

Summary of Ordinance

The purpose of this Ordinance is to amend Chapter 7, Lake County Code, entitled *Economic Development and Business Incentives*, to create a program to encourage the construction of new hotels within Lake County. The Ordinance also creates an additional incentive for the construction of facilities that meet the Qualified Targeted Industry (QTI) standards within a defined Strategic Corridor.

Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The notation “* * *” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed).

ORDINANCE NO. 2025 - ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING CHAPTER 7, LAKE COUNTY CODE, ENTITLED *ECONOMIC DEVELOPMENT AND BUSINESS INCENTIVES*; CREATING A PROGRAM TO INCENTIVIZE THE CONSTRUCTION OF NEW HOTELS AND CONSTRUCTION OF SPECIFIED FACILITIES WITHIN A STRATEGIC CORRIDOR; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (Board) seeks to amend Chapter 7 of the Lake County Code, entitled *Economic Development and Business Incentives*, to add an additional incentive to encourage and promote the construction of new hotels within the geographic boundaries of Lake County, Florida; and

WHEREAS, the Board also seeks to promote the construction of facilities that meet Qualified Targeted Industry (QTI) standards within specified Strategic Corridors to include the Wolf Branch Innovation District, Wellness Way, Christopher C. Ford Commerce Park, and the Minneola Interchange; and

WHEREAS, it is in the best interest of Lake County to ensure economic development and tourism; and

WHEREAS, the Board now finds it is in the best interests of the citizens of Lake County to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, as follows:

1 **Section 1. Legal Findings of Fact.** The foregoing recitals are hereby adopted as
2 legislative findings of the Board of County Commissioners and are ratified and confirmed as being
3 true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.
4

5 **Section 2. Amendment.** Chapter 7, Lake County Code, entitled *Economic*
6 *Development and Business Incentives*, is hereby amended to read as follows:
7

8 **Sec. 7-1. Purpose.**
9

- 10 (a) It is the intent of the Lake County Board of County Commissioners to create and broaden
11 a sound business and industrial tax base in Lake County and which tax base shall benefit
12 all residents in Lake County by better distributing the burden of taxes. This is accomplished
13 by attracting targeted business/industries to locate within the county and through retention
14 and expansion of existing targeted businesses. Furthermore, this can be realized by
15 attracting, expanding, and retaining those businesses/industries that pay greater than the
16 average annual wage in the county. Additionally, this may be accomplished through the
17 creation of strategic corridors which function to both absorb growth and create
18 opportunities for Lake County residents to obtain a job that pays higher than average
19 wages.
20
21 (b) It is the intent of the Lake County Board of County Commissioners to further diversify the
22 tax base in Lake County, which shall benefit all residents by better distributing the burden
23 of taxes through the attraction of hotel development. This is accomplished by encouraging
24 hotels to locate within the county to offer high-quality accommodations for Lake County
25 visitors; therefore, reducing the number of visitors who stay outside the geographic
26 boundaries of Lake County.
27
28 (c) It is the intent and purpose of this chapter to provide the authority and mechanisms within
29 the parameters of judicial, federal, state and local laws for such promotions and to allow
30 the expenditure of public funds for such purposes.
31

32 **Sec. 7-2. Definitions.**
33

34 As used in this section:

35 Amenity means a desirable or useful feature provided when renting a hotel room.
36

37 Applicant means the owner or developer of the subject property who, prior to construction on
38 the subject property, has applied for a grant award under the Economic Development Grant
39 Incentive Program or Hotel Incentive Program described in~~of~~ this Chapter.
40

41 Application means a standard form used by the County Manager or designee to capture and
42 record critical project and company information needed to evaluate eligibility for a variety of
43 economic development incentive programs.
44

1 *Average annual wage* means the annual average wage paid to workers in Lake County as
2 published by ~~Florida CommerceEnterprise Florida, Inc. and compiled by the State of Florida,~~
3 ~~agency for workforce innovation, labor market statistics,~~ for the most current year published.

4
5 *Base year* means the tax year during which construction of the project described in the
6 application ~~and attached General Project Overview (GPO)~~ commences.

7
8 *Base year taxable value* means the value of the subject property as determined by the Lake
9 County Property Appraiser during the base year.

10
11 *Boutique Hotel* means a themed hotel that is stylish, with distinct character, intentional design
12 and décor, and personalized service.

13
14 *Building permit fees* means those fees charged by Lake County, or municipalities, for
15 construction, erection, modification, repair, and demolition activities within the county which are
16 governed under the Florida Building Code, and charged pursuant to the Florida Statutes, and as
17 outlined in the Lake County Fee Schedule adopted annually by resolution.

18
19 *Capital investment* means an investment made by an applicant for assistance under this Chapter
20 which results in an increase in *ad valorem* taxes on real and/or tangible personal property.
21 Residential construction will not be included in the capital investment calculation for purposes of
22 this Chapter.

23
24 *Construction commencement* means the start date for construction work on the project. This
25 shall be determined by the date on the Notice of Commencement.

26
27 *Employee* means those individuals working for targeted businesses/industries in positions that
28 are covered under and included on the Florida Department of Revenue, Employer's Quarterly
29 Report.

30
31 ~~*General Project Overview (GPO)* means a standard form used by Enterprise Florida, Inc. and~~
32 ~~the County Manager or designee to capture and record critical project information needed to~~
33 ~~evaluate eligibility for a variety of economic development incentive programs.—~~

34
35 *Impact fees* means those ~~impact~~ fees charged by Lake County as set forth in Chapter 22, Lake
36 County Code, and municipal impact fees if applicable.

37
38 ~~*Jobs* means full-time positions created after an application for assistance, under this chapter,~~
39 ~~has been filed with the county where the employee is paid a minimum of one hundred fifteen (115)~~
40 ~~percent of the average annual wage in the county and are offered benefits.—~~

41
42 *Promotion* means to encourage the existence or growth of targeted business/industry within
43 Lake County, Florida.

1 ~~*Qualified target industry (QTI)* means those companies that provide high wage jobs in value-~~
2 ~~added industries as identified by the state and published by Enterprise Florida pursuant to Florida~~
3 ~~Statutes.—~~

4
5 *Qualified/Qualifying Amenities* means hotel amenities described in Tables G and H, including
6 special considerations that are used to calculate the value of the Hotel Incentive Grant.

7
8 *Qualified/Qualifying Capital Investment* means a capital investment, as approved by the
9 County Manager or designee, that directly results in a targeted business or industry located on the
10 subject property, and which is made after entering into an agreement with the County.

11
12 *Qualified/Qualifying Job* means a **full-time** job created, after entering into an agreement with
13 the County, in a target**ed** business or industry in Lake County with an annual wage no less than
14 115% of the average annual wage for Lake County, Florida, **and where the employee is offered**
15 **healthcare benefits.**

16
17 *Qualified Targeted Industry (QTI)* means those companies that provide high wage jobs in
18 value-added industries as identified by the state and published by Florida Commerce pursuant to
19 Florida Statutes.

20
21 *Strategic Corridor* means commercial property located in one of the County's identified
22 strategic corridors including the Wolf Branch Innovation District, Wellness Way, Christopher C.
23 Ford Commerce Park, and the Minneola Interchange.

24
25 *Subject property* means the real and/or tangible personal property located in Lake County,
26 Florida, ~~owned by the applicant~~which the applicant has an equitable interest at the time an
27 application is submitted and through the time at which the applicant enters into an agreement with
28 the County for award of a grant. It must be the location upon which Qualifying Jobs will be created
29 and Qualified Capital Investments will be made which serve as the basis for the grant award. All
30 parcels within the subject property may be the basis for only one application for Lake County's
31 Economic Development Grant Incentive Program at a time. No construction should begin on the
32 subject property prior to entering an agreement with the County to remain eligible for an award.

33
34 *Targeted business/industry* means those businesses falling within the following industry
35 categories: manufacturing, corporate headquarters, research and development, global logistics,
36 homeland security/defense, aviation, aerospace, information technology, life sciences, clean
37 technology, financial or other professional services, emerging technologies, or innovative
38 technology including but not limited to new or advanced methods of processing or delivery of
39 goods or services.

40
41 *Year 1 Taxable Value* means the value of the subject property as determined by the Lake
42 County Property Appraiser during the first tax roll year following one-hundred percent (100%)
43 completion of the project as defined and outlined in the ~~application~~GPO, or the project as defined
44 in the Project Agreement if under the Developer's Grant Award, and which reflects the full extent
45 of the Qualified Capital investment for that project.

Sec. 7-3. General ~~a~~Authority and ~~a~~Administration.

- (a) The Lake County Board of County Commissioners may budget funds for business or industry promotion purposes. The award of funds is contingent upon available funding.
- (b) The Lake County Board of County Commissioners may approve such other businesses or industries to receive funds under the incentive program as it deems necessary to fulfill the purposes of this chapter.
- (c) Any employees hired before the application is received by the County will not be an eligible hire for the incentive program. Any construction on the project prior to entering into an agreement for award with the County will not be eligible for the incentive program.
- (d) Applications for financial incentives can be obtained from and submitted to the ~~e~~County ~~m~~Manager or designee. The ~~e~~County ~~m~~Manager or designee, upon confirmation that such application meets the requirements set forth in this chapter, shall schedule final approval of the award before the Board of County Commissioners.

Sec. 7-4. Business ~~d~~Development ~~p~~Programs.

- (a) ~~Economic Development Grant Incentive Program~~Economic Development Grant Qualified Targeted Industry (QTI) Incentive Program.

(1) It is hereby ascertained, determined, found and declared as follows:

- a. The Lake County Board of County Commissioners finds that the establishment of the Economic Development Grant Incentive Program and corresponding expenditure of public funds will enhance and increase economic activity in Lake County by attracting and retaining business activities conducive to economic promotion, preserving and expanding employment opportunities, and improving the welfare and competitive position of the citizens of Lake County.
- b. The Lake County Board of County Commissioners finds that economic development supported by the Economic Development Grant Incentive Program must be directed toward specific, measurable objectives in order to constitute a public purpose as contemplated by Section 125.045, Florida Statutes.
- c. The Lake County Board of County Commissioners finds that economic development with these goals serves a public purpose.
- d. The Lake County Board of County Commissioners finds that the economic activity stimulated by this incentive program would not have occurred but for the incentive provided by the county.

(2) ~~Application procedure~~ Application Procedure.

- a. In order to qualify for a grant under this section, the applicant must complete and submit a GPO Application ~~Form~~ to the County Manager or designee.
- b. The County Manager or designee shall evaluate the application and recommend to the Lake County Board of Commissioners the qualifying Grant Tier amount of the grant to be awarded, if any.
- c. The Lake County Board of County Commissioners shall have final authority in awarding Economic Development Grant Incentive Program funding, including the amount of said funding, based upon its review of information provided by the County Manager or designee and by the applicant.
- d. Upon an award of a grant through the Economic Development Grant Incentive QTI Program, the applicant shall execute an agreement with the County which shall set forth the terms, conditions, performance standards, and sanctions governing funds awarded through the Economic Development Grant Incentive Program.

(3) Grant Qualification and Award.

- a. An award may be granted each year up to 5 years, up to 10 years, or up to 20 years, and shall decrease in amount for each year of award after the initial award in the manner set forth in paragraph 4 below.
- b. Tier 1 Award.
 - i. Applicants that meet the following criteria will be eligible for a grant for up to 5 years:
 - (1) Creation and maintenance of a minimum of 10 Qualifying Jobs ~~after~~; and
 - (2) A Qualified Capital Investment of at least \$1,000,000.00.
 - ii. Awards will be made ~~in accordance with the schedules in Tables A and B below~~ using the appropriate percent formula provided on the applicable table, found below.
 - iii. Projects must be started within 5 years from the date of execution of the agreement described in Section 7-4(a)(5)a below and completed by the 10th year after execution of the agreement.

c. Tier 2 Award.

i. Applicants that meet the following criteria will be eligible for a grant beyond 5 years and up to 10 years:

(1) Creation and maintenance of a minimum of 25 Qualifying Jobs; and

(2) A Qualified Capital Investment of at least \$25,000,000.00.

ii. Awards will be made in accordance ~~with the schedules in Tables C and D below~~ using the appropriate percent formula provided on the applicable table, found below.

iii. Projects must be started within 5 years from the date of execution of the agreement described in Section 7-4(a)(5)a below and completed by the 10th year after execution of the agreement.

d. Developer's Grant Award.

i. Criteria. Applicants that meet the following criteria will be eligible for a grant for up to 20 years:

(1) Creation and maintenance, by the applicant or business located within the subject property, of a minimum of 100 Qualifying Jobs; and

(2) A Qualified Capital investment of at least \$100,000,000.00.

ii. Development by Project. Developments may be developed in projects. Each project will be subject to a written agreement between the applicant and the County (Project Agreements). Every project must create a minimum of 10 Qualifying Jobs and include a \$1,000,000.00 Qualifying Capital Investment. After completion of a project, applicant will submit a report of compliance as outlined in Section 7-4(a)(5)c below.

iii. Commencement of Project. The development or initial project must be started within 5 years from the date of execution of the agreement described in Section 7-4(a)(5)a below.

iv. Development Benchmarks: ~~Developments may be developed in projects.~~ Development Benchmarks will be measured from the date that the development or any initial project was started. The overall development must meet the following benchmarks, the attainment of which is the sole responsibility of the applicant:

- (1) In the first 5-years of development, make a \$25,000,000.00 Qualified Capital Investment and create 25 qualifying Jobs.
- (2) 10 years into development, make a \$50,000,000.00 Qualified Capital Investment and create 50 Qualifying Jobs.
- (3) At the end of the 15th year, development must attain the minimum \$100,000,000.00 overall Qualified Capital Investment and create a minimum of 100 Qualifying Jobs overall.
- (4) No new projects will be added after the 15th year.

- v. Distribution of Award. The grant award for Manufacturing and All Other Targeted Businesses & Industries is the same for each category as Tier 2 through the 10th year as described in Tables C and D below. Each year after the first 10 years and up to 20 years, each category receives a 10% award. Awards will be disbursed at the 5, 10, and 15-year benchmarks and then every year thereafter up to 20 years per project.
- vi. Penalties for not reaching project development benchmarks. The overall development will be evaluated by Lake County at the end of each 5-year period for compliance with the job creation and Qualified Capital Investment benchmarks for Developer's Grant Award projects. Any remaining awards may be revoked by the County for failure of the applicant to meet the benchmarks. In addition, the County may downgrade the award which meets the requirements of a lower tier and will be entitled to reclaim any award for failure to meet the benchmarks.

e. Strategic Corridor Incentive.

i. Applicants who meet the following criteria will be eligible for an additional incentive.

- (1) Project meets all the above listed requirements for a Tier 1, Tier 2, or Developer's Grant Award.
- (2) The project is located within the boundaries of a strategic corridor.

ii. Distribution of Award. The grant award for any Qualifying Targeted Industry (QTI) located in a strategic corridor will follow the same schedule as a Tier 1 or Tier 2 manufacturing project with

two additional bonus years added to the front end of the grant such that the grant is 100% for the first three years then reverts to a normal grant schedule, extending the payout period of the grant to 7 years for Tier 1 and 12 years for Tier 2.

(4) Method of Calculating Grant Amounts.

- a. All grants shall be calculated as a percentage of the ad valorem taxes paid on the subject property in any given year of the agreement time horizon, as set forth herein.
- b. The grant amounts for each year of the agreement shall be calculated by subtracting the "Lake County General" portion of ad valorem taxes owed in the base year from that same portion of ad valorem taxes derived from the year 1 taxable value and multiplying that incremental value by the appropriate percent formula provided in the applicable table below ~~Tables A and B, found below~~. At no time shall the amount of the grant, in any given year, exceed the amount derived by multiplying the percent formula for the given year by the actual "Lake County General" portion of ad valorem taxes paid during that same year.
- c. For those applicants creating Qualifying ~~manufacturing~~ Jobs in manufacturing, and for those applicants that are eligible for the Strategic Corridor Incentive, the amount of the awarded grant shall not exceed 100% of the incremental increase in ad valorem taxes.
- d. For those applicants creating Qualifying ~~industry~~ Jobs in industry other than manufacturing, the amount of the awarded grant shall not exceed 80% of the incremental increase in ad valorem taxes.

Table A: Tier 1 Manufacturing Businesses

Year 1	Year 2	Year 3	Year 4	Year 5
100%	80%	60%	40%	20%

Table B: Tier 1 All Other Targeted Businesses & Industries

Year 1	Year 2	Year 3	Year 4	Year 5
80%	60%	40%	20%	10%

Table C: Tier 2 Manufacturing Businesses

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
100%	90%	80%	70%	60%	50%	40%	30%	20%	10%

Table D: Tier 2 All Other Targeted Businesses & Industries

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
80%	70%	60%	50%	40%	30%	25%	20%	15%	10%

Table E: Tier 1 Strategic Corridor Incentive for all Qualified Targeted Industries

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6</u>	<u>Year 7</u>
<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>80%</u>	<u>60%</u>	<u>40%</u>	<u>20%</u>

Table F: Tier 2 Strategic Corridor Incentive for all Qualified Targeted Industries

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>	<u>Year 11</u>	<u>Year 12</u>
<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>90%</u>	<u>80%</u>	<u>70%</u>	<u>60%</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>	<u>20%</u>	<u>10%</u>

(5) ~~Requirements for compliance and reporting~~ Requirements for Compliance and Reporting.

- a. Upon an award of a grant through the Economic Development Grant Incentive Program, the applicant must execute an agreement with the County which will set forth the terms, conditions, performance standards, and sanctions governing funds awarded through the Economic Development Grant Incentive Program. No construction may start prior to the execution of this agreement with the County to be eligible for this incentive program.
- b. For Tier 1 and Tier 2 Awards, the grant recipient must submit a report of compliance after the full project has been completed, all Qualifying Capital Investments made, and all Qualifying Jobs created as described in the ~~application~~ GPO. The compliance must be submitted ~~by January 30th the year following the payment within sixty (60) days of the payment of the ad valorem taxes on the subject property~~ and include the ad valorem tax bill from Lake County, proof of payment of ad valorem taxes for that year, and annual proof of Qualifying Jobs.
- c. A recipient of the Developer's Grant Award must submit a report of compliance after completion of each project. All reports of compliance must be submitted ~~by January 30th each year within sixty (60) days of the payment of the ad valorem taxes on the subject property~~ and include the ad valorem tax bill from Lake County, proof of payment of ad valorem taxes for that year, and annual proof of Qualifying Jobs.
- d. ~~The grant recipient must submit a compliance report for each grant year during which a grant has been awarded~~ For Tier 1 and Tier 2 Awards, the grant recipient must submit a compliance report for each grant year during

1 which the grant has been awarded. For the Developer's Grant Award, the
2 grant recipient must submit a compliance report after each project
3 completion for each year of the project through year 15 and annually
4 through year 20.

- 5
6 e. Upon submission of the compliance report, the awarded applicant may
7 request disbursement of the awarded grant funding. Disbursement of the
8 grant amount to the recipient shall be made after County approval of the
9 recipient's compliance report. No payment shall be paid by the County to
10 an awarded applicant until the time for an appeal of the assessed value to
11 the Value Adjustment Board has expired.

- 12
13 (6) ~~Grant not payable through ad valorem revenue~~Grant Not Payable through Ad
14 Valorem Revenue. The Economic Development Grant Incentive Program shall not
15 constitute a debt, liability or obligation of the County or of the State of Florida or
16 any political subdivision thereof within the meaning of any constitutional or
17 statutory limitation, or a pledge of the faith and credit or taxing power of the
18 County, the State of Florida, or of any political subdivision thereof, but shall be
19 payable solely from the funds provided for that purpose. The Economic
20 Development Grant Incentive Program Agreement shall contain a statement to the
21 effect that the County shall not be obligated to pay the Economic Development
22 Grant Incentive Program or any installment thereof except from the non-ad valorem
23 revenues or other legally available funds provided for that purpose, that neither the
24 faith and credit nor the taxing power of the County or of the State of Florida or any
25 political subdivision thereof, and that the Applicant, or any other person
26 whomsoever, shall never have any right, directly or indirectly, to compel the
27 exercise of the ad valorem taxing power of the County of the State of Florida or
28 any political subdivision thereof for the payment of the Economic Development
29 Grant Incentive Program or any installment thereof.

- 30
31 ~~(7) — Filing with the office of economic and demographic research. The applicant shall,~~
32 ~~pursuant to Section 125.045(4), Florida Statutes, provide a copy of its compliance~~
33 ~~report to the State of Florida Office of Economic and Demographic Research~~
34 ~~annually during the term of the Economic Development Grant Incentive Program~~
35 ~~Agreement. Said report shall detail how County funds were spent and the results of~~
36 ~~the applicant's efforts on behalf of the County. The County shall, pursuant to~~
37 ~~Section 125.045(5), Florida Statutes, annually report to the State of Florida Office~~
38 ~~of Economic and Demographic Research all grants in excess of twenty-five~~
39 ~~thousand dollars (\$25,000.00) given to any applicant during the previous fiscal~~
40 ~~year.—~~

- 41
42 ~~(b)(7)~~ Other incentivesOther Incentives.

- 43 ~~(1a)~~ Expedited permittingExpedited Permitting. The ~~e~~County ~~m~~Manager or
44 designee shall insure that qualified projects are processed as expeditiously
45 as possible. The ~~e~~County ~~m~~Manager is authorized to issue procedures

governing the timing of review of such projects, so long as any such procedure is consistent with the land development regulations.

(2b) ~~Transportation impact fee deferral~~Transportation Impact Fee Deferral. In accordance with Chapter 22, Lake County, the Lake County Board of County Commissioners may waive, reduce or permit deferral of impact fees.

(3c) ~~Significant economic impacts~~Significant Economic Impacts. The Lake County Board of County Commissioners may approve incentive awards to persons, businesses or industries so long as the board determines that such persons, businesses or industries will create a significant economic impact within Lake County.

(ed) ~~State of Florida incentives~~State of Florida or Federal Programs. ~~The Lake County Board of County Commissioners recognizes programs offered by the state, through Enterprise Florida, and shall give consideration to providing assistance to qualified applicants by adopting resolutions, providing a twenty (20) percent local match, or processing applications as applicable to each program.~~ The Board of County Commissioners recognizes that the State of Florida or Federal Government may also offer economic assistance programs or incentives to qualified applicants. To the extent practicable, the County Manager or designee shall give consideration to requests for matching funds, letters of support, or expedited permitting to projects awarded under those state or federal programs.

(d) ~~United States Federal Government incentives~~ ~~The Lake County Board of County Commissioners recognizes programs offered by the United States Federal Government and shall give consideration to providing assistance to qualified applicants by adopting resolutions as applicable.~~

(e) ~~Workforce Florida. The Lake County Board of County Commissioners recognizes programs offered by Workforce Florida, and shall support qualified applicants by offering information regarding the programs.~~

Sec. 7-5. Hotel Incentive Program.

(a) It is hereby ascertained, determined, found, and declared as follows:

(1) The Board of County Commissioners finds that the establishment of the Economic Development Grant Hotel Incentive Program and corresponding expenditure of public funds will enhance and increase economic activity in Lake County by capitalizing on the strong hospitality industry in Central Florida, which is conducive to economic promotion, expanding tourism revenues, and diversifying the tax base of Lake County.

1 (2) The Board of County Commissioners finds that the circulation of tourist dollars
2 within a local community has an overall positive result on the local economy and
3 local business owners.

4
5 (3) The Board of County Commissioners finds that economic development supported
6 by the Economic Development Grant Hotel Incentive Program must be directed
7 toward specific, measurable objectives to constitute a public purpose as
8 contemplated by Section 125.045, Florida Statutes.

9
10 (4) The Lake County Board of County Commissioners finds that economic
11 development with these goals serves a public purpose.

12
13 (b) Program Termination. This program shall terminate upon the issuance of the fifth grant
14 hereunder, or on January 1, 2036, whichever occurs first, unless renewed by the Board of
15 County Commissioners through adoption of an amendment to this section.

16
17 (c) Application Procedure.

18
19 (1) To qualify for a grant under this section, the applicant must complete and submit
20 the application to the County Manager or designee.

21
22 (2) The County Manager or designee shall evaluate the application, determine the
23 points awarded, and recommend to the Board of Commissioners the qualifying
24 percentage of the grant rebate, if any.

25
26 (3) The Board of County Commissioners shall have final authority in awarding the
27 Economic Development Grant Hotel Incentive, including the amount of said
28 funding, based upon its review of information provided by the County Manager or
29 designee, and by the applicant.

30
31 (4) Upon an award of a grant hereunder, the applicant shall execute an agreement with
32 the County which shall set forth the terms, conditions, performance standards, and
33 sanctions governing funds awarded hereunder.

34
35 (d) Grant Qualification and Award.

36
37 (1) An award may be granted each year for up to 5 years and shall decrease in amount
38 for each year of award after the initial award in the manner set forth in paragraph 5
39 below.

40
41 (2) Projects must be started within 1 year from the date of execution of the agreement
42 and completed by the 3rd year after execution of the agreement.

43
44 (3) In order to qualify for a hotel development grant, a minimum capital investment of
45 \$20,000,000 must be met as well as having provided a minimum of ten (10) points
46 from the amenities set forth in Table G below, plus a minimum of 75 rooms unless

the hotelier qualifies as a boutique hotel. Applicants may also offer the items set forth in Table H below for additional consideration.

Table G: The table below outlines the way hotel developers will qualify for grant rebate amounts.

<u>Qualifying Amenity Category</u>	<u>Example</u>	<u>Points Awarded</u>
<u>Guest-Oriented Entertainment</u> <u>(Must have at least 1 point from this section)</u>	<u>Arcade</u>	<u>1</u>
	<u>Common area, in addition to lobby, with amenities for congregating such as games, game consoles, etc.</u>	<u>3</u>
	<u>Lazy river or other water park type amenity</u>	<u>5</u>
	<u>Heated pool</u>	<u>2</u>
	<u>Live music/shows</u>	<u>1</u>
<u>Dining (Must have at least 1 point from this section)</u>	<u>Full-Service Bar</u>	<u>3</u>
	<u>Table Service Restaurant</u>	<u>5</u>
	<u>Quick Service Restaurant</u>	<u>3</u>
	<u>Room Service</u>	<u>1</u>
	<u>Specialty Restaurant (examples: themed restaurant, tiki bar, swim-up bar, boat-up restaurant)</u>	<u>5</u>
<u>Personal Services</u>	<u>Fitness Center</u>	<u>1</u>
	<u>Self-service Laundry Facilities</u>	<u>1</u>
	<u>Personalized Laundry Facilities</u>	<u>2</u>
	<u>Staff Services (Valet, Concierge, Bell Service)</u>	<u>3</u>
	<u>Spa Services</u>	<u>5</u>
	<u>Designated charging space for EVs and/or Boats</u>	<u>3</u>
<u>Meeting Space</u>	<u>Banquet and Meeting Space for 100-150</u>	<u>5</u>
	<u>Banquet and Meeting Space for 150+</u>	<u>7</u>
<u>Hotel Type and Size</u>	<u>85-99 Rooms</u>	<u>3</u>
	<u>100+ Rooms</u>	<u>5</u>
	<u>Boutique/Themed Hotels</u>	<u>7</u>
<u>Special Considerations* See Table H</u>	<u>Other amenities as specified in application</u>	<u>1-5</u>

Table H: Special Considerations* Examples

<u>Special Considerations (examples)</u>	<u>Co-working spaces</u>	<u>1</u>
	<u>In-room snack baskets from local establishments</u>	<u>3</u>
	<u>Free bike use</u>	<u>2</u>
	<u>Boat Rentals or other eco-tourism amenities</u>	<u>5</u>
	<u>Collaboration with a locally owned business to provide a service or amenity (example: partnering with a local coffee shop to provide coffee service)</u>	<u>5</u>

(e) Method of Calculating Grant Amounts.

Table I: Grant Amount Calculations

<u>Year</u>	<u>10 Points</u>	<u>11-12 Points</u>	<u>13-15 Points</u>	<u>16+ Points</u>
<u>1</u>	<u>35%</u>	<u>50%</u>	<u>65%</u>	<u>75%</u>
<u>2</u>	<u>30%</u>	<u>45%</u>	<u>55%</u>	<u>65%</u>
<u>3</u>	<u>25%</u>	<u>40%</u>	<u>45%</u>	<u>55%</u>
<u>4</u>	<u>20%</u>	<u>35%</u>	<u>40%</u>	<u>45%</u>
<u>5</u>	<u>15%</u>	<u>30%</u>	<u>35%</u>	<u>40%</u>

- (1) The County may amend the point value and grant award up to and including a 100% grant award for extraordinary contributions that exceed the categories in the Tables G and H above.
- (2) Hotel Development Grants shall be calculated as a percentage of the ad valorem taxes paid on the subject property in any given year of the agreement time horizon, as set forth herein.
- (3) The grant amount for each year of the agreement shall be calculated by subtracting the “Lake County General” portion of ad valorem taxes owed in the base year from that same portion of ad valorem taxes derived from the year 1 taxable value and multiplying that incremental value by the appropriate percent formula found in the applicable table found above. At no time shall the amount of the grant, in any given year, exceed the amount derived by multiplying the percent formula for the given year by the actual “Lake County General” portion of ad valorem taxes paid during the same year.

(f) Requirements for Compliance and Reporting.

- (1) Upon an award of a grant under this section, the applicant must execute an agreement with the County which will set forth the terms, conditions, performance standards, and sanctions governing funds awarded. No construction may start prior

1 to the execution of this agreement with the County to be eligible for this incentive
2 program.

3
4 (2) The grant recipient must submit a report of compliance after the full project has
5 been completed, all Qualifying Capital Investments made, and all Qualifying
6 Amenities built as described in the application. The compliance must be submitted
7 by January 30 the year following the payment and includes the ad valorem tax bill
8 from Lake County, and proof of payment of ad valorem taxes for that year. Lake
9 County shall perform a site visit to confirm the completion and function of the
10 Qualifying Amenities described in the application.

11
12 (3) The grant recipient must submit a compliance report for each grant year during
13 which a grant has been awarded. Lake County may conduct additional site visits
14 to confirm the continued use and functionality of the Qualifying Amenities
15 described in the application.

16
17 (4) Upon submission of the compliance report, the awarded applicant may request
18 disbursement of the awarded grant funding. Disbursement of the grant amount to
19 the recipient shall be made after County approval of the recipient's compliance
20 report and site review. No payment shall be paid by the County to an awarded
21 applicant until the time for an appeal of the assessed value to the Value Adjustment
22 Board has expired.

23
24 (f) Grant Not Payable Through Ad Valorem Revenue. The Economic Development Grant
25 Hotel Incentive Program shall not constitute a debt, liability, or obligation of the County
26 or of the State of Florida or any political subdivision thereof within the meaning of any
27 constitutional or statutory limitation, or a pledge of the faith and credit or taxing power of
28 the County, the State of Florida, or of any political subdivision thereof, but shall be payable
29 solely from the funds provided for that purpose. The Economic Development Grant Hotel
30 Incentive Program Agreement shall contain a statement to the effect that the County shall
31 not be obligated to pay the Economic Development Grant Hotel Incentive Program or any
32 installment thereof except from the non-ad valorem revenues or other legally available
33 funds provided for that purpose, that neither the faith and credit, nor the taxing power of
34 the County or of the State of Florida or any political subdivision thereof, and that the
35 Applicant, or any other person whomsoever, shall never have any right, directly or
36 indirectly, to compel the exercise of the ad valorem taxing power of the County of the State
37 of Florida or any political subdivision thereof for the payment of the Economic
38 Development Grant Hotel Incentive Program or any installment thereof.

39
40 **Sec. 7-5. Development order extensions.**

41
42 ~~(a) The declaration of a local state of emergency issued by the Chairman of the Board of~~
43 ~~County Commissioners may toll the period remaining to exercise the rights under a permit~~
44 ~~or other authorization for the duration of the emergency declaration. The Board of County~~
45 ~~Commissioners may enact this provision by a majority vote. If enacted by the Board of~~

~~County Commissioners, the provisions set forth under Section 252.363, Florida Statutes, shall be applicable to permits or other authorizations issued by the County.~~

~~(b) In the event the Governor declares a state of emergency for a natural emergency that encompasses Lake County for the same event that resulted in the declaration of the local state of emergency, the provisions of Section 252.363, Florida Statutes, shall automatically apply without further action of the Board of County Commissioners.~~

~~(c) In no event will the provisions of this Section be cumulative.~~

~~(d) Once the provisions of Section 252.363, Florida Statutes, has been enacted, the County Manager or designee shall process requests for extensions.~~

Section 3. Severability. If any section, sentence, clause, or phrase or word of this Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance; and it shall be construed to have been the Commissioners' intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Filing with the Department of State. The Clerk shall be and is hereby directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 6. Effective Date. This Ordinance shall become effective as provided for by law.

Enacted this _____ day of _____, 2025.

Filed with the Secretary of State _____, 2025.

1
2
3 ATTEST:
4
5
6

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

7 _____
8 Gary J. Cooney, Clerk
9 Board of County Commissioners
10 of Lake County, Florida
11
12
13
14

Leslie Campione, Chairman

This ____ day of _____, 2025.

15 Approved as to form and legality:
16
17
18

19 _____
Melanie Marsh, County Attorney