

ORDINANCE 1, 2006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA RELATING TO AN EXPEDITED DEVELOPMENT REVIEW PROGRAM FOR ECONOMIC DEVELOPMENT PROJECTS; CREATING A NEW SECTION 78-57, CODE OF ORDINANCES, TO BE ENTITLED "TARGETED EXPEDITED PERMITTING PROGRAM"; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 6, 2005, the City Council adopted an amendment to the City's Comprehensive Plan through the adoption of Ordinance 48, 2004 to establish an Economic Development Element; and

WHEREAS, on March 11, 2005, the Department of Community Affairs of the State of Florida found said amendment IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187, and 163.3189, Florida Statutes; and

WHEREAS, Section 163.3202, Florida Statutes, requires municipalities to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan within one (1) year of the submission to the State of a revised comprehensive plan for review pursuant to Section 163.3167(2), Florida Statutes; and

WHEREAS, Policy 13.1.1.6. of the element states, in part, that "The City shall maintain and develop programs to encourage and facilitate the expansion and relocation of target industries in the City including but not limited to:Implement a targeted expedited permitting program for companies that are expanding operations or moving into the City so that value-added employment may be created at a faster pace..."; and

WHEREAS, the City Council has determined that it is necessary to create a new Section 78-57, Code of Ordinances, to be entitled "Targeted Expedited Permitting Program," to establish a targeted expedited permitting program in accordance with the aforesaid policy of the Comprehensive Plan; and

WHEREAS, City staff has prepared and reviewed an amendment to Chapter 78 of the City's Code of Ordinances, entitled *Land Development Regulations*, to establish the aforesaid Section 78-57; and

WHEREAS, the subject amendment (Petition LDR-05-04) to the City's Land Development Regulations was reviewed by the City's Economic Development Advisory Board on November 10, 2005, which recommended its approval by a vote of 6-0; and

1 **WHEREAS**, the subject amendment to the City's Land Development Regulations
2 was reviewed by the Planning, Zoning, and Appeals Board at a public hearing on
3 December 13, 2005, which recommended its approval by a vote of 7-0; and
4

5 **WHEREAS**, the City Council has determined that adoption of this Ordinance is in
6 the best interest of the citizens and residents of the City of Palm Beach Gardens.
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9 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**
10 **OF PALM BEACH GARDENS, FLORIDA** that:

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12 **SECTION 1.** The foregoing recitals are hereby affirmed and ratified.

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14 **SECTION 2.** Section 78-45, Code of Ordinances entitled "Targeted Expedited
15 Permitting Process" is hereby created to read as follows:
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17 **Sec. 78-45. Targeted Expedited Permitting Program.**
18

19 (a) *Purpose and intent.* The *Targeted Expedited Permitting Program* provides
20 qualifying projects an efficient process to resolve issues in a timely manner through face-
21 to-face meetings with a City representative without sacrificing any requirements
22 established in this Chapter. The *Targeted Expedited Permitting Program* is available to
23 qualifying companies that are expanding operations or moving into the City so that value-
24 added employment may be created at a faster pace.
25

26 (b) *Applicability.* The City's Economic Development Advisory Board shall utilize the
27 following qualification criteria when determining whether a company qualifies for the
28 Targeted Expedited Permitting Program:
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30 (1) The company must fall into one (1) of the following industry clusters as
31 recommended by the Economic Development Advisory Board:
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- 33 a. Medical and Pharmaceutical;
- 34 b. Aerospace and Engineering;
- 35 c. Information Technology;
- 36 d. Business and Financial Services;
- 37 e. Education;
- 38 f. Research and Development; and
- 39 g. Any other industry cluster approved by the City's Economic Development
40 Advisory Board.

41
42 (2) The company must demonstrate the capability to create at least fifty (50) new
43 positions in the City of Palm Beach Gardens within the first two (2) years of
44 operation; or expand its operation within the City as a result of creating at least 50
45 new positions in the two (2) years prior to the issuance of the Certificate of
46 Occupancy for the new facilities; or a combination thereof.

- 1 (3) Positions created must be considered value-added employment based on the
2 average wages and/or compensation paid by the employer. Value-added
3 employment is defined when the average compensation package of positions
4 created is at least 10% higher than the current per capita income level in the City.
5
- 6 (4) Companies must pass the City's due diligence process to establish solvency and
7 credibility prior to acceptance into the program. Due diligence reports (1) may
8 include a Dun & Bradstreet report and (2) must be reviewed by the Economic
9 Development Advisory Board, City Manager, Economic Development
10 Administrator, and/or Finance Administrator for the City.
11
- 12 (5) Companies must receive an endorsement from the Economic Development
13 Advisory Board.
14
- 15 (6) Notwithstanding the criteria above, a company may qualify for the *Targeted*
16 *Expedited Permitting Program* if the company is a sanctioned project by the State
17 of Florida or other officially sanctioned economic development organization
18 (OTTED, Enterprise Florida, or Business Development Board of Palm Beach
19 County).
20
- 21 (c) *Benefits.* Companies that have been accepted into the *Targeted Expedited*
22 *Permitting Program* shall receive the following benefits:
23
- 24 (1) The City Manager or Economic Development Director shall appoint a single *Point*
25 *of Contact* at the City who shall be kept apprised of all developments relating to the
26 review of the project by the City's Development Review Committee in order to keep
27 the project on track and provide a periodic status report to the Company's Project
28 Manager; and
29
- 30 (2) The Growth Management Department shall establish the necessary steps required
31 for project approval in a pre-application meeting, and subsequently, prepare an
32 itemized timetable for the project's completion of the development review process;
33 and
34
- 35 (3) The project shall receive priority at every phase of the review process by City staff,
36 including face-to-face meetings; and
37
- 38 (4) The City's Development Review Committee shall review and provide comments
39 relative to the project not to exceed five (5) business days of submission of plans by
40 the Applicant; and
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- 42 (5) In the case that major issues arise at any point during the development review
43 process, a face-to-face meeting of all concerned parties will be called within two (2)
44 business days so that a resolution may be found in a timely and efficient manner;
45 and
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(6) An economic section will be included in the staff report for the project for the Planning, Zoning, and Appeals Board and City Council hearings.

SECTION 4. Codification of this Ordinance is hereby authorized and directed.


SECTION 5. This Ordinance shall become effective immediately upon adoption.

PASSED this 5th day of January, 2006, upon first reading.

PASSED AND ADOPTED this 2nd day of February, 2006, upon second and final reading.

CITY OF PALM BEACH GARDENS	FOR	AGAINST	ABSENT
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BY:  Joseph R. Russo, Mayor	✓	_____	_____
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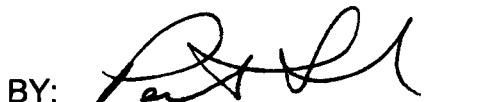
 Eric Jablin, Vice Mayor	✓	_____	_____
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 David Levy, Councilmember	✓	_____	_____
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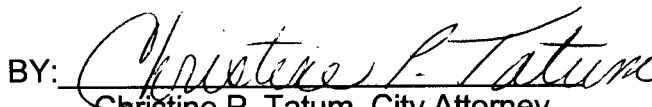
 Hal R. Valeche, Councilmember	✓	_____	_____
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 Jody Barnett, Councilmember	✓	_____	_____
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ATTEST:

BY: 
Patricia Snider, CMC, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: 
Christine P. Tatum, City Attorney

