

ECONOMIC DEVELOPMENT IMPACT FEE MITIGATION PROGRAM INSTRUCTIONS

The Impact Fee Mitigation Program was established by County Ordinance 804. The Ordinance created a new Section 71.45 that allows impact fee mitigation for businesses meeting the requirements of the program, as defined in Section 71.45 and detailed below. This program is intended to encourage economic opportunities and permanent business expansion. It is not an entitlement program. The program is established in order to provide the Board of County Commissioners the opportunity, in its sole discretion, to grant impact fee mitigation to Qualified Target Industry Businesses. Applicants must apply for the Program prior to the issuance of the Building Permit for the subject property or project. An agreement for the impact fee mitigation must be approved by the County Commission prior to the granting of the impact fee relief. The Instructions lay out the requirements of the Program and the application for qualified businesses to seek the mitigation.

Definitions

"Qualified Target Industry Business" or "QTIB" shall mean a new or expanding business in the County that meets the requirements of Section 288.106, Florida Statutes, or its statutory successor in function, as a Qualified Target Industry Business or as identified by EFI, OTTED, and/or the BDBMC.

"Applicant" shall include any person, company, or research institute that qualifies as a Qualified Target Industry Business and which is seeking to expand in or locate to Martin County.

"Property Owner" shall mean any person or entity owning the land upon which the Qualified Target Industry Business will be expanding on or locating to.

Minimum Criteria.

To be eligible for an Economic Development Impact Fee Mitigation, an Applicant must meet the following minimum criteria in accordance with Section 71.45.D.1, listed below

Qualify as a Qualified Target Industry Business and create a minimum of ten (10) new jobs with an average private sector wage (excluding benefits) of at least 115% of the average private sector

wage, as identified annually by Enterprise Florida, Inc., for either Martin County or the Metropolitan Statistical Area which includes Martin County and provide a benefit package that includes health insurance and commit to remain in the County at least until such time as obligations of the Economic Development Fund, related to the business, are replenished in accordance with subsection 71.45.L.; **or must** meet the following minimum criteria in accordance with Section 71.45.D.2, listed below:

Qualify as a Qualified Target Industry Business and create a minimum of ten (10) new jobs with an average private sector wage (excluding benefits) of 100% of the average private sector wage, as identified annually by Enterprise Florida, Inc., for either Martin County or the Metropolitan Statistical Area which includes Martin County and make a taxable capital investment in the County of \$10 million or greater in construction, renovations, equipment purchases, or other major capital investment items and commit to remain in the County at least until such time as obligations of the Economic Development Fund, related to the business, are replenished in accordance with subsection 71.45.L.; **and**

Enter into an agreement with the County and the Property Owner (if the Applicant business is not the Property Owner) wherein the Applicant agrees to locate or expand its business operations within Martin County and will remain in the County at least until such time as obligations of the Economic Development Fund, related to the business, are replenished in accordance with subsection 71.45.L. The Agreement will also require the Applicant to provide the County with the Applicant's Florida Department of Revenue Quarterly Report (UCT-6) form or successor document, and all other documentation to demonstrate that the job creation and salary level commitments were achieved. Provisions for penalties, repayment or suspension of payments for non-performance related to this program shall be clearly established in the agreement.

Economic Development Impact Fee Mitigation Amounts

If the Applicant meets the requirements provided above for mitigation, the Applicant shall be eligible for the following:

If the Applicant qualifies, it shall be eligible to receive an Economic Development Impact Fee Mitigation in the following amounts; provided, however, that the Board may proportionally increase these mitigation amounts in the event the Applicant exceeds these requirements:

Number of Jobs Created	% of Average Private Sector Wage	Mitigation Amount
Minimum of 10	115% plus benefits	\$3,500 per job created
Minimum of 10	150% plus benefits	\$5,000 per job created
Minimum of 10	200% plus benefits	\$7 500 per job created

If the Applicant qualifies under subsection 71.45.D.2. above, it shall be eligible to receive an Economic Development Impact Fee Mitigation in the following amounts; provided, however that the Board may proportionally increase these mitigation amounts in the event the Applicant exceeds these requirements:

Number of Jobs Created	Total Capital Investment	Mitigation Amount
Minimum of 10	\$10,000,000 to \$14,999,999.99	40% of total County Impact Fees
Minimum of 10	\$15,000,000 to \$19,999,999.99	50% of total County Impact Fees
Minimum of 10	\$20,000,000 or more	60% of total County Impact Fees

Restriction to One Criteria Category

Each Applicant shall only be eligible for mitigation under either subsection 71.45.D.1. or subsection 71.45.D.2., but not both.

Payment Limits.

In no case shall mitigation benefits exceed the amount of the actual impact fees due to the County as a result of expansion or location of the QTIB project as specified in the application.

County Administrator and Board of County Commissioners Review

If the County Administrator finds that the Applicant meets the requirements provided herein for mitigation, the County Administrator shall agenda an Impact Fee Mitigation Agreement before the Board of County Commissioners which shall contain the Martin County Impact Fee Mitigation Application for Qualified Target Industries and any other documents as requested by the County Administrator. Because this Program is not an entitlement program, the Board may accept or reject the request for mitigation without cause.

Deferment of Impact Fee Payment.

In addition, the Board of County Commissioners may defer payment by the Economic Development Fund of impact fees mitigated by the Impact Fee Mitigation Program for a period not to exceed ten (10) years.

Application

Any Applicant seeking an Economic Development Impact Fee Mitigation shall file an application for mitigation with the County Administrator prior to the issuance of the Building Permit for the subject property or project. Any request for Economic Development Impact Fee Mitigation must be submitted to the County by the Applicant prior to the Applicant deciding whether or not they will expand or locate in Martin County.

Certification of the Business Development Board

The Business Development Board must verify that the application qualifies as a Targeted Industry. The application contains a form for this purpose.

Martin County Board of County Commissioners Qualified Target Industry Incentive Application: IMPACT FEE MITIGATION PROGRAM

(Name of Business or Project Codename)

Must be a business unit or reporting unit of a business unit that is registered with or will be registered with the State of Florida for unemployment compensation purposes.

- a) Name of Business (or Project Codename)* _____
- b) Type of Business Corresponding to the most recently adopted State of Florida Qualified Target Industry List: _____
- c) Contact Person: _____
Phone number/e-mail: _____
- d) Business FEIN: _____

2. Project information

- a) Is the project (please circle): Expansion Relocation/location
- b) Is the project (please circle): New Construction Change of Use
- c) Location of Property: _____

- d) Name and Address of Property owner Name, if different than Business Owner: _____

- e) What is the anticipated size of new construction: _____ sq. ft.
- f) Date by which all construction is anticipated to be completed: _____

g) What is the anticipated value of improvements to be made on-site: \$ _____

h) What is the anticipated capital investment in equipment for the site \$ _____

3. Project employment:

a) Total number of net new jobs created by the project at the business unit that is to be located or expanded in Martin County*: _____

b) Date by which new jobs will be created: _____

c) For purposes of certification, agreement, and claim review, indicate the wage and corresponding threshold (percentage) to which you commit:

1. \$ _____ 100% of the _____ (year) average private sector wage in Martin County*
2. \$ _____ 115% of the _____ (year) average private sector wage in Martin County
3. \$ _____ 150% of the _____ (year) average private sector wage in Martin County
4. \$ _____ 200% of the _____ (year) average private sector wage in Martin County

*Jobs at or below 115 of the average private sector wage in Martin County are only eligible under the Capital investment strategy of the Economic Development Impact Fee Mitigation program.

Signature of individual completing this portion

Date

Please print or type name of individual completing this portion

Signature of Authorized Officer

Date

Please print or type name of Authorized Officer

Required Attachments

Legal Description of property

Overview of the project including description of anticipated construction and the jobs to be created in Martin County

Attach proof that the identified construction or property modification will be for a Qualified Target Industry Business and/or will directly benefit a Qualified Target Industry Business

A notarized affidavit and all necessary supporting evidence affirming that the requirements of subsection 71.45.D.1. or subsection 71.45.D.2., General Ordinances, Martin County Code will be met within one (1) year of the date the Certificate of Occupancy is issued which term may be extended by the Martin County Administrator upon good cause shown.

Authorization to Act on Behalf of the Applicant.

Authorization to Act on Behalf of Property Owner

**Martin County Board of County Commissioners
Qualified Target Industry Incentive Application
Business Development Board of Martin County
Verification of Program Qualification For:**

(Name of Business or Project Codename)

VERIFICATION CHECKLIST:

_____ Name of Business or Project Codename

_____ Business Address

_____ Business FEIN

_____ Business Type Corresponds with _____ as included on the State of
Florida Qualified Target Industry List in effect as of _____.
(industry type) (Date)

_____ Authorized Officer's signature and name.

_____ Contact/Representative has appropriate authority from applicant business

_____ Address of new location or site at which expansion will take place

_____ Owner of Property

_____ Business Owner has appropriate authority from property owner

_____ Business Owner has verified number of jobs to be created in Martin County

_____ Business Owner has verified average salary level for jobs created

_____ Average Salary Level exceeds 115% of average private sector wages for Martin County.

Print Name of Authorized Officer

Signature of Authorized Officer

Date