Brownfield Information

Brownfields

What is a Brownfield?

A “Brownfield site” as stated in Florida Statutes (376.79, F.S.) is “real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination.”

A “Brownfield area” means a “contiguous area of one or more brownfield sites, some of which may or may not be contaminated, and which has been designated by a local government by resolution.” Brownfield areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas.

On May 12, 2015, the City Council adopted Resolution No. 776-15, which established the “Orange City Brownfield Economic Enhancement Area”.

Property owners within the designated area may be eligible for participation in Florida’s brownfield program. The state program offers businesses and developers a very generous and flexible set of regulatory and financial incentives to clean up and/or redevelop the property. A few of the state incentives include:

Brownfield Redevelopment Bonus Refund

A $2,500 tax refund is available for each new job created by an eligible business. See Section 288.107, Florida Statutes, for details.

Voluntary Clean Up Tax Credits (VCTC)

Projects that execute a Brownfield Site Remediation Agreement
(BSRA) with the Florida Department of Environmental Protection are eligible for a 50% tax credit for cleanup costs. The tax credit is applicable to Florida’s corporate income tax. An additional 25% tax credit is available if the property is redeveloped with affordable housing. See Section 376.30781, Florida Statutes, for details.

**Sales Tax Credit on Building Materials**

A sales tax credit on building materials is available for construction of housing or mixed-use projects. See Section 212.08, Florida Statutes, for details.

**Loan Guarantee Program**

Up to 5 years of state loan guarantees may be available for redevelopment projects in brownfield areas. The loan guarantee applies to 50% of the primary lender loan. If the project is for affordable housing, the loan guarantee applies to 75% of the lender loan. See Section 376.86, Florida Statutes, for details.

For more information on the State incentive programs, CONTACT:

**Enterprise Florida, Inc.**

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Additional information and answers can be found in the notes from our “Brownfield Community Engagement Meeting” which was held on Thursday, July 17th 2014.

**How does Brownfields Redevelopment benefit communities?**

- Encourages further redevelopment and reinvestment in developed areas
- Increases local employment opportunities
- Increases overall neighborhood quality of life by replacing brownfields with sustainable development
- Increases city tax base
- Reduces suburban sprawl
- Protects human health and the environment

**How does Brownfields Redevelopment benefit business?**

- Provides degree of certainty and finality to the environmental cleanup process
- Provides access to liability protection provisions and creative insurance programs
- Provides access to economic incentives
- Provides assistance in obtaining public/private loan and fund programs
- Provides assistance and guidance in workforce training programs

**Contaminated Sites and the Brownfield Program**

A site does not have to be contaminated in order for a municipality to designate it as a Brownfield area; however, if a site is contaminated, then the Person Responsible for Brownfield Site Rehabilitation may be able to execute a Brownfield Site Rehabilitation Agreement (BSRA). The BSRA is
the legal vehicle to do a number of things, including making the site eligible for Voluntary Cleanup Tax Credits, making the technical aspects of contamination cleanup subject to the requirements of Chapter 62-785, Florida Administrative Code, and providing for certain liability protections. A BSRA may also be executed to seek Voluntary Cleanup Tax Credits associated with solid waste removal. Voluntary Cleanup Tax Credits are applied against Florida Corporate Income Tax and are awarded annually in an amount up to 50% of incurred costs for eligible site rehabilitation or solid waste removal work. Additional credits may be available at the time a Site Rehabilitation Completion Order is issued, or if affordable housing is involved.

For more information visit these web sites:

- [Brownfields Redevelopment Program](#)

If you have questions or need further information, please contact the Development Services Department at: 386-775-5415.