



## Memorandum

**To:** Maria Sutherland  
Administrative Services Director  
**From:** James G. LaRue, AICP  
**Date:** July 16, 2014  
**Subject:** Guidelines for Avon Park Findings Workshop

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The following is provided as guidance for proceeding with the Avon Park MSCRA Findings Workshop.

Changes to the Finding of Necessity report:

- 1) While incompatibilities do not necessarily mean the current use or structure is illegal, we will remove references to incompatibility because most are legal nonconformities or exist by action of the City Council, such as special exceptions.
- 2) Make alternative to current "Expanded Boundary" map to exclude area proposed by the City Manager, in his e-mail dated June 25, 2014.

The following list represents updates to the slide show:

- 1) Remove references to "incompatibilities," per #1 above
- 2) Update maps to include alternative noted in #2 above.
- 3) Add brief CRA review.
- 4) Add chart(s) detailing how Tax Increments are captured.
- 5) Add review of statutory requirements (or no requirements) for Findings of Necessity.
- 6) Add definitions of slum and blight per statutes.
- 7) Remove any pictures showing incompatibilities.

Attached is the draft slide presentation.

cc: Julian Deleon, City Manager  
Robert Franke



Avon Park, Florida

Workshop on the Main Street

Redevelopment Area Expansion

Finding of Necessity

July 2014



LaRue Planning  
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# Quick Background on CRA's

- ▶ Authorization for CRA's was passed in the Redevelopment Act of 1969 which became Chapter 163 Part III of the Florida Statutes
- ▶ As of last review there are over 200 CRA Districts registered with the Florida Department of Community Affairs
- ▶ Currently the only form of Tax Increment Districts in widespread use in the State of Florida
- ▶ CRA's may be created by a City or County to assist in the elimination of slum and/or blighting conditions
- ▶ State is not involved in the creation of CRA's

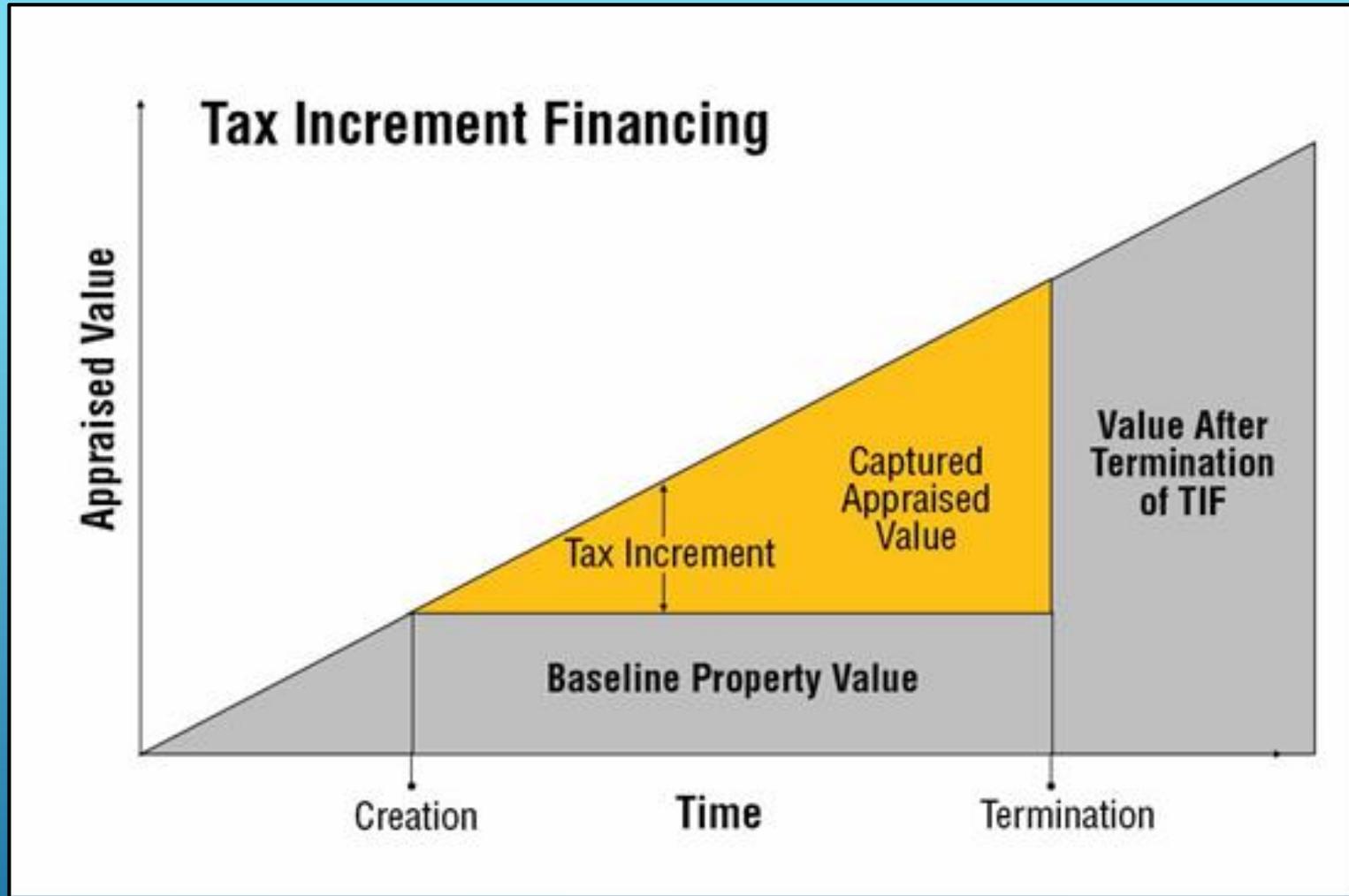
# Encouragement of Private Enterprise

- ▶ The county or municipality shall give consideration to Private Enterprise in the:
  - ▶ Formulation of a workable program.
  - ▶ Approval of:
    - ▶ Community Redevelopment Plans
    - ▶ Communitywide plans or programs for community redevelopment
    - ▶ General neighborhood redevelopment plans
  - ▶ Development and implementation of community policing innovations.
  - ▶ Exercise of its zoning powers.
  - ▶ Enforcement of other laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements.
  - ▶ Development of affordable housing.
  - ▶ Provision of necessary public improvements.

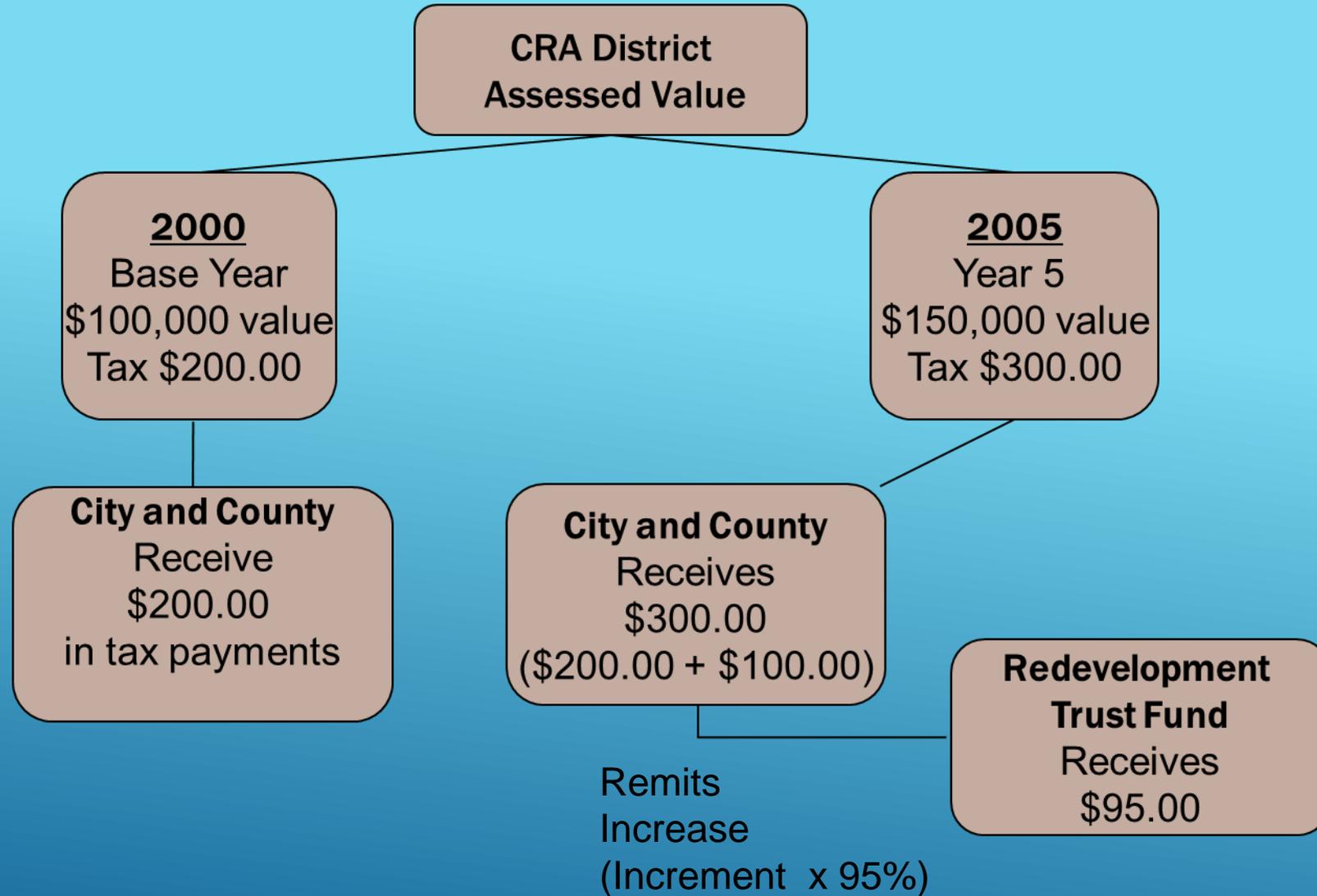
# The Community Redevelopment Plan

- ▶ Every CRA is required to have a Community Redevelopment Plan
- ▶ The CRP is the guiding document of the CRA outlining the projects and programs to be undertaken
- ▶ Projects/programs not outlined in the CRP cannot be undertaken by the CRA
- ▶ The Plan can be amended through a public process as determined appropriate

# Tax Increment Revenues



# Tax Increment Revenues



## 163.340. F.S.

(7) “Slum area” means an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason of dilapidation, deterioration, age, or obsolescence, and exhibiting one or more of the following factors:

- (a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;
- (b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or
- (c) The existence of conditions that endanger life or property by fire or other causes.

(8) “Blighted area” means an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:

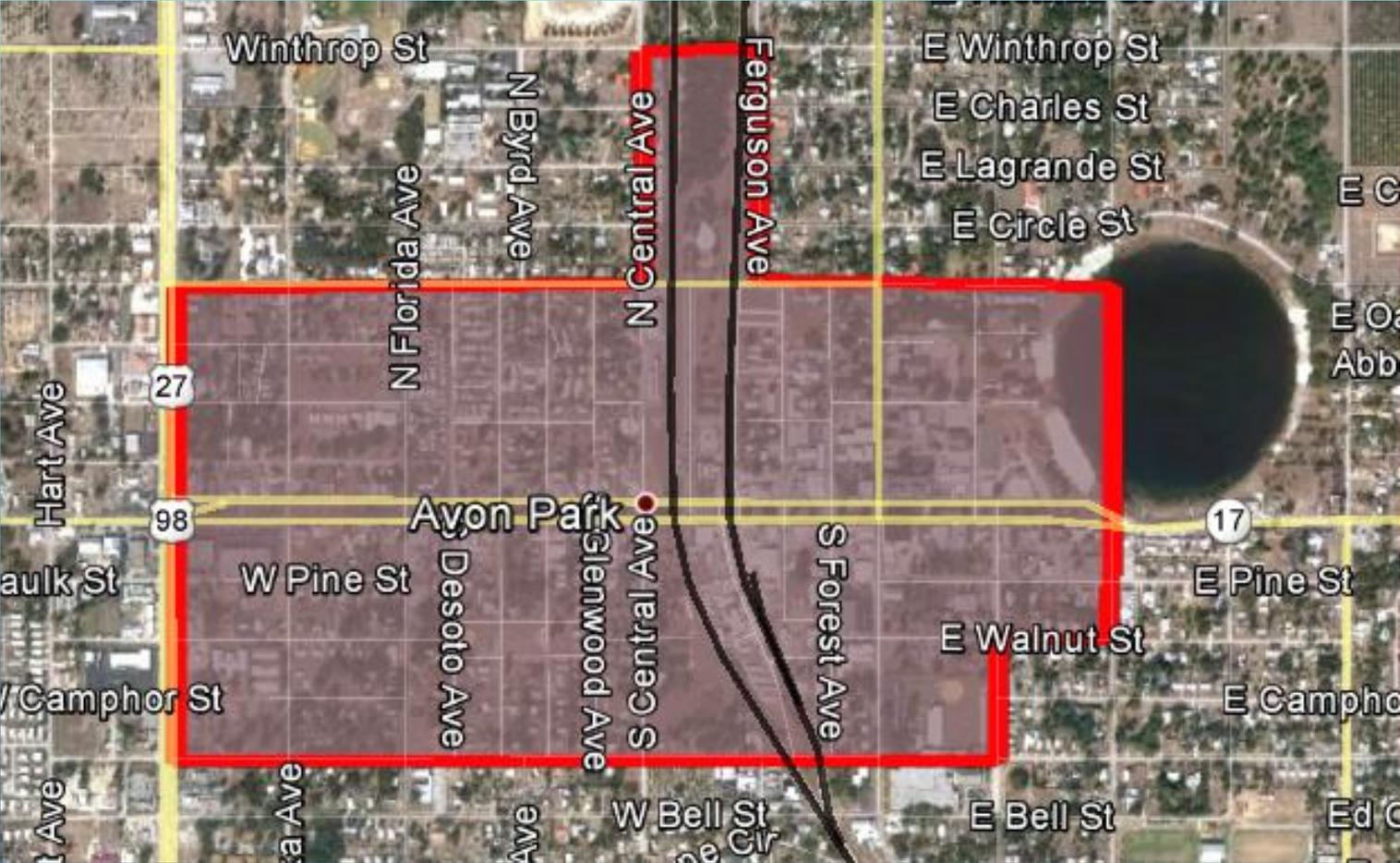
- (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Inadequate and outdated building density patterns;
- (g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;
- (h) Tax or special assessment delinquency exceeding the fair value of the land;
- (i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality;
- (k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
- (l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;
- (m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
- (n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

# Purpose of the Finding of Necessity

The report provides the required findings of slum and blight as identified in Section 163, Part III, Florida Statutes (F.S.), the “Redevelopment Act,” in order to expand the existing Avon Park Main Street Community Redevelopment Area (MSCRA), to include additional portions of the City.

- ▶ 163.355 Finding of necessity by county or municipality.—No county or municipality shall exercise the community redevelopment authority conferred by this part until after the governing body has adopted a resolution, supported by data and analysis, which makes a legislative finding that the conditions in the area meet the criteria described in s. 163.340 (7) or (8). The resolution must state that:
  - (1) One or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in such county or municipality; and
  - (2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas, including, if appropriate, the development of housing which residents of low or moderate income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals, or welfare of the residents of such county or municipality. (**emphasis added**)

# Existing Main Street Community Redevelopment Area



— Main Street CRA Area

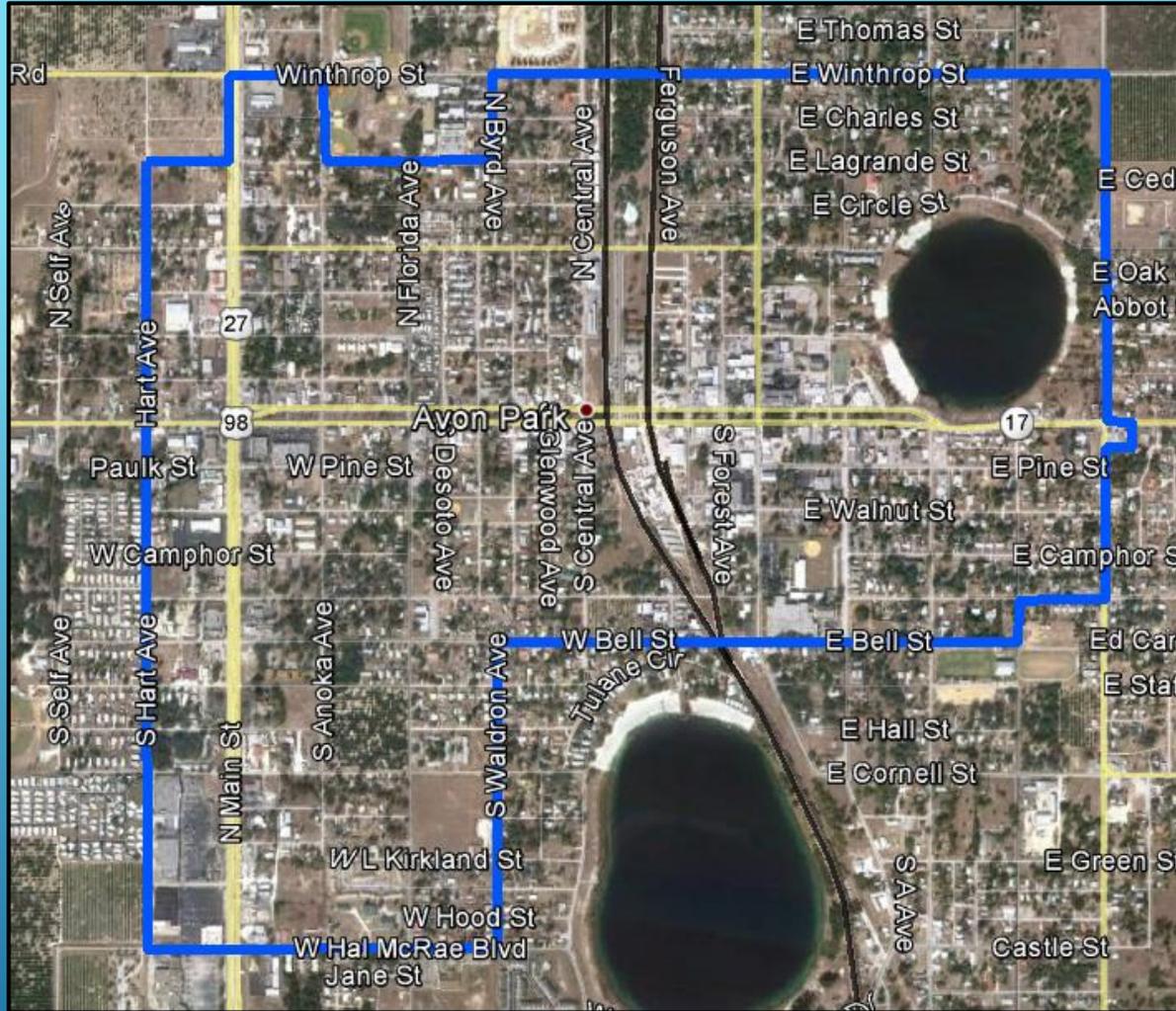
# Study Area Overlay of Main Street Area



— Main Street CRA Area

— CRA Expansion Study Area

# Proposed Main Street Area





# 163.361 Modification of community redevelopment plans.

(1) ... the governing body may amend such plan upon the recommendation of the agency. The agency recommendation to amend or modify a redevelopment plan may include a change in the boundaries of the redevelopment area to add land to or exclude land from the redevelopment area, or may include the development and implementation of community policing innovations.

(2) The governing body shall hold a public hearing on a proposed modification of any community redevelopment plan after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the agency.

# Examples of Slum and Blight in Expanded Area

- ▶ Brownfields designation: actual or perceived contamination within the study area.
- ▶ Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities.
- ▶ Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
- ▶ Unsanitary or unsafe conditions.
- ▶ Deterioration of site or other conditions.
- ▶ Inadequate and outdated building density patterns.
- ▶ Diversity of ownership or defective or unusual conditions.

# Photographs of Deteriorated Conditions and Other Indicators of Blight



Hart Ave. – no sidewalks and no drainage



Florida Ave. and Bell St. – no sidewalks and no drainage



Hart Ave. and State St. – no sidewalks and no drainage



US 27 – nonconforming parking



Peel Street – dirt parking lot,  
no sidewalks and no drainage



Stivender Ave. – unpaved road  
and undeveloped parcel



W. Cornell St. and S. Anoka Ave. – inappropriate land use



Kirkland St. and Florida Ave. – undeveloped parcel, with no sidewalks or drainage



E. LaGrande St. – dirt parking, incompatible land use (multi-family in single-family zone)



W. Circle St. and Florida Ave. – missing sidewalks within blocks of a school.

# NEXT STEPS

1. The City Council adopts a Resolution concurring with the Findings that slum and blight exist in the Study Area.
2. The City Council authorizes the Community Redevelopment Agency to undertake the creation of an updated CRA Plan. All redevelopment plan updates can be done concurrently.
3. The Community Redevelopment Agency adopts a Resolution recommending amending the boundaries, time frame, and redevelopment plan and forwards the amended CRA Plan to the Local Planning Agency for consistency review with the Avon Park Comprehensive Plan and forwards its conclusion to the City Council.
4. The City Council then must hold a public hearing to adopt the amended CRA Plan, including sending notices to all taxing authorities of its intent on amending the CRA Plan.

