



Legislation Details (With Text)

File #: R-2023-138 **Version:** 1 **Name:** RAC Brownfield Designation
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Title: A Resolution Of The City Commission Of The City Of Hollywood, Florida, Making Findings And Designating As A Brownfield Area Within The City Of Hollywood, Real Properties Located Within The Regional Activity Center, Pursuant To Section 376.80(2)(A), Florida Statutes, For The Purpose Of Rehabilitation And Promoting Economic Development; Authorizing The City Manager Or Designee To Notify The Florida Department Of Environmental Protection Of The Designation.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Reso & Exhibit A - RAC Brownfield.pdf, 2. Florida Brownfields Redevelopment Program Brochure.pdf, 3. RAC Brownsfield_CC_Presentation_2023_0517.pdf

Date	Ver.	Action By	Action	Result
5/17/2023	1	Regular City Commission Meeting	withdrew	

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Making Findings And Designating As A Brownfield Area Within The City Of Hollywood, Real Properties Located Within The Regional Activity Center, Pursuant To Section 376.80(2)(A), Florida Statutes, For The Purpose Of Rehabilitation And Promoting Economic Development; Authorizing The City Manager Or Designee To Notify The Florida Department Of Environmental Protection Of The Designation.

Economic Vitality

Staff Recommends: Approval of the attached Resolution.

Explanation:

The Regional Activity Center (“RAC”) Land Use area of the City is approximately 1,480 acres of land. This area is located within proximity to major regional highways, railways, Fort Lauderdale-Hollywood International Airport, a Tri-rail station, residential uses, and includes Downtown Hollywood. The City anticipates that the continued redevelopment of Downtown Hollywood and several other redevelopment projects under construction, or planned along U.S. 1, will be a catalyst for furthering the redevelopment of this area in the future consistent with the development pattern already in-place for this area.

- Brownfield Area Designation

Designating the RAC as a brownfield area, to be called the “Hollywood Regional Activity Center Redevelopment Area”, pursuant to Section 376.80(2)(a), Florida Statutes, of Florida’s Brownfield Redevelopment Act is for the purpose of environmental rehabilitation, job creation and promoting economic redevelopment. See Attachment “A” for the boundaries.

The intent of the RAC is to encourage redevelopment and create a vibrant, high-intensity, high-density multi-use area. Accordingly, the designation of the RAC as a Brownfield Area provides property owners with regulatory and financial incentives to aid with redevelopment.

Florida’s Brownfield Redevelopment Act provides the public and private sectors with an array of regulatory and financial benefits to facilitate the environmental cleanup and reuse of properties that may have environmental challenges.

These incentives are available only if a local government adopts a Resolution that complies with the applicable procedural and substantive criteria. If a property owner in the RAC decides to remediate property under the Brownfield Program, they will be eligible for Voluntary Cleanup Tax Credit and environmental liability protection under state law. Both incentives are only available to parties who enter into a Brownfield Site Remediation Agreement (“BSRA”) with the environmental regulatory agency responsible for administering the Florida Brownfields Redevelopment Program. For sites in Broward County, that agency is the Broward County Resilient Environmental Department. With respect to the Voluntary Cleanup Tax Credit Program, the property owners in the Subject Area may be eligible to receive between 75% and 100% of all costs incurred to assess and remediate the affected property in the form of Florida corporate income tax credits. In the proposed brownfield area, property owners with environmental challenges will be able to recoup portion of the environmental cleanup cost by entering into a BSRA with Broward County under the Brownfield Program. Other financial incentives include a state tax refund for job creation up to \$2,500 for each full-time equivalent position created and a 100% sales tax refund on construction materials used in affordable housing. In addition, the execution of a BSRA also triggers an important liability incentive, which protects the property owners from claims for environmental cost recovery, property damage, and injunctive relief arising out of contamination conditions at the affected property.

- Designation Process

Approval of the designation requires adoption of a resolution by the City Commission following two public hearings in accordance with Sections 166.041 and 166.041(3)(c)(2), Florida Statutes.

The City Commission must consider the following factors (Section 376.80(2)(a), Florida Statutes):

1. Whether the brownfield area warrants economic development and has a reasonable potential for such activities;
2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;
3. Whether the area has potential to interest the private sector in participating in rehabilitation; and
4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural,

or historical preservation purposes.

Although the Act does not require the City Commission to reach any particular conclusion after consideration of the aforementioned factors, staff finds that the RAC and its constituent properties warrant economic development and have a reasonable potential for such activities, the area to be designated represents a reasonable focused approach, has the potential to interest the private sector in participating in rehabilitation, and the area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes.

Should individual property owners within the RAC desire to NOT have their property designated the property can be removed (Section 376.80(1)(c)(3) Florida Statutes). This can be achieved by requesting such via a letter to the City; the City must grant the request. Letters can be:

Mailed to: Planning and Urban Design Division, Re. Brownfield Designation P.O. Box 229045, RM 422 Hollywood, FL 33022 or Email to: PlanningDivision@hollywoodfl.org
<<mailto:PlanningDivision@hollywoodfl.org>>

- Consistency with the Comprehensive Plan

The Subject Area falls along the Federal Highway Corridor and Dixie Highway Corridor and includes Downtown Hollywood. The guiding principles behind the RAC are to encourage development with high quality and functional mixed living, working, shopping, education, and recreational areas. The proposed request is consistent with the Comprehensive Plan based on the following:

Objective 5: Encourage appropriate infill redevelopment in blighted areas throughout the City and economic development in blighted business and tourist areas by promoting improved architectural and streetscape design standards, code enforcement, economic development, neighborhood planning, and public information dissemination.

Policy 5.5: Continue redeveloping the downtown.

Objective 17: Promote redevelopment of Brownfield sites and necessary cleanup of contamination.

Policy 17.4: Assist property owners in applying for and obtaining Brownfield cleanup assistance.

- Consistency with the CityWide Master Plan

The proposed designation is consistent with the City-wide Master Plan which recommends economic development and redevelopment along the Dixie Highway Corridor. The proposed request is consistent with the City-wide Master Plan based on the following:

Guiding principle: Attract and retain businesses that will increase economic opportunities for the City while enhancing the quality of life for residents.

Policy 2.27: Pursue Brownfield designation and obtain assistance on parcels eligible for redevelopment.

Fiscal Impact:

Adoption of this resolution will not fiscally impact the City as this is a proposal to designate a Brownfield Area in order to provide development incentives to property owners. These incentives for private parties come at no cost to the City. A summary of these incentives can be found in the attached brochure prepared by the Florida Department of Environmental Protection (“FDEP”).

Recommended for inclusion on the agenda by:

Andria Wingett, Deputy Director, Development Services

Shiv Newaldass, Director, Development Services

Gus Zambrano, Assistant City Manager for Sustainable Development