

TAB 8



# City of Palmetto Agenda Item

**Meeting Date**

8/1/11

**Presenter:** Jeff Burton

**Department:** CRA

**Title:**

**2011 Heavy Commercial/Industry Incentive Package**

**BACKGROUND:**

**Program Goal:** It is the intent of this program to encourage commercial private sector investment to remove and/or hinder Slum and/or Blighted Areas in the Heavy Commercial/Industry Land Use District.

**Program Summary:** To redevelop a specific district of the CRA area by means of incentivized private investment.

**Program Description:**

Under this package, certain Heavy Commercial/Industry designated parcels will incentivise the following:

**Land use** – Following the Comprehensive Plan, The CRA may incentive the rezone of existing Heavy Commercial/Industry properties contiguous to lesser uses like residential. The incentive is based on acreage and scope of change.

**Demolition** - A small incentives may be awarded for the demolition of a rundown motel.

**CPTED** – “Community Policing through Environmental Design” may be offered through the Palmetto Police Department. As part of the redevelopment, the police can assist with a design that lowers the chances of a crime occurring.

**Design** – In an attempt to redevelop the downtown commercial core, the CRA may offer an incentive to plan the private building, parking, placement and other amenities to current city design standards.

**Stormwater Low Impact Design (LID)** – The CRA may provide a stormwater incentive for the private sector to pre-treat stormwater runoff, so that it is cleaner before it runs into the river.

**Fire Safety** – An incentive may be provided for the code compliance of fire codes.

**Funding:**

Funds have been allocated in the budget for this program.

<b>Budgeted Amount:</b>	\$1,000,000.00	<b>Budget Page No(s):</b>	xx	<b>Available Amount:</b>	\$1,000,000.00	<b>Expenditure Amount:</b>	\$0.00
-------------------------	----------------	---------------------------	----	--------------------------	----------------	----------------------------	--------

**Additional Budgetary Information:**

<b>Funding Source(s):</b>	2010-11 budget	<b>Sufficient Funds Available:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Budget Amendment Required:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Source:</b>	FY 11
---------------------------	----------------	------------------------------------	--	-----------------------------------	--	----------------	-------

<b>City Attorney Reviewed:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<b>Advisory Board Recommendation:</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> N/A	<b>Consistent With:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	FS 163 CRA Plan Comp Plan
--------------------------------	--	---------------------------------------	---	-------------------------	--	---------------------------------

**Potential Motion/Direction Requested:**

Move to approve the Heavy Commercial/Industry Incentive Package.

**Staff Contact:**

Jeff Burton	CRA Director	
-------------	--------------	--

**Attachments:**

Heavy Commercial/Industry Incentive Package
---

Palmetto Community Redevelopment Agency

# Heavy Commercial Redevelopment Incentive Plan

715 4th Street West - Palmetto Florida 34221 – (941) 723-4988

[JBurton@PalmettoFL.org](mailto:JBurton@PalmettoFL.org)  
7/21/2011

---

***Palmetto Community Redevelopment Agency***

Shirley Groover Bryant, Presiding Officer

***Board of Commissioners:***

Tamara Cornwell

Mary Lancaster

Tambra Varnadore

Brian Williams

Alan Zirkelbach

***Advisory Board Members:***

Nick Costides

Sia Mollanazar

Betty Ann Price

MacArthur Sellars

Charles Smith

***Legal:***

Mark Barnebey

Scott Rudacille

***Staff:***

Jeff Burton

Jenny Silverio

Zachary Schwartz

Antoinette Kilgore

Robert Marble

---

## TABLE OF CONTENTS

### Contents

TABLE OF CONTENTS.....	3
DEFINITIONS.....	4
GOAL .....	8
INTENT .....	8
RULES .....	9
INCENTIVE TABLE .....	10
LAND USE DOWNZONE INCENTIVE.....	12
DEMOLITION INCENTIVE.....	12
DESIGN INCENTIVE.....	12
CPTED LAND INCENTIVE.....	12
STORMWATER (LID) INCENTIVE.....	12
FIRE SAFETY INCENTIVE.....	13
APPENDIX A: GENERALCOMMERCIAL MAP .....	14
INCENTIVE APPLICATION .....	15

---

## DEFINITIONS

**Act.** The Community Redevelopment Act, F.S. § 163.330 et seq.<sup>1</sup>

**Agency.** The Community Redevelopment Agency of the City of Palmetto.<sup>2</sup>

**Area .**The area designated as a redevelopment area and as described and mapped on documents in the city clerk's office.<sup>3</sup>

**Commercial Redevelopment.** 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<sup>5</sup>, demolition of existing structure(s)<sup>6</sup>, planning and designing for new structures, storm water pre-treatment and street improvements and new construction.

**Industrial Use.** The activities within land uses predominantly connected with manufacturing assembly processing or storage of products.<sup>7</sup>

**Community Redevelopment or Redevelopment.** 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,

---

<sup>1</sup> City of Palmetto Ordinance Section 11-26. - Definitions.

<sup>2</sup> City of Palmetto Ordinance Section 11-26. - Definitions.

<sup>3</sup> City of Palmetto Ordinance Section 11-26. - Definitions.

<sup>5</sup> Florida Statute 163.370 Powers; counties and municipalities; community redevelopment agencies.(c)2

<sup>6</sup> Florida Statute 163.370 Powers; counties and municipalities; community redevelopment agencies.(l)

<sup>7</sup> City of Palmetto 2030 Comprehensive Plan Page 6

- 
- 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.<sup>8</sup>

**Crime prevention through environmental design (CPTED).** 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.** To weaken, disintegrate, corrode, rust or decay and lose effectiveness.<sup>9</sup>

**Development .**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.<sup>10</sup>

**Drainage Facilities.** 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.<sup>11</sup>

**Disseminate.** 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.** The community redevelopment trust fund.<sup>12</sup>

**Heavy Commercial Industry.** An area suitable for heavy or intensive commercial, light industrial uses general commercial and office uses and other employment oriented uses. Light industrial activities connected with the manufacturing, assembly, processing, and storage of products may generate objectionable impacts with regard to appearance, noise, vibration, dust, odor etc and may need to be buffered from other less intense uses like office development.<sup>13</sup>

**Goal.** The long-term end toward which programs or activities are ultimately directed.<sup>14</sup>

---

<sup>8</sup> Florida Statute 163.340 Definitions (9)

<sup>9</sup> International Code Council, International Property Maintenance Code 2009 Page 9

<sup>10</sup> City of Palmetto 2030 Comprehensive Plan Page 5

<sup>11</sup> City of Palmetto 2030 Comprehensive Plan Page 12

<sup>12</sup> City of Palmetto Ordinance Number 11-26. - Definitions.

<sup>13</sup> City of Palmetto 2030 Comprehensive Plan Page 17

<sup>14</sup> City of Palmetto 2030 Comprehensive Plan Page 13



---

**Governing Body.** The council, commission, or other legislative body charged with governing the county or municipality.<sup>15</sup> Palmetto City Commission is the governing body.

**Historic Resources.** 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.<sup>16</sup>

**Infill.** 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.<sup>17</sup>

**Low Impact Design (LID).** 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.<sup>18</sup>

**Mixed or Multiple Use.** 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.<sup>19</sup>

**Neglect.** The lack of proper maintenance for a building or structure.<sup>20</sup>

**Nonconformities.** 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.<sup>21</sup>

**Plan.** The Community Redevelopment Plan.<sup>23</sup>

---

<sup>15</sup> Florida Statute 163.340 Definitions (3)

<sup>16</sup> City of Palmetto 2030 Comprehensive Plan Page 14

<sup>17</sup> City of Palmetto 2030 Comprehensive Plan Page 14

<sup>18</sup> <http://www.epa.gov/owow/NPS/lid/>

<sup>19</sup> City of Palmetto 2030 Comprehensive Plan Page 16

<sup>20</sup> International Code Council, International Property Maintenance Code 2009 Page 10

<sup>21</sup> City of Palmetto Code of Ordinances, Appendix B – Zoning Code, Article III – Definitions

---

**Stormwater.** The flow of water that result from a rainfall event.<sup>25</sup>

**Stormwater Facilities.** 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.<sup>26</sup>

---

<sup>23</sup> City of Palmetto Ordinance Number 11-26. - Definitions.

<sup>25</sup> City of Palmetto 2030 Comprehensive Plan Page 20

<sup>26</sup> City of Palmetto 2030 Comprehensive Plan Page 20

---

## GOAL

It is the Goal of these incentives to remove and/or hinder *Slum and/or Blighted Areas* through private sector *Redevelopment* and job creation in the *Heavy Commercial Industrial* land use district (See Map in appendix A).<sup>27 28</sup>

## INTENT

1. To encourage a sustainable, diverse and vibrant *Industrial* economy.
2. To encourage all properties, especially *Nonconforming* to align with the Palmetto Comprehensive Plan.<sup>29</sup>
3. To encourage the demolition of existing non-*Historic Resource* buildings with *Deterioration* and *Neglect*.
4. To encourage community safety through *CPTED*.<sup>30 31</sup>
5. To promote the pretreatment of *Heavy commercial Industrial* 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).<sup>32</sup>
7. To increase economic sustainability of the *Area* through short-term construction and long term business creation and expanded employment opportunities.<sup>33</sup>
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*.<sup>34</sup>
9. To guide the appropriate rehabilitation and preservation of designated historic structures.<sup>35</sup>
10. To promote Infill development.<sup>36 37</sup>
11. The *Agency* should incentivize adaptive reuse or conversion of obsolete and unused railroad rights-of-way and obsolete and vacant industrial or heavy commercial buildings.<sup>38</sup>

---

<sup>27</sup> City of Palmetto 2030 Comprehensive Plan Page 34

<sup>28</sup> Florida Statute 163.345 Encouragement of Private Enterprise

<sup>29</sup> 163.360 Community redevelopment plans.(2) (a)

<sup>30</sup> Florida statute 163.345 Encouragement of private enterprise (1)

<sup>31</sup> City of Palmetto 2030 Comprehensive Plan Page 23

<sup>32</sup> Florida statute 163.345 Encouragement of private enterprise (1)

<sup>33</sup> Florida Statutes 163.335 Findings and declarations of necessity (4)

<sup>34</sup> Florida Statutes 163.370 Powers; counties and municipalities; community redevelopment agencies (2) (b)

<sup>35</sup> City of Palmetto Ordinance Number 07-930, § 2, 5-21-07

<sup>36</sup> City of Palmetto 2030 Comprehensive Plan Page 23

<sup>37</sup> City of Palmetto 2030 Comprehensive Plan Page 34

<sup>38</sup> City of Palmetto 2030 Comprehensive Plan Page 21

---

The *Agency* should focus resources in this district toward job creation, building adaption and business recruitment.

## **RULES**

1. The *Agency* reserves the right to modify or cancel parts of or the entire Heavy Commercial Industrial Redevelopment Incentive Plan at any time without notice. If the program is modified or eliminated, the *Agency* will ensure that any previously approved *Industrial Redevelopment* undergoing renovation will be completed per contract as long as the owner(s) abide by the contract.
2. 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.<sup>39</sup> The *Agency* Commission shall have final approval of all applications.
3. Funding will generally be on a first come, first served basis, with prior applications receiving priority for processing.
4. *Historic Resources* properties may receive up to an equal total Heavy Commercial Industrial Redevelopment Incentive Plan allocation.<sup>40 41</sup>
5. Redeveloped parking located on private property will be owned by the private property owner but be available for public use.
6. 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.
7. 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.
8. 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.

---

<sup>39</sup> City of Palmetto Ordinance Number 09-985, § 2, 2-23-09

<sup>40</sup> City of Palmetto 2030 Comprehensive Plan 3.3

<sup>41</sup> City of Palmetto 2030 Comprehensive Plan Page 40

## INCENTIVE TABLE

INCENTIVE	PERCENTAGE	REQUIREMENTS
<b>LAND USE DOWNZONE</b> (Maximum \$50,000 per acre) This incentive is for HCIND properties that the City wishes to down zone only.	\$10,000/Acre	HCOMIND to GCOM
	\$20,000/Acre	HCOMIND to DCOM
	\$25,000/Acre	HCOMIND to any residential
	\$50,000/Acre	HCOMIND to Public Use
<b>DEMOLITION</b> (Maximum - \$8,000)	BASE \$5000	Not Historic Resource
	Plus \$500	Palmetto contractor
	Plus \$500	Palmetto electrician
	Plus \$500	Palmetto plumber
	Plus \$1000	CRA contractor
	Plus \$1000	CRA electrician
	Plus \$1000	CRA plumber
<b>DESIGN</b> (Maximum - \$2,000)	BASE \$1,000	Letter from Building Official verifying seal of plans
	Plus \$500	Palmetto designer
	Plus \$500	Palmetto landscape architect (Buffer)
	Plus \$1,000	CRA designer
	Plus \$1,000	CRA landscape architect (Buffer)
<b>CPTED</b> (Maximum - \$2,500)	\$2,500	Plans meet CPTED criteria
		PPD letter
<b>STORMWATER LID</b> (Max. \$3000/1000 Sq. Ft. )	\$1000/1000 sq. ft.	Letter from City Engineer
	\$1500/1000 sq. ft.	Estimated 60% LID retention of on-site Stormwater
	\$2000/1000 sq. ft.	Estimated 70% LID retention of on-site Stormwater

	\$2500/1000 sq. ft. \$3000/1000 sq. ft.	Estimated 80% LID retention of on-site Stormwater Estimated 90% LID retention of on-site Stormwater Estimated 100% LID retention of on-site Stormwater
FIRE SAFETY (Max. - \$2500/1000 Sq. Ft.)	\$500/1000 sq. ft. \$1000/1000 sq. ft. \$1500/1000 sq. ft. \$2000/1000 sq. ft. \$2500/1000 sq. ft.	Converting fire code required unusable space to usable space. Approval Letter of Fire Marshall.
		<b>Palmetto</b> means a physical occupational license commercial address in the City.  <b>CRA</b> means a physical occupational license commercial address in the CRA Area.  <b>Planner</b> means an AICP certified planner, licensed architect, engineer or land surveyor.

---

## LAND USE DOWNZONE INCENTIVE

1. This incentive shall only be eligible when applied for in conjunction with the Redevelopment Incentive.
2. This incentive is applicable only for *HCOMIND* properties that are contiguous to residential and in the view of the *Agency*, in conflict with the healthy land use growth of the *Area*.
3. This incentive is validated by the City Planner.
4. This incentive invalidates all other Heavy Commercial Industrial Incentives.

## DEMOLITION INCENTIVE

1. The demolition incentive is not allowed for vacant parcels.
2. Full demolition of *historic resource* designated structures will not receive a demolition Incentive.
3. Partial or internal demolition of an existing structure may receive a partial incentive.

## DESIGN INCENTIVE

This Incentive is for *Industrial redevelopment* using current state building codes as well as, exterior amenities such as parking and storm water management.

1. As part of this incentive, the *Agency* is granted refusal rights to the design of the *Industrial Redevelopment*.
2. This incentive may include CRA induced variances from the City of Palmetto Land Use Regulations and exemptions from the building regulations.<sup>42</sup>
3. Emphasis should be placed on the reduction of visual, noise and odor nuisances produced by the use of the applicant..

## CPTED INCENTIVE

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

## STORMWATER (LID) INCENTIVE

1. The location of existing *Drainage Facilities* may affect the validity of this incentive.
2. The *Stormwater* incentive is only valid for *Commercial Redevelopment* that institutes the approved CRA Stormwater Pretreatment Plan.

---

<sup>42</sup> 163.370 Powers; counties and municipalities; community redevelopment agencies. (2) (l)

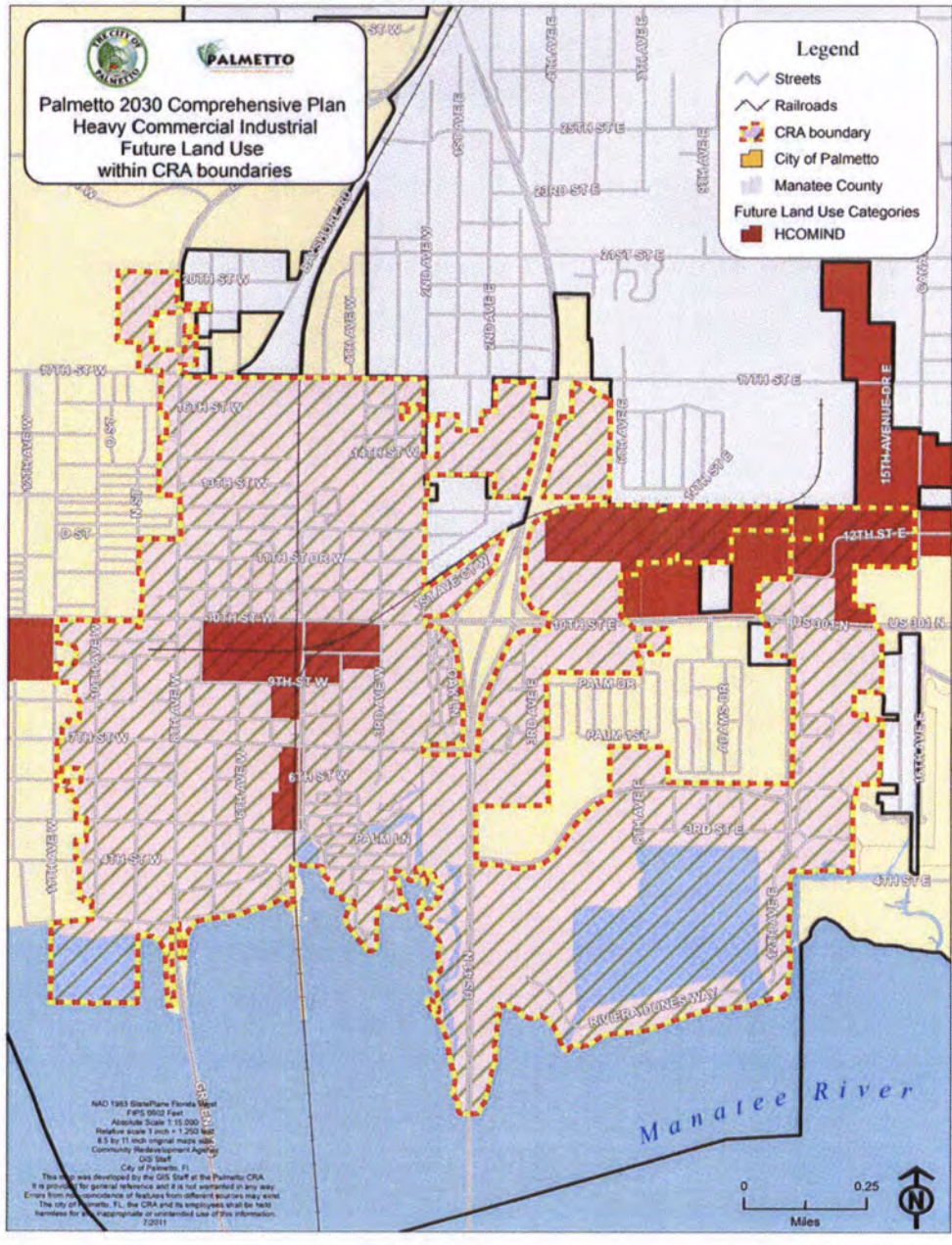
- 
3. Any state or federal “*Stormwater credits*” created from the commercial development will become the sole property of the *Agency*.
  4. The incentive recipient agrees to abide by the maintenance requirements provided b the approved CRA Stormwater Pretreatment Plan including selection and maintenance of foliage.

### **FIRE SAFETY INCENTIVE**

1. The incentive provides for the rehabilitation of non-usable space in an existing building due to fire codes and regulations.
2. The intent of this incentive is to redevelop existing space that is non usable at this time.



## APPENDIX A: HEAVY COMMERCIAL/INDUSTRIAL MAP



## INCENTIVE APPLICATION

**Application Date:**

**Estimated New Construction Value: \$**

INCENTIVE	# Acre/1000Sq. Ft.	\$ Acre/1000 Sq. Ft.	Applicant \$	CRAAB \$	CRAB \$
Land Use					
Demolition					
Design					
CPTED					
Stormwater (LID)					
Fire Safety					
<b>TOTAL</b>					

**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)  
Fire Safety  
FINAL

City Engineer Letter  
Fire Department Approval Letter