Community Redevelopment Agency

General Commercial Redevelopment Incentives 2.0

Palmetto, Florida

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THE CITY OF PALMETTO

INCORPORATED 1897

PALMETTO

Community Redevelopment Agency

MANATEE COUNTY

FLORIDA

PALMETTO COMMUNITY REDEVELOPMENT AGENCY

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DEFINITIONS

Act. The Community Redevelopment Act, F.S. § 163.330 et seq.[1]

Agency. The Community Redevelopment Agency of the City of Palmetto.[2]

Area .The area designated as a redevelopment area and as described and mapped on documents in the city clerk's office.[3]

Bioswale means a landscape elements designed to remove silt and pollution from surface runoff water. They consist of a swaled drainage course with gently sloped sides (less than six percent) and filled with vegetation, compost and/or riprap. The water's flow path, along with the wide and shallow ditch, is designed to maximize the time water spends in the swale, which aids the trapping of pollutants and silt. Depending upon the geometry of land available, a bioswale may have a meandering or almost straight channel alignment. Biological factors also contribute to the breakdown of certain pollutants. [4]

Brownfield Area means a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency-designated brownfield pilot projects. [5]

The Brownfield Redevelopment Bonus Refund means an incentive available to encourage redevelopment and job creation within designated brownfield areas. A pre-approved applicant may receive a tax refund equal to 20 percent of the average annual wage of the new jobs created in a designated brownfield area up to a maximum of $2,500 per new job created. Refunds are based upon taxes paid by the business, including corporate income, sales, ad valorem, intangible personal property, insurance premium, and certain other taxes. No more than 25 percent of the total refund approved may be paid in any single fiscal year.

Business and Light Commercial means a zoning where a variety of retail and commercial service activities can be conducted compatible with surrounding uses and residential districts.

Commercial Redevelopment means repair and rehabilitation of buildings or other improvements (new construction) on a Manatee County Parcel ID numbered property. *Commercial redevelopment*, for purposes of this program, may include the voluntary re-designating of the use or zoning of a property[6], demolition of existing structure(s)[7], planning and designing for new structures, storm water pre-treatment and street improvements and new construction.

Commercial Use means activities within land areas that are predominately connected with the sales, rental and distribution of products, or performance of services.[8]

Community Redevelopment or **Redevelopment means** undertakings, activities, or projects of a county, municipality, or community redevelopment agency in a community redevelopment area for the elimination and prevention of the development or spread of slums and blight, or for the

reduction or prevention of crime, or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include slum clearance and redevelopment in a community redevelopment area or rehabilitation and revitalization of coastal resort and tourist areas that are deteriorating and economically distressed, or rehabilitation or conservation in a community redevelopment area, or any combination or part thereof, in accordance with a community redevelopment plan and may include the preparation of such a plan.

The ability of a county or municipality to utilize the authority granted under the *Act* is predicated upon the adoption of a "Finding of Necessity" by the governing body. This finding must demonstrate that:

1) One or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in the county or municipality; and,
2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas, including, if appropriate, the development of housing which residents of low or moderate income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals, or welfare of the residents of such county or municipality. [9]

Crime prevention through environmental design (CPTED) means a multi-disciplinary approach to deterring criminal behavior through environmental design. CPTED strategies rely upon the ability to influence offender decisions that precede criminal acts. As of 2004[update], most implementations of CPTED occur solely within the built environment.

Deterioration means to weaken, disintegrate, corrode, rust or decay and lose effectiveness.[10]

Development means the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance, and any non-agricultural use or extension of the use of land. [11]

Drainage Facilities means a system of man-made structures designed to collect, convey, hold, divert or discharge stormwater, and include stormwater sewers, canals, detention structures and retention structures.[12]

Disseminate means to scatter or spread widely, as though sowing seed; promulgate extensively.

Estimated new construction value means the construction value determined by the City of Palmetto Building Official to determine building permit fees.

Fund means the community redevelopment trust fund.[13]

General Commercial means

Area Character: New development should be designed to provide for integration of uses, compatible scale, internal relationship of uses and linkages as well as provide shopping and job opportunities. The City should encourage new developments fronting on collector or arterial roadways to provide internal access, an efficient system of internal circulation and street stub-outs to connect adjacent developments and projects together.

Density/Intensity: Up to 3.0 floor area ratio (FAR) maximum may be considered in this land use designation. In order to encourage the development of residential uses in conjunction with office and retail uses, residential development can be guided by the floor area ratio (FAR), whenever residential is designed within the same structure as commercial and/or office uses, such as apartments over commercial.[14]

Governing Body means the council, commission, or other legislative body charged with governing the county or municipality.[15] Palmetto City Commission is the governing body.

Historic Resources means all areas, districts or sites listed on the Florida Master Site File, the National Register of Historic Places, or designated by Palmetto as historically, architecturally, or archeologically significant.[16]

Increment Financing Fee in Lieu of Taxes means an estimated dollar value determined by the Manatee County Property Appraiser created by redevelopment minus the existing real property tax value. [17]

Infill means development or *Redevelopment* which occurs on scattered vacant lots in a developed area. Development is not considered infill if it occurs on parcels exceeding one acre or more.[18]

Low Impact Design (LID) means an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions.[19]

Mixed or Multiple Use means the mixture of one or more land use within a single building, or within a single project in separate buildings, with such uses planned in a coordinated manner under a single development plan. This definition excludes parks, golf courses, schools, and public facilities. Land uses, which when combined within a single project constitute mixed or multiple uses include residential, commercial and industrial uses.[20]

Neglect means the lack of proper maintenance for a building or structure. [21]

Neighborhood Commercial means a zoning for limited retail and personal services. Neighborhood Commercial does not permit the manufacturing or treatment of products other than those products which are clearly incidental to the conduct of the business on the premises. Wholesaling and jobbing are prohibited. [22]

Nonconformities means those characteristics of the property, structure or use which are not permitted in the schedule of permitted uses or do not conform to the schedule of area, height, bulk

and placement regulations or other provisions of this code but were legal at the time they were established.[23]

Pervious Paving Systems means allowing water to infiltrate into layers of limestone placed below the paving and then into soil and groundwater below. By infiltrating most of the storm water on-site, the amount of water and pollution flowing into storm sewers and directly to rivers and streams is greatly reduced. This, in turn, protects water quality, maintains more stable base flows to streams, reduces flood peaks, and reduces stream bank erosion. With infiltration, groundwater is recharged and streams are replenished with cool, clean groundwater in a more natural way. Pervious paving is one component of Low Impact Development (LID).

Plan means the Community Redevelopment Plan.[24]

Stormwater means the flow of water that result from a rainfall event.[25]

Stormwater Facilities means Man-made structures that are part of a stormwater management system designed to collect, convey, hold, divert, or discharge stormwater, and may include stormwater, sewer, canals, detention facilities and retention facilities.[26]

GOAL

It is the Goal of these incentives to remove and/or hinder *Slum and/or Blighted Areas* through private sector *Commercial Redevelopment* in the *General Commercial* land use district (See Map in appendix A). [27] [28]

INTENT

1. To encourage a sustainable, diverse and vibrant *Commercial Use* economy.
2. To encourage all properties, especially *Nonconforming* to align with the 2030 Palmetto Comprehensive Plan.[29]
3. To encourage the demolition of existing non-*Historic Resource* buildings with *Deterioration* and *Neglect*.
4. To encourage community safety through *CPTED*.[30] [31]
5. To promote the pretreatment of *General Commercial* district *Stormwater* reducing the intensity of pollutants entering the Manatee River and encourage onsite reuse of collected stormwater.
6. To encourage property maintenance code compliance as defined in the *Area* Code Enforcement Plan (CEP). [32]
7. To increase economic sustainability of the *Area* through short-term construction and long term business creation and expanded employment opportunities. [33]
8. To enhance the image of the City of Palmetto and encouraging further private investment into the *Area* through the *Dissemination* of *Community Redevelopment* by the *Agency*.[34]
9. To guide the appropriate rehabilitation and preservation of designated historic structures.[35]
10. To promote infill development.[36] [37]
11. To encourage new developments fronting on collector or arterial roadways.[38]
12. To provide internal access, an efficient system of internal circulation and street stub-outs.[39]
13. To connect adjacent developments and projects together.[40]

POLICIES

These incentives solely promote *Commercial*, non-profit and *Commercial Apartments* uses.

1. Non-Profit entities may apply for these incentives but must agree to pay an *Increment Financing Fee in Lieu of Taxes* to the *Agency* for the lifespan of the *Agency.*
2. The *Agency* reserves the right to modify or cancel parts of or the entire General Commercial Redevelopment Incentive Plan at any time without notice. If the program is modified or eliminated, the *Agency* will ensure that any previously approved *Commercial Redevelopment* undergoing renovation will be completed per contract as long as the owner(s) abide by the contract.
3. All applications, eligible or not, shall be reviewed on a case by case basis by the *Agency* Advisory Board to determine if an application meets the Intent of the program and make a recommend to the *Agency* Commission. [41] The *Agency* Commission shall have final approval of all applications.
4. Funding will generally be on a first come, first served basis, with prior applications receiving priority for processing.
5. *Historic Resources* properties may receive up to an equal total General Commercial Redevelopment Incentive Plan allocation. [42] [43]
6. Redeveloped parking located on private property will be owned by the private property owner but be available for public use.
7. Payment to the Property Owner shall be made, when the official Certificate of Occupancy or Certificate of Completion and all required documentation has been received by Agency Staff. No partial payments shall be accepted.
8. The incentive allocations provided herein are the maximum potential allocations. The allocation for any particular project shall be that amount which is approved by the Agency Board of Commissioners and finalized in a binding agreement.
9. The total incentive is calculated by multiplying the *Estimated New Construction Value* by a percentage determined by the CRA after considering the maximums allowed on the following page.
10. Payment term shall be determined by the *Agency* board.
11. These incentives encourage job creation and the CRA Board may include a 20% match on top of existing incentives to maximize the State of Florida *The Brownfield Redevelopment Bonus Refund*.

INCENTIVE TABLE

INCENTIVE	PERCENTAGE	REQUIREMENTS
LAND USE **(Maximum - .25%)**	BASE .15% Plus .05% Plus .1%	City Planner Letter Palmetto Planner CRA Planner
DEMOLITION **(Maximum - .5%)**	BASE .25% Plus .05% Plus .025% Plus .025% Plus.15% Plus .05% Plus .05%	Not *Historic Resource* Palmetto contractor Palmetto electrician Palmetto plumber CRA contractor CRA electrician CRA plumber
DESIGN **(Maximum - 2%)**	BASE 1% Plus .5% Plus .1%	Letter from Building Official verifying seal of plans Palmetto architect or engineer CRA architect or engineer
CPTED **(Maximum – .25%)**	.25%	Plans meet CPTED criteria PPD letter
STORMWATER **(LID)** **(Maximum - 7%)**	BASE 5% Plus 2%	Letter from City Engineer Use of pervious paver system Bioswales
PARKING **(Maximum 1%)**	BASE .5% Plus .5%	City Planner approval letter Connection of project parking to adjacent property parking Parking agreement
ROADWAY **Collector/Arterial** **(Maximum 1%)**	BASE 1%	Project is located on a City designated collector and/or arterial roadway
REDEVELOPMENT **(Maximum - 13%)** **One builder** **One electrician** **One mechanical** **One plumber**	BASE 5% Plus 1% Plus 1% Plus 1% Plus 1% Plus 2% Plus 2% Plus 2% Plus 2%	 Palmetto contractor Palmetto electrician Palmetto mechanical Palmetto plumber CRA contractor CRA electrician CRA mechanical CRA plumber
TOTAL **(Maximum 25%)**		Palmetto means a physical occupational license commercial address in the City. CRA means a physical occupational license commercial address in the CRA Area. Planner means an AICP certified planner, licensed architect, engineer, or land surveyor.

LAND USE INCENTIVE

When a property in the General Commercial area is not zoned *Neighborhood Commercial or Business or Light Commercial,* the developer may rezone the property, aligning it to Comprehensive Plan. This incentive shall only be eligible when applied for in conjunction with the Redevelopment Incentive. This incentive is applicable for *Nonconforming* properties that are brought into conformity. This incentive is validated by the City Planner.

DEMOLITION INCENTIVE

The demolition incentive is not allowed for vacant parcels, but is available for the demolition of *dilapidated* structures or partial/exploratory demolitions of existing structures and the redevelopment of the property with a new structure. Full demolition of *historic resource* designated structures will not receive a demolition Incentive. This incentive is validated with a copy of the Demolition permit and subcontractor form from the City Building Official.

DESIGN INCENTIVE

This incentive is for *Commercial Redevelopment* complying with the current state building codes and the Palmetto General Commercial Design Code, as well as, exterior amenities such as parking and storm water management. As part of this incentive, the *Agency* will obtain refusal rights to the design of the *Commercial Redevelopment*. This incentive may include CRA induced variances from the City of Palmetto Land Use Regulations and exemptions from the building regulations. [44] A letter from the City Planner stating that the project meets and/or exceeds the General Commercial Design Code and a letter from the Building Official stating the name and address of the Architect or Engineer.

CPTED INCENTIVE

The *CPTED* incentive may be authorized upon receipt of an official Palmetto Police Department verification letter.

STORMWATER (LID) INCENTIVE

The location of existing *Drainage Facilities* may affect the validity of this incentive. The drainage facility incentive is only valid for *Commercial Redevelopment* that complies with current City regulations. Any state or federal "*Stormwater* credits" created from the commercial development will become the sole property of the *Agency*. The incentive recipient agrees to abide by the maintenance requirements including selection and maintenance of foliage. This incentive is validated by a letter detailing the use of pervious paver systems and bioswales.

PARKING INCENTIVE

This incentive may be authorized upon receipt of an agreement with the City of Palmetto authorizing the public use of applicant owned parking. The term of the agreement is the lifespan of the *Agency*. A signed agreement validated by the City Attorney is required for this incentive.

REDEVELOPMENT INCENTIVE

The redevelopment incentive shall not be used by itself and is valid only as a compliment to the other applicable incentives. This incentive is validated with a copy of the construction permit and subcontractor form from the City Building Official.

BROWNFIELD INCENTIVE

This incentive shall not be used by itself and is valid only as a compliment to the other applicable incentives. The City and/or CRA may fund up to the 20% match as provided by law and acknowledges that this incentive requires certain fixed capital investments of property and construction.

To qualify, an applicant must locate within a brownfield area.

- An applicant must be certified as QTI business as defined in Section 288.106, F.S., or be a business that can demonstrate a fixed capital investment of at least $2 million in mixed-use business activities, including multiunit housing, commercial, retail, and industrial in brownfield areas, or at least $500,000 in brownfield areas that do not require site cleanup, and which provides benefits to its employees;

- An applicant must create at least 10 new permanent Florida full-time jobs with benefits (including health insurance at a minimum), excluding construction and site remediation jobs;

- An applicant must show that the project will diversify and strengthen the economy of the area surrounding the site;

- An applicant must show that the project will promote capital investment in the area beyond that contemplated for the rehabilitation of the site;

- An applicant must provide a resolution from the city commission recommending the applicant for the incentive and, at the option of the city committing the community to provide a local match equaling 20 percent of the tax refund. If a community elects to be exempt from the local match requirement, the applicant is only eligible for 80 percent of the refund for which they would otherwise qualify. The local match exemption must be requested in a resolution of the local governing authority; and

- An applicant must either execute a Brownfield Site Rehabilitation Agreement (BSRA) with the Department of Environmental Protection or demonstrate as many of the following elements as possible:

• An Applicant must show significant remediation or redevelopment of a site outside the formal BSRA framework and certification (via separate letter) that knowledge of the state brownfield program and benefits played a significant role in the decision to proceed with that remediation or redevelopment.

• An Applicant must show documented discussion of the availability of the Brownfield Redevelopment Bonus incentive among project contacts and state and local economic development officials prior to proceeding with the project.

• An applicant must show submission of a Brownfield Redevelopment Bonus application prior to making a relocation or expansion decision.

• There must be an adoption of the Brownfield Redevelopment Bonus local support resolution before the commencement of operations of the project business.

Application process:

• In order to participate, a company must apply to Enterprise Florida, Inc. (EFI). EFI staff will shepherd businesses and communities through the entire application process, ensuring that the company and community understand what is required for a complete, effective application.

• Then, EFI reports its evaluation of the application and recommendation to the Director of the Office of Tourism, Trade, and Economic Development (OTTED) who makes the final decision on the project.

Approval process:

• OTTED's approval or disapproval of the application is in the form of a certification letter.

• If the application is approved, the certification letter will indicate the amount and schedule of tax refunds approved, as well as the number of jobs and average wage rate for the project jobs as stated in the application.

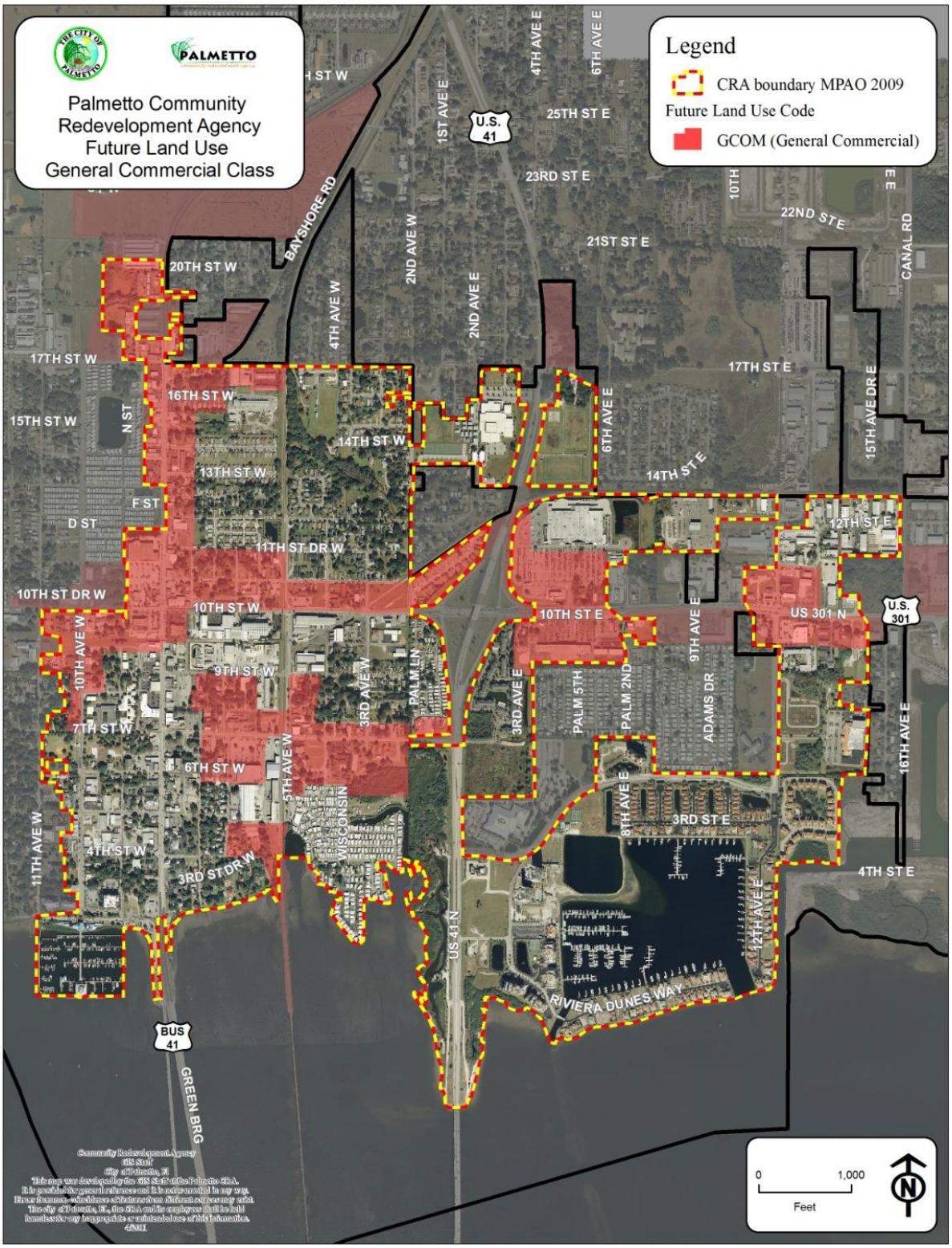
• Once the Brownfield Redevelopment Bonus application is approved, the business will begin working directly with OTTED to finalize the tax refund agreement. Within 120 days of issuance of the certification letter, the eligible business and the Director of OTTED must sign a written tax refund agreement.

Refund process:

• The business submits a claim to OTTED each year for the scheduled tax refund.

• If all the terms of the tax refund agreement are met, OTTED pays the refund.[45]

APPENDIX A: GENERAL COMMERCIAL MAP



APPENDIX B: CRA INCENTIVIZED LAND USES

CRA incentivized uses for General Commercial:

Retail
Eating and drinking establishments
Lodging and health care facilities
Offices
Financial services
Personal services
Multi-family residential
Other allowable General Commercial uses not listed may be applied for an *Agency* Advisory Board recommendation and Agency Board approval.

INCENTIVE APPLICATION

Application Date:
***Estimated New Construction Value*: $**

INCENTIVE	Maximum %	Applicant %	CRAB %
Land Use	.25		
Demolition	.5		
Design	2		
CPTED	.25		
Stormwater (LID)	7		
Parking	1		
Roadway	1		
Redevelopment	13		
TOTAL	25		

Maximum Incentive: $

Applicant Incentive: $

CRAAB Incentive: $

CRAB Incentive: $

Verification Date:

INCENTIVE	Approved $	Verification	Y/N	CRA Staff
Land Use		City Planner Letter		
Demolition		City Building Dept. CO City Building Dept. Subcontractor Form		
Design		City Building Dept Letter		
CPTED		Police Dept. Letter		
Stormwater (LID)		Public Works Letter		
Parking		Signed Agreement		
Roadway		City Planner Letter		
Redevelopment		City Building Dept. CO City Building Dept. Subcontractor Form		
FINAL				

20% The Brownfield Redevelopment Bonus Refund approved? YES NO

MATCH TOTAL

References

[1] City of Palmetto Ordinance Section 11-26. - Definitions.
[2] City of Palmetto Ordinance Section 11-26. - Definitions.
[3] City of Palmetto Ordinance Section 11-26. - Definitions.
[4] http://www.ecowho.com/defn/b/bioswale/dfbf5
[5] Florida Statute 376.79 Definitions relating to Brownfields Redevelopment Act (4)
[6] Florida Statute 163.370 Powers; counties and municipalities; community redevelopment agencies.(c)2
[7] Florida Statute 163.370 Powers; counties and municipalities; community redevelopment agencies.(l)
[8] City of Palmetto 2030 Comprehensive Plan Page 11
[9] Florida Statute 163.340 Definitions (9)
[10] International Code Council, International Property Maintenance Code 2009 Page 9
[11] City of Palmetto 2030 Comprehensive Plan Page 5
[12] City of Palmetto 2030 Comprehensive Plan Page 12
[13] City of Palmetto Ordinance Number 11-26. - Definitions.
[14] City of Palmetto 2030 Comprehensive Plan Page 17
[15] Florida Statute 163.340 Definitions (3)
[16] City of Palmetto 2030 Comprehensive Plan Page 14
[17] City of Palmetto Code of Ordinances, Appendix B – Zoning Code, Article IV – Schedule of District Regulations
[18] City of Palmetto 2030 Comprehensive Plan Page 14
[19] http://www.epa.gov/owow/NPS/lid/
[20] City of Palmetto 2030 Comprehensive Plan Page 16
[21] International Code Council, International Property Maintenance Code 2009 Page 10
[22] City of Palmetto Code of Ordinances, Appendix B – Zoning Code, Article IV – Schedule of District Regulations
[23] City of Palmetto Code of Ordinances, Appendix B – Zoning Code, Article III – Definitions
[24] City of Palmetto Ordinance Number 11-26. - Definitions.
[25] City of Palmetto 2030 Comprehensive Plan Page 20
[26] City of Palmetto 2030 Comprehensive Plan Page 20
[27] City of Palmetto 2030 Comprehensive Plan Page 34
[28] Florida Statute 163.345 Encouragement of Private Enterprise
[29] 163.360 Community redevelopment plans.(2) (a)
[30] Florida statute 163.345 Encouragement of private enterprise (1)
[31] City of Palmetto 2030 Comprehensive Plan Page 23
[32] Florida statute 163.345 Encouragement of private enterprise (1)
[33] Florida Statutes 163.335 Findings and declarations of necessity (4)
[34] Florida Statutes 163.370 Powers; counties and municipalities; community redevelopment agencies (2) (b)
[35] City of Palmetto Ordinance Number 07-930, § 2, 5-21-07
[36] City of Palmetto 2030 Comprehensive Plan Page 23
[37] City of Palmetto 2030 Comprehensive Plan Page 34
[38] City of Palmetto 2030 Comprehensive Plan Page 17
[39] City of Palmetto 2030 Comprehensive Plan Page 17
[40] City of Palmetto 2030 Comprehensive Plan Page 17
[41] City of Palmetto Ordinance Number 09-985, § 2, 2-23-09
[42] City of Palmetto 2030 Comprehensive Plan 3.3
[43] City of Palmetto 2030 Comprehensive Plan Page 40
[44] 163.370 Powers; counties and municipalities; community redevelopment agencies. (2) (l)
[45] Enterprise Florida, INC., Brownfield Redevelopment Refund Incentive Information Sheet