

# HILLSBOROUGH COUNTY BROWNFIELDS PROGRAM BROWNFIELD DESIGNATION PROCESS

## BACKGROUND

**Brownfields Definition:** Brownfields are abandoned, idled industrial and/or commercial facilities/sites where expansion or redevelopment is complicated by real or perceived environmental contamination.

**Hillsborough County Brownfields Program:** 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 environmental cleanup and reuse of contaminated urban property. Qualifying Brownfields Program projects will be eligible to receive administrative, regulatory, technical assistance and financial incentives appropriate to the needs of the community through a program of brownfield site designations.

**Project Qualifications:** Qualifying Brownfields Program 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 requirements for qualifications other than those of the County's Brownfields Program policy and existing Brownfields state and federal laws and rules. Brownfield projects must meet the brownfields definition and the intent of brownfields redevelopment and reuse.

## **BROWNFIELD DESIGNATION PROCESS** (also see Processing Timeline, attached)

### Pre-application Meeting

A Brownfield Project Sponsor shall meet with the County's Brownfields Team to discuss the Brownfields designation application and compliance with the County program qualifications.

### Application for Brownfield Site Designation

The County will provide assistance to a Brownfields Project Sponsor who completes a Brownfield Designation (attached), identifying the project site, the scope of the proposed brownfield project, and other site/project information to establish qualification for assistance.

### Documentation Requirements for Brownfield Site Designation

The following documentation to the Hillsborough County Board of County Commissioners shall be required to qualify for designation as a Brownfield Site.

1. Project application documentation which includes, at a minimum, the following:
  - a. A completed Application for Brownfield Site Designation.
  - b. Zoning Verification Letter from the County stating that the proposed redevelopment is a permissible use.
  - c. Letter from the Hillsborough County City-County Planning Commission stating that the proposed redevelopment is consistent with Hillsborough County Comprehensive Plan.

- d. 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 Brownfield 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 Brownfields Program Manager must be included in the notifications so that interested parties may provide comments to the County on the proposed application. Said notifications shall be posted within 5 working days from the submittal of the Brownfield Designation 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 Brownfield Project Sponsor's Application and consult with any Federal, State and local agencies as to any Brownfields requirements which may be part of the approval of the Brownfields Project. Upon establishing that the application contains sufficient information required to qualify for designation and any assistance under the County's Brownfields Program, County staff will prepare a staff report and schedule an agenda item for a Board of County Commissioners meeting recommending approval of the application. The agenda item will be scheduled within 30 days of the determination of application sufficiency.

#### Resolution by the Hillsborough County Board of County Commissioners

Formal designation of the site as a Brownfield Site will be by a resolution passed by the Hillsborough County Board of County Commissioners, designating the proposed site a Brownfield 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 Brownfield projects which intend to use the Board's programs.

**Brownfield Site Rehabilitation Agreement:** The designation of a Brownfield Site by the County entitles the applicant to negotiate a Brownfield Site Rehabilitation Agreement with the Environmental Protection Commission of Hillsborough County, which is the Florida Department of Environmental Protection's designee for negotiating these agreements. 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 or property owners shall be established for the purposes of improving public participation and receiving public input on rehabilitation and redevelopment of the Brownfield site. The Board of County Commissioners may temporarily act as an interim Brownfield Advisory Committee in the absence of community residents or property owners forthcoming to fulfill this requirement.

## BROWNFIELD DESIGNATION SUMMARY OF PROCESSING TIMELINE

DATE	ACTIVITY
	<p>Pre-application meeting with County Brownfields Team, including PGMD staff, EPC staff, and County Attorney's Office.</p> <p>Submittal of application.</p>
	Brownfields Team meeting for review and recommendation.
	County staff sends Team meeting results to Applicant and identifies any additional information necessary to complete the application.
12 days before 1 <sup>st</sup> BOCC Land Use Meeting	BOCC Agenda Deadline for 1 <sup>st</sup> BOCC Land Use Meeting announcement of Public Hearing in the community and Consent Agenda item to set the date of the BOCC Public Hearing, to be met by Brownfields Program Manager.
	1 <sup>st</sup> BOCC Land Use Meeting - announcement of Public Hearing in the community and Consent Agenda item to set the date of the BOCC Public Hearing.
10 days before Community Public Hearing	<p>1) Applicant has the Public Hearing Notice letter for the Public Hearing in the community approved by the County Attorney's Office.</p> <p>2) Applicant sends the Public Hearing Notice letter (obtain proof of mailing receipt) to all property owners and neighborhood entities within 300 feet of the outer boundaries of the proposed Brownfield Site as well as to civic associations registered with the County's Office of Neighborhood Relations within one mile of the proposed Brownfield Site a minimum of 10 calendar days before the Public Hearing in the community.</p>
1 week before Community Public Hearing	<p>1) Applicant has the Public Hearing Notice newspaper advertisement for the Public Hearing in the community approved by the County Attorney's Office.</p> <p>2) Applicant publishes Public Hearing Notice newspaper advertisement in 3 newspapers (Tampa Tribune, La Gaceta, and Florida Sentinel), 16 square inches in size a minimum of 7 calendar days before the Public Hearing.</p> <p>3) At the request of the Applicant, County Communications Department posts a sign at the property to announce the Public Hearing in the community a minimum of 7 calendar days before the Public Hearing &amp; provides the Brownfields Program Manager with photograph and date documentation of the posting. Communications Department removes the sign as soon as possible after the meeting.</p>
	Applicant holds Public Hearing at a location (school or civic center, 6:00 pm) near the proposed Brownfield Site. County staff opens and closes the meeting. Applicant provides court reporter, meeting agenda and sign-in sheet.

**BROWNFIELD DESIGNATION  
SUMMARY OF PROCESSING TIMELINE**

<b>DATE</b>	<b>ACTIVITY</b>
	Applicant provides County Brownfields Program Manager a copy of the mailing list for the Public Hearing Notice letter, proof of mailing receipt, the newspaper ads as evidence of publication in newspapers, the meeting agenda, sign-in sheet, and meeting summary and transcript from the Public Hearing in the community.
12 days before 2 <sup>nd</sup> BOCC Land Use Meeting/ Public Hearing	Agenda Deadline for 2 <sup>nd</sup> BOCC Land Use meeting, to be met by Brownfields Program Manager.
10 days before 2 <sup>nd</sup> BOCC Land Use Meeting/ Public Hearing	<p>1) Applicant has the BOCC Public Hearing Notice newspaper advertisement approved by the County Attorney's Office.</p> <p>2) Applicant publishes BOCC Public Hearing Notice newspaper advertisement in 3 newspapers (Tampa Tribune, La Gaceta, and Florida Sentinel), 16 square inches in size, at least 10 calendar days before the public hearing.</p> <p>3) Applicant provides County Brownfields Program Manager the newspaper ads as evidence of publication in the newspapers.</p>
	BOCC holds Land Use Meeting Public Hearing to consider the Brownfield designation resolution.

# HILLSBOROUGH COUNTY BROWNFIELDS PROGRAM

## APPLICATION FOR BROWNFIELDS DESIGNATION

Complete this form to request designation by Hillsborough County as a Brownfield Site. It is important to complete all applicable sections. The contents of this application are considered public records.

It is required that a Brownfield Pre-application Meeting be held before submitting this application. If you have any questions, concerning completion of the application or wish to schedule a Pre-application Meeting, please call Charner Reese, (813)-272-5828.

### PROPERTY INFORMATION

Property Name:

Address:

City:

State:

Zip Code:

Property Size (acres/square feet):

Parcel/Folio Number(s):

**Attach map showing location of property.**

### PROPERTY DESCRIPTION

Briefly describe property (for example, vacant land, unoccupied):

Zoning:

Future Land Use Designation:

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

Orient/Eastlake Brownfields Assessment Pilot Area

Community Redevelopment Area

Enterprise Zone

Empowerment Zone

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

Public street access?  Yes  No

Outside floodplain area?  Yes  No

Describe any outstanding property taxes 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
- Limited Liability Company
- Florida Corporation
- Out of State Corporation (State of Incorporation: \_\_\_\_\_ )
- General Partnership
- Limited Partnership

**ENVIRONMENTAL STATUS**

Brief description of the nature and geographical extent of contamination by hazardous substances and/or pollutants, if known:

Brief description of any previous or current remedial action:

If remediation is needed, will you agree to enter into a Brownfield Site Rehabilitation Agreement with the Florida Department of Environment Protection or its authorized designee?  Yes  No

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

## DEVELOPMENT PLAN

After remediation, what are your goals with respect to the property (for example: sale, redevelopment or business expansion)?

Provide a short description of redevelopment plans, if applicable (attach illustrative or graphic information, if available):

How many new permanent full-time or part-time jobs will the project create after remediation, and what are the job titles?

## 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 obtaining (private loans, equity and assistance) through designation as a Brownfield. In short, describe your general financial plan for your project.

## PRE-APPLICATION MEETING

Have you had a Brownfield Pre-application Meeting?  Yes  No

## SERVICES TO BE PROVIDED

Type of assistance/incentives you are seeking through this designation (check all that apply):

- Regulatory Assistance (for example, aid for meeting government agency permitting requirements)
- Technical Assistance (for example, aid in obtaining grants or loans)
- Grants (gap financing for brownfields remediation)
- Loans (remediation loan funds)
- Tax Credits/Exemptions due to Brownfield Designation
- Job Creation Credits due to Brownfield Designation
- Job Training Grants due to Brownfield Designation
- Other (describe):

Describe in greater detail the services you would like to receive as a participant in the Brownfields Program (optional):

*The undersigned affirms that the information contained in this application is true and accurate.*

Applicant's Signature:

Date:

Print/Type Name:

**FOR OFFICE USE ONLY**

Application received by:

Date:

Application completeness review completed by:

Status of application: \_\_\_\_\_ Complete \_\_\_\_\_ Incomplete (specify reasons below):

Applicant contacted on:

Date information received to complete application (if applicable):

Signature of reviewer:

Date:

**BOCC HEARING DATE FOR DESIGNATION OF SITE AS A BROWNFIELD:**