

Overview
Impact Fee Mitigation
Capital Facilities Impact Construction



Eligibility

Section I

To be eligible for an economic development Impact Fee mitigation, as described in Section 2.08 of the County’s Impact Fee Ordinance (Ord. 19-056, as amended) and Resolution 2019-129, the Capital Facilities Impact Construction must qualify as a Qualified Target Industry Business and meet each of the following requirements:

1. Create a minimum of ten (10) new full time jobs paying an average annual wage of at least 115% of the Average Wage for Polk County (including overtime and bonus wages, but excluding benefits);
2. Provide a benefit package that includes health insurance and retirement;
3. Make a capital investment in Polk County of no less than ten million dollars (\$10,000,000) in construction, renovations, equipment purchases, or other major capital investment items; and
4. Maintain the Qualified Target Industry Business within Polk County, including the jobs created at the target salary levels, for a minimum of seven (7) years.

An Owner of real property upon which Capital Facilities Impact Construction is to occur shall also be eligible for an economic development Impact Fee mitigation, so long as such facilities are leased for an initial term of no less than

seven (7) years to a Qualified Target Industry Business that qualifies for an economic development Impact Fee mitigation under this Section II.

Section II

If the Capital Facilities Impact Construction meets the requirements provided above for mitigation, either the Qualified Target Industry Business or the Owner, but not both, shall be eligible to receive an economic development Impact Fee mitigation in the following amounts:

Minimum Number of jobs created	Average Wage (Based on County Average)	Mitigation % of Total Impact Fees
10	115%	25%
25	115%	35%
50	115%	50%
10	125%	35%
10	150%	50%

Specifications

7-year period of eligibility

Lien:

The Impact Fee Mitigation Agreement shall include provisions imposing a lien on the Capital Facilities Impact Construction in the amount of the Impact Fees mitigated for a period of seven (7) years. Such lien will have priority over all other liens.

or

Letter of Credit:

In lieu of lien and with permission of County Manager the applicant may

post an irrevocable letter of credit payable by a financial institution, acceptable to the County to ensure payment of impact fees in the event the property no longer qualifies for the mitigation for a period of 7 years. Such letter shall be held in the original signed form by the County Attorney’s office.

The amount of the Impact Fees shall not be increased to replace any revenue lost due to the ED Impact Fee Mitigation program.

Application Process

File standard application with County Manager or Budget and Management Services Division.

Submit a \$2,241.00 administrative fee (per Resolution 2021-064) made payable to the Polk County Manager or Budget and Management Services Division.

Polk County Administration Building, 330 West Church Street, P.O. Box 9005, Drawer CA02, Bartow, FL 33831-9005, made payable to Polk County Board of County Commissioners prior to placement on Board agenda

Receipt of Impact Fee Mitigation

In order to receive a reduction of impact fees, the applicant **must** supply a copy of the approved impact fee mitigation agreement and applicable letter of credit or lien, to the associated building division. Documents should accompany permit application and plan submission.

Economic Development Impact Fee Mitigation Application



Contact Information			
Name of Business:		Business FEIN:	
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.			
Type of business corresponding to the most recently adopted State of Florida Qualified Target Industry list:		Contact Person:	
Phone Number:		Email:	
Project Information			
Project Name:		Type of Project:	Expansion Relocation/location
Project Activity: New Construction Change of Use		Specify:	Leasing Purchasing
Property Address:		Legal description of property:	
Name and address of property owner, if different from business owner:		If the property owner differs from the applicant listed, please explain the relationship:	
Project Description:		List the anticipated size of new construction:	
Date by which all construction is anticipated to be completed:		List the anticipated value of improvements to be made on-site: \$ _____	
List the anticipated capital investment in equipment for the site: \$ _____			
Project Employment			
Total number of net new jobs created by the project at the business unit that is to be located or expanded in Polk County:		Date by which the new jobs will be created (must be within one (1) year of issuance of Certificate of Occupancy): _____	
Is the project supplying: Lien Letter of Credit		Average Wage: \$ _____	
Proof of Qualification (To be completed by the County)			
Company has demonstrated that there is a real or perceived disadvantage occurring from the imposition of impact fees: yes no		Minimum 10 new jobs, 115% wage (excluding benefit cost, must provide proof of employee health insurance and retirement benefits): yes no	
\$10 million capital investment requirement: yes no		Average annual wage:	
">\$2,241.00 payment received: yes no			
Impact Fee Land Use Category			
Estimated impact fee:			
Qualifying Mitigation: 25% 35% 50%		Estimated mitigation amount:	
Parcel ID #:		Permit #:	

Economic Development
Impact Fee Mitigation Application



Guidelines

- Polk County requires that job creation, wage and capital investment requirements are met, as set forth in Resolution No. 2019-129 within one (1) year of the date the certificate of occupancy is issued.
- The mitigation recipient must submit sufficient backup documentation to demonstrate compliance with capital investment requirements which may include, but shall not be limited to, the recipient's ad valorem tax bill from Polk County, proof of payment of ad valorem taxes for that year, a certified MAI appraisal and or CPA or CFO certifications.
- Failure to meet the Capital Investment requirement, job creation or wage criteria at any point during the term of the agreement negates any and all Impact Fee Mitigation awards.
- Polk County may utilize a third party auditor, to verify job and wage requirements for the term of the agreement.

STATE OF _____ COUNTY OF _____

Sworn to (or affirmed) and subscribed before me, by means of [] physical presence or [] online notarization, this ____ day of _____, 20____,

by _____.

Personally Known: _____; OR Produced Identification: _____

Type of Identification Produced: _____

Signature: _____

NOTARY PUBLIC-State of Florida

sign: _____

print: _____

Signature of applicant: _____ Date _____

Authorized by County Manager: _____ Date _____