



BRAC REVITALIZATION AND INCENTIVE ZONE APPLICATION INSTRUCTIONS

Department of Commerce
401 East Pratt Street, Baltimore, Maryland 21202
commerce.maryland.gov

Larry Hogan
Governor

Boyd Rutherford
Lieutenant Governor

R. Michael Gill
Secretary

Introduction

Intent:

The intent behind the creation of the BRAC Revitalization and Incentive Zone was to identify areas that could accommodate the additional households that will be coming to Maryland as the result of BRAC and provide local governments with financial assistance for the public infrastructure in these well-defined areas. The concept for the BRAC Revitalization and Incentive Zone is based on the State's Enterprise Zone law which defines areas where businesses may receive a variety of tax credits for locating within the Enterprise Zone. In addition to direct financial assistance for the public infrastructure in the BRAC Revitalization and Incentive Zone, the Zones will also assist the State in aligning other State resources and programs for a coordinated State effort on making these Zones the focus of BRAC growth.

Purpose:

The purpose of the creation of BRAC Revitalization and Incentive Zones is to focus the growth resulting from BRAC in areas that are designated for growth - otherwise known as Priority Funding Areas (PFAs). Failure of local jurisdictions to focus BRAC growth in PFAs will result in growth being deflected into the rural areas resulting in more sprawl development, traffic congestion, loss of natural resources, and negative environmental impacts. The State's interests are best served by focusing BRAC growth in PFAs for better utilization of our existing infrastructure as well as encouraging increased transit ridership for BRAC Zones that are also transit oriented developments. The BRAC Revitalization and Incentive Zone carries out the goal of focusing growth by providing local governments additional funding and other State resources to provide the public infrastructure necessary to support development or redevelopment of the area.

Eligibility Requirements

1. County Applicant: A county may apply for designation of an area as a BRAC Zone within its boundaries, but if any portion of the area is within a municipal corporation, the governing body of the municipal corporation must consent to the county's application.
 - Consent shall be obtained before submission of the application and included as part of the application.
 - Consent shall be in the form required by local law and the governing body of the municipal corporation.

2. Municipal Applicant:
 - A municipality may apply for designation of an area as a BRAC Zone within its boundaries without county consent. However, the statute states that priority consideration will be given to areas for designation as a BRAC Zone if the area is of strategic importance to the economic development interests of a county. Therefore, if a municipality applies on its own, it will be given priority consideration if it obtains consent from the overlying county in the form of a letter of support or resolution.
 - Consent shall be obtained before submission of the application and included as part of the application.
 - Consent shall be in the form required by local law and the governing body of the municipal corporation.

- 3.** Two or more political subdivisions may jointly apply for designation of a BRAC Zone if portions of the proposed area are within each of their common boundaries. If a joint application is submitted and a joint designation is obtained, this will count towards the maximum number of zones (two) that each county may obtain.

Application Deadlines and Review Process

Submission Dates: Applicants may apply April 15 and October 15 each year.

Application Requirements:

All applications and cover sheets must be typed. The application shall be complete, meet all stated requirements and be properly signed by the chief elected officer or officers in the case of a joint application, or, if none, by the governing body of each of the political subdivisions. An application signed by the chief elected officer shall include a written expression of sentiment of the local elected governing body or bodies regarding the filing of an application for designation. This may be in the form of a letter or a resolution at the discretion of the local jurisdiction. Electronic copies do not have to include original signatures.

Application Submission:

Applications must be received both electronically and in hard copy (not postmarked) by 5:00 p.m. on the submission date. Applicants must provide one (1) original application and four (4) copies.

Applications should be delivered to:

Mark A. Vulcan, Esq., CPA
Program Manager, Tax Incentives
Maryland Department of Commerce
401 East Pratt Street, 17th floor
Baltimore, MD 21202
mark.vulcan@maryland.gov

* Please note materials will not be returned.

Review Process:

Staff Review: Applications will initially be reviewed for completion and adherence to regulations. An application must be complete to move forward in the review process.

Committee Review: A review committee comprised of staff members from the following state agencies: Commerce, Housing and Community Development, Transportation, Environment and Planning, will review the applications and make a recommendation to their respective agency Secretaries.

Secretary Review and Approval: Within sixty (60) days after a submission date, the Secretary, in consultation with the Cabinet Secretaries of Transportation, Housing and Community Development, Environment and Planning, may designate one or more BRAC Zones for a designation period of ten (10) years from among the applications submitted. The Secretary will notify all applicants of their status in writing within the 60 days. No more than six (6) designations per calendar year may be made. A county may receive no more than two (2) designations during the life of the program. All decisions made by the Secretary are final.

BRAC Zone Application Information

| | | | |
|--|--|---------|--|
| City: | | County: | |
| Name of proposed zone: | | | |
| Location of proposed zone: | | | |
| Nature of application (New Designation or Expansion): | | | |
| Approximate land area (acres or square miles). If an expansion, note acreage of existing zone and of the addition: | | | |

| | | | | | |
|-----------------------------------|--|-------|--|----------------|--|
| Name and title of contact person: | | | | | |
| Applicant's website: | | | | | |
| Address: | | | | | |
| Phone: | | Fax : | | Email Address: | |
| Name of BRAC Zone Administrator: | | | | | |
| Address: | | | | | |
| Phone: | | Fax : | | Email Address: | |

| | | | | | |
|---------------------------------|--|------|--|----------------|--|
| Name of Chief Elected Official: | | | | | |
| Address: | | | | | |
| Phone: | | Fax: | | Email Address: | |

If the application is being filed jointly by more than one jurisdiction, the signature of the chief elected official of each jurisdiction should be included. If the application is being submitted by a single jurisdiction and other jurisdictions are simply giving their required consent, only the single applicant's signature is required. Consent documents from each of the other jurisdictions will suffice.

| | | | |
|------------|--|-------|--|
| Signature: | | Date: | |
|------------|--|-------|--|

1. Expression of Consent:
 - a) Consent shall be obtained before submission of the application
 - b) Consent shall be in the form required by local law
 - c) If the proposed BRAC Zone overlays an existing Enterprise Zone, the jurisdiction must provide in the Expression of Consent whether the benefits of the enterprise zone shall continue to businesses qualified after the date of the BRAC Zone designation.
2. Provide written confirmation that the area applying for designation as a BRAC Zone (this confirmation should provide sufficient information that compliance can be verified by the Maryland Department of Planning):
 - a) Is within a Priority Funding Area (PFA under State Finance and Procurement Article, §5 7(B)
 - b) Is served by public or community water and sewer system or planned to be served by public or community water system under the approved 10-year water and sewer plan
 - c) Is designated for mixed-use development that includes residential uses
 - d) Has an average density of at least 3.5 units per acre, calculated in accordance with State Finance and Procurement Article, §5-7B-03, in the part of the area designated for residential uses
3. Maps: Maps should be readily reproducible in black and white. The boundaries should be clearly marked and labeled. If this is a zone expansion, the zone map should show both the existing zone and the proposed additions. You do not, necessarily, need to provide six (8) separate maps if one map can provide two or more of the components requested below.
 - a) PFA Map: map showing BRAC Zone within a PFA
 - b) Tax Map or Parcel Map: map should show all parcels within a BRAC Zone and include a parcel listing. This map should clearly show the boundaries of the zone
 - c) Public Transportation: map should show if the BRAC Zone includes or is within one-half mile of a present or planned MARC Station along the Penn, Camden or Brunswick lines; Baltimore Metro Subway Station; Baltimore MTA Light Rail Station; or Metrorail system station
 - d) Map showing relationship of proposed zone to [enterprise zones](#), special taxing districts, historic districts listed on the [National Register of Historic Places](#), [local Historic District](#), [DHCD Sustainable Communities](#), [Community Legacy Areas](#), [Main Street Maryland Communities](#), and [Priority Funding Areas](#), where applicable
 - e) Map showing presence of sensitive areas, as defined in Article 66B, §1.00 (J) of the Code
 - f) Map showing location of Brownfield sites that are capable of redevelopment

- g) Zoning maps
- h) Land use maps
- 4. Designation of a BRAC Zone Administrator, who will supply annual reports as required by statute.
- 5. Evidence of support:
 - a) Provide letters of support from community or business organizations, businesses located in the proposed zone, elected officials or any others supporting the application
 - b) Provide evidence and certification that the jurisdiction, before submission of application, held a public hearing with adequate notice and publicity on the application. Please include:
 - 1. A copy of the public notice,
 - 2. An attendance list, and
 - 3. Minutes from the hearing or a resolution that has passed
 - c) Include any reports, feasibility studies, visioning results, news articles, etc. that may have been generated regarding your proposed zone

BRAC Zone Application Narrative

The narrative lets you present your economic and community development vision and explain how the zone designation will help you achieve it. You are encouraged to include information about your community's unique or specific revitalization and infrastructure needs or issues that are not addressed below.

1) Describe how the area is of strategic importance to the economic development interests of the county. Ensure that your response addresses the following:

- Whether the area's designation as a BRAC Zone is consistent with the jurisdiction's comprehensive plan
- Whether the jurisdiction has targeted the area for revitalization as provided for in its comprehensive plan or in another plan or ordinance
- The relationship of the area to a BRAC installation or how it will be impacted by BRAC
- Jurisdiction's participation in revitalization activities, including whether the area has been designated an enterprise zone
- Other revitalization projects undertaken in the proposed zone

2) Describe the economic, social, and demographic character of the zone. Ensure that your response addresses the following:

- The availability, cost and condition of business facilities
- The number and age of abandoned structures, including the duration of vacancy
- The number and age of substandard structures, including structures not meeting code and compliance standards
- The income of residents relative to the State or regional median incomes, including the number of persons who receive public assistance or are unemployed
- The extent of unemployment in the area, including statistics from the 2000 Census, and the size of the community's labor force
- The number and types of social services offered in the area, including government organizations, non-profit organizations, community development organizations, charitable organizations, etc.
- The need for financing for small businesses to upgrade the social and economic conditions of the area

3) Describe the impact of a BRAC Zone designation on your community. Ensure your answers address the following:

- Identify the needs of the local jurisdiction, including economic and social needs
- Describe how the BRAC Zone designation will aid the local jurisdiction in addressing the needs of the community

4) Describe your jurisdiction's commitment to economic development, revitalization, and smart growth priorities in the proposed zone. Ensure that your response addresses the following:

- Any plans and financial commitments of local jurisdictions to undertake improvements in the zone
- The jurisdiction's participation in workforce readiness programs
- The jurisdiction's participation in the creation of affordable and workforce housing options for residents
- The provision of a breadth of transportation options to improve accessibility and land use that supports transit ridership, walking, and bicycle use

- Has the jurisdiction examined the feasibility of creating educational or training opportunities for employers and employees of businesses in the proposed zone
- The provision for adequate protection and conservation of vital natural resource and agricultural contiguous areas within the jurisdiction’s comprehensive plan or in another local government plan or ordinance

5) Describe the planned infrastructure improvements in the proposed BRAC zone. Ensure your response addresses the following:

- The location of the planned infrastructure improvements
- The expected benefits of these improvements to your community

6) Please complete the BRAC Zone Fiscal Impact Assumptions chart below. DBED Staff will use this data to determine fiscal impact.

| BRAC Zone Fiscal Impact Assumptions | Projected Construction (sq ft) |
|---|---------------------------------------|
| | |
| Office | |
| Residential | |
| Retail | |
| Hotel | |
| Total | |
| | |
| County Property Tax Rate Per \$100 of assessed value | |
| Municipal Property Tax Rate Per \$100 of assessed value (if applicable) | |

Contact Information

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Department of Assessments and Taxation
301 W. Preston Street, Room 808
Baltimore, MD 21201
(WK) 410-767-1184
(FAX) 410-333-5873

Addendum: Glossary of Terms

Abandoned Structures: the percentage of square footage of the property that is vacant is at least 20 percent

Brownfield Sites: real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant

Metrorail System station: includes Washington Metropolitan Area Transit Metrorail and Baltimore Metro Subway transit stations.

Mixed-use Development: Mixed-use development is characterized by more than one use in a neighborhood, single development or single building. An example is a residential neighborhood with a coffee shop, deli, and drug store and professional offices. Another example is a five-story building with shops and stores on the first floor, offices on the second floor and apartments on the fourth and fifth floor

The objective of mixed-use development is to increase housing opportunities within walking distance of shops, jobs, offices, restaurants, entertainment and cultural centers. By increasing opportunities for pedestrian activity, you reduce reliance on the automobile, reduce traffic congestion and pollution, boost the local economy by supporting the local businesses and improve the feeling of community in the area

Plan: includes a general plan, master plan, comprehensive plan, or community plan

Planned MARC station along the Penn, Camden, or Brunswick lines, Baltimore Metro Subway station, Baltimore MTA Light Rail station, or Metrorail System station in the state: Any transit station that is:

(a) Included, as of the time of the filing of an application under this Chapter, in a transportation plan element of a comprehensive plan or transportation plan meeting the requirements of Maryland Annotated Code, Article 66B, §§ 1.03(a)(1)(i), 1.03(a)(2), and 3.05(a)(4)(ii); or

(b) Designated as a planned transit station by the Secretary of Transportation.

Present MARC station along the Penn, Camden, or Brunswick lines, Baltimore Metro Subway station, Baltimore MTA Light Rail station, or Metrorail System station in the state: Any transit station in the state that is serving its primary function as of the time of the filing of an application under this Chapter.

Revitalization Area: This is an area designated for redevelopment within the local jurisdictions comprehensive plan, small area plan or other growth related ordinance. These are generally older neighborhoods or commercial areas where renewed investment in housing and retail and commercial uses would help retain existing residents and businesses and attract new residents and businesses

Sensitive Areas: includes streams, wetlands, and their buffers; 100-year flood plains; habitats of threatened and endangered species; steep slopes; agricultural and forest lands intended for resource protection or conservation; other areas in need of special protection, as determined in the plan

Substandard building or structure: includes a building or portion of a building in which there exist physical conditions serious enough to endanger the life, limb, health, property, safety, or welfare of the occupants or of the public; housing that is overcrowded (more than one person per room) or has an incomplete kitchen or bathroom; or the definition of substandard in the jurisdiction's HUD-approved consolidated plan pursuant to 24 CFR part 91

Transit stations: Any facility, the primary function of which relates to the boarding and alighting of passengers from transit vehicles. "Transit stations" includes platforms, shelters, passenger waiting facilities, parking areas, access roadways, and other real property used to facilitate passenger access to transit service or railroad service.