



Interoffice Memorandum

July 13, 2017

TO: Mayor Teresa Jacobs
–AND–
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

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SUBJECT: August 1, 2017 – Public Hearing
Pine Castle Urban Center ROCC (Redeveloping Orange County
Communities)

Reason for Public Hearing

Based on support from the Pine Castle community through cooperative efforts between the County's Transportation Planning, Planning, Zoning, and Environmental Protection Divisions, County staff has recommended designating properties located within the Pine Castle Urban Center, inside the Pine Castle neighborhood, as the Pine Castle Urban Center ROCC (Redeveloping Orange County Communities) and as a Brownfield Area (BFA) for the purpose of environmental remediation, rehabilitation, and economic development pursuant to Section 376.80(2)(a), Florida Statutes (F.S.).

In accordance with Section 376.80(2)(a), F.S. for brownfield area designations, this request is being brought to the Board of County Commissioners (BCC) for consideration with an Environmental Protection Division (EPD) recommendation for approval.

Location of Property

The subject properties are all within unincorporated Orange County and located within Commission District 3. The area identified is shown in the proposed Resolution as Exhibit A.

Public Hearing Notifications

A notice of the first public hearing was published on June 18, 2017, in the *Orlando Sentinel*. On June 28, 2017, the first public hearing was held near the area to be designated to provide an opportunity for public input on the size of the area, the objective for rehabilitation, job opportunities and economic developments anticipated, neighborhood resident's considerations, and other relevant local concerns in accordance with Section 376.80(2)(a), Florida Statutes. No negative public comments were received at the public hearing. No written comments were received on the proposed Resolution. Property owners were informed of their right to exclude their property from the BFA designation. Thus far, no property owners have requested that their property be removed from the BFA. A second public hearing notice was published July 9, 2017, in the *Orlando Sentinel* for the public hearing before the BCC scheduled for August 1, 2017.

Purpose

The proposed Resolution is intended to help address and reduce actual or perceived public health and environmental hazards on the property; create financial and regulatory incentives to the property owners, and encourage voluntary cleanup and redevelopment of properties within the Pine Castle Urban Center.

Benefits of Brownfield Designation

The proposed Resolution is necessary for adoption so current and future property owners can enter into a Brownfield Site Rehabilitation Agreement with the State of Florida to reduce perceived and/or actual public health and environmental hazards on the existing commercial parcels by offering incentives to encourage responsible persons to voluntarily develop and implement cleanup plans and make Federal and State economic incentives available immediately to the property owner. The following is a listing of incentives that become available:

Upon adoption of the Resolution for the Pine Castle Urban Center: ROCC;

- State low-interest loan guarantees for primary lenders: up to 50% on all Brownfield sites and up to 75% if the property's end use is an affordable housing or health care facility;

Upon execution of a Brownfield Site Rehabilitation Agreement;

- cleanup liability protection;
- makes available risk based cleanup criteria using F.S. 62-780 and F.S. 62-777;
- sales tax refund on building materials used for the construction of affordable housing;
- brownfield federal tax incentives: allows environmental cleanup costs to be fully deductible in the same year they occur;
- Voluntary Cleanup Tax Credits (VCTC): allows tax credits of 50% or up to \$500,000 for site rehabilitation costs that are incurred in the same year the activities occur;
- a one-time 25% or up to \$500,000 additional tax credits if the property is redeveloped with affordable housing and/or obtains a site rehabilitation completion order; and
- job creation bonus refund (up to \$2,500 per full time job with benefits under the State of Florida Brownfield Program).

Staff Recommendation

EPD has notified the Florida Department of Environmental Protection of this proposed Resolution.

EPD is recommending adoption of the proposed Resolution by the BCC designating certain land within unincorporated Orange County as the Pine Castle Urban Center ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purposes of environmental remediation, rehabilitation, and economic development pursuant to Section 376.80(2)(a), F.S.

ACTION REQUESTED: Approval and execution of Resolution of the Orange County Board of County Commissioners regarding designating certain land within unincorporated Orange County as the Pine Castle Urban Center: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purposes of environmental remediation, rehabilitation, and economic development. District 3

LC/JVW: mg

Attachment