



Pasco County Board of County Commissioners

Office of Economic Growth

PASCO COUNTY ECONOMIC GROWTH PROGRAM

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**PASCO COUNTY
BROWNFIELD COMMUNITY REDEVELOPMENT PROGRAM**

1. BROWNFIELD POLICY OF THE BOARD OF COUNTY COMMISSIONERS

- 1.1 Definition. Brownfields are a real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Brownfields not addressed by remediation or redevelopment are an inefficient economic use of land; contribute to community decline, slum, and blight; present a potential hazard to public health; and unaddressed, brownfields result in premature expansion and sprawl of urban development. Environmental remediation and reuse of brownfields is in the economic, environmental, and community interests of Pasco County.
- 1.2 Brownfield Community Redevelopment Program. This policy establishes a Brownfields Redevelopment Program by the Pasco County Board of County Commissioners pursuant to the Florida Brownfields Redevelopment Act and the Board's own Brownfield Community Redevelopment Program initiatives under guidance from the United States Environmental Protection Agency Brownfields Redevelopment and the community redevelopment programs of the United States Department of Housing and Urban Development.
- 1.3 Brownfield Community Redevelopment Program Scope. It is the policy of the Board of County Commissioners to provide assistance and incentives to public and private land owners and businesses to facilitate the owner's environmental cleanup, redevelopment and/or reuse of property as part of the County's redevelopment and growth management strategy. The Board will offer a program of assistance through administrative, regulatory, technical assistance, and financial incentives available to Brownfields Community Redevelopment Program projects appropriate to the needs of the community and through a program of site or area brownfield designations.

2. APPLICATION FOR A PASCO COUNTY BROWNFIELD DESIGNATION

- 2.1 Brownfield Designation Process. Pasco County will establish a process and procedures to assist a qualifying Brownfields Project Sponsor to obtain designations and approvals for status as a "brownfield" under applicable Federal, State or local public and private programs for brownfield assistance, including designation as a "brownfield site" or "brownfield area" pursuant to the Florida Brownfields Redevelopment Act of 1997, and other business, employment and training assistance related to brownfield redevelopment.
- 2.2 Brownfield Preapplication Meeting. The Brownfields Project Sponsor shall meet with County staff and other brownfield interested agencies to discuss the Brownfields Redevelopment Project Application and compliance with the County program qualifications. Brownfield Projects must meet the basic definition and intent of brownfield redevelopment and reuse.

- 2.3 Pasco County Brownfield Application. Pasco County will provide assistance to a Brownfields Project Sponsor who completes a Brownfields Community Redevelopment Project Application identifying the project site, the scope of the proposed brownfield project, and site/project information to establish qualification for assistance under the Florida Brownfields Redevelopment Act or for County Brownfields Redevelopment Program assistance.
- 2.4 Brownfield Program Fees. Pasco County shall not charge a fee for the Brownfield Designation Application. However, the applicant will be responsible for advertising, public notice and normal review fees. (i.e. Walk-Though, Presubmittal, Site and Development, Building Permits, and Inspection fees, etc.)

3. BROWNFIELD PROJECT REVIEW AND RECOMMENDATIONS

- 3.1 Brownfield Review Actions. Pasco County will review the Brownfields Project Sponsor's Application and consult with any Federal, State and local agencies as to any brownfield requirements, which may be part of the approval of the Brownfields Project. The County will provide its review comments and schedule the appropriate agenda items with the Board of County Commissioners within 45 days of establishing that the Brownfields Project Sponsor has an application with sufficient information required to qualify for designation and any assistance under the Board's Brownfields Community Redevelopment Program.
- 3.2 Program Qualifications. Brownfields Projects must meet the minimum requirements of the applicable designation and assistance guidelines for which the project is seeking to qualify under a Federal, State or local program. These requirements are provided for in Federal, State and local law related to brownfields. It is not the intent of the Board of County Commissioners to establish any further extent of requirements for qualifications other than those of this Brownfields Community Redevelopment Program policy and existing brownfield laws and rules.
- 3.3 Public Meetings. The Brownfields Project Sponsor must meet the requirements of the Florida Brownfields Redevelopment Act regarding public notification and public hearings. Notice of any meeting shall be made in advance of the meeting and must be advertised in compliance with the Florida Brownfields Redevelopment Act. The meeting shall be in a public place on the site or in the area to be designated. County staff will attend the meeting. The Brownfields Project Sponsor will arrange, publicize, and facilitate the meeting and provide a record of the meeting as a part of the Brownfields Community Redevelopment Project Application.
- 3.4 Brownfields Advisory Committee Requirement. A Brownfields Advisory Committee of residents or property owners shall be established to advise the Board of County Commissioners of brownfield sites and area designations. The Pasco County Planning Commission may temporarily act as an interim Brownfields Advisory Committee in the

absence of community residents or property owners forthcoming to fulfill this requirement.

- 3.5 Brownfield Areas and Sites. The Board of County Commissioners shall establish designations for brownfield areas and sites in accordance with the Florida Brownfields Redevelopment Act. This action may be taken by the County on its own initiative for a public purpose, or at the request of a Brownfields Project Sponsor.

4. BOARD OF COUNTY COMMISSIONER ACTIONS

- 4.1 Board of County Commissioner Brownfield Actions. Pasco County staff shall prepare agenda items, hearing materials, maps, and resolutions for Board of County Commissioner consideration as a part of the request for a Brownfields Community Redevelopment Project designation or for assistance related to a Brownfields Community Redevelopment Project.
- 4.2 Filings with Federal and State Agencies. Board actions for a brownfield designation under the Florida Brownfields Redevelopment Act shall be filed with the Florida Department of Environmental Protection in compliance with the Florida Brownfields Redevelopment Act. The County may prepare and file project applications for Federal and State assistance in conjunction with pending and approved Brownfields Community Redevelopment Projects, which intend to use the Board's programs.
- 4.3 Brownfield Incentives. The following constitute the recognized incentives available for Brownfields Community Redevelopment Program Projects under the Pasco County Brownfields Community Redevelopment Program:

Administrative Incentives

- The County may sponsor a program for brownfield designation to establish national, state, and local eligibility for a site or an area as a qualified brownfield.

Regulatory Incentives

- County staff assistance will be provided to qualify as a brownfield in FDEP regulatory and permitting requirements for the brownfield project.
- County staff will make recommendations to the Board of County Commissioners concerning a Board action for a Brownfields Community Redevelopment Project. The recommendation will be made within a target of 30 days from a complete Brownfields Project Application.
- The County may enact institutional controls such as those related to restrictive zoning and conditional land use on property use or access to eliminate or minimize exposure to contaminants and to assist in the risk based correctives actions necessary for the project.

Technical Assistance Incentives

- County staff will take actions and assist applicants to obtain grants, loans, and other assistance for qualified brownfield projects.
- County staff will provide a priority expedited process to obtain County permits for a qualified brownfield project.

Financial Incentives

- This County policy and program may enable business and property owners to qualify for government tax treatments, job creation incentives and other financial programs.
- Funding of Phase I and Phase II Environmental Assessments and other eligible activities for qualifying brownfield properties may be made available under grants and loans provided by federal, state or other brownfield or related community development programs.
- County assistance with education and outreach to government, private business and citizens to address the economic barriers to brownfield redevelopment, including property rights, environmental justice, and health related aspects of brownfield reuse and redevelopment may be made available under grants and loans provided by federal, state or other brownfield or related community development programs.

5. BROWNFIELD PROGRAM ADMINISTRATION

- 5.1 County Administrator's Responsibilities. The County Administrator is directed to establish and assign responsibilities to carry out the Brownfields Community Redevelopment Policy as a part of the County Administrator's responsibilities. The County Administrator shall make arrangements for duties of agencies of the County government to undertake program responsibilities through the County's budget process, sufficient to carry out the Board's policy.
- 5.2 Joint Projects and Programs. The County Administrator may develop joint projects and programs with State agencies and other local government agencies as needed to carry out the Board's Brownfields Community Redevelopment Program.
- 5.3 Procedures and Sample Documents. The County Administrator shall establish and use administrative procedures to carry out the Board's Brownfields Community Redevelopment Policy. The County Administrator shall prepare outreach materials and offer sample documents to establish community awareness and outreach to Brownfields Project Sponsors and citizens.

QUALIFICATION PROCEDURES FOR OBTAINING REDEVELOPMENT ASSISTANCE

Definitions

Brownfield sites are abandoned, idled or under-utilized properties where expansion or redevelopment is complicated by real or perceived environmental contamination. A Brownfield area is 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 or perceived economically deprived communities and/or areas.

Pasco County Brownfields Community Redevelopment Program

It is the policy of the Board of County Commissioners to provide assistance and incentives to public and private landowners and businesses to facilitate the environmental cleanup, development or reuse of brownfield properties. The intent of the program is to identify, clean up and/or redevelop Brownfields sites or Brownfields areas that are eligible for participation in the Florida Brownfields Redevelopment Act, Sections 376.77-376.84, Florida Statutes, (F.S.). The Board of County Commissioners also determined that establishing a Brownfield program is vital to the public for the purpose of employing Pasco County citizens and ensuring the County's economic vitality. The program has also been established to encourage the environmental restoration and redevelopment of properties for Economic Development, Community Development, Residential, Open Space/Green Space, Recreational, Water Quality Improvement, Natural Resource Protection and other viable uses. This program shall be in effect in Pasco County except within the boundaries of a municipality that has established a Brownfields program or elects to opt out of this program. Qualifying Brownfields Community Redevelopment Program projects will be eligible to receive administrative, regulatory, technical assistance, and/or financial incentives appropriate to the needs of the community through a program of community brownfield designations.

Program Qualifications

Qualifying Brownfield Projects must meet the minimum requirements of the applicable designation and assistance guidelines under the Federal, State or local program for which the project is seeking to qualify. It is not the intent of the Board of County Commissioners to establish any further extent of requirements for qualifications other than those of the Brownfields Community Redevelopment Program Policy and existing brownfield laws and rules. Brownfield Projects must meet the basic definition and intent of brownfield redevelopment and reuse.

BROWNFIELD DESIGNATION PROCESS

Brownfield Preapplication Meeting

The Brownfields Project Sponsor shall meet with County staff and other brownfield interested agencies to discuss the Brownfields Redevelopment Project Applications and compliance with the County program qualifications.

Application for Brownfield Designation

The County will provide assistance to a Brownfields Project Sponsor who completes a Brownfields Community Redevelopment Project Application (attached) identifying the project site, the scope of the proposed brownfield project, and site/project information to establish qualification for assistance under the Florida Brownfields Redevelopment Act or for County Brownfields Redevelopment Program assistance.

Documentation Requirements for Brownfield Site Designation

The following documentation shall be required to qualify for designation as a brownfield site:

1. Project application documentation which includes, at a minimum, the following:

- A completed Application for Brownfield Designation. Zoning Verification Letter from Pasco County stating that the proposed project is a permissible use.
- Letter from the Pasco County Planning & Development Division stating that the proposed brownfield site is consistent with the Pasco County Comprehensive Plan.
- A reasonable assurance statement that sufficient resources are available to the applicant to implement and complete a rehabilitation and redevelopment plan.

2. Documentation of public notice

The Brownfields Project Sponsor must meet the requirements of the Florida Brownfields Redevelopment Act regarding public notification. Specifically, notice of the proposed rehabilitation of the brownfield area must be made in a newspaper of general circulation in the area and notice must be posted in the affected area. The phone number of the County's Brownfield Coordinator shall be included in the notifications so that interested parties may provide comment to the County on the proposed application. Said notifications shall be posted within 5 working days from the submittal of the Brownfields Site Application. A copy of the newspaper advertisement and a photo of the posted notification(s) shall be provided.

3. Staff report with recommendation of approval

County staff will review the Brownfields Project Sponsor's Application and consult with any Federal, State and local agencies as to any brownfield requirements, which may be part of the approval of the Brownfields Project. Upon establishing that the Brownfields Project Sponsor has an application with sufficient information required to qualify for designation and any assistance under the Brownfields Community Redevelopment Program, County staff will schedule an agenda item with the Board of County Commissioners and prepare a staff report recommending approval of the Brownfields Project Sponsor's Application. The agenda item shall be scheduled within 30 days of the determination of application sufficiency.

Resolution by the Pasco County Board of County Commissioners

Upon submittal of the required documentation, the Pasco County Board of County Commissioners may pass a resolution designating the proposed site a brownfield site under the Florida Brownfields Redevelopment Act.

Filings with Federal and State Agencies

Board actions for a brownfield designation under the Florida Brownfields Redevelopment Act shall be filed with the Florida Department of Environmental Protection in compliance with the Florida Brownfields Redevelopment Act. The County may prepare and file project applications for Federal and State assistance in conjunction with pending and approved Brownfields Community Redevelopment Projects, which intend to use the Board's programs.

Brownfield Site Rehabilitation Agreement

The designation of a brownfield area by the County entitles the applicant to negotiate a brownfield site rehabilitation agreement with the Florida Department of Environmental Protection or an approved local pollution control program. The specific requirements of the agreement are outlined in s. 376.80(5) Florida Statutes and s. 62-785 Florida Administrative Code.

BROWNFIELD ADVISORY COMMITTEE

A Brownfield Advisory Committee of residents, staff, experts or property owners shall be established for the purposes of improving public participation and receiving public input on rehabilitation and redevelopment of the brownfield areas.

**PASCO COUNTY BROWNFIELD REDEVELOPMENT PROGRAM
APPLICATION FOR BROWNFIELD DESIGNATION**

Complete this form to request designation by Pasco County as a brownfield site or area. It is important to complete all applicable sections and attach all necessary information. It is required that a Brownfield Preapplication Meeting be held before submitting this application. If you have any questions concerning completion of this application or wish to schedule a Preapplication Meeting, please call (727) 847-8140 and ask to speak to the Brownfield Program Manager.

PROPERTY INFORMATION

Property Name _____

Address _____

City _____ State _____ Zip Code _____

Property Size (acres/square feet) _____

Parcel Number(s) _____

Attach a location map and a current aerial with the property delineated.

PROPERTY DESCRIPTION

Briefly describe property (vacant land, unoccupied, etc.) _____

Zoning _____ Future Land Use Designation _____

Is property located within one or more of the following? (check all that apply)

___ Community Redevelopment Area

___ US EPA Assessment Grant Area

___ Existing Designated Brownfield Area

Located within one-half mile of an existing major street? ___ Yes ___ No

Public street access? ___ Yes ___ No

Existing public water and sewer distribution lines? ___ Yes ___ No

Outside floodplain area? ___ Yes ___ No

Describe all outstanding property taxes/liens due on the property? _____

APPLICANT INFORMATION

Name _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ Fax _____ E-Mail _____

Interest in Property _____

CURRENT PROPERTY OWNER(S) (if different from applicant)

Name _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ Fax _____ E-Mail _____

Legal Status of the Current Property Owner(s):

____ Individual/Sole Proprietorship ____ General Partnership ____ State

____ Limited Liability Co. ____ Limited Partnership ____ State

____ Florida Corporation

ENVIRONMENTAL STATUS

Provide a brief description of the nature and geographical extent of contamination by hazardous substances and/or pollutants if known: _____

Provide a brief description of any previous or current remedial action: _____

If remediation is needed will you agree to enter into a Brownfields Site Rehabilitation Agreement with the Florida Department of Environmental Protection (or authorized designee)? Yes No

Attach Phase I or Phase II Environmental Reports, if available.

DEVELOPMENT PLAN

General Description of Redevelopment Plans _____

Attach further illustrative or graphic information, as appropriate.

How many new permanent full-time or part-time jobs will the project create after remediation? _____

FINANCIAL RESOURCES

Reasonable assurances must be provided by the applicant that sufficient financial resources are available to the applicant to implement and complete a rehabilitation agreement and redevelopment plan. **Attach a statement, as well as any other appropriate information, outlining the financial resources available to the applicant for rehabilitation and redevelopment.** This statement can include financial resources the applicant anticipates to obtain (private loans, equity and assistance) through designation as a brownfield site. In short, describe your general financial plan for your project. _____

SERVICES TO BE PROVIDED

Have you had a Brownfields Preapplication Meeting? Yes No (It is required that applicants have a Preapplication Meeting.) Please call (727) 847-8140.

In order to better assist you, please check the type of designation you are requesting and the type of assistance/incentives (check all that apply) you are seeking through this designation:

Type of Designation: _____ Area (several parcels) _____ Site (single parcel)

Type of Assistance/Incentives:

_____ Regulatory Assistance (aide for meeting government agency permitting requirements)

_____ Technical Assistance (aide in obtaining grants, loans, etc.)

_____ Grants (gap financing for brownfield remediation)

_____ Loans (remediation loan funds)

_____ Tax Credits/Exemptions due to Brownfield Site Designation

_____ Job Creation Credits due to Brownfield Site Designation

_____ Job Training Grants due to Brownfield Site Designation

_____ Other _____

Please describe in greater detail additional services you would like to receive as a participant in the Brownfields Program: _____

What are your goals with respect to the property (i.e., sale, redevelopment, business expansion, etc.)? _____

The contents of this application shall be considered public records of the County. The undersigned affirms that the information contained in this application is true and accurate.

Applicant:

Signature Date

Print/Type Name

For Office Use Only

Application Received By: _____ Date: _____

Application Completeness Review By: _____

_____ Application Complete _____ Application Incomplete (Specify reason(s) below):

Applicant Contacted on: _____

Date Information Received to Complete Application (If Applicable): _____

Signature of Reviewer: _____ Date: _____

BCC PUBLIC HEARING DATE FOR DESIGNATION OF BROWNFIELD SITE: _____