

# Development Services Department Outreach Meeting



June 26, 2014

# Agenda

- I. Introduction and Welcome
- II. Departmental Updates
- III. Financial Update
- IV. One Solution Update
- V. Summary of Development Activity
- VI. Potential Development Opportunities
- VII. Art In Public Places Ordinance
- VIII. Other Citywide Updates
- IX. Feedback from the Public

# Development Services Department Outreach Meeting



## Departmental Updates

# Development Services Organizational Chart

## FY 2013-2014



### Development Services Department

**Director**



Rick Greene  
822-1455

**Building Official**



Robert Brown  
805-6652

**Administrative Assistant**



Fanny Amini  
822-1436

**Senior Systems Analyst**



Ralph Wall  
805-6661

**Secretary**



Laura Aral  
822-1453

**Chronic Nuisance Officer**



Laura Borso  
822-1471

**Community Improvement Manager**



Mark Joyce  
822-1473

**Assistant Building Official**



Doug Harvey  
805-6740

**Plan Review Coordinator**



Vacant

**License & Permit Supervisor**



Sandra Wurafic  
805-6688

**Administrative Assistant**



Diane Fulcher  
805-6654

**Planning & Zoning Administrator**



Angella Vann  
822-1441

**City Urban Designer**



Ana Maria Aponte/  
822-1439

**Clerical Specialist**



Felicia Adams  
822-1477

**Administrative Assistant**



Beth Carman  
822-1468



Ken Conrad  
805-6666



Tom Moore  
805-6669



Steve Pentek  
805-6674



Peter Valenti  
805-6673



Dick Bowman  
805-6733

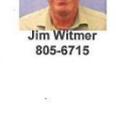


Harold Moser  
805-6732

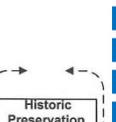
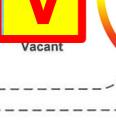
**Digital Plan Review**



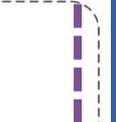
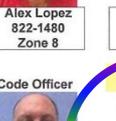
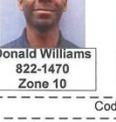
**Chief Plans Examiner**



**Commercial Combination Plans Examiner**



**Historic Preservation Planner**



Code Enforcement Officers

Code Enforcement

# Development Services Organizational Chart

## FY 2013-2014



### Development Services Department

**Director**



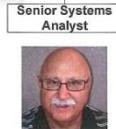
Rick Greene  
822-1455



Robert Brown  
805-6652



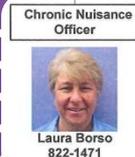
Fanny Amini  
822-1436



Ralph Wall  
805-6661



Laura Aral  
822-1453



Laura Borso  
822-1471



Mark Joyce  
822-1473



Doug Harvey  
805-6740



Sandra Wurafic  
805-6688



Diane Fulcher  
805-6654



Planning & Zoning Administrator



City Urban Designer



Felicia Adams  
822-1477



Beth  
822-1477

**Chief Inspector Building**  
Ken Conrad 805-6666  
1 & 2 Family Inspector  
Tom Moore 805-6669  
Building Inspector  
Steve Pentek 805-6674  
Building Inspector  
Peter Valenti 805-6715  
Building Inspector  
vacant  
Mechanical Inspector  
Dick Bowman 805-6733

**Chief Inspector Electrical**  
Vacant  
Commercial Combination Inspector  
Phil Petty 805-6742  
Electrical Inspector  
Dan Kempa 805-6741  
Chief Inspector Plumber  
Vacant  
Plumbing Inspector  
Gary Salfelder 805-6694  
Plumbing  
Chief Inspector Mechanical  
Harold Moser 805-6732

**Plan Review Coordinator**  
Vacant  
Digital Plan Review

**Assistant Building Official**  
Doug Harvey 805-6740

**Chief Plans Examiner**  
Steven Kennedy 805-6710  
Senior Commercial Combination Plans Examiner  
Jim Witmer 805-6715  
Commercial Combination Plans Examiner  
Robert McDougal 805-6714  
Building Plans Examiner  
Samantha Hill 805-6724  
Commercial Combination Plans Examiner II  
Julio Gomez 805-6712  
Electrical Plans Examiner II  
David Hayes 805-6717  
EMP Electrical Plans Examiner  
Mike Albarran 805-6732

**Commercial Combination Plans Examiner**  
vacant  
Building Plans Examiner  
vacant

**License & Permit Supervisor**  
Sandra Wurafic 805-6688  
License & Permit Specialist  
Susan Palmer 805-6685  
License & Permit Specialist  
Wanda Lehnhardt 805-6686  
License & Permit Specialist  
Jamie Mitchell 805-6683  
License & Permit Specialist  
Melissa Manhong 805-6684  
TEMP Business Tax Specialist  
Lisa Clayton 805-6684

**Administrative Assistant**  
Diane Fulcher 805-6654  
Secretary  
Pam Yusko 805-6656  
CSD Customer Service Associate  
Caroline Pujil 805-6659  
TEMP Clerical Specialist  
Ashanta Gordon 805-6662  
Records Retention Specialist  
Tequesta Jackson 805-6665  
TEMP Scanning Technician  
Genie Wilson-Gates 805-6660  
Office Support Staff

**Secretary**  
Laura Aral 822-1453

**Planning & Zoning Administrator**  
City Urban Designer

**Associate Planner**  
Shirley Graham 822-1442  
Zoning

**Senior Planner**  
Alex Hansen 822-1463  
Comprehensive Planning

**Chronic Nuisance Officer**  
Laura Borso 822-1471

**Community Improvement Manager**  
Mark Joyce 822-1473

**Administrative Assistant**  
Beth 822-1477

**Code Enforcement Officers**

Melvin Simmons 822-1482 Zone 4 Code Officer	Valerio Luster 822-1485 Zone 5 Code Officer	Carlos Maldonado 822-1491 Zone 6 Code Officer
Michael Williams 822-1488 Zone 7	Alex Lopez 822-1480 Zone 8	Kevin Lavino 822-1490 Zone 9
Code Officer	Code Officer	TEMP Code Officer
Donald Williams 822-1470 Zone 10	John Frasca 822-1475 Zone 11	Charles Scott 822-1474 Business Tax

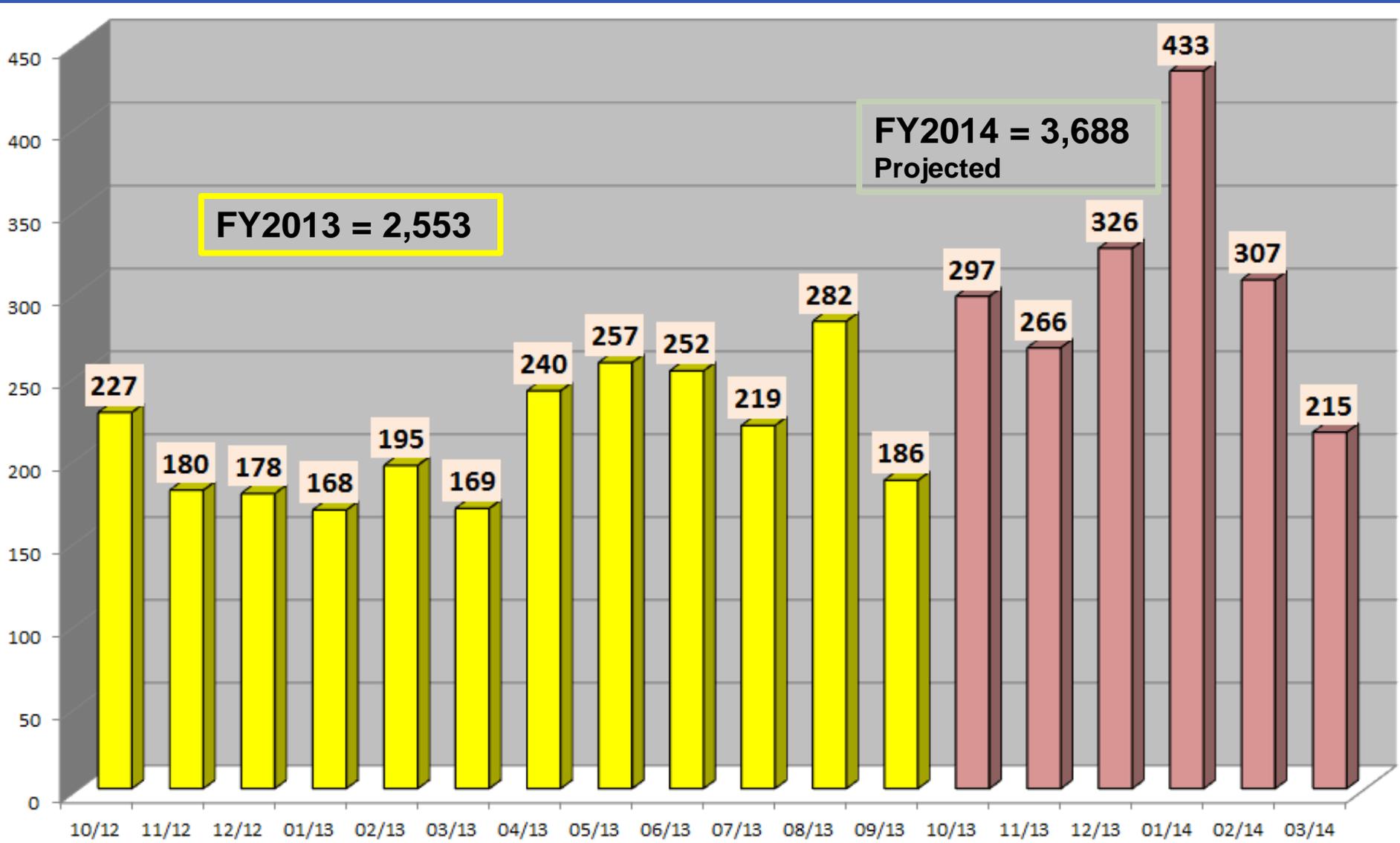
**BUILDING DIVISION**

- \* Applications Specialist
- \* License & Permit Specialist
- \* Mechanical Plans Examiner II
- \* Plumbing Plans Examiner II
- \* Utilities Engineering Plan Reviewer (One Solution IT Specialist) (GIS Specialist)

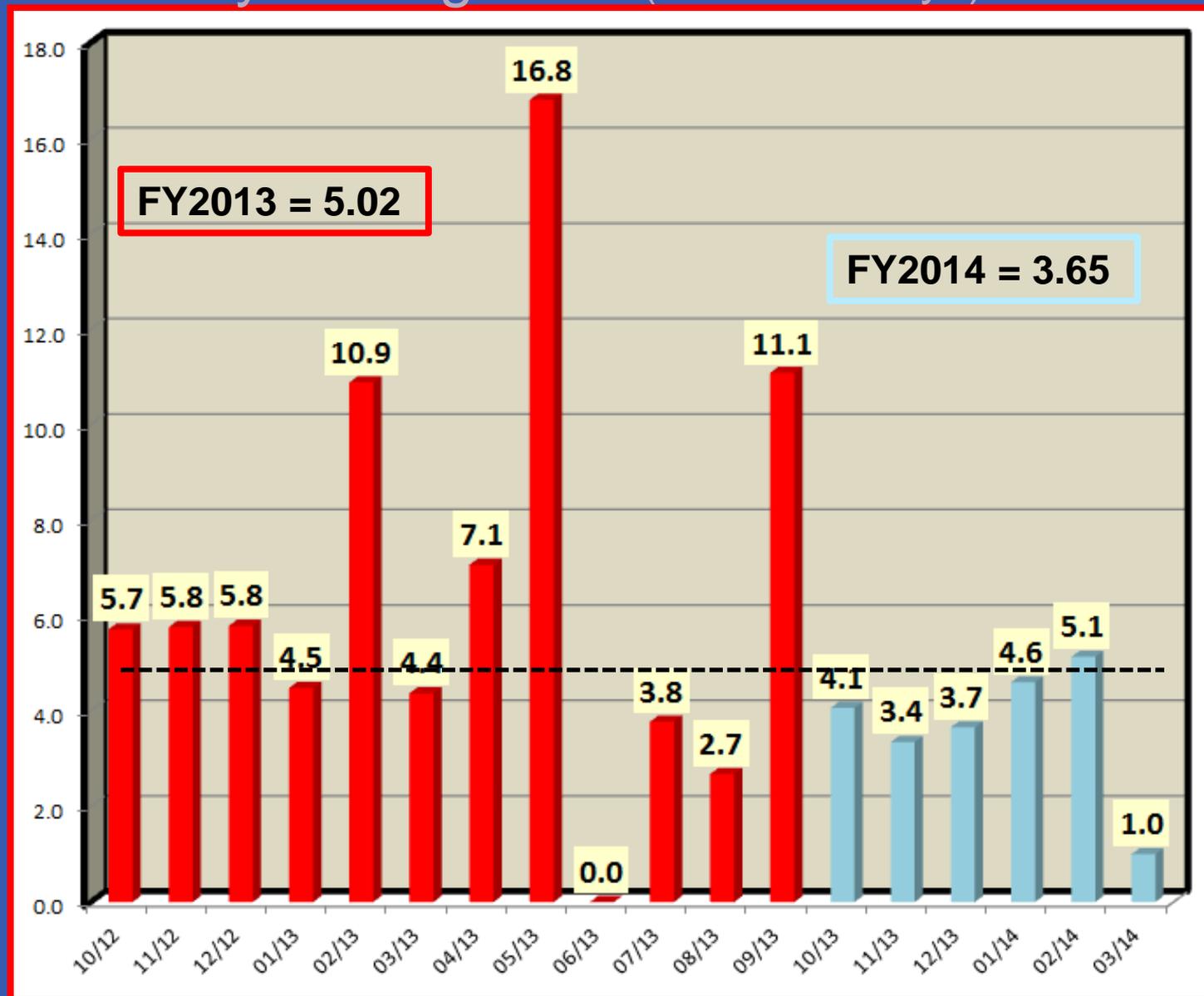
**PLANNING DIVISION**

- \* Landscape Planner

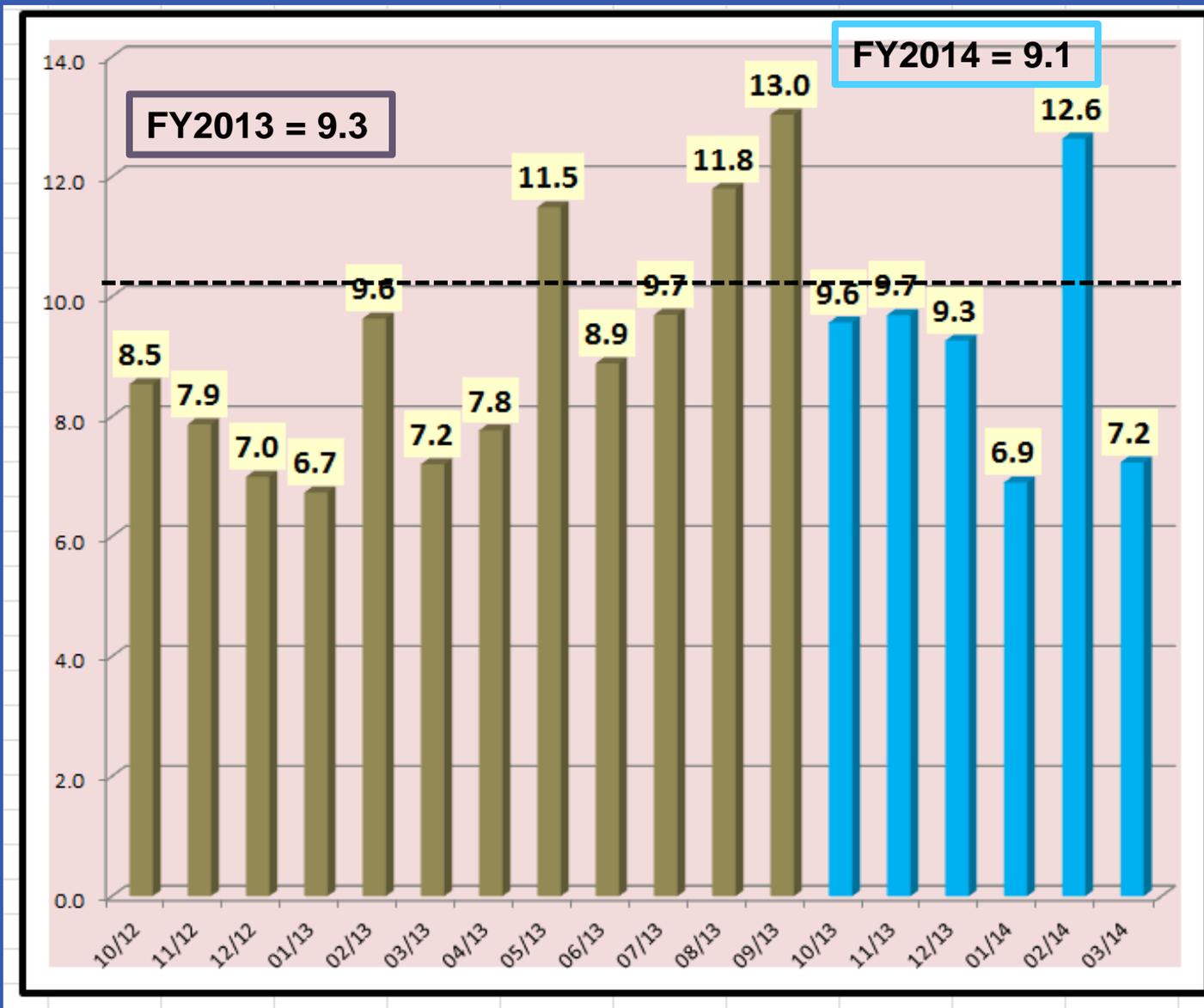
# Total Planning Reviews Completed by Staff



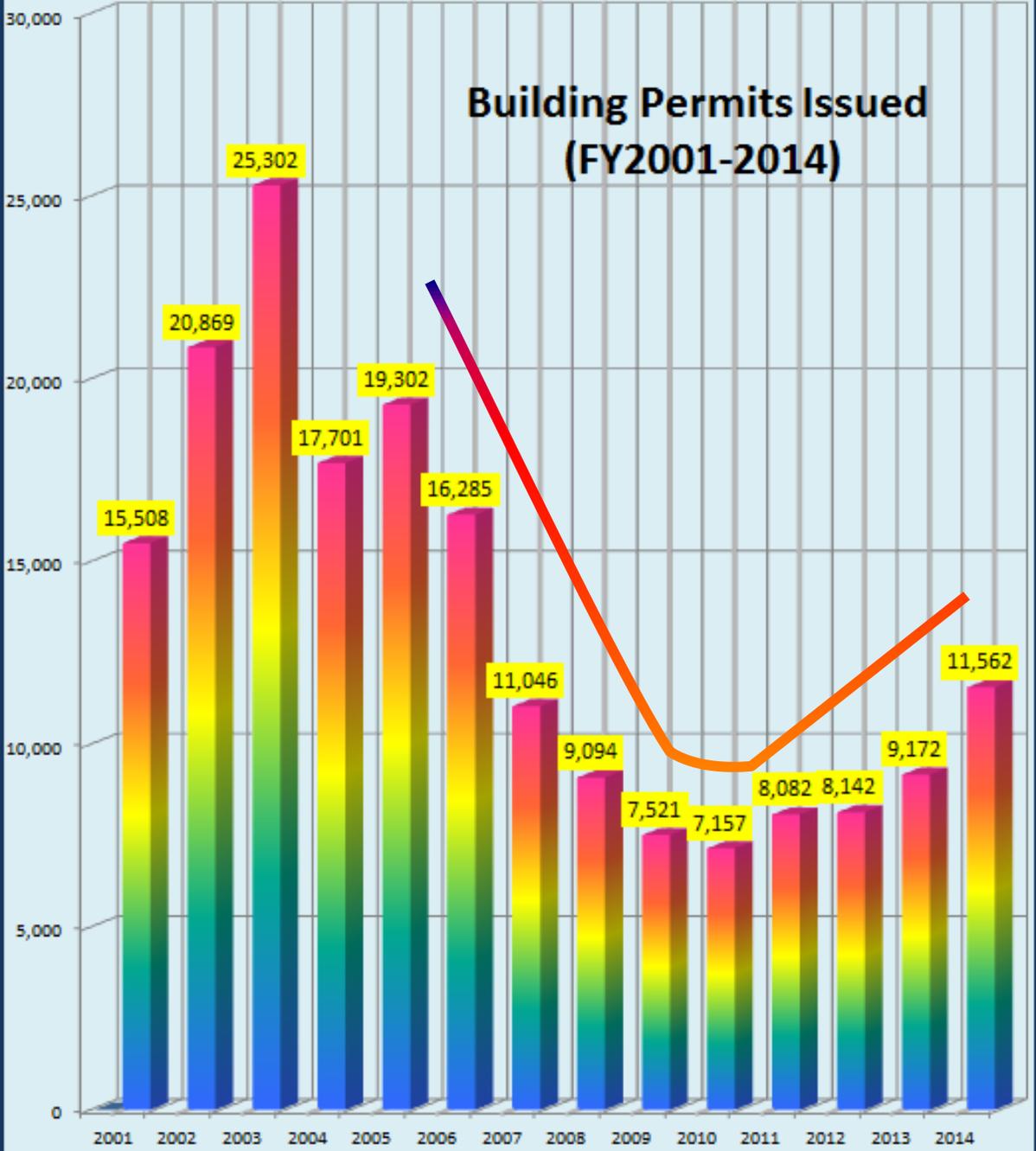
# Average Number of Days for Initial Zoning Reviews By Zoning Tech (Goal = 5 Days)



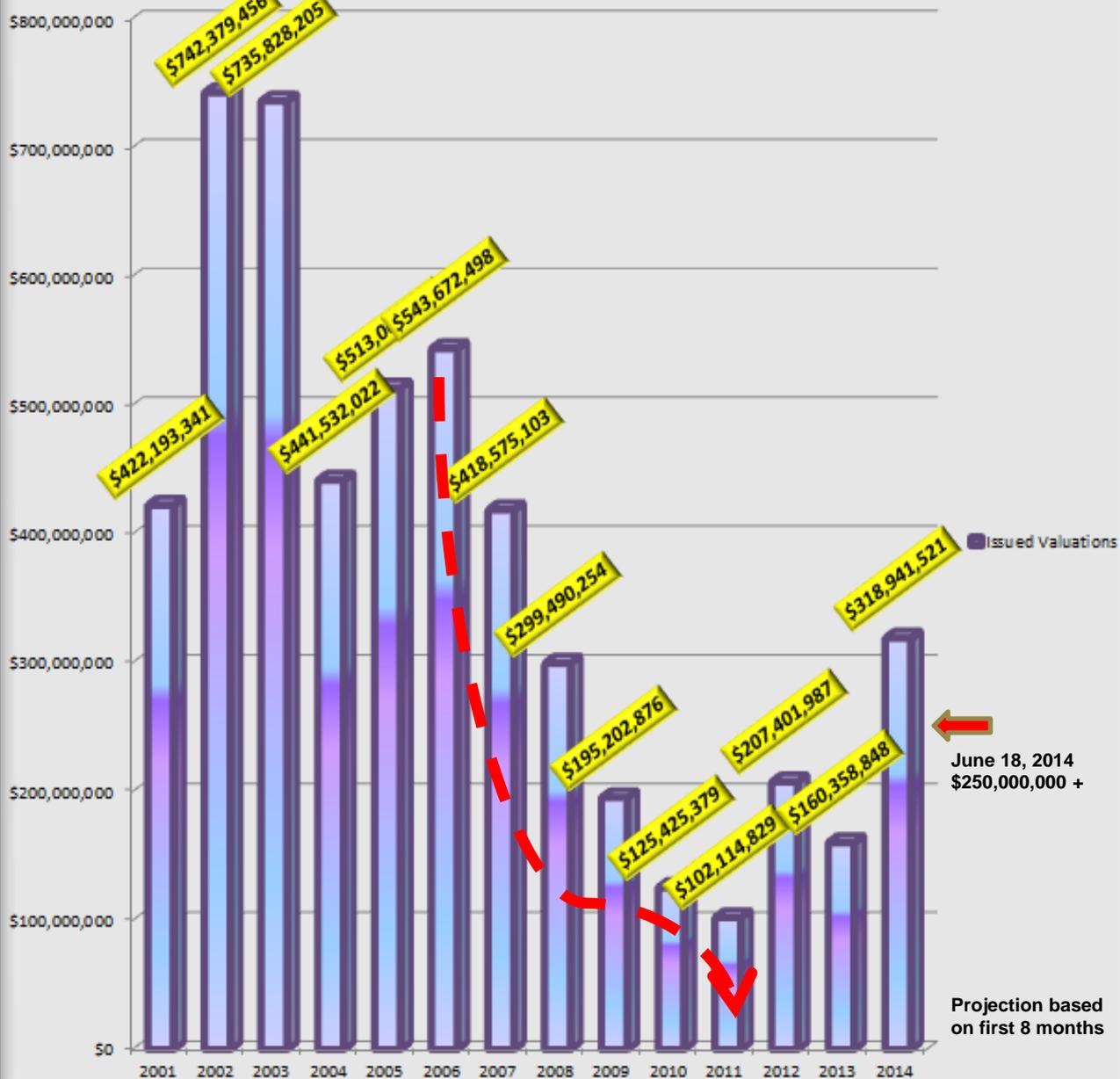
# Average Number of Days for Initial Zoning Reviews – All Planners (Goal = 10 Days)



# Building Permits Issued (FY2001-2014)



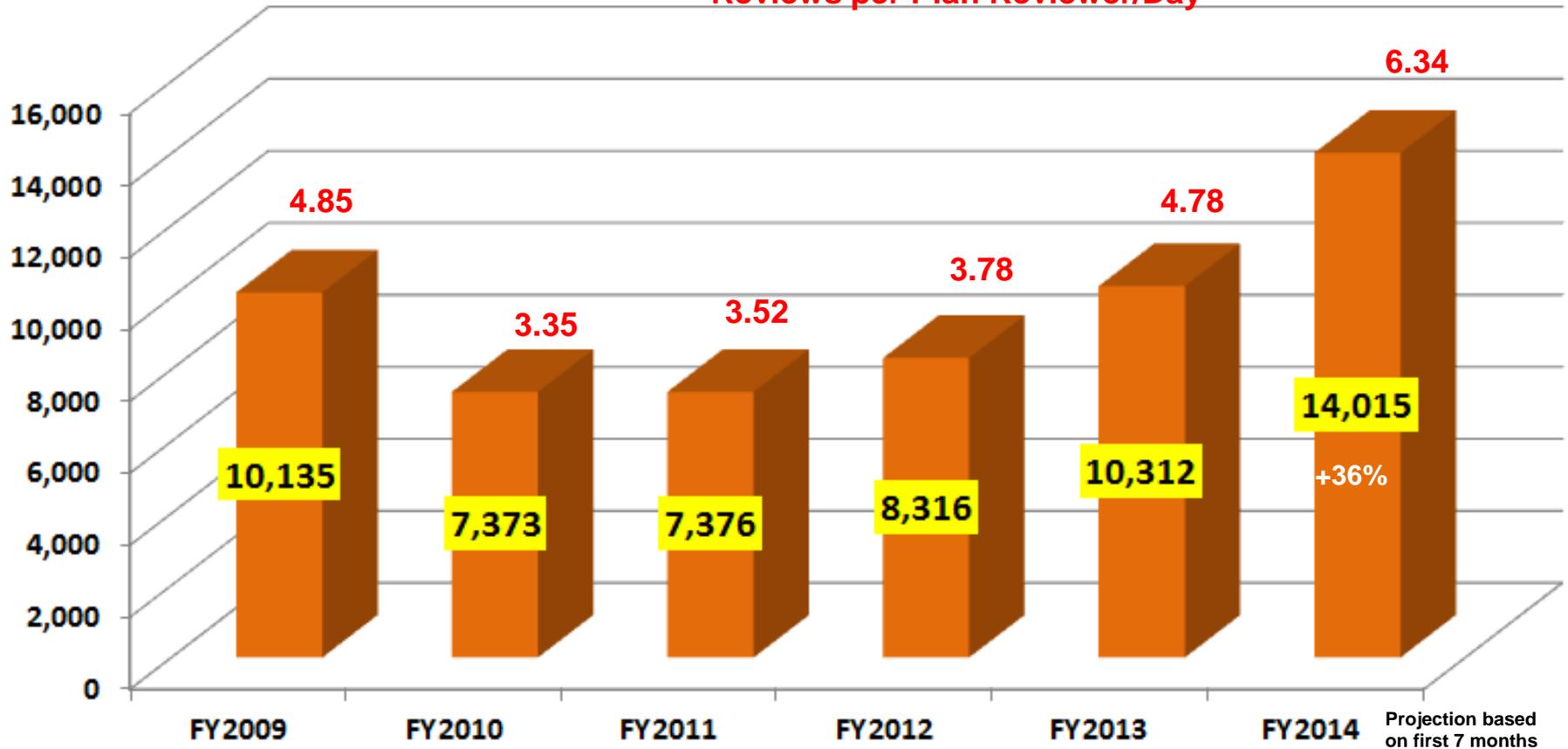
# Building Permit Values



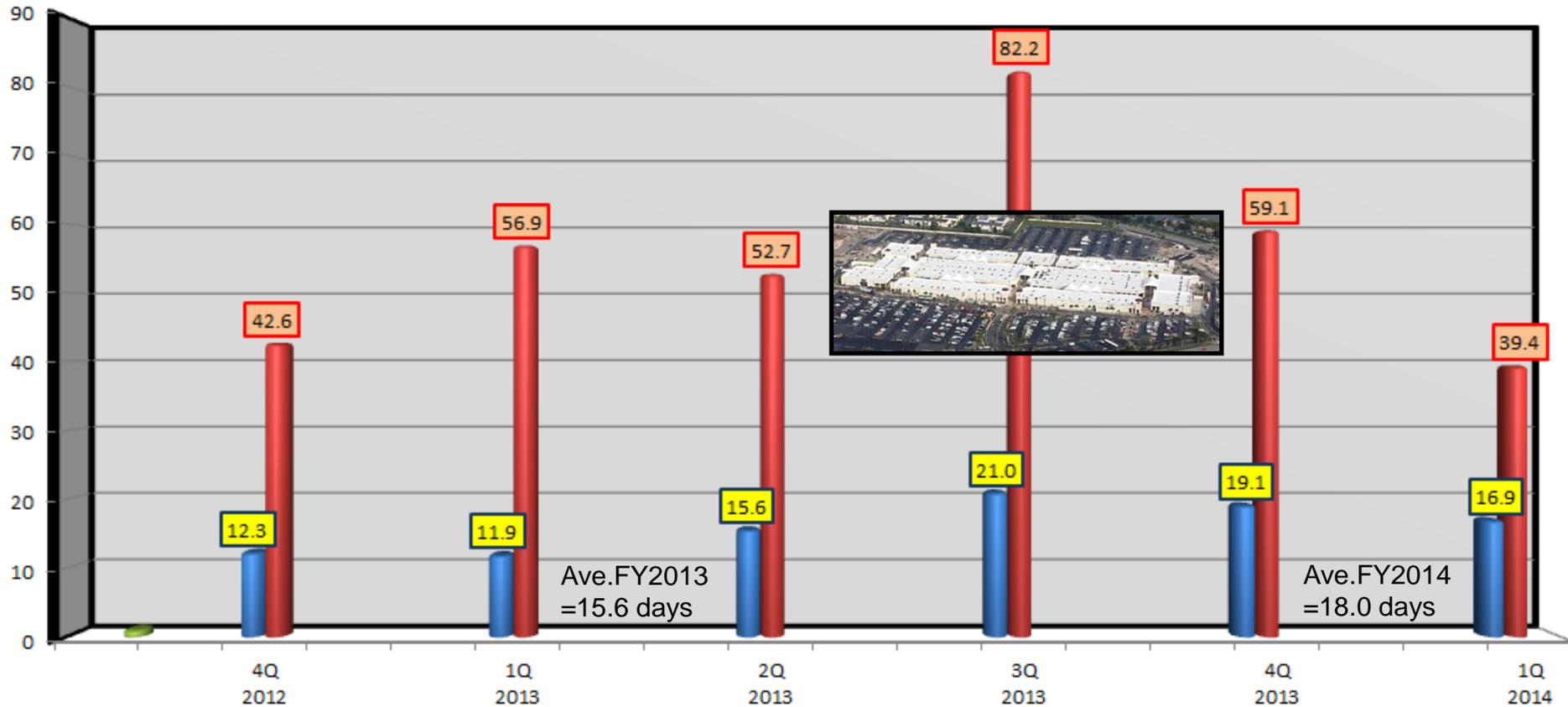
Projection based on first 8 months

# Plan Reviews Completed

Reviews per Plan Reviewer/Day



# Number of Days to Review Residential Permits (Apply to Initial Review) (Apply to Issuance)



## Number of Days to Review Residential Permits (Apply to Initial Review):

FY2007 – 19.2

FY2008 – 9.4

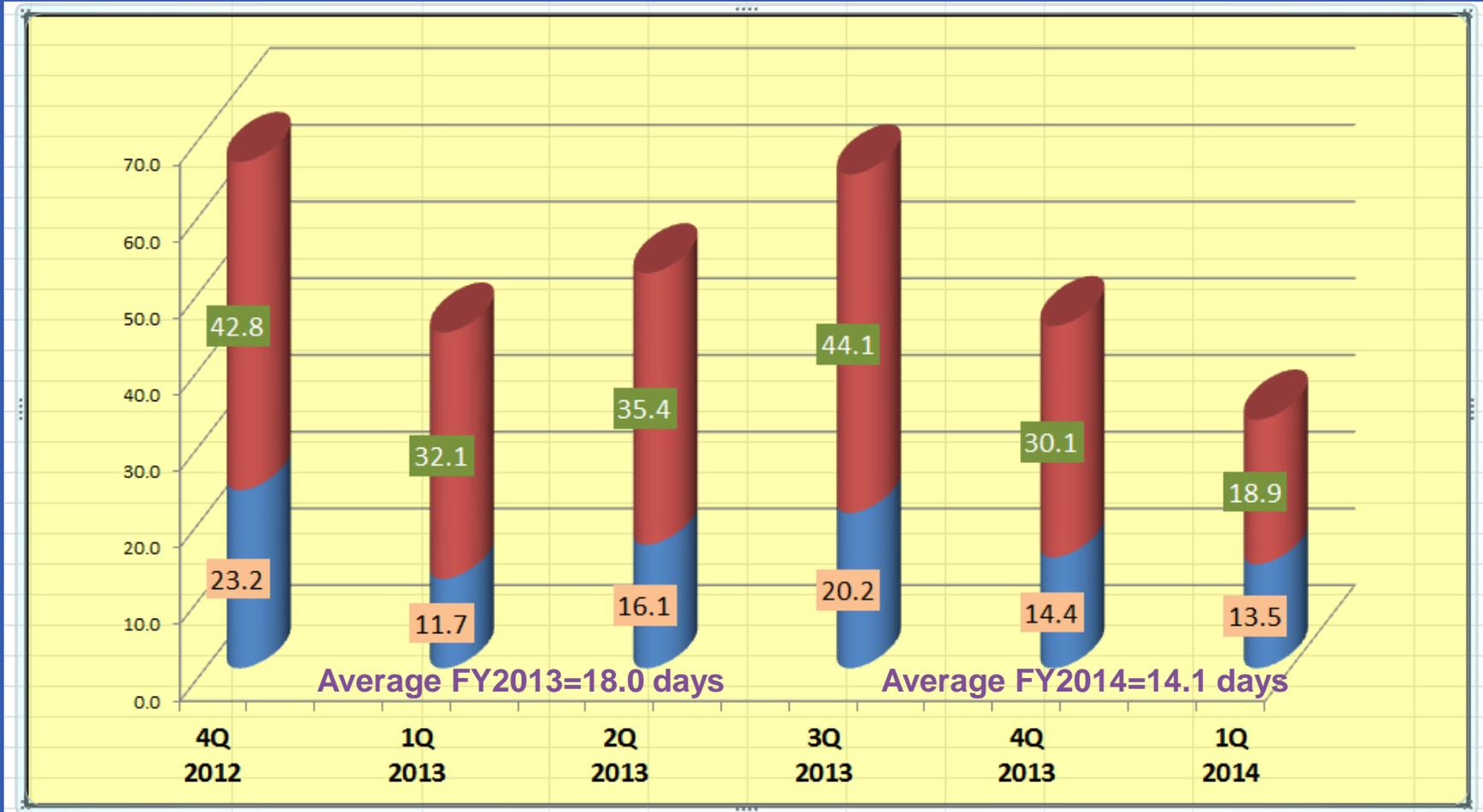
FY2009 – 12.5

FY2010 – 16.3

FY2011 - 11.9

FY2012 – 11.5

# Number of Days to Review Commercial Permits (Apply to Initial Review) (Apply to Issuance)



## Number of Days to Review Commercial Permits (Apply to Initial Review):

FY2007 – 22.6

FY2008 – 13.6

FY2009 – 14.3

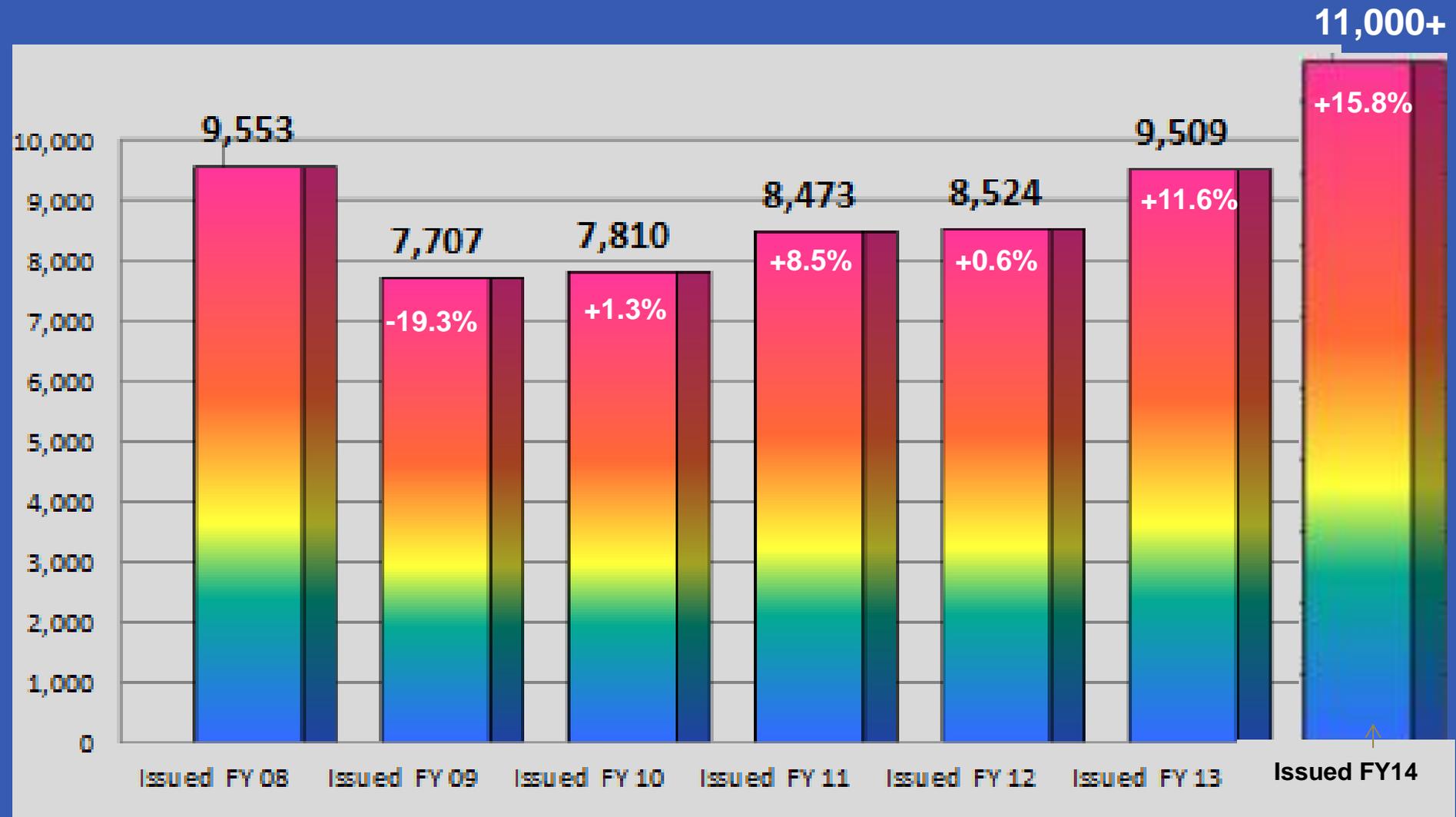
FY2010 – 14.3

FY2011 - 14.8

FY2012 – 13.1

# Building Permits Issued

## FY08 - FY14

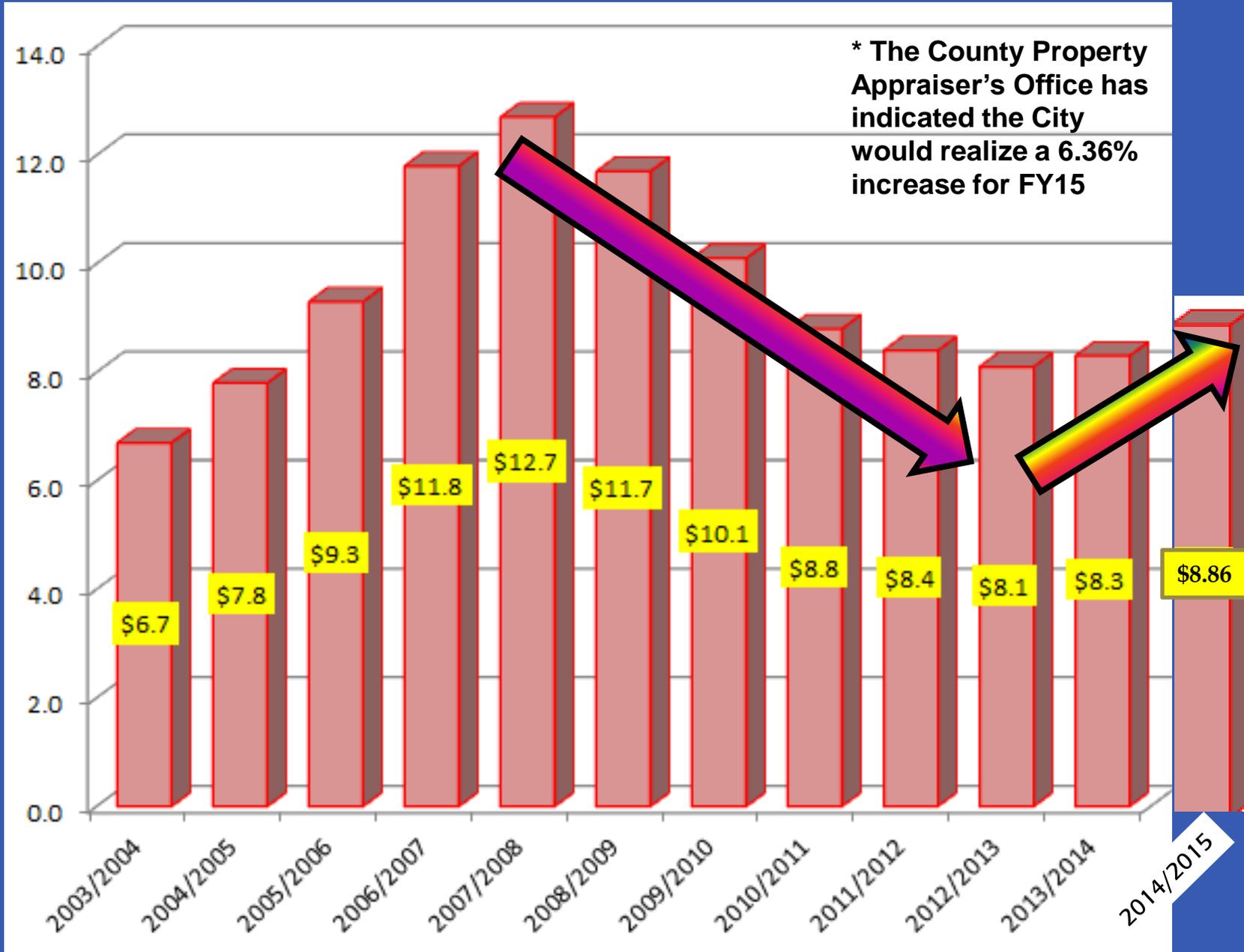


# Development Services Department Outreach Meeting



## Financial Update

# Property Tax Values (in billions)



# Property Tax Revenues (in millions)



Property under construction today is worth \$3.2 million in City tax revenue.

# Building Permit Fees

2013-2014

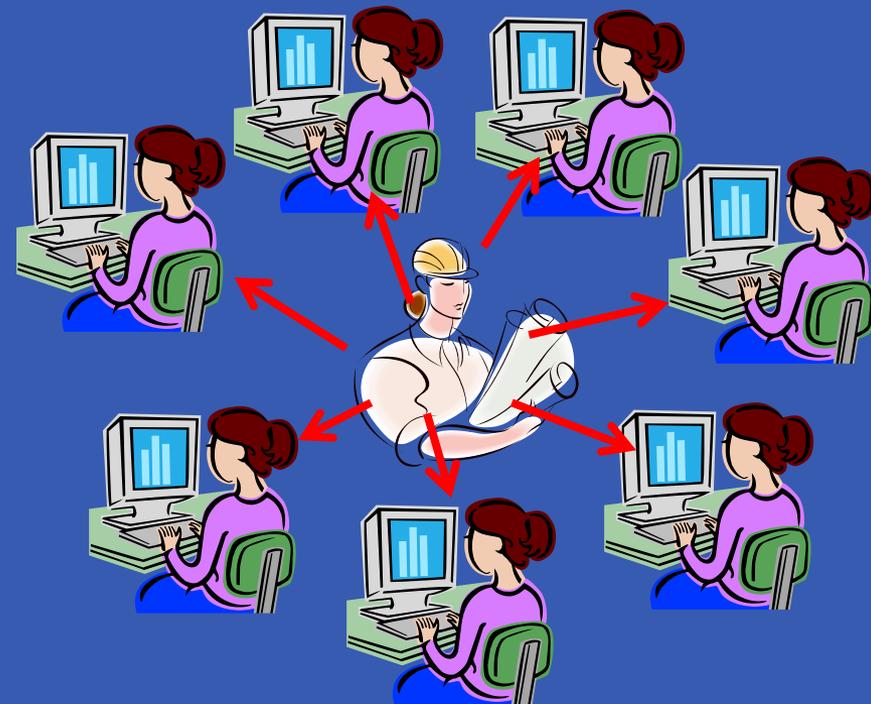
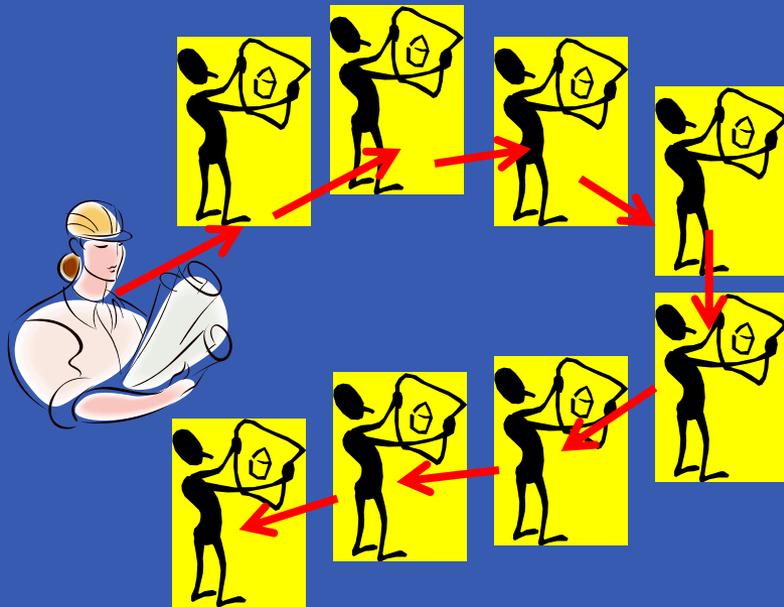
	Schedule A	Schedule B	Difference
<b>Value of Bldg. Permits</b>	<b>&lt; \$250,000,000</b>	<b>&gt; \$250,000,000</b>	
<b>Example:</b>			
<b>\$ 500,000</b>	<b>\$ 14,539.83</b>	<b>\$ 11,377.30</b>	<b>- \$3,162.53</b> <b>-21.8%</b>
<b>\$10,000,000</b>	<b>\$182,275.83</b>	<b>\$179,113.30</b>	<b>- \$3,162.53</b> <b>-1.7%</b>
<b>\$20,000,000</b>	<b>\$322,055.81</b>	<b>\$283,948.30</b>	<b>-\$38,107.51</b> <b>-11.8%</b>
<b>\$50,000,000</b>	<b>\$741,395.83</b>	<b>\$598,453.30</b>	<b>- \$142,942.53</b> <b>-19.3%</b>

# Development Services Department Outreach Meeting



## One Solution Update

# One Solution Implementation



Zoning, Building, Plumbing, Mechanical,  
Electrical, Engineering, Traffic, Fire

# One Solution Implementation (Go Live Dates):

Code Enforcement - **December 2014**

Permitting Module & Business Tax Module  
(including Engineering) -- **December 2014**

Planning Module - **December 2014**

Training provided to users of the system

# Development Services Department Outreach Meeting



## Summary of Development Activity

# Palm Beach Outlets

Groundbreaking February 14, 2014



160,000 visitors in three days  
1,400 Permits issued

“It has taken us eight months to do everything you see here.  
If that doesn’t take coordination I don’t know what does.”  
- Mr. Stephen R. Karp, CEO New England Development

# Palm Beach Outlets



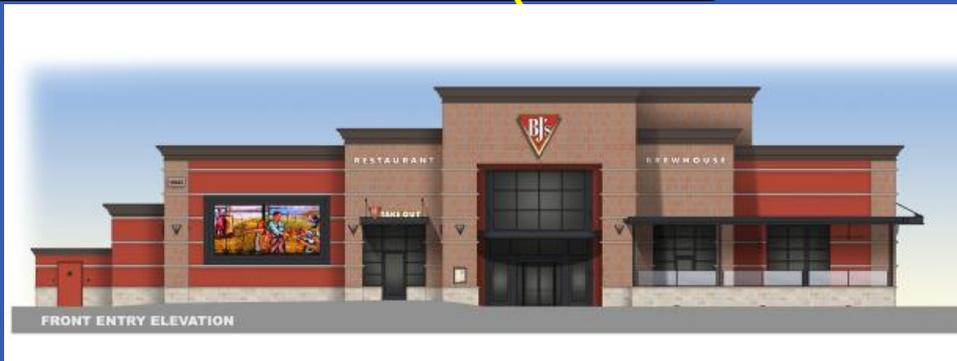
- Phase II Retail to open in November 2014

- Outparcels to open beginning in April 2014

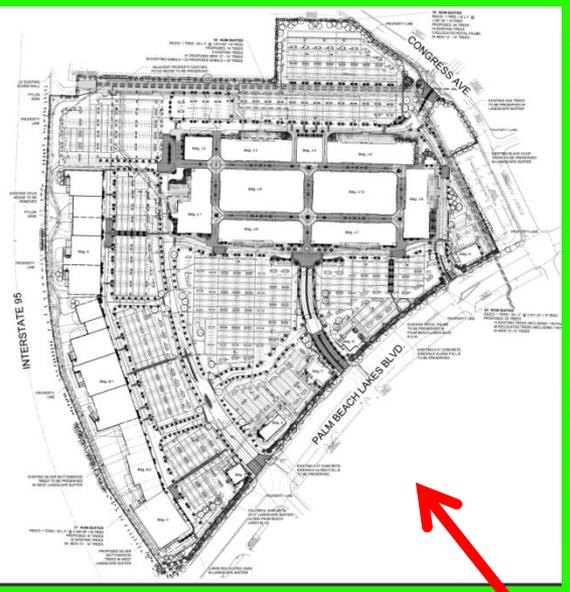
# Palm Beach Outlets



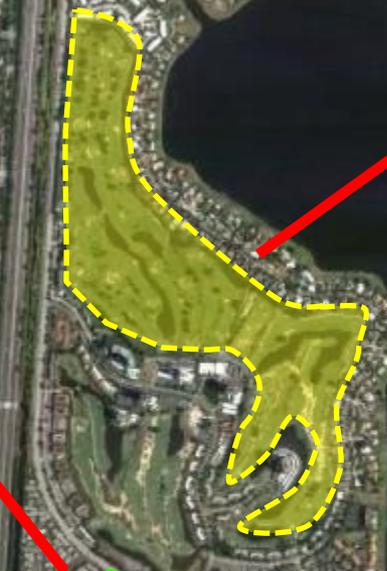
## Red Robin



## BJ's Brewhouse

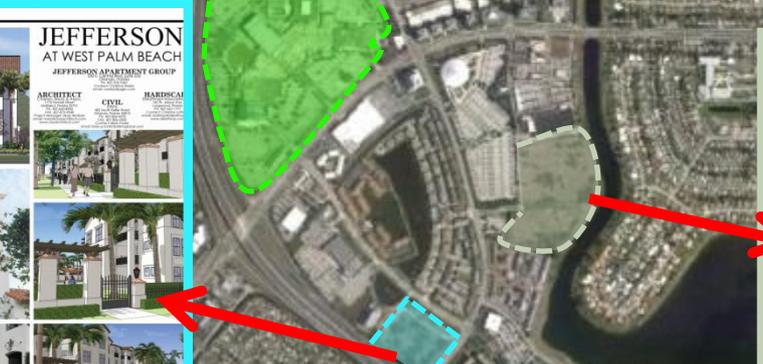


P.B. Outlets



JEFFERSON AT WEST PALM BEACH

ARCHITECT CIVIL HARDSCAPE





# Chapel by the Lake Development





# Chapel by the Lake Development



*Proposal – 22 stories; 75 units*

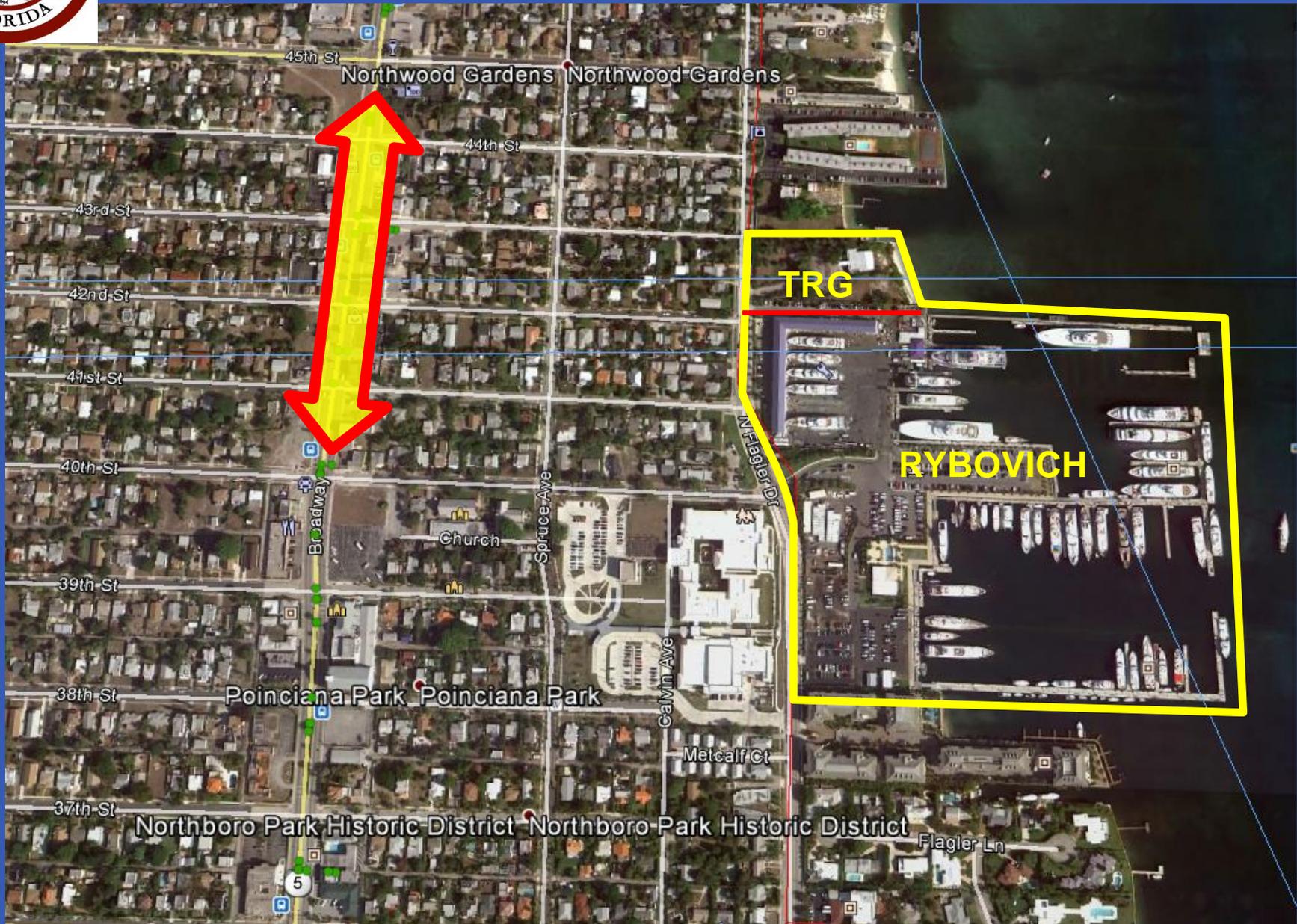
*A total of \$2.3 million in operating ad valorem revenue for the City of West Palm Beach*

# Public Walkway





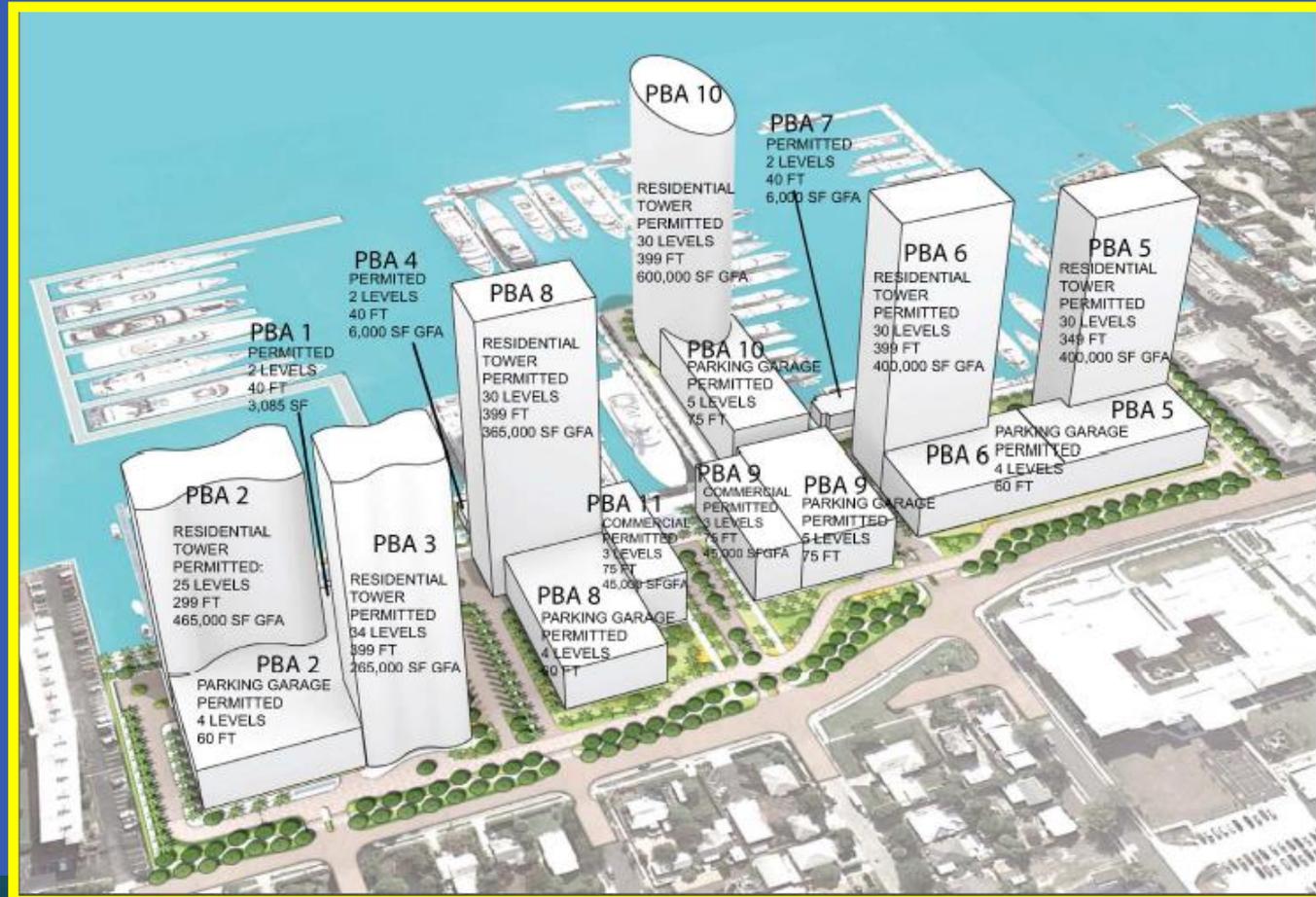
# TRG Related/Rybovich





# TRG Related/Rybovich

**STATUS**  
 Approval was granted to develop a consolidated plan with the adjacent Rybovich parcel. The revised proposal consists of a total of 1,059 units with retail and office uses.





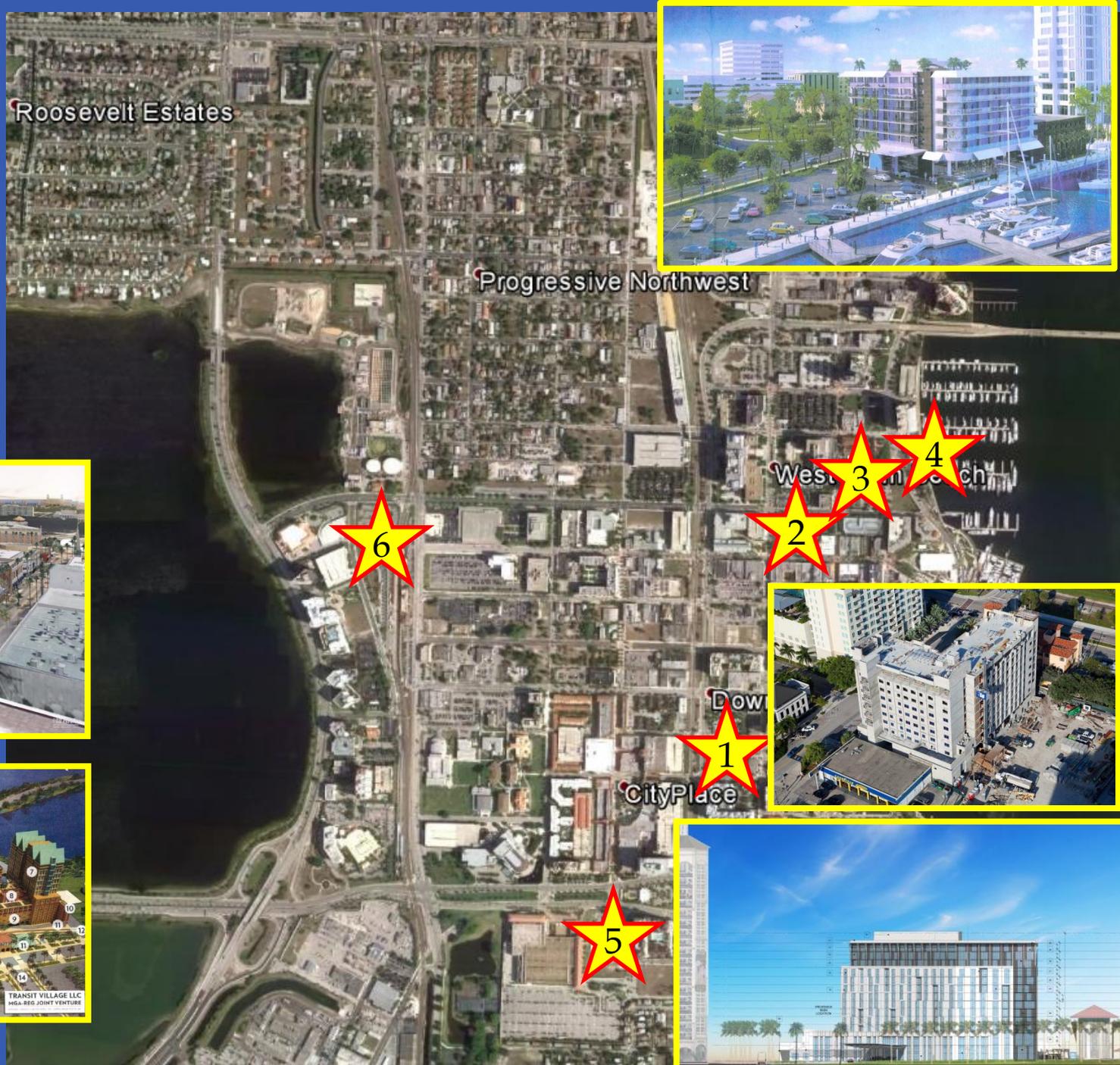
# TRG Related/Rybovich





# Proposed Hotels

- 1. Marriott Residence Inn (151)
  - 2. Clematis Boutique Hotel (96)
  - 3. Old City Hall Site
  - 4. Palm Harbor Marina (108)
  - 5. Convention Center Hotel (400)
  - 6. Transit Village (300)
- TOTAL: 1,055





# Downtown Marriott Residence Inn



Residence Inn by Marriott  
Moss Project #5101304

View: SW

Time: 8:17am

Date: 05-19-14





# Convention Center Hotel & Parking

*An application has been approved for a 400 room hotel and parking garage.*





# Convention Center Hotel

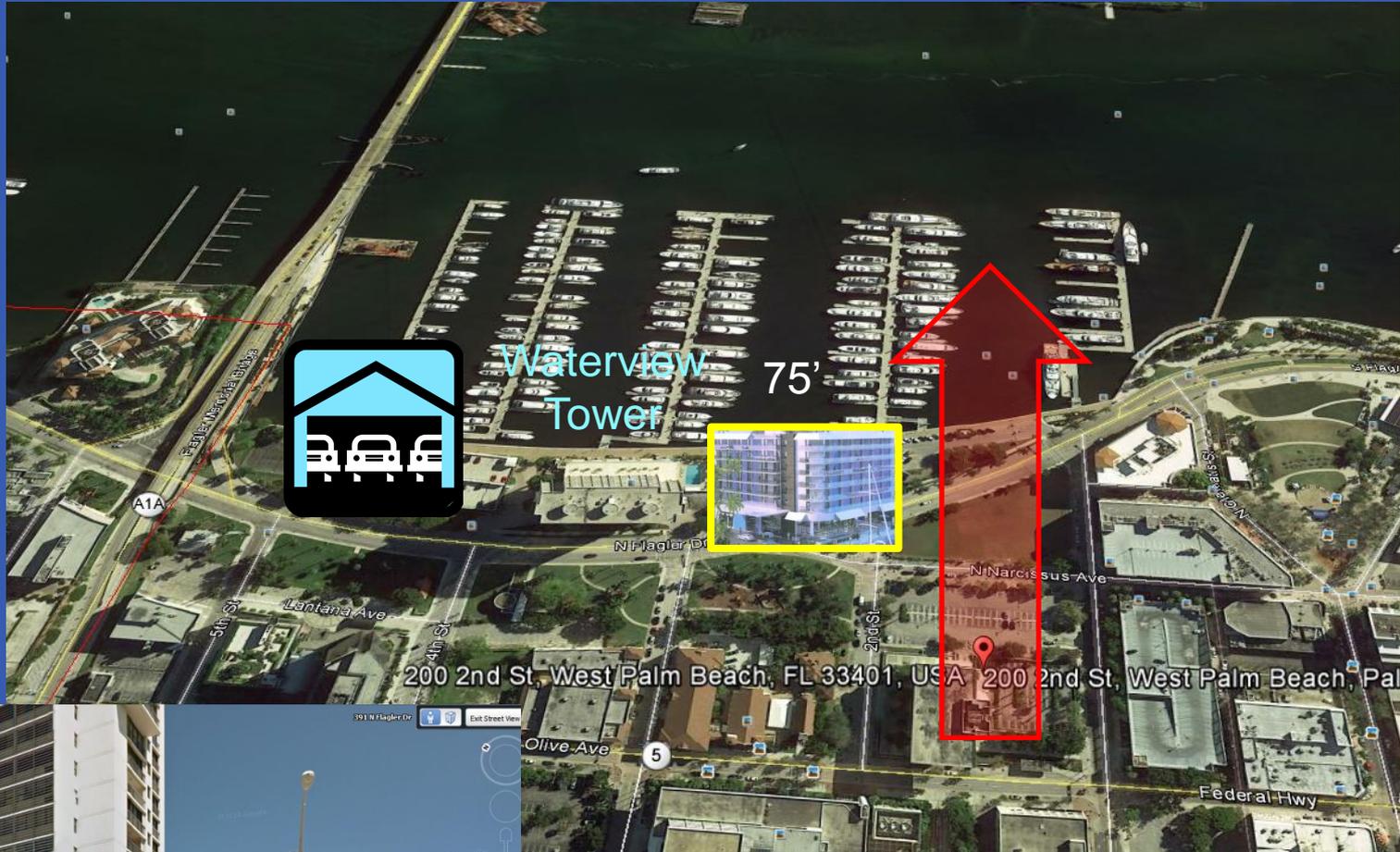


# Palm Harbor Marina



## Options

1. 75' hotel – 108 rooms
2. 92' hotel – 156 rooms
3. Option #2 w/new 650-space parking garage





# Palm Harbor Marina

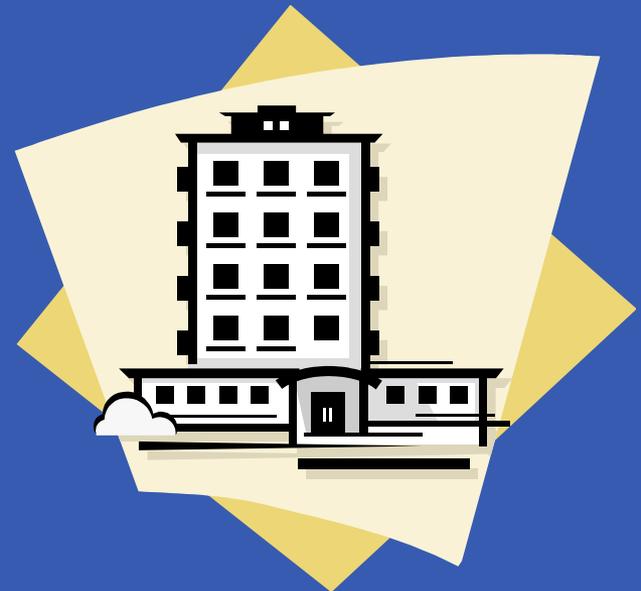
**STATUS**  
*Applicant proposing to develop a 108-room waterfront hotel and restaurant/bar with meeting rooms and ballroom. A total of 134 space parking facility and 52 surface parking spaces will be provided.*

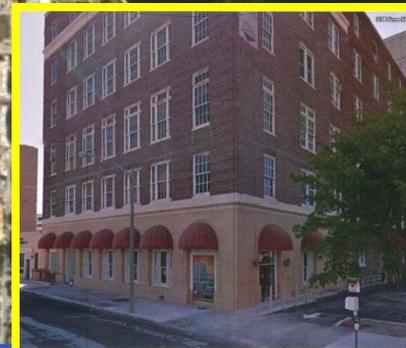


Downtown / City Center CRA  
Target Areas



# DOWNTOWN RESIDENTIAL





## Proposed Residential

1. Evernia Place (95)
2. Loftin Place (459)
3. 300 Palm Beach Lakes Blvd. (42)
4. Meridian Bldg. (85)
5. Central Park Plaza (213)
6. Clematis Place (166)

TOTAL: 1,060





# Evernia Place

*The project to develop 85 senior housing units at the northeast corner of Sapodilla and Evernia is underway.*





# Evernia Place

2/24/14



Evernia Street

Sapodilla Avenue



# Loftin Place

*Approvals were granted to develop 459 apartments at the property between 6<sup>th</sup> Street and Eucalyptus (Dixie Highway to Olive Avenue).*





# Loftin Place

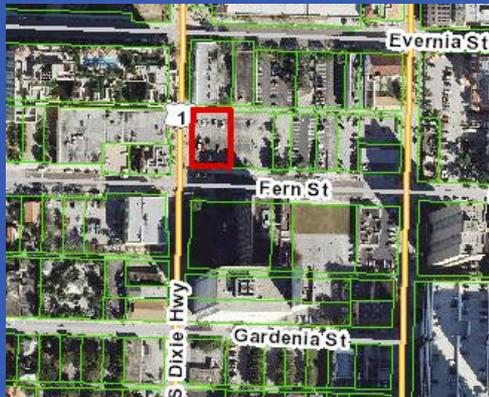
*Approvals were granted to develop 459 apartments at the property between 6<sup>th</sup> Street and Eucalyptus (Dixie Highway to Olive Avenue).*





# Central Park Plaza

*Central Park Plaza is proposing to amend their previously approved site plan to build 213 multifamily units within a 16-story building at the northeast corner of South Dixie Highway and Fern Street.*





# Clematis Place

*An application was recently filed for development of the southeast corner of Clematis Street and Rosemary Avenue.*

*The proposed development would consist of a 5-story building on Clematis Street and a 10 story residential tower on the south side. The project would include 50,000 s.f. of retail and 166 residential units*





# Redevelopment of the Meridian Building

*The owners of the Meridian Building in Downtown West Palm Beach are converting the building to residential units. Work is underway*





# 300 Palm Beach Lakes Boulevard

*An application to develop the Nurses Residence for 52 residential units was approved by the Downtown Action Committee in February. The developer has submitted a building permit application for 42 apartments.*



Proposed



Existing

# UNDER CONSTRUCTION



# First Bank Development



*The project, approved by DAC, consists of the acquisition of the corner tire store (see below) and construction of a new 5,175 s.f. bank at the southwest corner of Quadrille Boulevard and Dixie Highway.*





# Villas on Antique Row





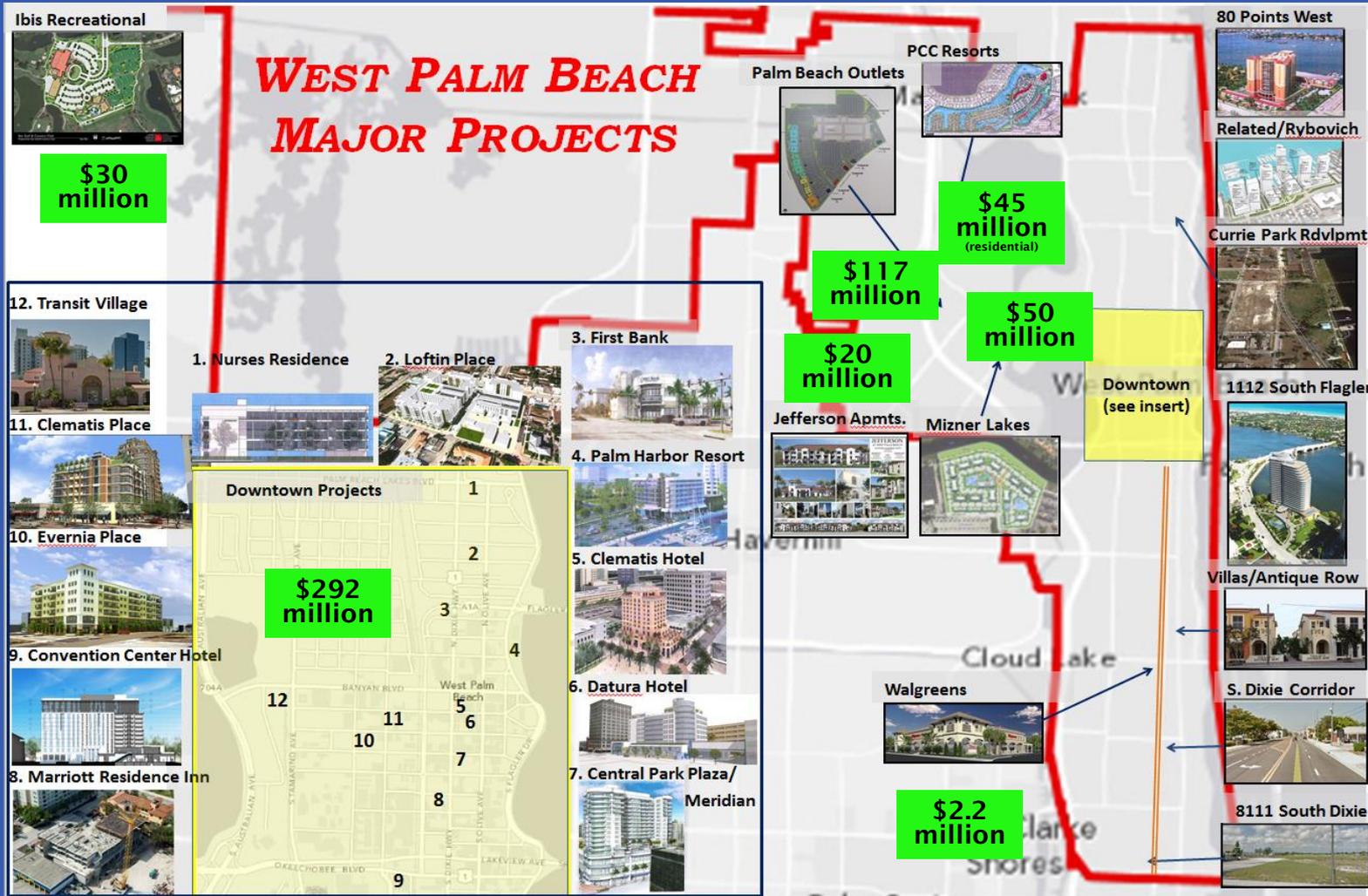
# Villas on Antique Row

2/24/14





# Projected Tax Base Increase Over the Next Four Years



**\$1,005,000,000 IN NEW CONSTRUCTION VALUE REPRESENTED BY THESE DEVELOPMENTS**



ESTIMATED PROJECT CONSTRUCTION VALUE - MAJOR WEST PALM BEACH PROJECTS

Project	Moving Forward	Status	2014	2015	2016	2017	2018	Total
<b>ACTIVE CASES</b>								
Palm Beach Outlets (outlet portion)	✓	Under Construction		\$64,020,000				\$64,020,000
Palm Beach Outlets (remainder of mall)	✓	Under Construction			\$53,580,000			\$53,580,000
Villas on Antique Row	✓	Under Construction	\$5,400,000	\$8,400,000				\$13,800,000
Walgreens	✓	Under Construction		\$2,223,000				\$2,223,000
Valero Gas Station	✓	Under Construction			\$300,000			\$300,000
Evernia Place - 85 MF units	✓	Under Construction		\$13,820,682				\$13,820,682
Morse Life Major PD Amend. to add 7000 sf	✓	Under Construction		\$1,050,000				\$1,050,000
Meridian Building	✓	Under Construction		\$543,387				\$543,387
Ibis Country Club Expansion	✓	Under Construction			\$20,000,000	\$10,000,000		\$30,000,000
Jefferson at WPB	✓	Under Construction		\$20,000,000				\$20,000,000
Mizner Lakes	✓	Under Construction			\$25,000,000	\$25,000,000		\$50,000,000
Dunbar Village RPD	✓	Under Construction			\$7,425,000			\$7,425,000
Marriott residence Inn - 151 room	✓	Under Construction		\$15,599,400				\$15,599,400
First Bank	✓	Under Construction			\$776,250			\$776,250
Loftin Place	✓	Under Construction			\$39,000,000	\$30,000,000		\$69,000,000
PCC Resorts (Single Family residential)	✓	Under Construction			\$45,000,000			\$45,000,000
Charleston Commons	✓	Under Construction			\$18,000,000			\$18,000,000
PCC Resorts (Hotel)	✓	Approved				\$156,000,000		\$156,000,000
300 Palm Beach Lakes Blvd. (Nurses residence)	✓	Permitting	Permits		\$3,500,000			\$3,500,000
Phillips Point Major Amendment	✓	Approved		\$750,000				\$750,000
Hanley Center	✓	Approved		Permits	\$3,397,600		\$5,200,000	\$8,597,600
Hillcrest Manor	✓	Approved		Permits	\$11,945,600		\$3,200,000	\$15,145,600
Convention Center Hotel	✓	Approved	Permits		\$41,600,000			\$41,600,000
Bella Vita	✓	Approved	Permits		\$26,850,000			\$26,850,000
Central Park Plaza	✓	Approved		Permits		\$32,690,000		\$32,690,000
Village Commons Publix Rebuild	✓	Approved			\$5,422,125			\$5,422,125
Chapel by the Lake (1112 South Flagler)	✓	Approved		Permits		\$283,000,000		\$283,000,000
First Baptist Redevelopment	✓	Approved				\$0		\$0
Palm Beach Motorcars Abandonment	✓	Approved			Permits		\$1,500,000	\$1,500,000
Artists Square	✓	Approved				\$30,000,000		\$30,000,000
Clematis Street Hotel	✓	Approved		Permits		\$11,100,000		\$11,100,000
TRG/Related & Rybovich Major Amendment	✓	Approved		Permits		\$59,625,000	\$59,625,000	\$119,250,000
<b>Subtotal:</b>			<b>\$5,400,000</b>	<b>\$126,406,469</b>	<b>\$301,796,575</b>	<b>\$637,415,000</b>	<b>\$69,525,000</b>	<b>\$1,140,543,044</b>
Palm Harbor Marina Resort		City Commission	Permits		\$9,000,000			\$9,000,000
Clematis Place		Submitted			\$22,875,000	\$22,675,000		\$45,550,000
Charleston Commons II		Not Submitted				\$18,000,000		\$18,000,000
Transit Village (TOD)		Not Submitted		Permits		\$50,000,000		\$50,000,000
1515 South Flagler		Not Submitted	Permits		\$25,000,000	\$50,000,000		\$75,000,000
Norton Museum Master Plan		Not Submitted		Permits		\$30,000,000		\$30,000,000
80 Points West		Not Submitted			\$32,000,000			\$32,000,000
Old City Hall site		Not Submitted						\$0
Palm Beach Opera Site		Not Submitted						\$0
Tent Site (Okeechobee Boulevard)		Not Submitted						\$0
Triangle Site (Okeechobee Boulevard)		Not Submitted						\$0
550 Quadrille Boulevard		Not Submitted				\$200,000,000	\$200,000,000	\$400,000,000
<b>Subtotal:</b>			<b>\$0</b>	<b>\$0</b>	<b>\$88,875,000</b>	<b>\$370,675,000</b>	<b>\$200,000,000</b>	<b>\$659,550,000</b>
<b>Total:</b>			<b>\$5,400,000</b>	<b>\$126,406,469</b>	<b>\$390,671,575</b>	<b>\$1,008,090,000</b>	<b>\$269,525,000</b>	<b>\$1,800,093,044</b>

Summary

\$446 million currently in construction

\$954 million under construction or in the pipeline

More than \$1.1 billion under construction or approved

# Development Services Department Outreach Meeting



## Potential Development Opportunities



# South Dixie Corridor Study

## STATUS

*An implementation Committee has been selected to review the 42 recommendations from the Technical Assistance Panel report. Staff has been meeting for approximately one year with the Committee and now working on a final report.*



**Urban Land  
Institute**

**Southeast Florida/Caribbean**

Technical Assistance Panel

*for:*

The City of West Palm Beach, Florida,  
South Dixie Highway Corridor



January 26 and 27, 2012: West Palm Beach, Florida

# Redevelopment Stakeholders



## Primary Stakeholders:

- 1) City of West Palm Beach
- 2) Palm Coast Plaza Owner and Property Manager
- 3) South End Neighborhood Association President
- 4) West Palm Beach Municipal Golf Course
- 5) South Florida Regional Transit Authority
- 6) City of Lake Worth



# Sail Club



- \* Project approved on June 6, 2005 for 590 MF units.
- \* Multiple Buildout extensions granted.
- \* Construction began but never completed and the project has fallen into a major state of disrepair.
- \* \$1.5 million in liens currently assessed against the property owned by 207 separate entities.

# Sail Club

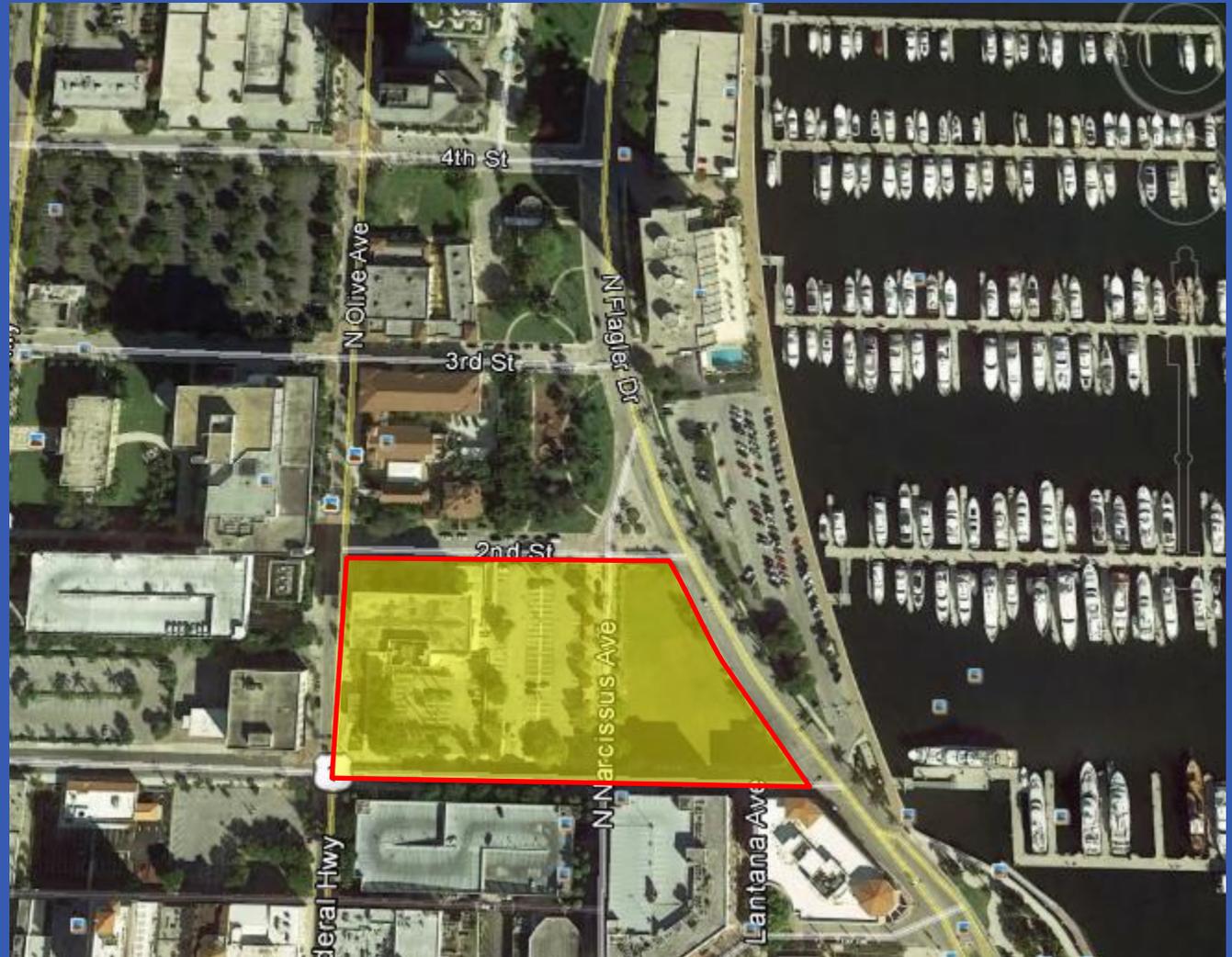
**\$1.5 million in liens**

**\* City offering \$900K in incentives to demolish the three dilapidated buildings.**



# Old City Hall Site

WPB Community Redevelopment Agency to issue RFP for the 3+ acre site bounded by Flagler Drive, Olive Avenue, 2<sup>nd</sup> Street and Banyan Boulevard. Preliminary discussions are to permit a height of 12 stories.



# Development Services Department Outreach Meeting

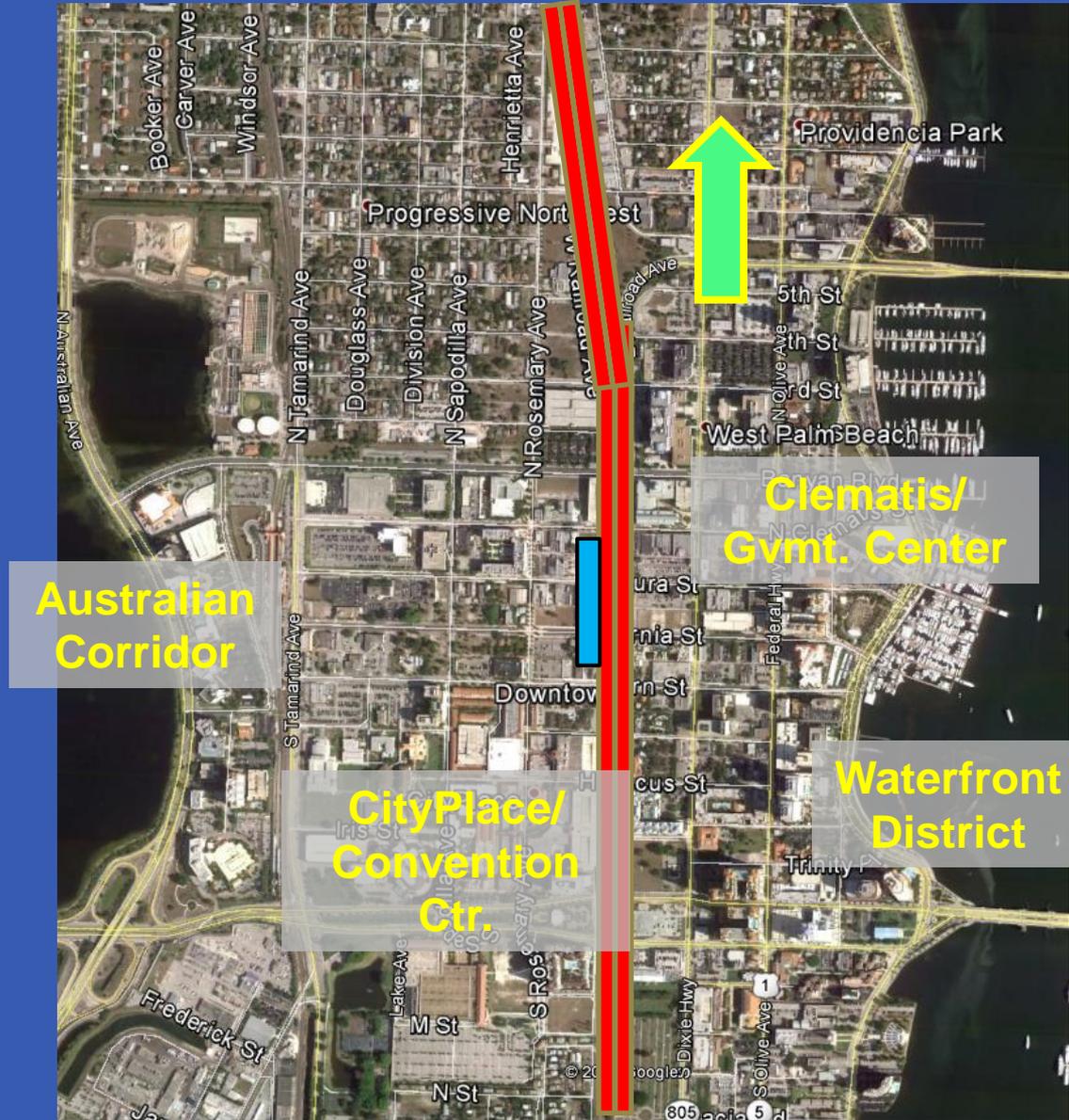


## Other Citywide Activities



# All Aboard Florida Rail Line

*Staff is working with All Aboard Florida to plan a proposed station south of Datura Street and development of surrounding properties that are being acquired. The establishment of Quiet Zones is part of this discussion.*





# All Aboard Florida Commuter Rail Line

Clematis Street

*3 Issues:*

1) *Quiet Zones*

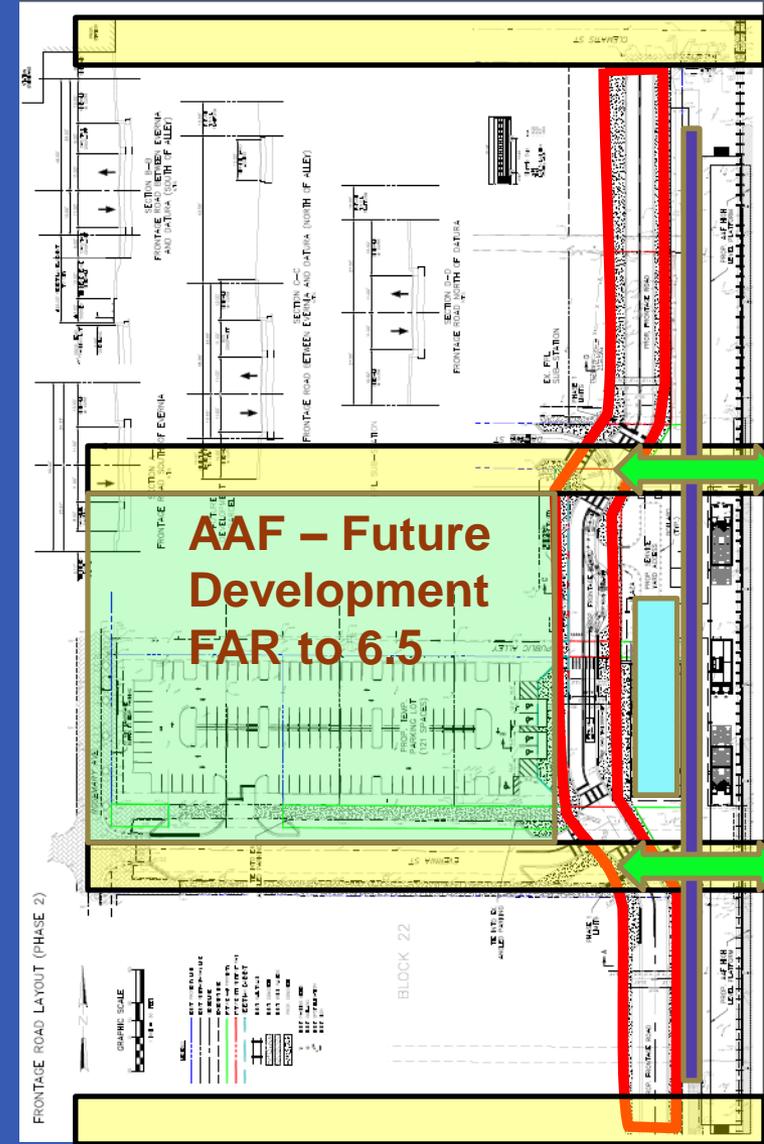
2) *Pedestrian bridges across tracks*

3) *Vehicular connection between Clematis Street and Fern Street*

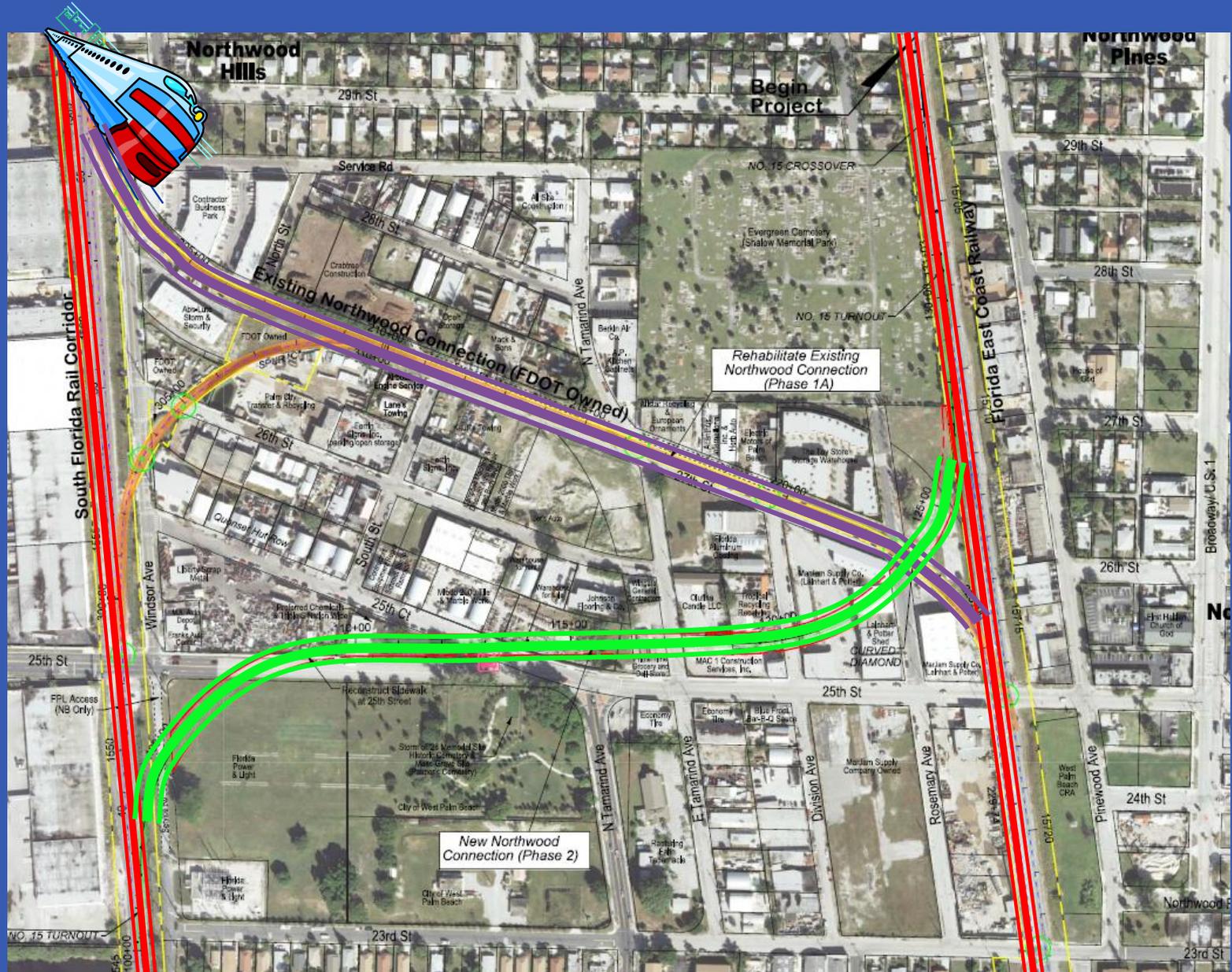
Datura Street

Evernia Street

Fern Street



# FDOT's Railroad Northwood Connection



# Development Services Department Outreach Meeting



## Art in Public Places Ordinance

# Art in Public Places Ordinance

- Provides for an art assessment on new development and construction including private property.
- Ord. No. 4504-14 goes into effect on July 1, 2014.
- Assessment of **1%** of construction, major renovation or remodeling costs for **all projects > \$500,000** (raised from \$250K).
- Applies to vertical construction only.
- Buildings within PDs shall be assessed cumulatively even if permitted separately.
- Single family residences not approved as a PD are exempt.
- Ordinary property maintenance, including roof repair or replacement, are exempt.
- Art may be provided by the owner in lieu of the payment equal to the same 1% value.

# Art in Public Places Ordinance

## ART IN PUBLIC PLACES ORDINANCE Art Assessment

City of West Palm Beach  
Development Services Department  
401 Clematis Street  
West Palm Beach, Florida 33401  
(561)233-5130



### ART IN PUBLIC PLACES SELECTION OF OPTIONS

The City Commission, by Ordinance No. 4504-14, adopted an Art in Public Places ordinance to provide for an art assessment on certain new development and construction to be used for art in public places. (See Chapter 78, Article V, of the City Code of Ordinances).

This document, along with the application for approval of the work of art or historic/cultural element or the art assessment amount is required to be submitted to the City within ninety (90) days of the issuance of the first building permit for any portion of the development.

PROJECT LOCATION \_\_\_\_\_

DEVELOPER \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_

TELEPHONE \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

DATE OF PERMIT ISSUANCE: \_\_\_\_\_

ESTIMATED TOTAL VERTICAL CONSTRUCTION COSTS: \$ \_\_\_\_\_

Does the permit involve new private development, new construction, renovation or remodeling, where total vertical construction costs of all buildings on a project site are equal to or greater than \$500,000?

Vertical construction costs are defined as the project construction costs, excluding engineering and design, demolition costs, real property acquisition costs and soil remediation costs.

(Note: Exempted developments include single-family residences not developed as a planned development, ordinary property maintenance, repairs and restoration resulting from fire, flood, windstorm or other natural disaster, as determined by the building official.)

NO  (No further action required)

YES \_\_\_\_\_ (Select Option #1 or #2 below)

<b>Option #1*</b>	<p>Provide work(s) of art or element of historical or cultural significance.</p> <p>A. Submit documentation evidencing the escrow of funds for a work of art or historic or cultural elements valued in an amount of one percent of the total vertical construction costs; AND</p> <p>B. Submit an application for approval of the work of art or historic or cultural elements by the AIPP committee.</p>
<b>Option #2</b>	<p>Make deposit to art in public places fund.</p> <p>Contribute an amount equal to one percent of the total vertical construction costs for deposit to the art in public places fund.</p>

The Developer hereby affirms and certifies that the provisions and regulations of the City of West Palm Beach will be observed. It is further certified that the statements, exhibits or plans submitted with respect to the Project and the art assessment are true to the best of the knowledge and belief of the Developer. Further, it is understood that the petition, attachments and fees become part of the official records of the Development Services Department and are not returnable.

SIGNATURE \_\_\_\_\_

REPRESENTING \_\_\_\_\_

DATE \_\_\_\_\_

# Art in Public Places Ordinance

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DEVELOPER \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_

TELEPHONE \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

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SIGNATURE \_\_\_\_\_

REPRESENTING \_\_\_\_\_

DATE \_\_\_\_\_

# Art in Public Places Ordinance

## PROVISIONS OF THE ART IN PUBLIC PLACES ORDINANCE

**Art Assessment:** The art assessment for redevelopment of an existing building shall be calculated based on the construction costs of the new development, excluding the assessed value of the existing buildings. All buildings within new planned developments shall be assessed cumulatively towards this art in public places requirement, even if the buildings are permitted separately or developed in phases. The provisions of this section apply to new development or new construction within existing planned developments. (See Chapter 78, Article V, of the City Code).

### Option 1 – INSTALL WORK(S) OF ART OR HISTORICAL / CULTURAL ELEMENT(S)

Art, artwork or work of art means the application of skill and taste by an artist in the creation of original or unique tangible objects according to aesthetic principles, including, but not limited to, paintings, sculpture, engravings, carvings, frescos, stained glass and glass work, mosaics, mobiles, murals, collages, mosaics, statues, bas reliefs, tapestries, photographs, video projections, drawings, fountains, landscape design, artifacts of historical or cultural significance, monuments erected to commemorate a person or event, functional furnishings such as artist-designed seating. (City Code Sec. 78-121.)

**Application:** An application for approval of the work of art or historic or cultural elements shall be made to the arts in public places committee within ninety (90) days of the issuance of the first building permit.

The application shall include the artist's resume and portfolio establishing the artist's credentials, a detailed description of the work of art and its location on the site; and the evaluation or appraisal of the value of the art or element. Drawings and renderings of the proposed work of art, in terms of size, scale, color, shape, materials and maintenance program, shall be submitted in sufficient detail one week prior to the first Wednesday of each month to the committee meeting to provide them with a clear understanding of the art or elements proposed. (City Code Sec. 78-123).

**Escrow:** With the application for approval of the work of art or historic/cultural element, submit documentation evidencing the escrow of funds for such work of art or historic or cultural elements valued in an amount of one percent of the total vertical construction costs. (City Code Sec. 78-122 and 78-123).

The developer and/or the developer's attorney will provide the city a final written affidavit and accounting of the payment for art and any art consulting fees from the escrowed art deposit at the conclusion of the placement of artwork. This affidavit shall be in a form acceptable to the city. Any surplus balance in the escrow account after the developer has completed the installation of the required art work shall be disbursed to the city and deposited into the art in public places fund. (City Code Sec. 78-122 and 78-123).

**AIPP Review:** The art in public places advisory board shall review the proposed artwork or historical or cultural elements based on the standards established in the Ordinance and shall recommend to the city commission whether to approve, deny, or approve with conditions the selection and location of the artwork or elements in accordance with the art in public places implementation guidelines and with sensitivity to the aesthetic and cultural traditions and the history of the city, and to the character of the surrounding neighborhood. (City Code Sec. 78-123).

**Location:** Artwork and/or historical or cultural elements must be located to be readily visible to the public based on normal traffic of vehicles and pedestrians in the area. (City Code Sec. 78-123).

**Artist Selection:** The selection and commissions of the artists shall be by written contract between the developer and artists. (City Code Sec. 78-123).

**Art Consultant:** The developer may utilize up to 12 percent of the escrowed art deposit to retain an art consultant to assist in the selection and procurement of the required work of art. The art consultant shall

have no financial or other relationship with the artist or developer, nor any ownership in the artwork purchased by the developer. The artist shall not be entitled to the art consultant fee. (City Code Sec. 78-123).

**Appraisal:** To establish the value of the artwork to be installed or historical or cultural elements to be installed or retained by developer to comply with this ordinance, the city may employ an independent art appraiser to provide a written appraisal of the art work(s) submitted or cultural or historic elements. Such appraisal will be paid for by the developer from the escrowed art deposit. (City Code Sec. 78-123).

**Ownership:** Artwork installed on private property pursuant to the requirements of this article shall be the property of the property owner. Title and ownership of the artwork shall transfer in whole or in part to any successor in interest of the property. The property owner shall be responsible for maintenance of the art work in good condition at all times, as determined by the city's code enforcement official. The property owner shall be responsible for ensuring that the public's view of the artwork is maintained and no vegetation or additional construction shall obstruct the public's view. Maintenance shall include any associated landscaping or related improvements. In the event of destruction or casualty to the artwork, the property owner shall repair or replace the artwork with art equal in value to the value of the artwork originally installed. If the artwork is to be replaced, the art in public places advisory board shall review the proposed artwork and shall recommend to the city commission whether to approve, deny, or approve with conditions the selection of the artwork in accordance with the art in public places implementation guidelines. (City Code Sec. 78-124).

### Option 2 – CONTRIBUTION TO ART IN PUBLIC PLACES FUND

**Deposit:** In lieu of installing a work of art or historical/cultural element, a developer may contribute an amount equal to one percent of the total vertical construction costs for deposit to the City's art in public places fund. Such deposit shall be made within ninety (90) days of the issuance of the first building permit. (City Code Sec. 78-122).

### IN GENERAL

**Final Cost Affidavit:** The developer will provide the city a final written construction cost affidavit which shall be submitted whether developer elected to pay the art assessment or install artwork. This affidavit shall be in a form acceptable to the city. Any surplus balance in the escrow account after the developer has completed the installation of the required artwork shall be disbursed to the city and deposited into the art in public places fund. (City Code Sec. 78-123).

**Vertical Construction Cost Overruns:** If the final cost of the total vertical construction for the project is higher than the initial project cost estimate used to calculate the art assessment or escrowed art deposit, the developer shall either: i) provide additional art for the project valued at one percent of the increase in the total vertical construction cost or ii) provide an additional deposit to the art in public places fund valued at one percent of the increase in the total vertical construction cost. The additional art shall be installed or the deposit shall be made prior to issuance of the final certificate of occupancy. (City Code Sec. 78-123).

**Certificate of Occupancy:** Unless an alternative deadline is established in a development order, or a time extension is granted by the director of development services, no certificate of occupancy for the project shall be issued until the artwork is installed, the final revised construction cost affidavit and accounting of the escrowed art funds has been provided; and/or the full art assessment has been paid to the city. (City Code Sec. 78-123).

**Questions and  
Comments?**