ideal access from all directions. (High traffic counts on Boynton Beach Boulevard and I-95 interchange have warranted the State DOT to plan for a major expansion.) There is the opportunity for very visible wayfinding signage and branding.

As indicated above, an arts district has emerged in this industrial area; this happened in many other cities where local artists sought affordable rent in older warehouse neighborhoods. Negative aspects notwithstanding, an arts district can contribute toward the City's image and local cultural tourism, as well as motivate investment in public infrastructure that the area needs.



Figure 71: Examples of District Planning Challenges

## Vision

*The goal of this Plan is to ensure the development of the Industrial Craft District as a viable, modern industrial crafts district that will accommodate a range of uses and businesses while providing economic benefits for the City.*

## Recommendations: Land Use

The existing Future Land Use Classification within the District is Industrial; no changes to the Land Use are recommended. The existing permitted uses shall be expanded to include new uses that would complement promote the unique character of the district. Introducing flexibility into the City code relative to permitted uses will help to attract young entrepreneurs.

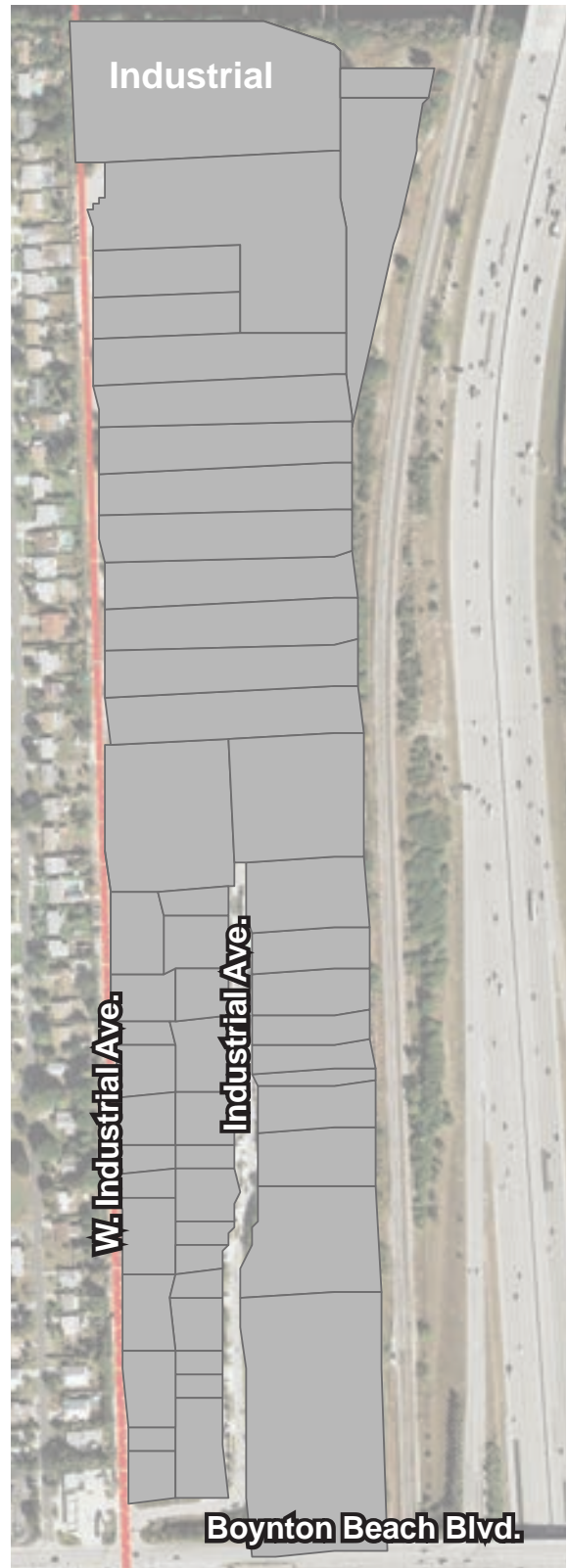


Figure 72: Industrial Craft District Future Land Use

## Recommendations: Streetscape

### Streetscape enhancements:

- Create branding elements including entry and wayfinding signage
- Review LDRs for revisions to the sign code to allow for signage to be visible from I-95
- Installation of public art at Boynton Beach Boulevard
- Landscaping enhancements
- Installation and repair of sidewalks
- Addition of on-street parking
- Installation and enhancement of vehicular and pedestrian lighting
- Construction of buffer wall between the single-family neighborhood and industrial area

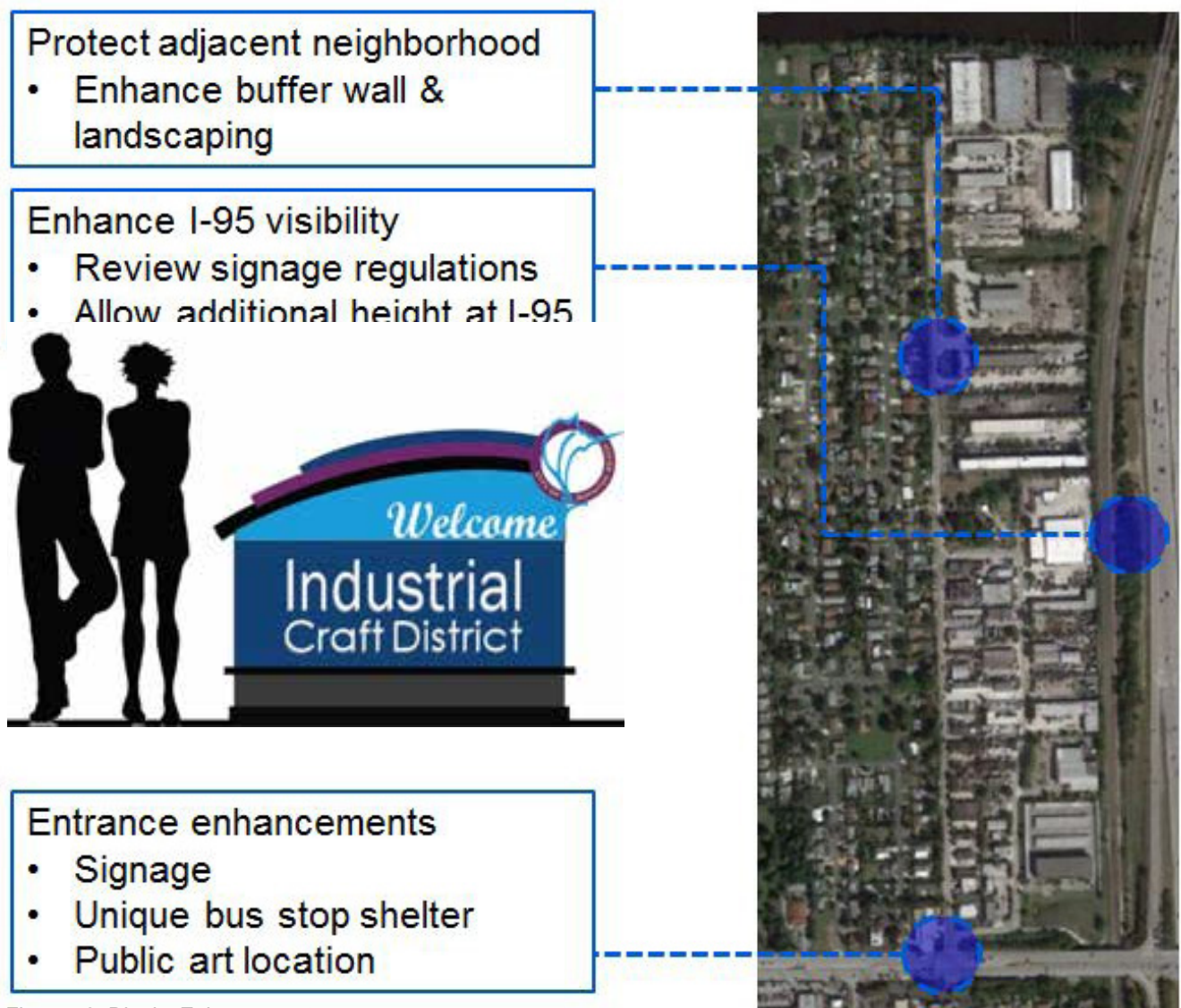


Figure 73: District Enhancements

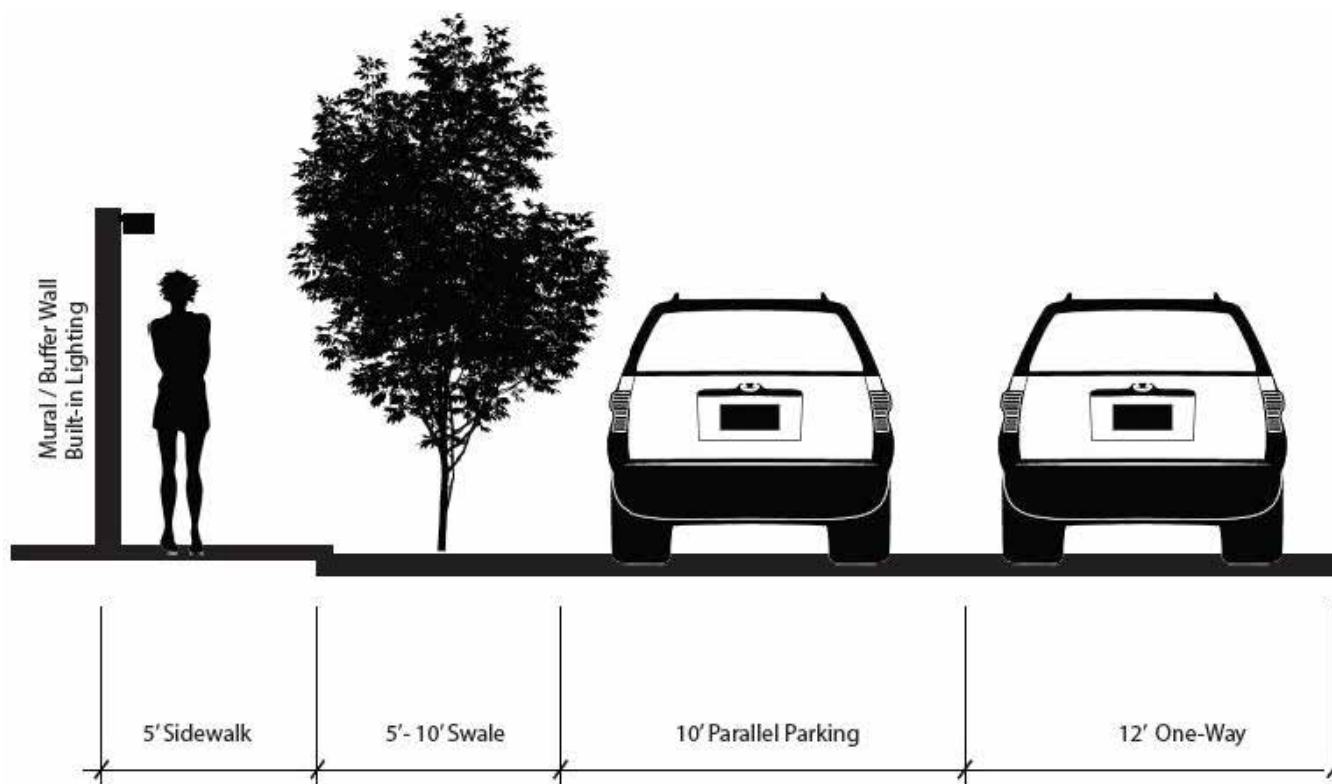
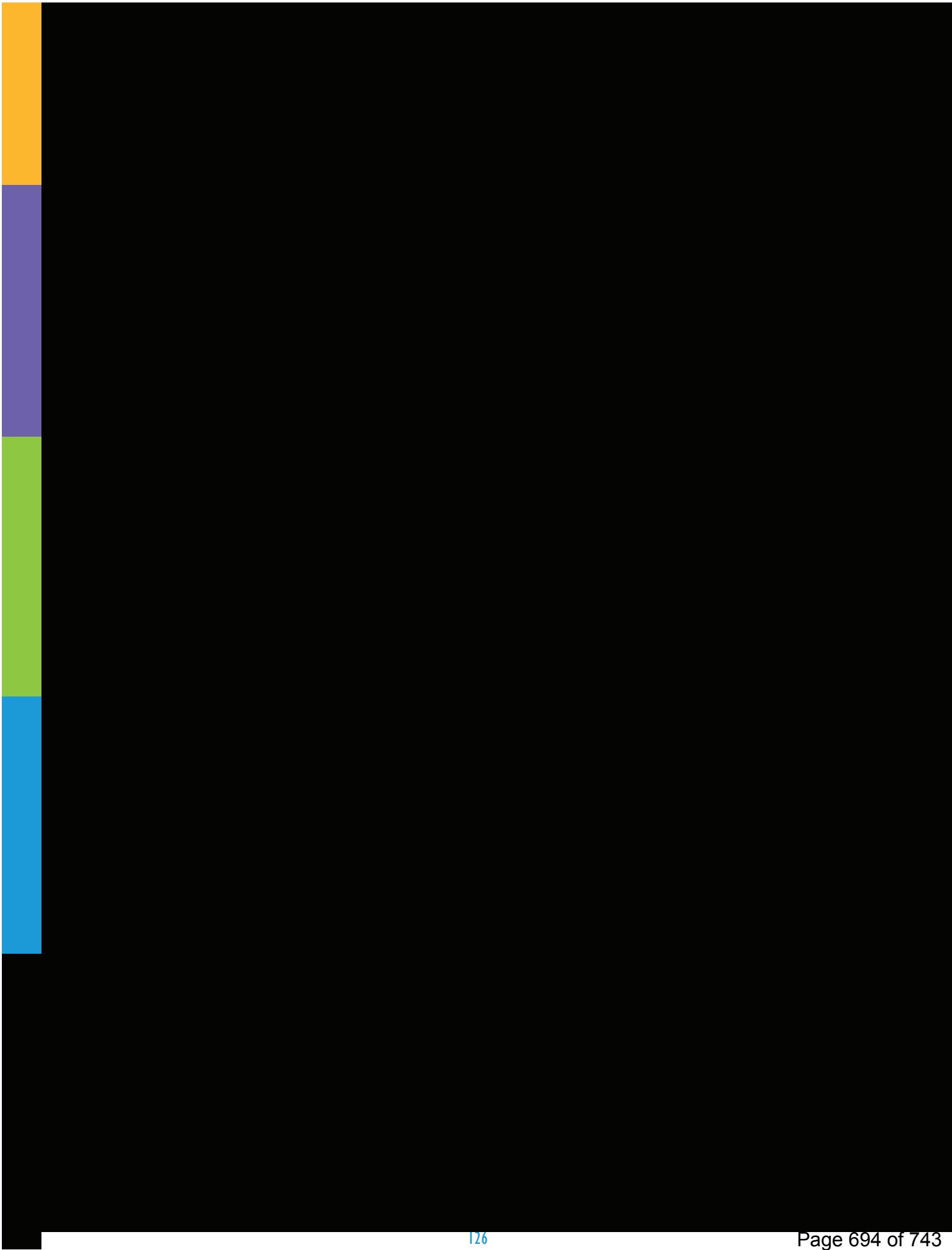


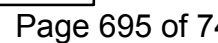
Figure 74: Example West Industrial Ave. Section





Figure 75: Example West Industrial Ave. Buffer Wall and Pedestrian improvements









## **CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM**

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Pursuant to Section 286.011(8), Florida Statutes, the City Attorney is requesting a private attorney-client session of the City Commission to discuss pending litigation in the following case:

BENNIE ROBINSON, Plaintiff, vs. JUSTIN HARRIS, individually, and the CITY OF BOYNTON BEACH, A Florida Municipal Corporation, Defendants. - UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA - Case No. 9:16-cv-81572-CIV-MARRA/MATTHEWMAN

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**EXPLANATION OF REQUEST:**

The Assistant City Attorney, Tracey DeCarlo, will be in attendance along with City Manager Lori LaVerriere, a Court Reporter, the Mayor and City Commission. We will need approximately 30 minutes.

The time and date of the private attorney-client session will be scheduled at the July 18, 2017 City Commission meeting.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** N/A

**FISCAL IMPACT:** Budgeted The cost of a court reporter

**ALTERNATIVES:** None

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**


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**Is this a grant?** No

**Grant Amount:**

---

**ATTACHMENTS:**

| Type   | Description                                      |
|--|--|
|  Memo | Memo request Attorney-Client Closed Door session |

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                |
|--------------|------------------|----------|---------------------|
| Legal        | Swanson, Lynn    | Approved | 7/3/2017 - 2:49 PM  |
| Finance      | Howard, Tim      | Approved | 7/7/2017 - 1:45 PM  |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:33 AM |

# **CITY OF BOYNTON BEACH**

## **City Attorney's Office MEMORANDUM**

TO: Honorable Mayor and City Commission  
Lori LaVerriere, City Manager

FROM: James A. Cherof, City Attorney

DATE: July 3, 2017

RE: Request for Private Attorney-Client Session

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Pursuant to Section 286.011(8), Florida Statutes, I am requesting a private attorney-client session of the City Commission to discuss pending litigation in the following case:

BENNIE ROBINSON, Plaintiff, vs. JUSTIN HARRIS, individually, and the CITY OF BOYNTON BEACH, A Florida Municipal Corporation, Defendants. - UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA - Case No. 9:16-cv-81572-CIV-MARRA/MATTHEWMAN

Assistant City Attorney Tracey DeCarlo will be in attendance along with City Manager Lori LaVerriere, a Court Reporter, the Mayor and City Commission. We will need approximately 30 minutes.

The time and date of this private attorney-client session will be scheduled at the July 18, 2017 City Commission meeting.



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** **PROPOSED ORDINANCE NO. 17-017 - SECOND READING** - Approve the abandonment of an existing 12 ft. utility easement within the former Verzaal (landscape) Nursery Parcel located on Flavor Pict Road west of Military Trail.

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**EXPLANATION OF REQUEST:**

This parcel is being acquired to be utilized for the proposed construction of Phase - II Flavor Pict Townhomes Development. The developer has dedicated separate City of Boynton Beach Utility easements associated with the adjacent Phase - I Townhome property as part of their Recorded Plat. The proposed Phase II utility easements will be dedicated in the same manner.

The construction of Phase II Flavor Pict Townhome development will be adjacent and contiguous to the east side of the Phase I development located on Flavor Pict Road. The City of Boynton Beach currently has a 12 ft. wide utility easement on the abandoned nursery parcel (see attachment). The developer has obtained permission from the nursery property owner to abandon the easement. The easement contains an existing water main that served the former nursery property. The developer as part of the development review and platting process will agree to grant the needed City of Boynton Beach utility easements on Phase II similar to what was dedicated on the Phase I development. In addition, the developer will be responsible for abandoning and removing the existing water service line within the 12-ft wide utility easement in accordance with Boynton Beach Utility Standards.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** The abandonment of this easement and abandoned of the water service main will have no effect on our existing utility operations

**FISCAL IMPACT:** There is no fiscal impact to the City.

**ALTERNATIVES:** Deny the request for abandonment of the easement, impacting future higher use development on vacant nursery parcel

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**ATTACHMENTS:**

| Type        | Description  |
|-------------|--|
| ▣ Ordinance | Ordinance abandoning 12 foot utility easement<br>Landscape nursery |
| ▣ Addendum  | Exhibit A to Ordinance 12-wide easement<br>description             |
| ▣ Addendum  | Authorizing letter from Owner of Nursery to<br>Caulfield & Wheeler |
| ▣ Addendum  | Authorizing letter from Developer to Caulfield &<br>Wheeler        |
| ▣ Addendum  | PBC Apraiser map of Nursery Property                               |
| ▣ Addendum  | Flavor Pict Townhome Phase I Plat                                  |
| ▣ Addendum  | Proposed Townhome site plan showing PH I and<br>PH II              |

**REVIEWERS:**

| Department | Reviewer         | Action   | Date                |
|------------|------------------|----------|---------------------|
| Utilities  | Stanzione, Tammy | Approved | 7/11/2017 - 8:55 AM |

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**ORDINANCE NO. 17-**

**AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, AUTHORIZING ABANDONMENT OF AN EXISTING 12 FOOT WIDE UTILITY EASEMENT WITHIN THE FORMER VERZAAL (LANDSCAPE) NURSERY PARCEL LOCATED ON FLAVOR PICT ROAD WEST OF MILITARY TRAIL, SUBJECT TO STAFF COMMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE A DISCLAIMER, WHICH SHALL BE RECORDED WITH THIS ORDINANCE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the owner/developer, is requesting the abandonment of an existing 12 foot wide utility easement recorded January 20, 1998, in ORB 10870, Page 1891 of the Public Records of Palm Beach County; and

**WHEREAS,** the parcel is being acquired to be utilized for the purpose of Phase II Flavor Pict Townhomes Development; and

**WHEREAS,** the developer has dedicated separate City of Boynton Beach Utility easements associated with adjacent Phase - I Townhome property as part of their recorded Plat and the Phase – II utility easements will be dedicated in the same manner; and

**WHEREAS,** comments have been solicited from the appropriate City Departments, and public hearings have been held before the City Commission on the proposed abandonment; and

**WHEREAS,** staff finds that the utility easement no longer serves a public purpose, and the City Commission adopts that finding.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA THAT:**

**Section 1.** The foregoing Whereas clauses are true and correct and incorporated herein by this reference.

**Section 2.** The City Commission of the City of Boynton Beach, Florida, does hereby abandon an existing 12 foot wide utility easement recorded January 20, 1998, in ORB 10870, Page 1891 of the Public Records of Palm Beach County, subject to staff comments. The property being abandoned is more particularly described as follows:

See Exhibit “A” attached hereto.

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**Section 3.** The City Manager is hereby authorized and directed to execute the attached Disclaimer and cause the same to be filed, with this Ordinance, in the Public Records of Palm Beach County, Florida.

**Section 4.** This Ordinance shall take effect immediately upon passage.

FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2017.

SECOND, FINAL READING AND PASSAGE THIS \_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BOYNTON BEACH, FLORIDA

| YES   | NO    |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| VOTE  | _____ |

ATTEST:  
  
\_\_\_\_\_  
Judith A. Pyle, CMC  
City Clerk  
  
(Corporate Seal)



DISCLAIMER

**KNOW ALL MEN BY THESE PRESENTS** that the City Commission of the City of Boynton Beach, Florida, does hereby abandon an existing utility easement recorded January 20, 1998, in ORB 10870, Page 1891 of the Public Records of Palm Beach County, subject to staff comments. The property being abandoned is more particularly described as follows:

See Exhibit "A" attached hereto.

**IN WITNESS WHEREOF**, the duly authorized officers of the City of Boynton Beach, Florida, have hereunto set their hands and affixed the seal of the City this \_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

CITY OF BOYNTON BEACH, FLORIDA

\_\_\_\_\_  
Judith A. Pyle, CMC  
City Clerk

\_\_\_\_\_  
Lori LaVerriere, City Manager

STATE OF FLORIDA                     )  
   )ss:  
COUNTY OF PALM BEACH         )

**BEFORE ME**, the undersigned authority, personally appeared Lori LaVerriere and Judith A. Pyle, City Manager and City Clerk respectively, of the City of Boynton Beach, Florida, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged the execution thereof to be their free hand and deed as such officers, for the uses and purposes mentioned therein; that they affixed thereto the official seal of said corporation; and that said instrument is the act and deed of said corporation.

**WITNESS** my hand and official seal in the said State and County this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
My Commission Expires:

## DESCRIPTION:

ALL OF THAT CERTAIN CITY OF BOYNTON BEACH UTILITY EASEMENT RECORDED IN OFFICIAL RECORD BOOK 10270, PAGE 1891 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE S.01°53'38"E. ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 43.16 FEET; THENCE N.89°11'03"E. ALONG THE SOUTH RIGHT-OF-WAY LINE OF FLAVOR PICT ROAD, AS RECORDED IN OFFICIAL RECORD BOOK 8709, PAGE 216 OF SAID PUBLIC RECORDS, A DISTANCE OF 9.81 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°11'03"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 19.92 FEET; THENCE S.52°08'37"W., A DISTANCE OF 57.84 FEET; THENCE S.01°20'08"E., A DISTANCE OF 159.24 FEET; THENCE S.09°32'40"E., A DISTANCE OF 49.91 FEET; THENCE N.85°17'52"E., A DISTANCE OF 8.27 FEET; THENCE N.01°36'29"W., A DISTANCE OF 6.96 FEET; THENCE N.88°23'31"E., A DISTANCE OF 12.00 FEET; THENCE S.01°36'29"E., A DISTANCE OF 33.16 FEET; THENCE S.88°23'31"W., A DISTANCE OF 12.00 FEET; THENCE N.01°36'29"W., A DISTANCE OF 14.18 FEET; THENCE S.85°17'52"W., A DISTANCE OF 18.65 FEET; THENCE N.09°32'40"W., A DISTANCE OF 56.74 FEET; THENCE N.84°48'24"W., A DISTANCE OF 24.98 FEET; THENCE N.05°11'36"E., A DISTANCE OF 12.00 FEET; THENCE S.84°48'24"E., A DISTANCE OF 22.88 FEET; THENCE N.01°20'08"W., A DISTANCE OF 102.81 FEET; THENCE S.87°52'02"W., A DISTANCE OF 13.56 FEET; THENCE N.12°09'03"W., A DISTANCE OF 16.09 FEET; THENCE N.02°39'23"E., A DISTANCE OF 7.53 FEET; THENCE S.87°20'37"E., A DISTANCE OF 16.09 FEET; THENCE N.01°20'08"W., A DISTANCE OF 34.17 FEET; THENCE N.52°08'37"E., A DISTANCE OF 47.99 FEET TO THE POINT OF BEGINNING.

LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.  
CONTAINING 4,453 SQUARE FEET/0.1022 ACRES MORE OR LESS.

## NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF N.89°11'03"E. ALONG THE SOUTH RIGHT-OF-WAY LINE OF FLAVOR PICT ROAD, AS RECORDED IN OFFICIAL RECORD BOOK 8709, PAGE 216 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT)..
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

## CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON APRIL 4, 2017. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 2



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452



DAVID P. LINDLEY  
REGISTERED LAND  
SURVEYOR NO. 5005  
STATE OF FLORIDA  
LB# 3591

|           |          |
|-----------|----------|
| DATE      | 4/04/17  |
| DRAWN BY  | JC       |
| F.B./ PG. | N/A      |
| SCALE     | AS SHOWN |
| JOB NO.   | 6675ABAN |

FLAVOR PICT TOWNHOMES  
CITY OF BOYNTON BEACH EASEMENT ABANDONMENT  
SKETCH OF DESCRIPTION

N. LINE OF THE S.E. 1/4 OF SECTION 2  
TOWNSHIP 46 SOUTH, RANGE 42 EAST

**POINT OF COMMENCEMENT**

N.E. CORNER OF THE S.W. 1/4 OF THE S.E. 1/4 OF  
SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST

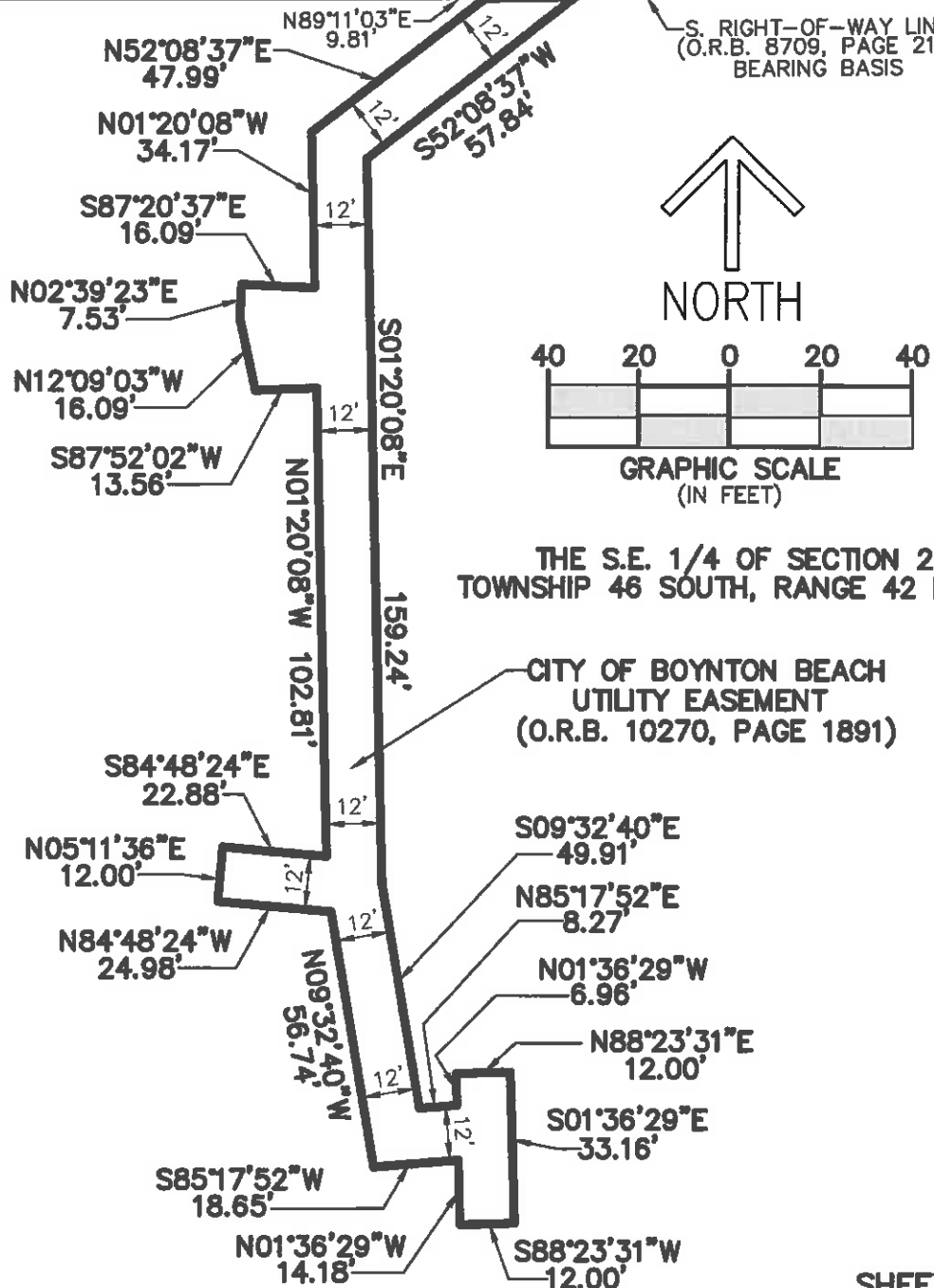
**FLAVOR PICT ROAD**  
RIGHT-OF-WAY WIDTH VARIES

E. LINE OF THE S.W. 1/4 OF THE S.E. 1/4 OF

**POINT OF BEGINNING**

N89°11'03"E  
19.92'

S. RIGHT-OF-WAY LINE  
(O.R.B. 8709, PAGE 216)  
BEARING BASIS



THE S.E. 1/4 OF SECTION 2  
TOWNSHIP 46 SOUTH, RANGE 42 EAST

CITY OF BOYNTON BEACH  
UTILITY EASEMENT  
(O.R.B. 10270, PAGE 1891)

**SHEET 2 OF 2**



**CAULFIELD & WHEELER, INC.**

CIVIL ENGINEERING - LAND SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452

**FLAVOR PICT TOWNHOMES**  
**CITY OF BOYNTON BEACH EASEMENT ABANDONMENT**  
**SKETCH OF DESCRIPTION**

|           |          |
|-----------|----------|
| DATE      | 4/04/17  |
| DRAWN BY  | JC       |
| F.B./ PG. | N/A      |
| SCALE     | AS SHOWN |
| JOB NO.   | 6675ABAN |

ADRIAN VERZAAL  
VERZAAL FAMILY LIMITED PARTNERSHIP  
608 N.E. FRANCESCA LANE  
BOCA RATON, FL 33487

May 8, 2017

Attn: Tim Foster  
Caulfield & Wheeler Inc.  
7900 Glades Road - Suite 100  
Boca Raton, Florida 33434

(ORB 10270, PG  
1891)

In Re: Abandonment of Easement (ORB 10270, PG 1891)

Dear Sir:

This letter will serve as authorization for you (your company) to act as seller's agent for Verzaal Family Limited Partnership for the purpose of abandoning the current utility easement on the property further described on Exhibit "A" attached hereto and made a part hereof.

Please let me know if you need any additional information. Please contact Thomas F. Carney, Jr, Esq., Carney Stanton P.L., 135 S.E. 5<sup>th</sup> Avenue, Suite 202, Delray Beach, FL 33483. 561-330-8140 should you need further assistance.

Thank you very much

Sincerely,

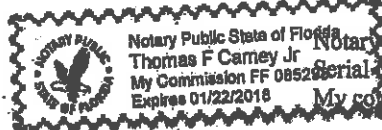
*Adrian Verzaal*  
*Adrian Verzaal*  
Adrian Verzaal, General Partner, Verzaal  
Family Limited Partnership,

contact

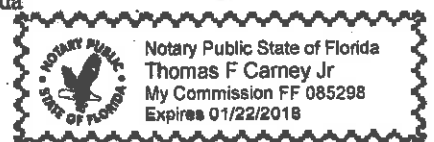
STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

The foregoing Instrument was acknowledged before me this 8th day of May, 2017 by Adrian Verzaal, who is personally known to me..

Print Name



Notary Public, State of Florida  
Serial Number:  
My commission expires:



## Exhibit "A"

### DESCRIPTION:

#### PARCEL 1:

A PARCEL OF LAND SITUATE IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST ONE-HALF (E ½) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼), LESS AND EXCEPTING THE NORTH 8.00 FEET THEREOF, AND THE SOUTH 2.00 FEET OF THE NORTH 10.00 FEET OF THE EAST 169.16 FEET THEREOF, AND THE WEST 60.00 FEET THEREOF; AND LESS AND EXCEPT:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE SOUTH 01°53'42" EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼), 10.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 89°11'04" WEST ALONG THE EXISTING RIGHT-OF-WAY LINE OF FLAVOR-PICT ROAD; PER ROAD PLAT 3, PAGE 59, OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY, 169.19 FEET TO A POINT ON THE WEST LINE OF THE EAST 169.16 FEET OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE CONTINUE SOUTH 89°11'04" WEST 0.42 FEET; THENCE NORTH 00°48'56" WEST 2.0 FEET; THENCE SOUTH 89°11'04" WEST AGAIN ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF FLAVOR-PICT ROAD REFERENCED ABOVE, 103.11 FEET TO THE EAST LINE OF THE WEST 60.00 FEET OF THE EAST HALF (E ½) OF SAID NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE SOUTH 01°49'16" EAST ALONG SAID EAST LINE 31.52 FEET TO THE PROPOSED SOUTH RIGHT-OF-WAY LINE OF FLAVOR-PICT ROAD; THENCE NORTH 89°58'09" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 103.58 FEET TO THE WEST LINE OF THE EAST 169.16 FEET OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE CONTINUE NORTH 89°58'09" EAST ALONG THE PROPOSED RIGHT-OF-WAY LINE 162.02 FEET TO A POINT; THENCE NORTH 89°11'04" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND 43.16 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2, 7.23 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2; THENCE NORTH 01°53'42" WEST ALONG SAID EAST LINE, 33.16 FEET TO THE POINT OF BEGINNING.

#### PARCEL 2:

A PARCEL OF LAND SITUATE IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 123.87 FEET OF THE NORTHWEST ONE-QUARTER (NW ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF THE SOUTHEAST ONE-QUARTER (SE ¼), LESS AND EXCEPTING THE NORTH 10.00 FEET THEREOF, LESS AND EXCEPT:

THE SOUTH 33.16 FEET OF THE NORTH 43.16 FEET OF THE WEST 123.87 FEET OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 2. CONTAINING 249,362 SQUARE FEET OR 5.725 ACRES, MORE OR LESS.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.



July 8, 2015

John Wheeler  
Caulfield & Wheeler, Inc.  
790 Glades Road, Suite 100  
Boca Raton, FL 33434

**RE: Agent Authorization – Caulfield & Wheeler, Inc.**  
**Project Name: Flavor Pict Townhomes PUD.**

To whom it may concern:

Please accept this letter as formal request and permission for Caulfield & Wheeler, Inc. to submit applications, monitor progress, and respond to requests for technical information or clarifications necessary to obtain permits or approvals from City, County, State, or Federal agencies having jurisdiction over development project.

It is required that Lennar be informed and given opportunity to make selections whenever options exist for project development. Lennar must be notified of meetings or phone conferences where issues of significant monetary or time impact are to be discussed.

Should you have any questions please call Horacio Moncada at 954-638-7971 or email at [Horacio.Moncada@Lennar.com](mailto:Horacio.Moncada@Lennar.com) or Jeff Alexander at 786-518-8593 or [jeff.alexander@lennar.com](mailto:jeff.alexander@lennar.com)

Sincerely,

Carlos Gonzalez  
Vice President





**DOROTHY JACKS**  
Palm Beach County Property Appraiser  
OWN, ASST

Search by Owner, Address or Parcel



[View Property Record](#)

**Owners**

VERZAAL FAMILY LTD PTNRSHP

**Property detail**

Location 5220 FLAVOR PICT RD  
Municipality UNINCORPORATED  
Parcel No. 00424602000005150  
Subdivision  
Book 09684 Page 0618  
Sale Date FEB-1997  
Mailing Address  
PO BOX 5206  
DELRAY BEACH FL 33482 5206  
Use Type 5900 - AG Classification ORN/MISC AGRI  
Total Square Feet 33126

**Sales Information**

| Sales Date | Price  |
|------------|--------|
| FEB-1997   | 550000 |
| OCT-1989   | 70000  |

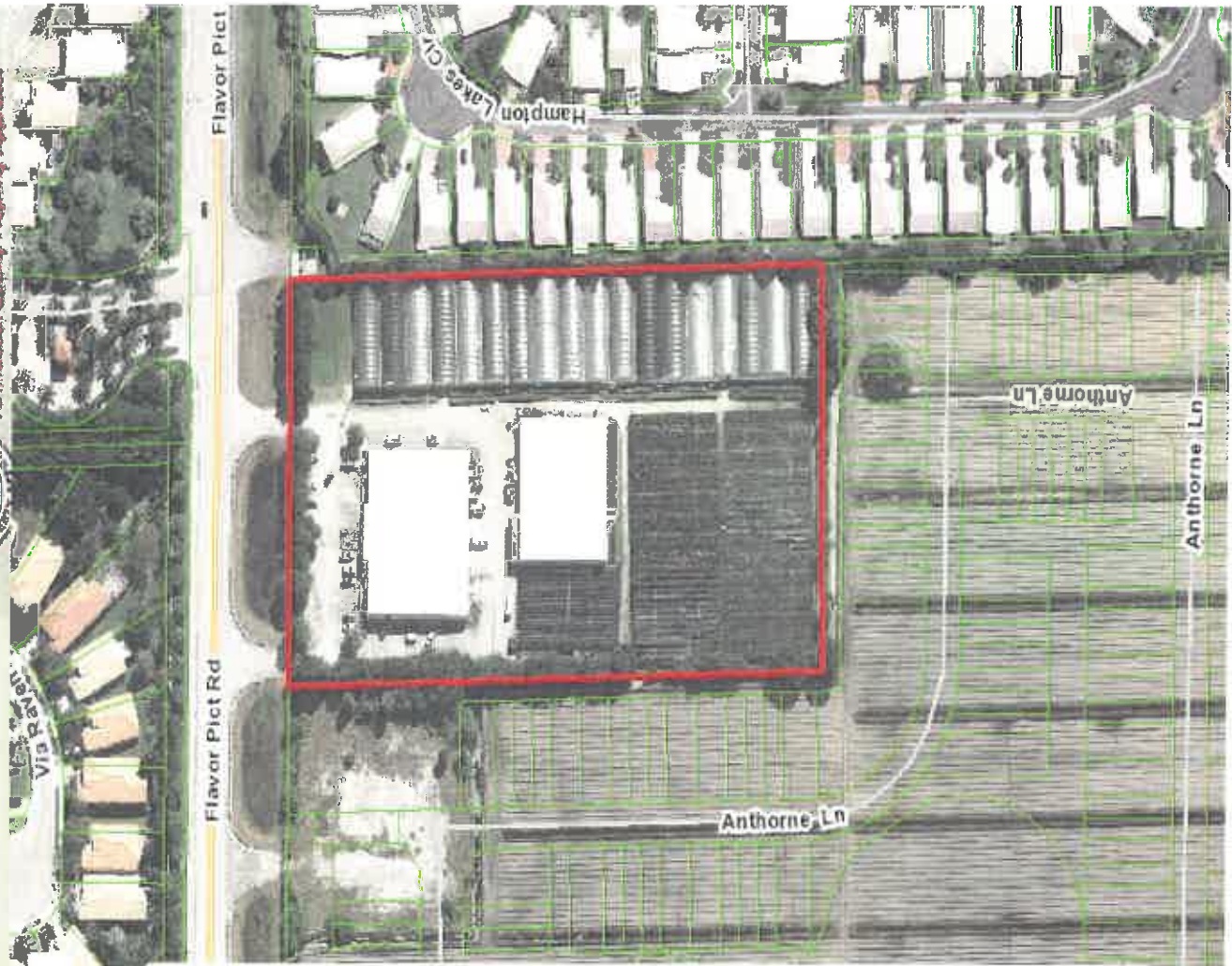
**Appraisals**

| Tax Year           | 2016        |
|--------------------|-------------|
| Improvement Value  | \$924,431   |
| Land Value         | \$619,333   |
| Total Market Value | \$1,543,764 |

All values are as of January 1st each year

**Assessed/Taxable values**

| Tax Year | 2016 |
|----------|------|
|----------|------|





Owner: VERZAAL FAMILY LTD PTNRSH PCN: 00424602000005150

1 of 1

| <b>Property Detail</b><br>Parcel Control Number: 00424602000005150      Location Address: 5220 FLAVOR PICT RD<br>Owners: VERZAAL FAMILY LTD PTNRSH<br>Mailing Address: PO BOX 6206, DELRAY BEACH FL 33482 6206<br>Last Sale: Not available      Book/Page#: 09684 / 0618      Price: Not available<br>Legal Description: 2-46-42, N 660 FT OF W 396.14 FT OF E 1562.28 FT OF S 1/2 OF SE 1/4 (LESS N 43.16 FT FLAVOR PICT RD R/W)  |   |              |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
|--|---|--------------|------------|-------------|---------------------------|------|-------|---------------------------|-------|-----|---------|-----|------|---------|------|-----|---------|-----|-----|-------------------------------|-----|--|-------------|------|------------------|------|------|----|-----------------|-------|--------------------------------|-----|--------------------------------|------|
| <b>2016 Values (Current)</b><br>Improvement Value \$924,431<br>Land Value \$619,333<br>Total Market Value \$1,543,764<br>Assessed Value \$1,334,422<br>Exemption Amount \$0<br>Taxable Value \$1,334,422<br>All values are as of January 1st each year   | <b>2016 Taxes</b><br>Ad Valorem \$23,994<br>Non Ad Valorem \$4,119<br>Total Tax \$28,113<br><b>2016 Qualified Exemptions</b><br>No Details Found<br><b>Applicants</b><br>No Details Found   |              |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| <b>Building Footprint (Building 1)</b><br>   | <b>Subarea and Square Footage (Building 1)</b><br><table border="1"> <thead> <tr> <th>Description</th> <th>Area</th> <th>Sq. Footage</th> </tr> </thead> <tbody> <tr> <td>DISCOUNT DEPARTMENT STORE</td> <td>1</td> <td>16066</td> </tr> <tr> <td>OFFICES</td> <td>2</td> <td>850</td> </tr> <tr> <td>OFFICES</td> <td>3</td> <td>1156</td> </tr> <tr> <td>OFFICES</td> <td>4</td> <td>384</td> </tr> <tr> <td>OFFICES</td> <td>5</td> <td>594</td> </tr> <tr> <td><b>Total Square Footage :</b></td> <td></td> <td><b>19050</b></td> </tr> </tbody> </table> | Description  | Area       | Sq. Footage | DISCOUNT DEPARTMENT STORE | 1    | 16066 | OFFICES                   | 2     | 850 | OFFICES | 3   | 1156 | OFFICES | 4    | 384 | OFFICES | 5   | 594 | <b>Total Square Footage :</b> |     | <b>19050</b>   |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| Description  | Area  | Sq. Footage  |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| DISCOUNT DEPARTMENT STORE  | 1   | 16066        |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| OFFICES  | 2   | 850          |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| OFFICES  | 3   | 1156         |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| OFFICES  | 4   | 384          |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| OFFICES  | 5   | 594          |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| <b>Total Square Footage :</b>  |   | <b>19050</b> |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| <b>Structural Details (Building 1)</b><br><table border="1"> <thead> <tr> <th>No</th> <th>Description</th> <th>Year Built</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>YEAR BUILT</td> <td>1998</td> </tr> <tr> <td>2.</td> <td>DISCOUNT DEPARTMENT STORE</td> <td>16066</td> </tr> <tr> <td>3.</td> <td>OFFICES</td> <td>850</td> </tr> <tr> <td>4.</td> <td>OFFICES</td> <td>1156</td> </tr> <tr> <td>5.</td> <td>OFFICES</td> <td>384</td> </tr> <tr> <td>6.</td> <td>OFFICES</td> <td>594</td> </tr> </tbody> </table> | No  | Description  | Year Built | 1.          | YEAR BUILT                | 1998 | 2.    | DISCOUNT DEPARTMENT STORE | 16066 | 3.  | OFFICES | 850 | 4.   | OFFICES | 1156 | 5.  | OFFICES | 384 | 6.  | OFFICES                       | 594 | <b>Extra Features</b><br><table border="1"> <thead> <tr> <th>Description</th> <th>Unit</th> </tr> </thead> <tbody> <tr> <td>WALKWAY-CONCRETE</td> <td>1004</td> </tr> <tr> <td>WALL</td> <td>96</td> </tr> <tr> <td>PAVING- ASPHALT</td> <td>41302</td> </tr> <tr> <td>FENCE- CHAIN LINK 6FT #11 GAUG</td> <td>910</td> </tr> <tr> <td>FENCE- CHAIN LINK 6FT #11 GAUG</td> <td>1170</td> </tr> </tbody> </table> Unit may represent the perimeter, square footage, linear footage, total number or other measurement.<br>Acres 5.7255<br>MAP<br>1st Rd<br> | Description | Unit | WALKWAY-CONCRETE | 1004 | WALL | 96 | PAVING- ASPHALT | 41302 | FENCE- CHAIN LINK 6FT #11 GAUG | 910 | FENCE- CHAIN LINK 6FT #11 GAUG | 1170 |
| No   | Description   | Year Built   |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| 1.   | YEAR BUILT  | 1998         |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| 2.   | DISCOUNT DEPARTMENT STORE   | 16066        |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| 3.   | OFFICES   | 850          |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| 4.   | OFFICES   | 1156         |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| 5.   | OFFICES   | 384          |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| 6.   | OFFICES   | 594          |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| Description  | Unit  |              |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| WALKWAY-CONCRETE   | 1004  |              |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| WALL   | 96  |              |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| PAVING- ASPHALT  | 41302   |              |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| FENCE- CHAIN LINK 6FT #11 GAUG   | 910   |              |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |
| FENCE- CHAIN LINK 6FT #11 GAUG   | 1170  |              |            |             |                           |      |       |                           |       |     |         |     |      |         |      |     |         |     |     |                               |     |  |             |      |                  |      |      |    |                 |       |                                |     |                                |      |

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcgov.org/PAPA 5/3/2017





0609-000

BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST,  
PALM BEACH COUNTY, FLORIDA.

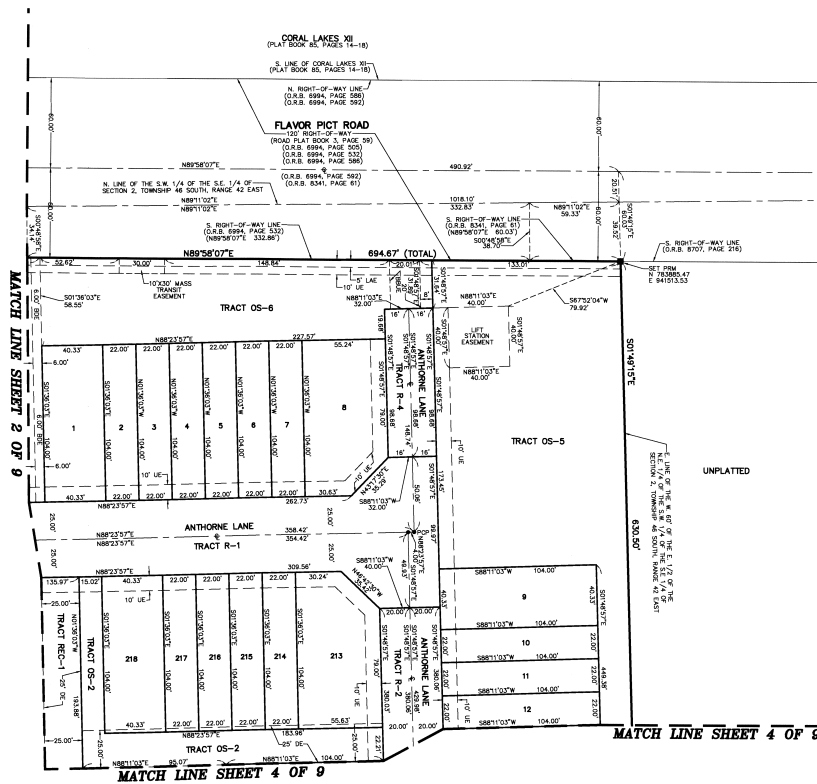
OF  
**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7800 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561)392-1999  
CERTIFICATE OF AUTHORIZATION NO. LB 3591



STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS PLAT WAS FILED FOR  
RECORD AT \_\_\_\_\_ M.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 20\_\_\_\_ AND DULY RECORDED  
IN PLAT BOOK \_\_\_\_\_ ON  
PAGES \_\_\_\_\_ AND \_\_\_\_\_  
SHARON R. BOCK  
CLERK AND COMPTROLLER

BY: \_\_\_\_\_  
DEPUTY CLERK

***SHEET 3 OF 9***



**NOTES**  
**COORDINATES, BEARINGS AND DISTANCES**

COORDINATES SHOWN ARE GRID  
DATUM = NAD 83 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
LINEAR UNIT = US SURVEY FEET  
COORDINATE SYSTEM 1983 STATE PLANE  
TRANSVERSE MERCATOR PROJECTION  
ALL DISTANCES ARE GROUND  
SCALE FACTOR = 1.0000339  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
BEARINGS AS SHOWN HEREON ARE GRID DATUM,  
NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.

### LEGEND/ABBREVIATIONS

- △ = CENTERLINE
- △ = DELTA (CENTRAL ANGLE)
- BOE = BORE OR DRILLING
- CE = CEMENT
- CO = CORNER HEAVING
- CD = CHORD
- DR = DRAINAGE
- E = EASTING
- E = EASTING
- FTPL = FEET TO POWER & LIGHT CO.
- L = ARC LENGTH
- LAE = LAND ACCESS EASEMENT
- LB = LICENSED BUSINESS
- LMAE = LAND MAINTENANCE ACCESS EASEMENT
- LMC = LAND MAINTENANCE EASEMENT
- LE = LEFT STATION EASEMENT
- LWDJ = LOST DRAINAGE DISTRICT
- N = NORTHING
- N = NORTHING
- OR.B. = ORIGINAL RECORD BOOK
- BRB = BUREAU OF REVENUE
- UT = UTILITY EASEMENT
- R = RADIIUS
- PRM = DEEDS PERMANENT EASEMENT MONUMENT
- 4" x 4" x 24" CONCRETE MONUMENT WITH
- WOOD POST STAKES SET BY PRM 10/3/94
- DEEDS PERMANENT CONCRETE POINT

96.99-000

BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST,  
PALM BEACH COUNTY, FLORIDA.

#### LEGEND / ABBREVIATIONS

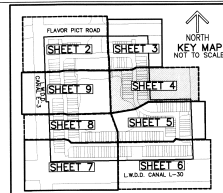
**LEGEND/ABBREVIATIONS**

- A - CENTRINE
- Δ - LAKE (CENTRAL ANGLE)
- BDE - BRIFTER DRAINAGE EASEMENT
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- DE - DRAINAGE EASEMENT
- E - EASING
- FPL - FLORIDA POWER & LIGHT CO.
- L - ARC LENGTH
- LAE - LAKESIDE ACCESS EASEMENT
- LB - LAKESIDE BUSINESS
- LMWE - LAKE MAINTENANCE ACCESS EASEMENT
- LWE - LAKE WORTH DRAINAGE EASEMENT
- SE - STATION EASEMENT
- W.L.O.D. - LAKE WORTH DRAINAGE DISTRICT
- N - NORTH
- O.R.B. - OFFICIAL RECORD BOOK
- BBU - CITY OF BOYNTON BEACH UTILITY EASEMENT
- U - UTILITY EASEMENT
- DE - DENOTES PERMANENT REFERENCE MONUMENT
- R - RIM
- CON - CONCRETE MONUMENT WITH ALUMINUM CORD STAMPED "C&W PM 18350"

COORDINATES      NOTES  
BEARINGS AND DISTANCES

**NOTES**  
**COORDINATES, BEARINGS AND DISTANCES**

COORDINATES SHOWN ARE GRID  
DATUM = NAD 83 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
UNEAR UNIT = U.S. SURVEY FEET  
COORDINATE SYSTEM: 83 STATE PLANE  
TRANSVERSE MERCATOR PROJECTION  
ALL DISTANCES ARE GROUND  
SCALE FACTOR = 1.0000339  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
BEARINGS AS SHOWN HEREON ARE GRID DIRECTION  
NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.



STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS PLAT WAS FILED FOR  
RECORD AT \_\_\_\_\_ M.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 20\_\_\_\_ AND DULY RECORDED  
IN PLAT BOOK \_\_\_\_\_ ON  
PAGES \_\_\_\_\_ AND \_\_\_\_\_  
SHARON R. BOCK  
CLERK AND COMPTROLLER

BY: \_\_\_\_\_  
DEPUTY CLERK

**SHEET 4 OF 9**

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D609-000

# FLAVOR PICT TOWNHOMES PUD

BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST,  
PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY  
DAVID P. LINLEY

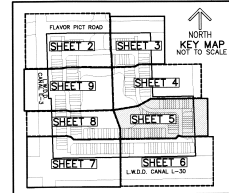
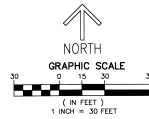
**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7800 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561) 392-1991  
CERTIFICATE OF AUTHORIZATION NO. LB 3591

## LEGEND/ABBREVIATIONS

- S - CENTERLINE
- Δ - DELTA (CENTRAL ANGLE)
- BS - BURIED DRAINAGE EASEMENT
- OB - CHORD BEARING
- CD - CHORD DISTANCE
- DE - DRAINAGE EASEMENT
- E - EASING
- FL - FLORIDA POWER & LIGHT CO.
- L - LOT LENGTH
- LA - LANE ACCESS EASEMENT
- LB - LICENSED BUSINESS
- LME - LAKE MAINTENANCE EASEMENT
- LSE - LAKE SERVICE EASEMENT
- LW - LAKE NORTH DRAINAGE DISTRICT
- OB - OFFICIAL RECORD BOOK
- BBU - CITY OF BOYNTON BEACH UTILITY EASEMENT
- R - RADIUS
- UE - UTILITY EASEMENT
- PM - PERMANENT MONUMENT
- AL - ALUMINUM (SEE STAMPED TAP FROM LB3591)
- PCP - PERMANENT CONTROL POINT

## NOTES

- COORDINATES, BEARINGS AND DISTANCES
- COORDINATES SHOWN ARE GRID
- DATUM - NAD 83 1980 ADJUSTMENT
- ZONE - FLORIDA EAST
- LINEAR UNIT - US SURVEY FEET
- COORDINATE SYSTEM 1983 STATE PLANE
- TRANSVERSE MERCATOR PROJECTION
- ALL DISTANCES ARE GROUND
- SCALE FACTOR = 1.0000338
- GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- BEARINGS AS SHOWN HEREON ARE GRID BEARINGS
- NAD 83 1980 ADJUSTMENT, FLORIDA EAST ZONE

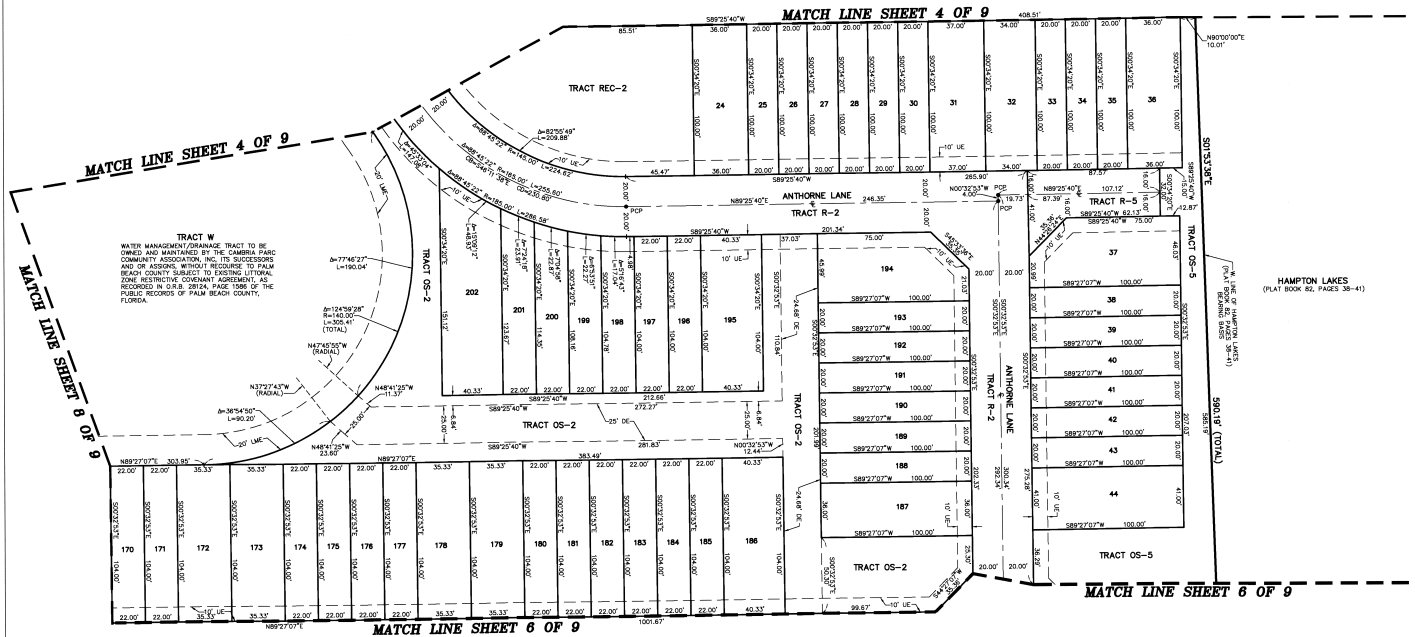


197

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS PLAN WAS FILED FOR  
RECORD AT \_\_\_\_\_ M.  
A.D. 20\_\_\_\_ AND DULY RECORDED  
IN PLAT BOOK \_\_\_\_\_ ON  
PAGES \_\_\_\_\_ AND \_\_\_\_\_ OF  
SHARON R. BOOK  
CLERK AND COMPTROLLER

BY: DEPUTY CLERK

**SHEET 5 OF 9**



BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST,  
PALM BEACH COUNTY, FLORIDA.

**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7900 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561)392-1991  
CERTIFICATE OF AUTHORIZATION NO. LB 3591

**LEGEND/ABBREVIATIONS**

- A = CENTRAL
- CE = CENTRAL ANGLE
- BCE = BUFFER DRAINAGE EASEMENT
- CD = CROSS BEARING
- CD = CROSS DISTANCE
- DE = DRAINAGE EASEMENT
- E = EASTING
- FPL = FLORIDA POWER & LIGHT CO.
- L = LINE LENGTH
- LAE = LINE ACCESS EASEMENT
- LB = LICENSED BUSINESS
- LWAE = LINE MAINTENANCE ACCESS EASEMENT
- LME = LINE MAINTENANCE EASEMENT
- LSE = LIFT STATION EASEMENT
- L.W.D.M. = LAKE WORTH DRAINAGE DISTRICT
- N = NORTH
- O.R.B. = OFFICIAL RECORD BOOK
- PRM = PLYMOUTH BEACH UTILITY EASEMENT
- R = RADIIUS
- UE = UTILITY EASEMENT
- PRM = PLYMOUTH BEACH UTILITY EASEMENT
- REF = REFERENCE MONUMENT
- "4 IN. 4" 24" CONCRETE MONUMENT WITH ALLUMINUM GAZ. STAMPED "C&W PRM L333"

**NOTES**  
**COORDINATES, BEARINGS AND DISTANCES**

COORDINATES SHOWN ARE GRID  
DATUM = NAD 83 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
LINEAR UNIT = US SURVEY FEET  
COORDINATE SYSTEM 1983 STATE PLANE  
TRANSVERSE MERCATOR PROJECTION  
ALL DISTANCES ARE GROUND  
SCALE FACTOR = 1.0000339  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
BEARINGS AS SHOWN HEREON ARE GRID DATUM,  
NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.

GRAPHIC SCALE

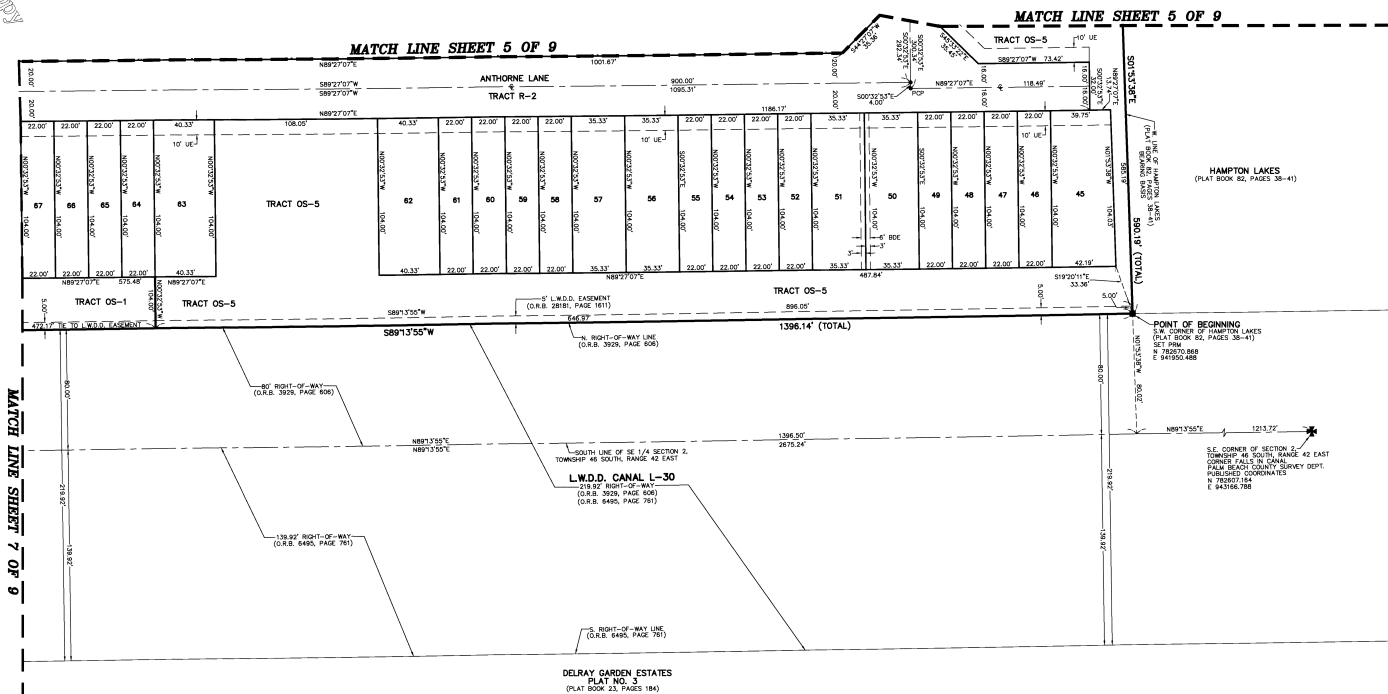
( IN FEET )  
1 INCH = 30 FEET



STATE OF FLORIDA  
COUNTY OF PALM BEACH  
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THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 20\_\_\_\_ AND DULY RECORDED  
IN PLAT BOOK \_\_\_\_\_ ON  
PAGES \_\_\_\_\_ AND \_\_\_\_\_,  
SHARON R. BOCK  
CLERK AND COMPTROLLER

BY: \_\_\_\_\_  
DEPUTY CLERK

**SHEET 6 OF 9**







0609.000

BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST,  
PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY  
DAVID P. LINDLEY  
OF  
**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7900 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561)392-1991  
CERTIFICATE OF AUTHORIZATION NO. LB 3591

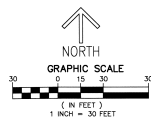


BY: \_\_\_\_\_  
DEPUTY CLERK

**SHEET 8 OF 9**

- COORDINATES, NOTES  
BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID  
DATUM = NAD 83 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
LINEAR UNIT = US SURVEY FEET  
COORDINATE SYSTEM 1983 STATE PLANE  
TRANSVERSE MERCATOR PROJECTION  
ALL DISTANCES ARE GROUND  
SCALE FACTOR = 1.0000339  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
BEARINGS AS SHOWN HEREON ARE GRID DATUM,  
NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.



CORAL LAKES V, A P.U.D.  
(PLAT BOOK 72, PAGES 129-132)

MATCH LINE SHEET 7 OF 9

**MATCH LINE SHEET 9 OF 9**

MATCH LINE SHEET 5 OF

**MATCH LINE SHEET 7 OF 9**

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0649.000

# FLAVOR PICT TOWNHOMES PUD

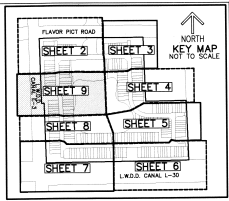
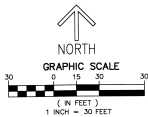
BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST,  
PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY  
DAVID P. LINDEY

**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7900 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561) 392-1991  
CERTIFICATE OF AUTHORIZATION NO. LB 3591

- LEGEND/ABBREVIATIONS**
- CE - CENTERLINE
  - BE - BUFFER GRASS EASEMENT
  - CB - CHORD BEARING
  - CD - CHORD DISTANCE
  - DE - DRAINAGE EASEMENT
  - EE - EASEMENT
  - FE - FLORIDA POWER & LIGHT CO.
  - LA - LIMITED ACCESS EASEMENT
  - LB - LICENSED BUSINESS
  - LE - LAKE MAINTENANCE ACCESS EASEMENT
  - LM - LAKE MAINTENANCE EASEMENT
  - LT - LEFT TURN EASEMENT
  - LWD - LAKE WORTH DRAINAGE DISTRICT
  - N - NORTH
  - O.B. - OFFICIAL RECORD BOOK
  - SBEE - CITY OF BOYNTON BEACH UTILITY EASEMENT
  - UE - UTILITY EASEMENT
  - R - RADIUS
  - DE - DENOTES PERMANENT REFERENCE MONUMENT
  - AL - 4" X 4" X 24" CONCRETE MONUMENT WITH ALUMINUM OR STAMPTON "TOP FROM 1939"
  - PCP - DENOTES PERMANENT CONTROL POINT

**NOTES**  
COORDINATES SHOWN ARE GRID  
DATUM = NAD 83 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
LINEAL UNIT = 1/8 SURVEY FEET  
COORDINATE SYSTEM 1983 STATE PLANE  
TRANSVERSE MERCATOR PROJECTION  
ALL DISTANCES ARE GROUND  
SCALE FACTOR = 1.0000338  
GROUND DISTANCE & SCALE FACTOR = GROUND DISTANCE  
BEARINGS AS SHOWN HEREIN ARE GRID DATUM,  
NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.

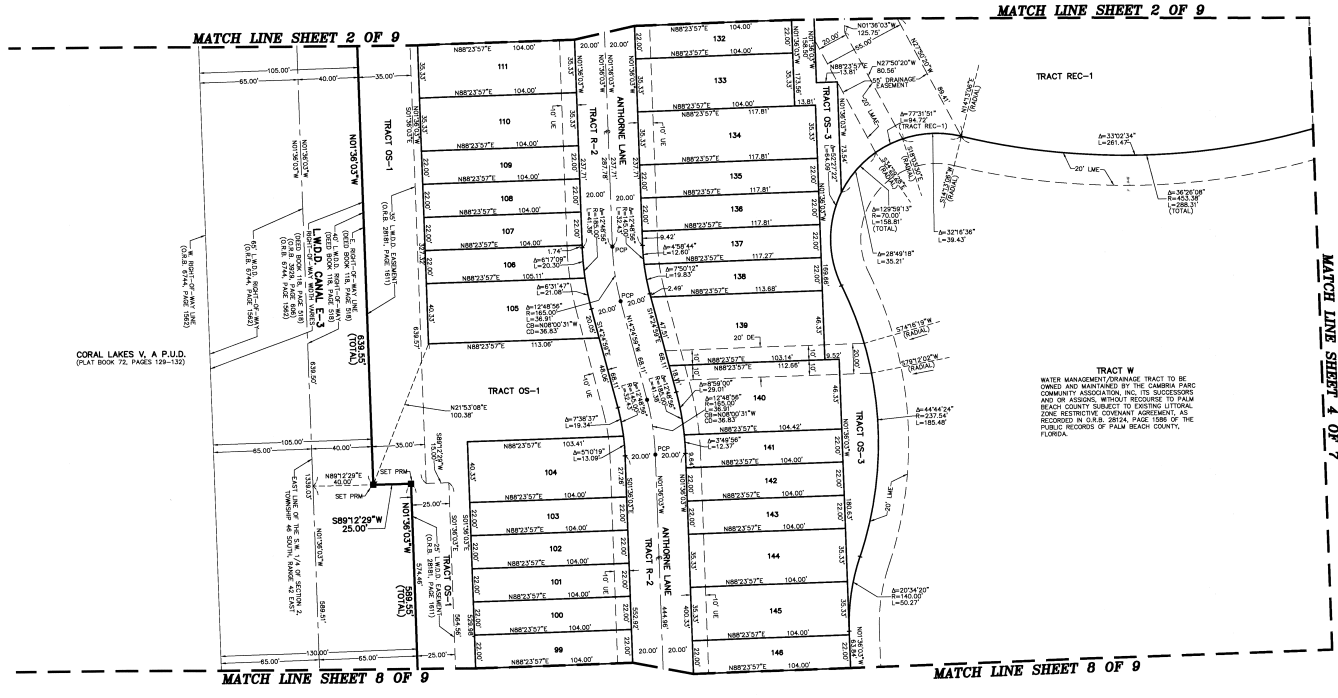


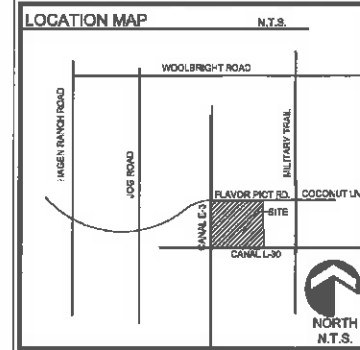
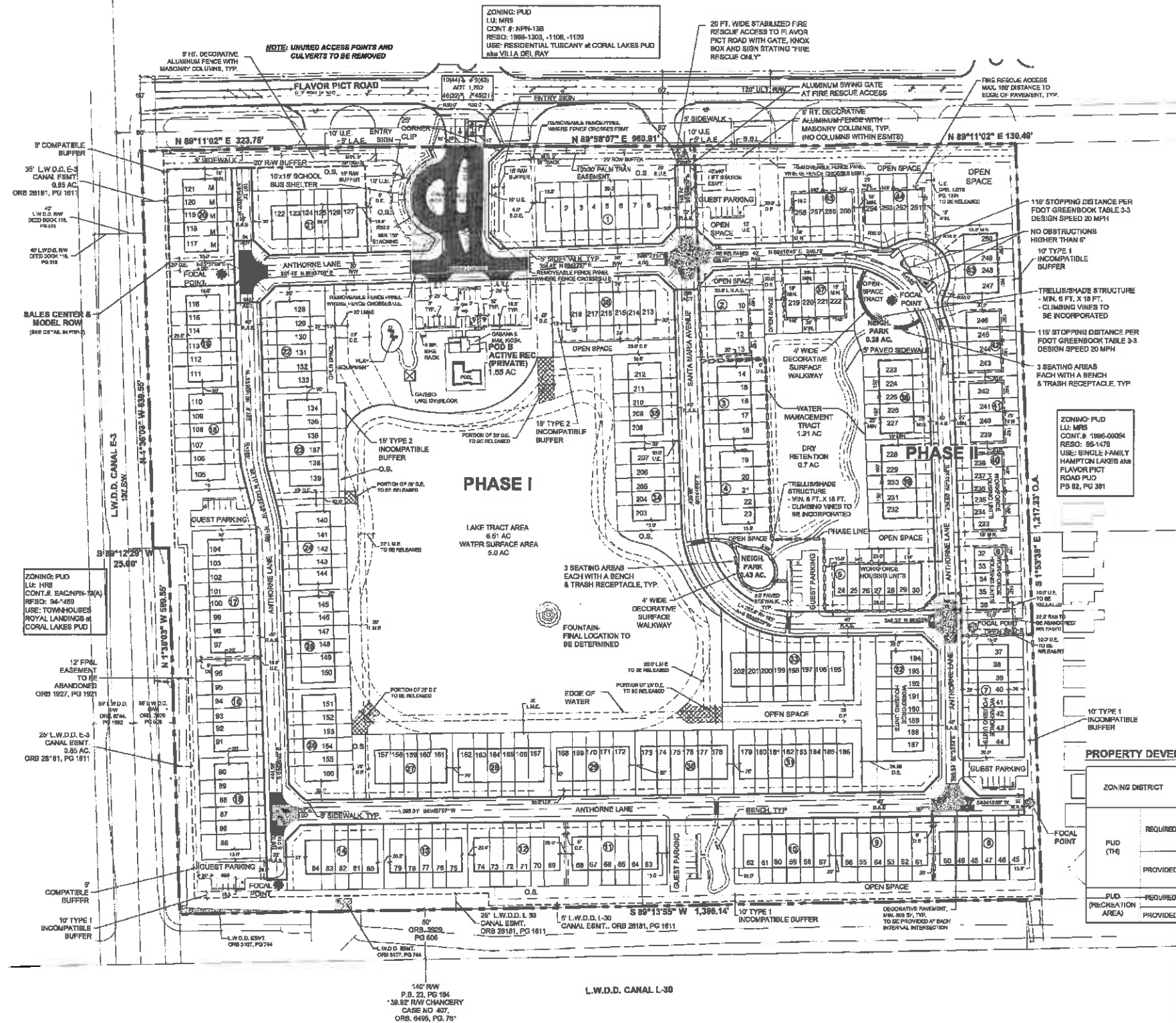
201

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS PLAN WAS FILED FOR  
RECORD AT \_\_\_\_\_ M.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 20\_\_\_\_ AND DULY RECORDED  
IN PLAT BOOK \_\_\_\_\_ ON  
PAGES \_\_\_\_\_ AND \_\_\_\_\_  
SHAWN R. BOOK  
CLERK AND COMPTROLLER

BY: \_\_\_\_\_  
DEPUTY CLERK

**SHEET 9 OF 9**





#### CONSULTANT TEAM

**APPLICANT**  
LEHAR  
5400 PARK OF COMMERCE BLVD  
SUITE 3  
BOCA RATON, FL 33487

**LAND PLANNING/ENGINEER**  
URBAN DESIGN RLDY STUDIOS  
810 CLAMATH STREET, SUITE 200  
WEST PALM BEACH, FL 33401  
(561) 366-1100

**TRAFFIC ENGINEER**  
KIMLEY-HORN  
1250 VIKING WAY, SUITE 200  
WEST PALM BEACH, FL 33411  
(561) 846-0066

**SURVEYOR/ENGINEER**  
CALFIELD & WHEELER, INC.  
7801 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
(954) 392-1881

#### SITE DATA

**PROJECT NAME** FLAVOR PICT TOWNHOMES PUD  
**CONTROL #** 2014-00064  
**APPROVAL DATE** DRO-2016-02196  
**SECTION** 02 TWP 48 N. RANGE 42 E. SEC. 42  
**PROPERTY CONTROL #** 00-42-48-02-00-000-0150  
00-42-48-02-02-015-0000  
00-42-48-02-02-015-0000  
00-42-48-02-02-015-0000  
00-42-48-02-02-023-0000  
00-42-48-02-02-023-0000

**TIER** URBAN SUBURBAN  
**PROPOSED USE** TOWNHOUSE (FEES-SIMPLE)  
**ZONING** PUD  
**NEIGHBORHOOD AREA** WEST BOYNTON COMMUNITY PLAN

**SECTION 02 TWP 48 N. RANGE 42 E. SEC. 42**  
**PROPERTY CONTROL #** 00-42-48-02-00-000-0150  
00-42-48-02-02-015-0000  
00-42-48-02-02-015-0000  
00-42-48-02-02-015-0000  
00-42-48-02-02-023-0000  
00-42-48-02-02-023-0000

**FUTURE LAND USE DES.** MR-5  
**TOTAL GROSS SITE AREA** 39.90 AC. (1,702,733 S.F.)  
**TOTAL PROPOSED UNITS** 260 U.  
**WORK-SPACE HOUSING UNITS REQUIRED/PROPOSED** 34 O.U.  
**TOTAL PROPOSED DENSITY** 6.52 U/AC  
**TOTAL PARKING REQUIRED** 512 SP.  
**TOTAL PARKING PROVIDED** 592 SP.

**PROPOSED BUILDING HT.** LESS THAN 25' & 2 STOREYS  
**REQUIRED RECREATION AREA** 1.34 AC.  
**PROPOSED RECREATION AREA (PRIVATE)** 1.28 AC.  
**REQUIRED PUBLIC CIVIC AREA** 0.00 AC.  
**PROPOSED CIVIC AREA (PRIVATE)** 0.00 AC.  
**MIN. PUBLIC CIVIC REQ. REQUIREMENT PER TABLE 3.2.2**  
**IS LESS THAN 1.34 AC. AND HAS BEEN WAIVED BY FDMA.**  
**TAX** 7.72 AC.  
**UNIT TYPE OF OWNERSHIP** FEE SIMPLE  
**CONCURRENCE APPROVAL** 250 DU  
**TOWNHOUSES** 250 DU  
**CONCURRENCE IS APPROVED FOR THE ABOVE UNITS AND AMOUNTS TOWN ON MASTER PLAN**

#### OPEN SPACE TABULAR

**TOTAL GROSS SITE AREA** 39.90 AC.  
**REQUIRED OPEN SPACE** 15.94 AC. (40%)  
**LAKE TRACT RECREATION AREA** 7.72 AC.  
**NEIGHBORHOOD PARK** 0.71 AC.  
**OPEN SPACE / INTERIOR BUFFERS** 3.93 AC.  
**PERIMETER BUFFERS** 1.30 AC.  
**L.W.D. PROPOSED P.B. / N.W.** 1.23 AC.  
**TOTAL** 15.93 AC. 42.2%

#### STREET LAYOUT DATA

**TOTAL NUMBER OF STREETS** 5  
**TOTAL NUMBER OF CUL-DE-SACS** 0  
**PERCENTAGE OF CUL-DE-SAC STREETS** 0%  
**MAXIMUM % ALLOWED** 40%

#### PROPERTY DEVELOPMENT REGULATIONS

| ZONING DISTRICT       | MINIMUM LOT DIMENSIONS |                  |       | MAX. HT. | MAXIMUM BUILDING COVERAGE | SETBACKS / SEPARATION |   |                                      |              |
|-----------------------|------------------------|------------------|-------|----------|---------------------------|-----------------------|---|--------------------------------------|--------------|
|                       | SIZE                   | WIDTH & FRONTAGE | DEPTH |          |                           | FRONT                 | SIDE  | SIDE STREET                          | REAR         |
| PUD (TH)              | REQUIRED               | 800 SF           | 16'   | 8'       | < 25'                     | 100.00%               | 25' - FRONT LOADING GARAGE<br>15' - SIDE LOADING GARAGE<br>OR PARKING TRACT | 0' - INTERIOR UNIT<br>15' - END UNIT | 25' END UNIT |
|                       | PROVIDED               | 2,000 SF         | 20'   | 100'     | < 25'                     | 50%                   | 25' - FRONT LOADING GARAGE<br>15' - SIDE LOADING GARAGE<br>OR PARKING TRACT | 15'                                  | 25'          |
| PUD (RECREATION AREA) | REQUIRED               | 1.54 AC.         | 65'   | 75'      | 35'                       | 30.00%                | 25'   | 15'                                  | 25'          |
|                       | PROVIDED               | 1.65 AC.         | 43'   | 18'      | 36'                       | .1%                   | 25'   | 15'                                  | 25'          |

#### PBC Amendments:

#### PBC Zoning Stamp:

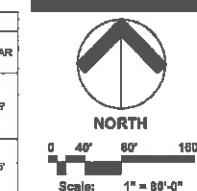
**Project No.:** 00609-000  
**Control No.:** 2014-00064  
**Application #:** DRO-2016-02196  
**Resolution #s:** R-2015-0539;  
ZR-2016-0056; R-2016-1836; and  
R-2016-1837

**Exhibit #:** 0006  
**Superseded Exhibit #:** 0003  
**Date Approved:** 03/08/2017  
**Project Manager:** Josue Leger

**Urban design kilday STUDIOS**  
Urban Planning & Design  
Landscape Architecture  
Communication Graphics

810 Clematis Street, Suite C102  
West Palm Beach, FL 33401  
661.366.1100 FAX 561.366.1111  
www.udkstudio.com  
#UDK00058

**Flavor Pict Townhomes PUD**  
Palm Beach County, Florida  
Final Subdivision Plan



**Date:** May 13, 2014  
**Project No.:** 14-015.004  
**Designed By:** WJT  
**Drawn By:** WJT / H.C.  
**Checked By:** WJT

**Revision Dates:**  
03-20-2016 DCA SUBMITTAL  
05-20-2016 RE-SUBMITTAL #1  
09-15-2016 RE-SUBMITTAL #2  
12-15-2016 FORD SUBMITTAL  
01-23-2017 FORD RE-SUBMITTAL  
02-08-2017 FORD RE-SUBMITTAL

**FSBP-1**  
of 1



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION: PROPOSED ORDINANCE NO. 17-018 - SECOND**

**READING** - Approve the abandonment of existing utility easement rights within a Residential Access Roadway - Tract R-5, within the Flavor Pict Townhomes Plat as recorded in Plat Book 121 Pages 193 - 201.

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**EXPLANATION OF REQUEST:**

The Owner/developer intends to replat this section of the development upon finalizing the acquisition of the abutting landscape nursery property to the east. The developer will re-dedicate City of Boynton Beach Utility easements associated with the re-platting of this Townhome Development.

The construction of Phase II Flavor Pict Townhome development will be adjacent and contiguous to the east side of the Phase I development located on Flavor Pict Road. The developer is currently working with Palm Beach County to Re-plat this development to incorporate Phase II. The City of Boynton Beach currently has utility easement rights on a private residential access roadway, parcel R-5 (see attachment). Palm Beach County has requested that the developer obtain a release from City of Boynton Beach of its Utility Easement rights for Tract R-5 as described in the dedication on the current Plat (recorded in Plat Book 121 Pages 193-201). The developer as part of the development review and re-platting process will agree to grant the needed City of Boynton Beach utility easements on Phase II similar to what was dedicated on the Phase I development.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** There will be no adverse impact on City services.

**FISCAL IMPACT:** There is no fiscal impact to the City.

**ALTERNATIVES:**

Deny the request for abandonment of the easement rights, impacting future Phase II development.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**ATTACHMENTS:**

| Type                               | Description   |
|------------------------------------|---|
| <input type="checkbox"/> Ordinance | Ordance Approving Abandonment of Utility Easement Tract R-5 |
| <input type="checkbox"/> Addendum  | Recorded plat showing Tract R-5                             |
| <input type="checkbox"/> Addendum  | Proposed site plan for Flavor Pict Townhomes                |

**REVIEWERS:**

| Department | Reviewer         | Action   | Date                |
|------------|------------------|----------|---------------------|
| Utilities  | Stanzione, Tammy | Approved | 7/11/2017 - 8:55 AM |

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**ORDINANCE NO. 17-**

**AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, AUTHORIZING ABANDONMENT OF EXISTING UTILITY EASEMENT RIGHTS WITHIN A RESIDENTIAL ACCESS ROADWAY - TRACT R-5 LOCATED WITHIN THE FLAVOR PICT TOWNHOMES PLAT RECORDED IN PLAT BOOK 121 PAGES 193 - 201, SUBJECT TO STAFF COMMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE A DISCLAIMER, WHICH SHALL BE RECORDED WITH THIS ORDINANCE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the owner/developer, is requesting the abandonment of an existing utility easement recorded within the Flavor Pict Townhomes Plat on July 7, 2016, in Plat Book 121, Page 193 – 201 of the Public Records of Palm Beach County; and

**WHEREAS**, the Owner/developer intends to replat this section of the development upon finalizing the acquisition of the abutting landscape nursery property to the east; and

**WHEREAS**, the developer will re-dedicate City of Boynton Beach utility easements associated with the re-platting of this Townhome Development; and

**WHEREAS**, comments have been solicited from the appropriate City Departments, and public hearings have been held before the City Commission on the proposed abandonment; and

**WHEREAS**, staff finds that the utility easement no longer serves a public purpose, and the City Commission adopts that finding.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA THAT:**

**Section 1.** The foregoing Whereas clauses are true and correct and incorporated herein by this reference.

**Section 2.** The City Commission of the City of Boynton Beach, Florida, does hereby abandon an existing utility easement recorded within the Flavor Pict Townhomes Plat on July 7, 2016, in Plat Book 121, Page 193 – 201 of the Public Records of Palm Beach County, subject to staff comments. The property being abandoned is more particularly described as follows:

A parcel located within Section 2, Township 46 S, Range 42 E described as:



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Tract R-5 as recorded in Plat Book 121 Pages 193-201, Palm Beach County, Florida.

**Section 3.** The City Manager is hereby authorized and directed to execute the attached Disclaimer and cause the same to be filed, with this Ordinance, in the Public Records of Palm Beach County, Florida.

**Section 4.** This Ordinance shall take effect immediately upon passage.

FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2017.

SECOND, FINAL READING AND PASSAGE THIS \_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BOYNTON BEACH, FLORIDA

| YES   | NO    |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Mayor – Steven B. Grant

Vice Mayor – Justin Katz

Commissioner – Mack McCray

Commissioner – Christina L. Romelus

Commissioner – Joe Casello

VOTE \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Judith A. Pyle, CMC  
City Clerk

(Corporate Seal)

DISCLAIMER

**KNOW ALL MEN BY THESE PRESENTS** that the City Commission of the City of Boynton Beach, Florida, does hereby abandon an existing utility easement recorded within the Flavor Pict Townhomes Plat on July 7, 2016, in Plat Book 121, Page 193 – 201 of the Public Records of Palm Beach County, subject to staff comments. The property being abandoned is more particularly described as follows:

A parcel located within Section 2, Township 46 S, Range 42 E described as:

Tract R-5 as recorded in Plat Book 121 Pages 193-201, Palm Beach County, Florida

**IN WITNESS WHEREOF**, the duly authorized officers of the City of Boynton Beach, Florida, have hereunto set their hands and affixed the seal of the City this \_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

CITY OF BOYNTON BEACH, FLORIDA

\_\_\_\_\_  
Judith A. Pyle, CMC  
City Clerk

\_\_\_\_\_  
Lori LaVerriere, City Manager

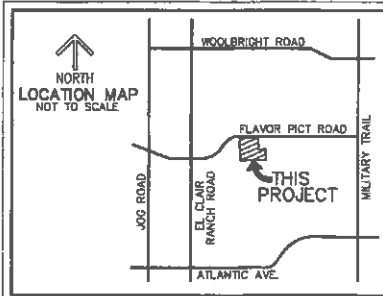
STATE OF FLORIDA                    )  
  )ss:  
COUNTY OF PALM BEACH        )

**BEFORE ME**, the undersigned authority, personally appeared Lori LaVerriere and Judith A. Pyle, City Manager and City Clerk respectively, of the City of Boynton Beach, Florida, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged the execution thereof to be their free hand and deed as such officers, for the uses and purposes mentioned therein; that they affixed thereto the official seal of said corporation; and that said instrument is the act and deed of said corporation.

**WITNESS** my hand and official seal in the said State and County this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
My Commission Expires:

This is Not a Certified Copy



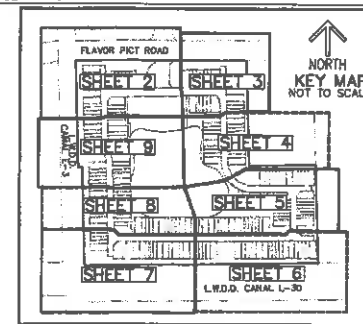
2604000

# FLAVOR PICT TOWNHOMES PUD

BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,  
TOWNSHIP 48 SOUTH, RANGE 42 EAST,  
PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY  
DAVID P. LINDLEY  
OF  
**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7900 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561)382-1991  
CERTIFICATE OF AUTHORIZATION NO. LB 3591

| TABULAR DATA                      |              |
|-----------------------------------|--------------|
| TOTAL AREA THIS PLAY              | 33.778 ACRES |
| AREA OPERATED LOTS                | 15.408 ACRES |
| AREA OF TRACT R-1                 | 1.243 ACRES  |
| AREA OF TRACTS R-2, R-3, R-4, R-5 | 3.311 ACRES  |
| AREA OF TRACT R-6                 | 8.834 ACRES  |
| AREA OF TRACTS OS-1 THROUGH OS-6  | 5.883 ACRES  |
| AREA OF TRACTS REC-1 AND REC-2    | 2.081 ACRES  |
| USE: RESIDENTIAL                  |              |
| CONTR. NO. 2014-00064             |              |



193

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS PLAT WAS FILED FOR  
RECORD AT 2:52 PM  
THIS 1 DAY OF JULY  
A.D. 2016 AND DULY RECORDED  
IN PLAT BOOK 121 ON  
PAGE 193 AND 194

SHARON R. BOCK  
CLERK AND COMPTROLLER

BY: *[Signature]*  
DEPUTY CLERK

SHEET 1 OF 9



## DEDICATION AND RESERVATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT LENNAR HOMES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN HEREON AS FLAVOR PICT TOWNHOMES PUD, A PLANNED UNIT DEVELOPMENT, BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF HAMPTON LAKES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 82, PAGES 38 THROUGH 41 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S.89°13'55"W. ALONG THE NORTH RIGHT-OF-WAY LINE OF THE LAKE NORTH DRAINAGE DISTRICT CANAL L-30, AS RECORDED IN OFFICIAL RECORD BOOK 3928, PAGE 608 OF SAID PUBLIC RECORDS, A DISTANCE OF 1,396.14 FEET; THENCE N.01°30'03"W. ALONG THE EAST RIGHT-OF-WAY LINE OF THE LAKE NORTH DRAINAGE DISTRICT CANAL E-3, AS RECORDED IN SAID OFFICIAL RECORD BOOK 3928, PAGE 606, A DISTANCE OF 869.55 FEET; THENCE S.89°12'29"W. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 23.00 FEET; THENCE N.01°30'03"W. ALONG THE EAST RIGHT-OF-WAY LINE OF THE LAKE NORTH DRAINAGE DISTRICT CANAL E-3, AS RECORDED IN DEED BOOK 118, PAGE 518 OF SAID PUBLIC RECORDS, A DISTANCE OF 630.50 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF FLAVOR PICT ROAD, AS SAID RIGHT-OF-WAY LINE, A DISTANCE OF 323.78 FEET; THENCE N.89°12'29"W. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 323.78 FEET; THENCE N.89°12'29"W. ALONG THE SOUTH RIGHT-OF-WAY LINE OF FLAVOR PICT ROAD, AS RECORDED IN OFFICIAL RECORD BOOK 6894, PAGE 505, OFFICIAL RECORD BOOK 6894, PAGE 532, AND OFFICIAL RECORD BOOK 8341, PAGE 61, ALL OF SAID PUBLIC RECORDS, A DISTANCE OF 694.67 FEET; THENCE S.01°49'15"E. ALONG THE EAST LINE OF THE WEST 60 FEET OF THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 630.50 FEET; THENCE N.89°12'29"W. ALONG THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 397.44 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID HAMPTON LAKES; THENCE S.01°33'38"E. ALONG SAID WEST LINE, A DISTANCE OF 590.19 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,471,371 SQUARE FEET OR 33.778 ACRES MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED, AS SHOWN HEREON, AND DO HEREBY DEDICATE AS FOLLOWS:

- PRIVATE STREET**  
TRACT R-1, AS SHOWN HEREON IS HEREBY RESERVED FOR THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR PRIVATE STREET PURPOSES AND OTHER PURPOSES NOT INCONSISTENT WITH THIS RESERVATION, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.
- RESIDENTIAL ACCESS STREETS**  
TRACTS R-2, R-3, R-4, R-5, AS SHOWN HEREON ARE HEREBY RESERVED FOR THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, AS RESIDENTIAL ACCESS STREETS FOR PRIVATE STREET PURPOSES AND OTHER PURPOSES NOT INCONSISTENT WITH THIS RESERVATION AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.
- OPEN SPACE TRACTS**  
TRACTS OS-1 THROUGH OS-6, AS SHOWN HEREON ARE HEREBY RESERVED FOR THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR OPEN SPACE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.
- LIMITED ACCESS EASEMENTS**  
THE LIMITED ACCESS EASEMENTS, AS SHOWN HEREON ARE HEREBY DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.
- MASS TRANSIT EASEMENT**  
THE MASS TRANSIT EASEMENT AS SHOWN HEREON IS DEDICATED IN PERPETUITY BY LENNAR HOMES, LLC, ITS SUCCESSORS AND ASSIGNS, TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, ITS SUCCESSORS AND ASSIGNS (HEREAFTER "COUNTY"), FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND USE OF A PUBLIC TRANSIT BOARDING AND ALIGHTING AREA, WHICH USE INCLUDES BUT IS NOT LIMITED TO A PUBLIC TRANSIT BUS SHELTER, TRANSFER STATION, AND ADVERTISING. LENNAR HOMES, LLC, ITS SUCCESSORS AND ASSIGNS (HEREAFTER "OWNER"), SHALL MAINTAIN THE EASEMENT AREA UNTIL SUCH TIME AS THE COUNTY CONSTRUCTS IMPROVEMENTS IN THE EASEMENT AREA FOR ITS INTENDED USE AND PURPOSES, AT WHICH TIME THE COUNTY WILL ASSUME MAINTENANCE OF THE EASEMENT AREA SO LONG AS THE IMPROVEMENTS ARE LOCATED THEREON AND COUNTY USES THE EASEMENT AREA FOR ITS INTENDED PURPOSES. THE MAINTENANCE OBLIGATION SHALL AUTOMATICALLY REVERT TO THE OWNER UPON COUNTY'S TEMPORARY OR PERMANENT CESSATION OF USE OF THE IMPROVEMENTS OR REMOVAL OF THE IMPROVEMENTS.
- WATER MANAGEMENT TRACT**  
TRACT W, AS SHOWN HEREON IS HEREBY RESERVED FOR THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.
- DRAINAGE, LAKE MAINTENANCE AND LAKE MAINTENANCE ACCESS EASEMENTS**  
THE DRAINAGE EASEMENTS, AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

THE LAKE MAINTENANCE AND LAKE MAINTENANCE ACCESS EASEMENTS, AS SHOWN HEREON ARE HEREBY RESERVED FOR THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORMWATER MANAGEMENT AND DRAINAGE FACILITIES LOCATED WITHIN THE ASSOCIATED WATER MANAGEMENT TRACT FOR PURPOSES OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES PURSUANT TO THE MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY. PALM BEACH COUNTY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR PROPER PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE AND LAKE MAINTENANCE ACCESS EASEMENTS AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

## DEDICATION AND RESERVATIONS CONTINUED:

- RECREATIONAL AREAS**  
TRACTS REC-1 AND REC-2, AS SHOWN HEREON ARE HEREBY RESERVED FOR THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR RECREATIONAL PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.
- LIFT STATION EASEMENT**  
THE LIFT STATION EASEMENT IDENTIFIED ON THE PLAT HEREON IS AN EXCLUSIVE EASEMENT AND IS HEREBY DEDICATED IN PERPETUITY TO THE CITY OF BOYNTON BEACH, FLORIDA, ITS SUCCESSORS AND ASSIGNS, FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF A WASTEWATER LIFT STATION AND RELATED APPURTENANCES. THIS EASEMENT MAY BE RENTED IN BY THE CITY OF BOYNTON BEACH FOR ACCESS CONTROL PURPOSES. THE MAINTENANCE OF THE UNFENCED PORTIONS OF THE LAND UNDERLYING THIS EASEMENT SHALL BE THE PERPETUAL OBLIGATION OF THE PROPERTY OWNER. NO BUILDINGS, STRUCTURES, TREES, WALLS OR FENCES SHALL BE INSTALLED WITHIN THIS LIFT STATION EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF BOYNTON BEACH ENGINEERING DEPARTMENT, ITS SUCCESSORS AND ASSIGNS.
- UTILITY EASEMENTS**  
THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES.

THE 10 FOOT WIDE UTILITY EASEMENTS RUNNING ADJACENT AND PARALLEL TO THE TRACTS FOR PRIVATE ROAD PURPOSES, AND PARALLEL TO PUBLIC RIGHTS-OF-WAY, AS SHOWN HEREON, ARE NON-EXCLUSIVE EASEMENTS AND ARE HEREBY DEDICATED IN PERPETUITY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF UTILITIES, BOTH PUBLIC AND PRIVATE, INCLUDING, BUT NOT LIMITED TO, POTABLE WATER PIPELINES, RAW WATER PIPELINES, WASTEWATER PIPELINES, RECLAIMED WATER PIPELINES, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES.

ALL TRACTS FOR PRIVATE STREET AND RESIDENTIAL ACCESS PURPOSES, AS SHOWN HEREON, ARE HEREBY SUBJECT TO AN OVERLYING NON-EXCLUSIVE EASEMENT DEDICATED IN PERPETUITY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF UTILITIES, BOTH PUBLIC AND PRIVATE, INCLUDING, BUT NOT LIMITED TO, POTABLE WATER PIPELINES, RAW WATER PIPELINES, WASTEWATER PIPELINES, RECLAIMED WATER PIPELINES, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES.

THE CITY OF BOYNTON BEACH UTILITY EASEMENT (BBUE) IDENTIFIED ON THE PLAT HEREON IS AN EXCLUSIVE EASEMENT AND IS HEREBY DEDICATED IN PERPETUITY TO THE CITY OF BOYNTON BEACH, PALM BEACH COUNTY, ITS SUCCESSORS AND ASSIGNS, FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXPANSION AND REPLACEMENT OF POTABLE WATER PIPELINES, RAW WATER PIPELINES, RECLAIMED WATER PIPELINES, AND RELATED APPURTENANCES. THE MAINTENANCE OF THE LAND UNDERLYING THIS EASEMENT SHALL BE A PERPETUAL OBLIGATION OF THE PROPERTY OWNER. IF OTHERWISE APPROVED BY THE CITY OF BOYNTON BEACH, NO BUILDINGS, STRUCTURES, IMPROVEMENTS, TREES, WALLS OR FENCES SHALL BE INSTALLED WITHIN THESE EASEMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY OF BOYNTON BEACH ENGINEERING DEPARTMENT, ITS SUCCESSORS AND ASSIGNS.

## 11. BUFFER DRAINAGE EASEMENTS

THE BUFFER DRAINAGE EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED IN PERPETUITY TO THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS FOR BUFFER AND YARD DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

IN WITNESS WHEREOF, THE ABOVE NAMED FLORIDA LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE PRESIDENT, THIS 8 DAY OF JANUARY, 2016.

LENNAR HOMES, LLC  
A FLORIDA LIMITED LIABILITY COMPANY  
BY: *[Signature]*  
CARLOS GONZALEZ  
VICE PRESIDENT

## ACKNOWLEDGMENT:

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )  
BEFORE ME PERSONALLY APPEARED CARLOS GONZALEZ, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF LENNAR HOMES, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND SEVERALLY ACKNOWLEDGED TO ME AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS VICE PRESIDENT OF SAID COMPANY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL THIS 8 DAY OF JANUARY, 2016.  
MY COMMISSION EXPIRES: 11-12-2016  
JEFF ALEXANDER  
NOTARY PUBLIC  
COMMISSION NUMBER: 8685108

## ACCEPTANCE OF RESERVATIONS:

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )  
THE CITY OF BOYNTON BEACH HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID CITY AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS 5 DAY OF February, 2016.

CITY OF BOYNTON BEACH  
BY: *[Signature]*  
JERRY TAYLOR  
MAYOR  
WITNESS: *[Signature]*  
PRINT NAME: JERRY TAYLOR

## ACKNOWLEDGMENT:

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )  
BEFORE ME PERSONALLY APPEARED JERRY TAYLOR, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MAYOR OF THE CITY OF BOYNTON BEACH, FLORIDA, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, AND SEVERALLY ACKNOWLEDGED TO ME AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS MAYOR OF SAID MUNICIPAL CORPORATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE SEAL OF SAID MUNICIPAL CORPORATION AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND MUNICIPAL CORPORATION AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID MUNICIPAL CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS 5th DAY OF February, 2016.  
MY COMMISSION EXPIRES: Apr. 14, 2017  
JUDITH A. RICE  
NOTARY PUBLIC  
COMMISSION NUMBER: EE71746  
JUDITH A. RICE  
PRINT NAME

## ACCEPTANCE OF RESERVATIONS:

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )  
THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT, HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREON, DATED THIS 8 DAY OF February, 2016.

CAMBRIA PARC COMMUNITY ASSOCIATION, INC.,  
A FLORIDA CORPORATION NOT FOR PROFIT  
BY: *[Signature]*  
PRESIDENT  
WITNESS: *[Signature]*  
PRINT NAME: CARLOS GONZALEZ

## ACKNOWLEDGMENT:

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )  
BEFORE ME PERSONALLY APPEARED TERESA SALAS, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF THE CAMBRIA PARC COMMUNITY ASSOCIATION, INC., A FLORIDA CORPORATION NOT FOR PROFIT, AND SEVERALLY ACKNOWLEDGED TO ME AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID ASSOCIATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID ASSOCIATION AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS 8 DAY OF January, 2016.  
MY COMMISSION EXPIRES: 01-13-2016  
JEFF ALEXANDER  
NOTARY PUBLIC  
COMMISSION NUMBER: 8685108

## COUNTY ENGINEER:

THIS PLAT IS HEREBY APPROVED FOR RECORD PURSUANT TO PALM BEACH COUNTY ORDINANCE 95-33, AND IN ACCORDANCE WITH SEC. 177.07(2), F.S., THIS 25 DAY OF July, 2016, AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY PALM BEACH COUNTY IN ACCORDANCE WITH SEC. 177.08(1), F.S.  
BY: *[Signature]*  
GEORGE T. WEBB, P.E.  
COUNTY ENGINEER

## TITLE CERTIFICATION:

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )  
I, *[Signature]*, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN LENNAR HOMES, LLC, A FLORIDA LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; AND THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT ITEMS, AND ALL OTHER ITEMS HELD AGAINST SAID LANDS HAVE BEEN SATISFIED; THAT THERE ARE NO MORTGAGES OF RECORD; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

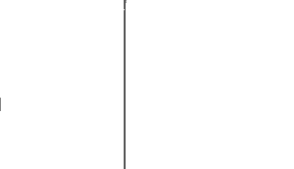
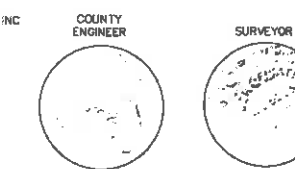
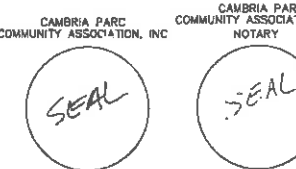
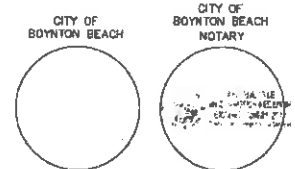
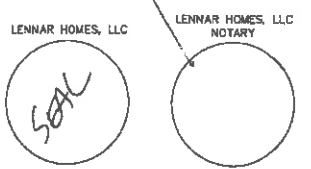
## SURVEY NOTES:

- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE CONCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT PALM BEACH COUNTY ZONING REGULATIONS.
- NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON AN EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
- APPROVAL OF LANDSCAPING ON UTILITY EASEMENT, (INCLUDING WATER AND SEWER) SHALL ONLY BE WITH APPROVAL OF ALL UTILITIES OCCUPYING SAID EASEMENT.
- BEARINGS ARE RELATIVE TO A GRID BEARING OF S.01°33'38"E. ALONG THE WEST LINE OF HAMPTON LAKES AS RECORDED IN PLAT BOOK 82, PAGES 38 THROUGH 41 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1980 ADJUSTMENT). THIS IS CONSISTENT WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 48 SOUTH, RANGE 42 EAST HAVING A GRID BEARING OF N89°12'29"E. FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1980 ADJUSTMENT).
- ALL INTERSECTING CURVES ARE NON-RADIAL UNLESS SHOWN OTHERWISE.
- "NOTICE" THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREON AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.

## SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY BE ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN PLACED AS REQUIRED BY LAW AND THAT PERMANENT CONTROL POINTS (P.C.P.'S) AND MONUMENTS ACCORDING TO SEC. 177.09(9), F.S., WILL BE SET UNDER THE GUARANTEE POSTED WITH THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF PALM BEACH COUNTY, FLORIDA.

DATED: 1-13-16  
DAVID P. LINDLEY  
REG. LAND SURVEYOR #6005  
STATE OF FLORIDA  
LB #3591



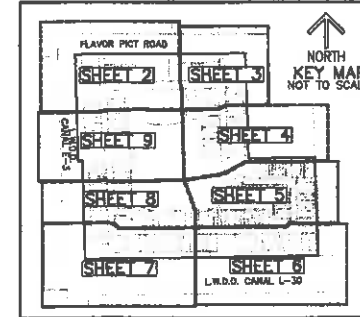
D609.000

# FLAVOR PICT TOWNHOMES PUD

BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 2,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST,  
PALM BEACH COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY  
DAVID P. LINDLEY  
OF

**CAULFIELD and WHEELER, INC.**  
SURVEYORS - ENGINEERS - PLANNERS  
7800 GLADES ROAD, SUITE 100  
BOCA RATON, FLORIDA 33434 - (561)392-1991  
CERTIFICATE OF AUTHORIZATION NO. LB 3591



197

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
THIS PLAT WAS FILED FOR  
RECORD AT \_\_\_\_\_ M.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 20\_\_\_\_ AND DULY RECORDED  
IN PLAT BOOK \_\_\_\_\_ ON  
PAGES \_\_\_\_\_ AND \_\_\_\_\_  
SHARON R. BOCK  
CLERK AND COMPTROLLER

BY: \_\_\_\_\_  
DEPUTY CLERK

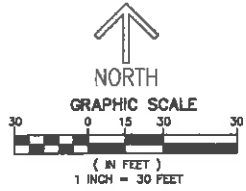
**SHEET 5 OF 9**

## LEGEND/ABBREVIATIONS

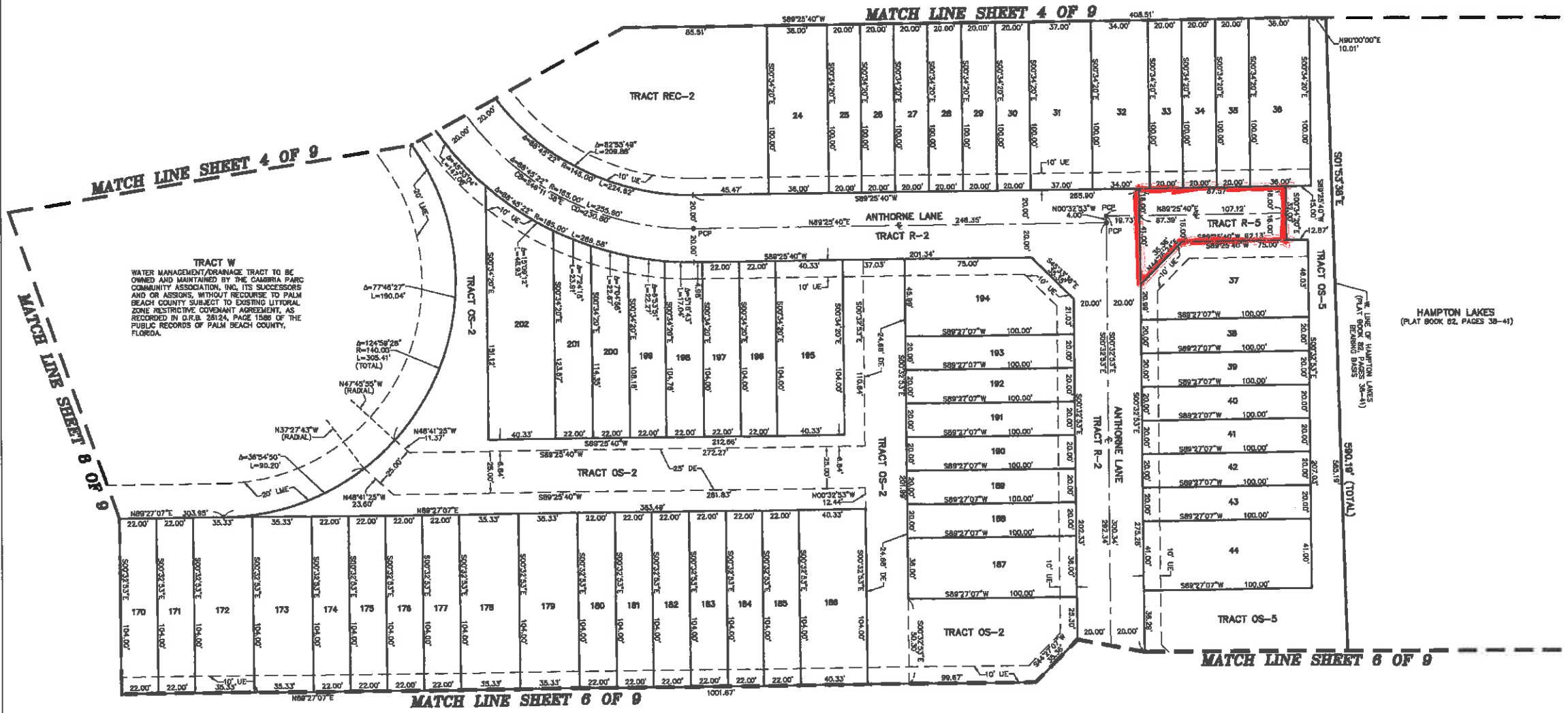
- CL - CENTERLINE
- DA - DELTA (CENTRAL ANGLE)
- DE - DUTY DRILLAGE EASEMENT
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- DE - DRAINAGE EASEMENT
- E - EASTING
- FPL - FLORIDA POWER & LIGHT CO.
- L - LINE LENGTH
- LAE - LIMITED ACCESS EASEMENT
- LB - LICENSED BUSINESS
- LMAE - LAKE MAINTENANCE ACCESS EASEMENT
- LME - LAKE MAINTENANCE EASEMENT
- LSE - LIFT STATION EASEMENT
- LWD.D. - LAKE WORTH DRAINAGE DISTRICT
- N - NORTHING
- O.R.B. - OFFICIAL RECORD BOOK
- BIUE - CITY OF BOYNTON BEACH UTILITY EASEMENT
- R - RADIUS
- UE - UTILITY EASEMENT
- PRM - PERMANENT REFERENCE MONUMENT  
6" x 4" x 24" CONCRETE MONUMENT WITH  
ALUMINUM DISK STAMPED "C&W PRM LB3591"
- PCP - PERMANENT CONTROL POINT

## NOTES

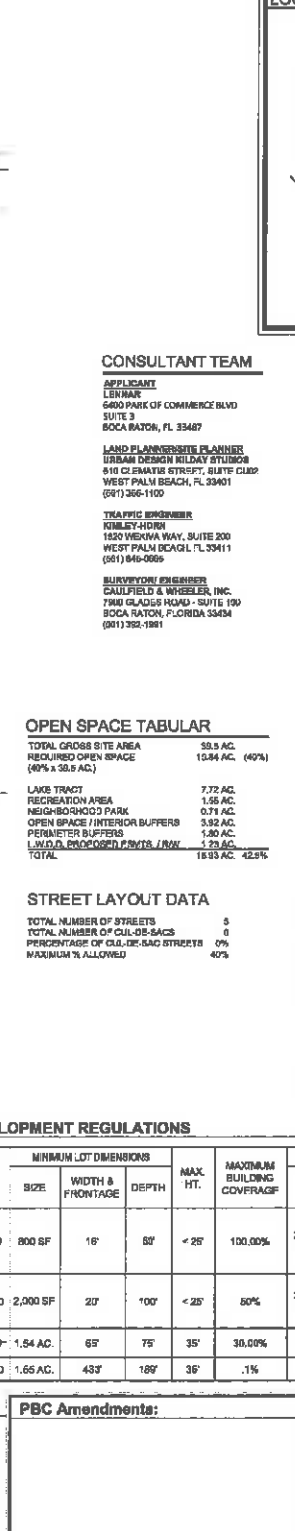
**COORDINATES, BEARINGS AND DISTANCES**  
COORDINATES SHOWN ARE GRID  
DATUM = NAD 83 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
LINEAR UNIT = US SURVEY FEET  
COORDINATE SYSTEM 1983 STATE PLANE  
TRANSVERSE MERCATOR PROJECTION  
ALL DISTANCES ARE GROUND  
SCALE FACTOR = 1.0000339  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
BEARINGS AS SHOWN HEREON ARE GRID DATUM,  
NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.



This is Not a Certified Copy







**at Townhomes PUD**

**ty, Florida**

**Plan**

As prepared by the architect for the proposed 121 N. Highway 72nd

| PROPERTY DEVELOPMENT REGULATIONS |          |                        |                  |       |          |                           |   |                                      |              |      |
|----------------------------------|----------|------------------------|------------------|-------|----------|---------------------------|---|--------------------------------------|--------------|------|
| ZONING DISTRICT                  |          | MINIMUM LOT DIMENSIONS |                  |       | MAX. HT. | MAXIMUM BUILDING COVERAGE | SETBACKS / SEPARATION   |                                      |              |      |
|                                  |          | SIZE                   | WIDTH & FRONTAGE | DEPTH |          |                           | FRONT   | SIDE                                 | SIDE STREET  | REAR |
| PUD (TH)                         | REQUIRED | 800 SF                 | 16'              | 50'   | < 25'    | 100.00%                   | 15' - UNIT<br>25' - FRONT LOADING GARAGE<br>15' - SIDE LOADING GARAGE<br>OR PARKING TRACT | 0' - INTERIOR UNIT<br>15' - END UNIT | 25' END UNIT | 25'  |
|                                  | PROVIDED | 2,000 SF               | 20'              | 100'  | < 25'    | 50%                       | 15' - UNIT<br>25' - FRONT LOADING GARAGE<br>15' - SIDE LOADING GARAGE<br>OR PARKING TRACT | 15'                                  | 25'          | 25'  |
| PUD (RECREATION AREA)            | REQUIRED | 1.54 AC.               | 65'              | 75'   | 35'      | 30.00%                    | 25'   | 15'                                  | 25'          | 15'  |
|                                  | PROVIDED | 1.65 AC.               | 433'             | 189'  | 36'      | .1%                       | 25'   | 15'                                  | 25'          | 15'  |

**PBC Zoning Stamp:**  
Project No.: 00609-000  
Control No.: 2014-00064  
Application #: DRO-2016-02196  
Resolution #s: R-2015-0539;  
ZR-2016-0056; R-2016-1836; and  
R-2016-1837  
  
Exhibit #: 0006  
Superseded Exhibit #: 0003  
Date Approved: 03/08/2017  
Project Manager: Josue Leger

Date: May 13, 2014  
Project No.: 14-015.00M  
Designed By: WJT  
Drawn By: WJT / HLC  
Checked By: WJT

---

**Revision Date:**

|            |                  |
|------------|------------------|
| 01-30-2016 | DOM SUBMITTAL    |
| 06-26-2016 | RE-SUBMITTAL #1  |
| 09-13-2016 | RE-SUBMITTAL #2  |
| 12-21-2016 | FORD SUBMITTAL   |
| 01-23-2017 | FORD RESUBMITTAL |
| 02-06-2017 | FORD RESUBMITTAL |

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# FSBP-1

of 1



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

**PROPOSED RESOLUTION NO. R17-063** - Approve rescinding Resolution R16-150 and Resolution R17-051 in their entirety and revoking the moratorium regarding wireless communications facilities.

---

**EXPLANATION OF REQUEST:** The City Commission has heretofore adopted Resolution R16-150 on November 15, 2016 which established a moratorium regarding wireless communications facilities in any rights-of-way within the City of Boynton Beach. The City Commission also adopted Resolution R-17-051 on May 16, 2017 which extended the temporary moratorium established via Resolution R16-150 through September 6, 2107. The State of Florida has enacted Chapter 2017-136, Laws of Florida preempting local government from regulating wireless communication facilities.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** None

**FISCAL IMPACT:** None

**ALTERNATIVES:** None

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

---

**Is this a grant?** No

**Grant Amount:**

---

**ATTACHMENTS:**

| Type                                | Description  |
|-------------------------------------|--|
| <input type="checkbox"/> Resolution | Resolution rescinding Resolutions establishing and extending moratorium on Wireless Communication Facilities |

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| Legal        | Swanson, Lynn    | Approved | 7/13/2017 - 11:49 AM |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 4:59 PM  |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 10:01 AM |



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12               **WHEREAS**, the City Commission adopted Resolution R16-150 on November 15, 2016  
13       which established Notice of Intent 2016-01 and a temporary moratorium regarding locating  
14       wireless communications facilities in any rights-of-way within the City of Boynton Beach; and  
15               **WHEREAS**, the City Commission also adopted Resolution R-17-051 on May 16, 2017  
16       which extended the temporary moratorium established via Resolution R16-150 through  
17       September 6, 2017; and  
18               **WHEREAS**, On June 23, 2017 Governor Scott signed into law Florida’s “Advanced  
19       Wireless Infrastructure Deployment Act” (“ACT”). The Act took effect on July 1, 2017. The Act  
20       preempts local government control of taxpayer-owned rights of way for placement of “small” or  
21       “micro” wireless antennas and equipment. Among other various provisions, the Act bars local  
22       governments from prohibiting or regulating the placement of “small” or “micro” wireless  
23       facilities on or next to existing cellphone towers and utility poles within municipally owned  
24       rights of way.  
25               **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE**  
26       **CITY OF BOYNTON BEACH, FLORIDA, THAT:**

27           Section 1.     The foregoing "Whereas" clauses are hereby ratified and confirmed as  
28   being true and correct and are hereby made a specific part of this Resolution upon adoption  
29   hereof.





## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Monthly Departmental Presentations:

Public Works - August, 2017

---

**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

---

**Is this a grant?** No

**Grant Amount:**

---

**REVIEWERS:**

| Department | Reviewer    | Action   | Date                |
|------------|-------------|----------|---------------------|
| Finance    | Howard, Tim | Approved | 7/10/2017 - 4:52 PM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Discuss impact of recently passed legislation on proposed Medical Cannabis Dispensary ordinance - August 1, 2017

---

**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

---

**Is this a grant?** No

**Grant Amount:**

---

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| Finance      | Howard, Tim      | Approved | 7/14/2017 - 11:59 AM |
| Finance      | Howard, Tim      | Approved | 7/14/2017 - 11:59 AM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 2:12 PM  |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Discussion relating to the future of the Building Board of Adjustment and Appeals - TBD

---

**EXPLANATION OF REQUEST:** Commissioner Romelus has requested discussion on the future need for the Building Board of Adjustments and Appeals. The Board has not met since November 2014. There are currently only four members on the Board and an alternate. Ms. Roberta Mann indicated by phone she would prefer not to continue on the Board.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

---

**Is this a grant?** No

**Grant Amount:**

---

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                |
|--------------|------------------|----------|---------------------|
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 5:02 PM |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 5:03 PM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:34 AM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Discussion of number of boards people are allowed to serve on at one time, attendance policies - TBD

---

**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

---

**Is this a grant?** No

**Grant Amount:**

---

**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 5:00 PM  |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 5:01 PM  |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 10:06 AM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Draft workforce housing ordinance - August 2017

---

**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department | Reviewer    | Action   | Date                |
|------------|-------------|----------|---------------------|
| Finance    | Howard, Tim | Approved | 7/12/2017 - 1:39 PM |





## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** First Commission meeting in September has been changed from Tuesday, September 5, 2017 at 6:30 pm to Thursday, September 7, 2017 at 6:30 pm to have First Public Budget Hearing on Proposed FY 17/18 Budget in accordance with the Truth in Millage (TRIM) calendar.

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**EXPLANATION OF REQUEST:**

The Commission approved changing the date of the first meeting in September from Tuesday, September 5, 2017 at 6:30pm to Thursday, September 7, 2017 at 6:30pm in order to hold the First Public Hearing on the proposed FY 17/18 Budget in accordance with the Truth in Millage (TRIM) calendar at the June 20, 2017 Commission meeting.

The City's first budget public hearing cannot coincide with PBC School Board or Palm Beach County's budget hearing. Palm Beach County is September 5, 2017 and PBC School Board is September 6, 2017.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                |
|--------------|------------------|----------|---------------------|
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 5:01 PM |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 5:01 PM |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 9:35 AM |



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:**

Vice-Mayor Katz requested a presentation by Florida Textile Recycling, LLC. FTR, LLC provides automated clothing recycling as a non-profit corporation and provides funding to agencies for other non-profit uses - TBD

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**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:** Non-budgeted

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?**

**Grant Amount:**

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**ATTACHMENTS:**

| Type                                | Description       |
|-------------------------------------|-------------------|
| <input type="checkbox"/> Attachment | FTR, LLC Brochure |

**REVIEWERS:**

| Department             | Reviewer         | Action   | Date                |
|------------------------|------------------|----------|---------------------|
| Utilities              | Groff, Colin     | Approved | 7/13/2017 - 8:45 AM |
| Assistant City Manager | Groff, Colin     | Approved | 7/13/2017 - 8:45 AM |
| City Manager           | LaVerriere, Lori | Approved | 7/14/2017 - 9:57 AM |

According to the Environmental Protection Agency, the average American discards **70 pounds** of unwanted clothes, shoes and textiles into landfills each year, which amounts to an astounding **16.9 billion pounds\*** of preventable waste every year. FLORIDA Textile Recycling Programs utilizes processes developed over nearly three decades to help the environment by minimizing the textile waste in local landfills.



FLORIDA Textile Recycling Programs is the first company in the country to be awarded an exclusive municipal contract for textile recycling, in the Town of Davie, Florida.

## THE COMPANY

In February 2015, FLORIDA Textile Recycling Programs became the **first company in the country** to be awarded an exclusive municipal contract for textile recycling, in the Town of Davie, Florida. The Company works with both for-profit and non-profit entities that collect, manage and distribute clothes, shoes and textiles.

Our efforts stimulate local economies through market creation, small business promotion, job creation and charitable fundraising. FLORIDA Textile Recycling Programs provide a significant source of revenue and employment, while helping to reduce each municipality's carbon footprint.

## BUSINESS PROFILE

- Protection of the environment by keeping reusable clothes, shoes and textiles out of local landfills.
- Reinforces the municipality's commitment to green recycling programs, that ensure ongoing improvements with their aesthetics, while reaffirming the environmental monitoring, compliance and enforcement provisions of the municipality's code of ordinances.
- The generation of funds for municipalities to use at their discretion to assist non-profits and those in need in their community.
- Funds may be used to subsidize many areas where municipalities have needs.

## PROGRAM BENEFITS

- **Additional revenue** used at Municipality's discretion
- **Disposal savings**
- **Additional recycling credits** available
- Regulation through exclusive contracts allows municipalities to **control the location and number of bins placed** in their community
- **All locations approved by city officials** in accordance with corresponding ordinance
- **Liability insurance and indemnification provided**
- Provides the public with a **convenient way to recycle** their clothes, shoes & textiles by keeping them out of local landfills
- **Reducing carbon footprint** by using the Bin Location Information Program (BLIP®), where sensors monitor the fill levels of each recycling bin and send notifications when bins need servicing
- Existing exclusive **contract may be piggybacked**

## OPERATION

Each municipality has a specified number of recycling bins and site trucks mutually agreed upon by the Company and municipality. Attended site trucks will be used when necessary for those residents in need of assistance, and for handling the volume of busy locations.

Using the company's Bin Location Information Program, "BLIP®", the Company can visualize each municipality on an interactive map that includes the placed recycling bins. In addition to tracking each location, BLIP® monitors the load level in each bin. This feature significantly reduces the carbon footprint by automatically generating a roadmap with the most efficient route to those recycling bins that need to be serviced.

## KEY MANAGEMENT PROFILES

### Marc Douglas

Mr. Douglas brings 30 years of experience in the textile industry including the collection of goods, ownership of multi-unit thrift locations, wholesale distribution and brokerage of goods both nationally and internationally. He is experienced in creating and running private companies, as well as taking private companies public. He holds a BS from the College of Business at Florida International University.

### John Ferguson

Mr. Ferguson brings nearly 30 years of experience in the waste management and recycling industry. In his career, Mr. Ferguson has been responsible for management, safety, government affairs, municipal contracts, compliance, financial statements and budgets for eight solid waste and recycling divisions. He holds a BS in Management/Marketing from Maryville University.

### Nick Boariu

Mr. Boariu brings his many years of experience in multi-unit retail and franchise operations, as co-founder of two previous franchise concepts in his role as Executive Vice President and Board Member. He holds a BS in Marketing with an emphasis in Management Information Systems, from Florida State University.

### Marc Douglas, Jr.

Mr. Douglas is an experienced franchisee in two service-based franchise systems. He is experienced in the textile recycling industry by working in the family business. Over the last decade, he has worked in all facets of the collection, retail and wholesale areas of the textile industry. He uses his experience in sales, marketing and operations to run the day to day affairs.

## ADVISORY BOARD

### Jeff Binder

Mr. Binder brings over 40 years of experience in both the private and public business sectors. His serial entrepreneurial background includes a joint venture with Porsche Design in manufacturing custom yachts, ownership of a cruise line, wholesale distribution, international trade, the restaurant and nightclub industry as well as national retail outlets. He holds a JD from George Washington Law School.



**FLORIDA Textile Recycling Programs** provides local municipalities with a unique opportunity to recycle clothes, shoes and textiles through exclusive municipal contracts. Together, we help each municipality find additional, much-needed funding while protecting the local environment and optimizing the community’s recycling efforts. Our services help municipalities address two of their most important challenges: fiscal growth and environmental compliance.



for more information, call  
**888.325.FTRP** (3877)

email: [Info@TextilePrograms.com](mailto:Info@TextilePrograms.com)  
web: [TextilePrograms.com](http://TextilePrograms.com)



**OUR MISSION** is to provide a convenient way for the public to recycle their clothes, shoes and textiles through exclusive municipal contracts. Our efforts reduce municipalities’ carbon footprint, provide municipalities with fiscal growth and disposal savings, stimulate charitable contributions through municipality-sponsored programs and provide a source of clothes, shoes and textiles to those in need in the United States and throughout the world.



**Municipality Program**



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**COMMISSION MEETING DATE:** 7/18/2017

**REQUESTED ACTION BY COMMISSION:** Update on progress of Town Square - Phase I - August

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**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?** No

**Grant Amount:**

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**REVIEWERS:**

| Department   | Reviewer         | Action   | Date                 |
|--------------|------------------|----------|----------------------|
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 4:58 PM  |
| Finance      | Howard, Tim      | Approved | 7/13/2017 - 5:02 PM  |
| City Manager | LaVerriere, Lori | Approved | 7/14/2017 - 10:06 AM |