

Satellite Beach

Community Redevelopment Plan

February 2016 Amendment

Adopted by Ordinance No. 1115 on February 3, 2016



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CHAPTER 1

INTRODUCTION

Terminology

This Plan Amendment uses the following terms and acronyms:

- “**City**” means the City of Satellite Beach.
- “**CRA**” means the Community Redevelopment Agency.
- “**District**” means the Community Redevelopment District.
- “**Plan**” means the Community Redevelopment Plan and Plan Amendment.

History of District Implementation

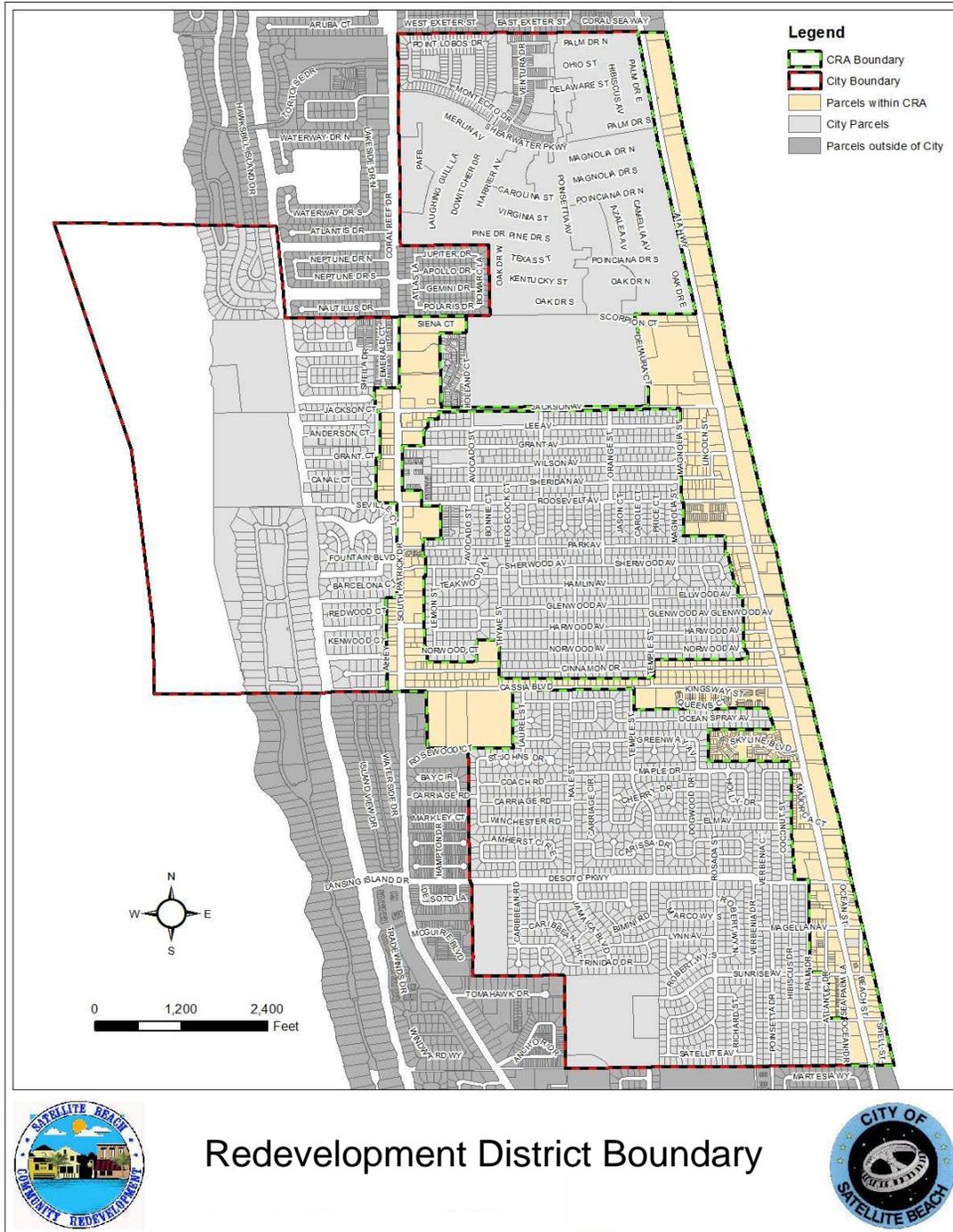
Created in 2002, the District was the result of the Citizens AIA Corridor Improvement Committee that was formed to review revitalization of the area. The following are implementing documents; those indicated with an asterick can be viewed at **Appendix A**.

- ***Brevard County Resolution No. 02-137** (May 21, 2002) delegated authority to the City to create and operate a Community Redevelopment Agency.
- ***City Resolution No. 755** (June 12, 2002) adopted the Findings of Necessity that blighted areas existed along the SR AIA and South Patrick Drive corridors and the Jackson Avenue and Cassia Boulevard connectors.
- ***City Ordinance No. 836** (June 26, 2002) created the **Community Redevelopment Agency**, its jurisdictional boundaries (“**Community Redevelopment District**”), and its 25-year duration (ending on May 21, 2027); created the **Community Redevelopment Agency Board** and the **Community Redevelopment Agency Advisory Committee**; adopted the **Community Redevelopment Plan**.
- ***City Ordinance No. 837** (June 26, 2002) created the Community Redevelopment Agency Trust Fund as Section 59-1 of the City Code.
- ***City Ordinance No. 849** (February 5, 2003) amended City Code provisions governing the Community Redevelopment Agency Advisory Committee and the Community Redevelopment Agency.
- **2014 Community Redevelopment Plan Amendment** began in 2012, when consultant Calvin, Giordano & Associates, Inc. conducted one-on-one interviews with 25 residents knowledgeable about the City, as well as two workshops to receive public input. In 2013, the consultant submitted a draft amendment to the original Plan based on this input. Further revisions were made by the CRA Board before the final Plan Amendment was adopted.
- ***City Ordinance No. 1097** (September 17, 2014) adopted the 2014 Community Redevelopment Plan Amendment.
- **City Boards Handbook** (adopted by **City Ordinance No. 1101** on March 18, 2015) changed “Community Redevelopment Agency Board” to “**Community Redevelopment Agency**” and changed “Community Redevelopment Agency Advisory Committee” to “**Community Redevelopment Agency Advisory Board**.”
- **2016 Community Redevelopment Plan Amendment** moved three projects to the completed projects list (Pelican Beach Park, intersection landscaping, and Shell Street), eliminated two projects (Crotty Park and DRS Community Center), added a beach-access signage project, phased remaining projects through design and installation/construction, and updated information where needed.
- ***City Ordinance No. 1115** (February 3, 2016) adopted the 2016 Community Redevelopment Plan Amendment.

District Boundary

Consisting of 301 acres of commercial, residential, and park space, the **Community Redevelopment District** is located along the major north/south corridors (SR A1A and South Patrick Drive) and the major east/west connectors (Jackson Avenue and Cassia Boulevard) within the **City of Satellite Beach**. According to the **Community Redevelopment Plan** adopted by the **Community Redevelopment Agency Board** in 2002, its boundaries were chosen because “the City recognized that in such a small area, there is an integral synergy and connection between South Patrick Drive and SR A1A.” (See the District’s legal description at **Appendix B.**)

Map 1. Redevelopment District Boundary



Completed Redevelopment Projects (2002-2015)

A. Demolition of Blighted Structures

CRA staff coordinated with property owners to demolish blighted structures that were contributing to drug activity and law enforcement calls for service, as well as those that were damaged in the 2004 hurricanes.

B. Property Acquisitions

1. Purchased oceanfront property (1 acre) at Sunrise Avenue and SR AIA (Michael P. Crotty Park).
2. Obtained oceanfront property (2 acres) at Ellwood Avenue and SR AIA through a transfer of development rights.
3. Purchased 1.2 acres at Desoto Parkway and SR AIA (former site of Peg Legs Restaurant).

C. Façade, Landscape, and Sign Grants

With an emphasis on replacing nonconforming pole signs with monument signs, the CRA provided grants of up to \$15,000 for exterior improvements to commercial businesses in the District.

D. 2005 Market/Economic Environmental Study

This assessment of the City's commercial and residential needs identified prime mixed-use sites, provided mixed-use recommendations, and suggested revising the City's Land Development Regulations and Comprehensive Plan to facilitate mixed-use development.

E. Town Center Mixed-Use

Added to the City's Comprehensive Plan was a new conditional land-use category, Town Center Mixed Use (CM), created for commercial properties north of Park Avenue, west of SR AIA, and east of South Patrick Drive. This land use requires residential use to be secondary to the primary commercial use and allows a maximum total of 200 dwelling units above commercial units in the designated area.

F. Business Recognition Program

With quarterly awards, the CRA recognized several businesses for property improvements. The program also conducted outreach for businesses in the District, including coffees, forums, and networking events for the business owners.

G. Gateway Sign

The Montecito developer contributed a City entry sign on South Patrick Drive at the City's northern boundary.

H. Beach Access Improvements

Beach accesses at Grant Avenue and DeSoto Parkway were improved with enhanced signage, parking, landscaping, bike racks, and picnic and ocean-viewing areas.

I. Pelican Beach Park Improvements

Improvements totaling \$1.7 million were completed for this oceanfront park. The old facilities were demolished, and new restrooms, greater beach access, pavilions, barbecue pits, playground, lighting, landscaping, and sand volleyball court were constructed.

J. Hightower Beach Park Improvements

The acreage at Hightower Beach Park was acquired with funds from the Florida Communities Trust Preservation 2000 grant program (\$3.8 million for 15.3 acres) and matching funds from the City (\$6,000), as well as with contributions of land from the State of Florida (1.5 acres) and Brevard County (1.6 acres). In subsequent years, improvements were made with funds from State grant programs (Florida Recreation Development Assistance Program [\$50,000] and Florida Land and Water Conservation Fund [\$200,000]), the CRA (\$200,000), the Montecito Community Development District (\$400,000 and engineering design services), and the Satellite Beach Woman's Club (emergency call box). Improvements included a handicapped-accessible dune crossover, a raised 560' boardwalk (with hiking and nature trail, ocean-viewing area, wildlife observation deck, and picnic pavilion), beach access path, restrooms, freshwater shower and drinking fountain, landscaping, and paved parking. In the National Park Service's 2009 Annual Report on the Land and Water Conservation Fund, Hightower Beach Park was featured both inside and on the cover of the report.

K. Community Policing Innovations

Police presence was increased throughout the District at businesses, oceanfront parks, and beach accesses to address property crime and nuisances. In addition, the Police Department provided property checks throughout the District.

L. Pelican Beach Park Project

The playground at Pelican Beach Park was replaced (\$20,000), adding climbing equipment and slides.

M. Landscaping Projects

Clustered landscaping (trees, shrubs, bushes, and other plant materials) was planted at the DeSoto beach access entrance and at avenue entrances intersecting SR A1A and South Patrick Drive (Ellwood, Glenwood, Norwood, Sunrise, Roosevelt, Park, Magellan, and Grant).

N. Shell Street Project

This \$650,000 project (completed in December 2015 with \$400,000 from the Community Redevelopment Trust Fund and \$150,000 from the Satellite Beach Woman's Club) installed a sewer line to replace septic tanks on four properties; placed utilities underground; installed stormwater exfiltration to reduce flooding and improve water quality; and improved the beach-access with sidewalk, parking, landscaping, picnic pavilion, restrooms, freshwater shower, trash receptacles, bike racks, and signage.

CHAPTER 2 EXISTING CONDITIONS IN REDEVELOPMENT DISTRICT

Demographic Overview

The City’s population was 10,109 in the 2010 U.S. Census; by 2013 the population was 10,332 according to the State of Florida’s 2014 Bureau of Economic and Business Research. For the City’s population 25 years and older, 22.8% have a bachelor’s degree, versus 16.5% for Brevard County.

The vacancy rate for Satellite Beach is 13.5% for both rental and owner-occupied housing, compared to 14.9% for Brevard County. Owner-occupied housing makes up 76% of all housing units, slightly higher than the 73.5% owner-occupancy rate for Brevard County. The higher home-ownership rate indicates that Satellite Beach is a very stable community. In addition, the second annual Healthiest Housing Markets Study released in January 2016 by New York financial technology company SmartAsset ranked Satellite Beach #3 among all Florida municipalities (up from #9 in 2015), based on average number of years residents live in their homes, home values, ease of sale, and home costs as a percentage of income.

See **Table 1** for types of housing and **Table 2** for types of households in the City.

Table 1. Types of Housing in City

Types of Housing	Satellite Beach		Brevard County	
TOTAL HOUSING UNITS	5,146	100.00%	267,036	100.00%
Single Family	3,934	76.40%	182,849	68.50%
Multi-family	1194	23.20%	60,169	22.50%
Mobile Home	0	0.0%	23,310	8.7%
Boat, RV, Van, et al.	0	0.0%	708	0.3%

Source: US Census, 2010 American Community Survey

Table 2. Types of Households in City

Types of Households	Satellite Beach (# Households)	%	Brevard County (# Households)	%
TOTAL HOUSEHOLDS	4,283	100.0	229,692	100.0
Family Households (FH)	2,928	68.4	148,392	64.6
FH w/Own Children under 18 Years	1,108	25.9	53,288	23.2
Non-family Households	1,355	31.6	81,300	35.4
Householder Living Alone	1,100	25.7	65,327	28.4
Average Household Size	2.36		2.33	
Average Family Size	2.81		2.84	

Source: 2010 US Census

Existing Land Uses

The predominant development feature of the District is multi-family residential, which makes up 31.67% of the District's total land area. Commercial development makes up 23.07%. Single-family development and Parks & Open Space each make up about 10% of the total land area.

Vacant land makes up 8.61% of the total land area, with the majority of the vacant land designated for multi-family development.

Vacant lots are scattered throughout the District, including lots where the Peg Legs Restaurant, Dairy Queen (now parking for the Veterans of Foreign Wars) and Bowling Alley once stood. The buildings have been demolished, but no new buildings have replaced them.

A. Historic Resources

The City has two historic sites listed on the Florida Master Site File at the Florida Department of State, Division of Historical Resources. Located within the District, they are:

1. **(Florida Master Site File BR 2088)** -- Originally the home of widow Stephanie Snaith, built in 1951 at 1777 SR A1A. Later expanded and linked to the adjacent building, this structure is currently used for multi-family rental units.



Only house on beach between PAFB and Eau Gallie Causeway in 1951.



1777 SR A1A as it looks today.

2. **(Florida Master Site File BR 2089)** -- Originally the Skyline Restaurant, built in 1957 at 1462 SR A1A. Later the Surf & Turf, Cove, and Gilligan's Cove Restaurants, this structure is currently the Neptune Bar & Grill.



Skyline Restaurant built in 1957 on 2-lane SR A1A (now the Neptune Bar & Grill).



B. Public Land and Rights-of-Way

Public land in the District totals 63.36 acres. This includes City Hall, DRS Community Center, and parks, as well as property owned by the CRA (the former Peg Legs property at Desoto Parkway and SR AIA, and the Crotty Park property at Sunrise Avenue and SR AIA). **Map 3** highlights the District’s public land and rights-of-way.

C. Faulty Lot Layout

The 2002 Community Redevelopment Plan stated that “many non-conforming conditions exist, particularly with respect to current zoning district standards. Most of these conditions are in the structures themselves or with the land, rather than existing uses.” Since adoption of that Plan, there are lots within the District that still do not meet current zoning requirements for lot size, lot width, and lot depth. There also exists a very small number of non-conforming uses.

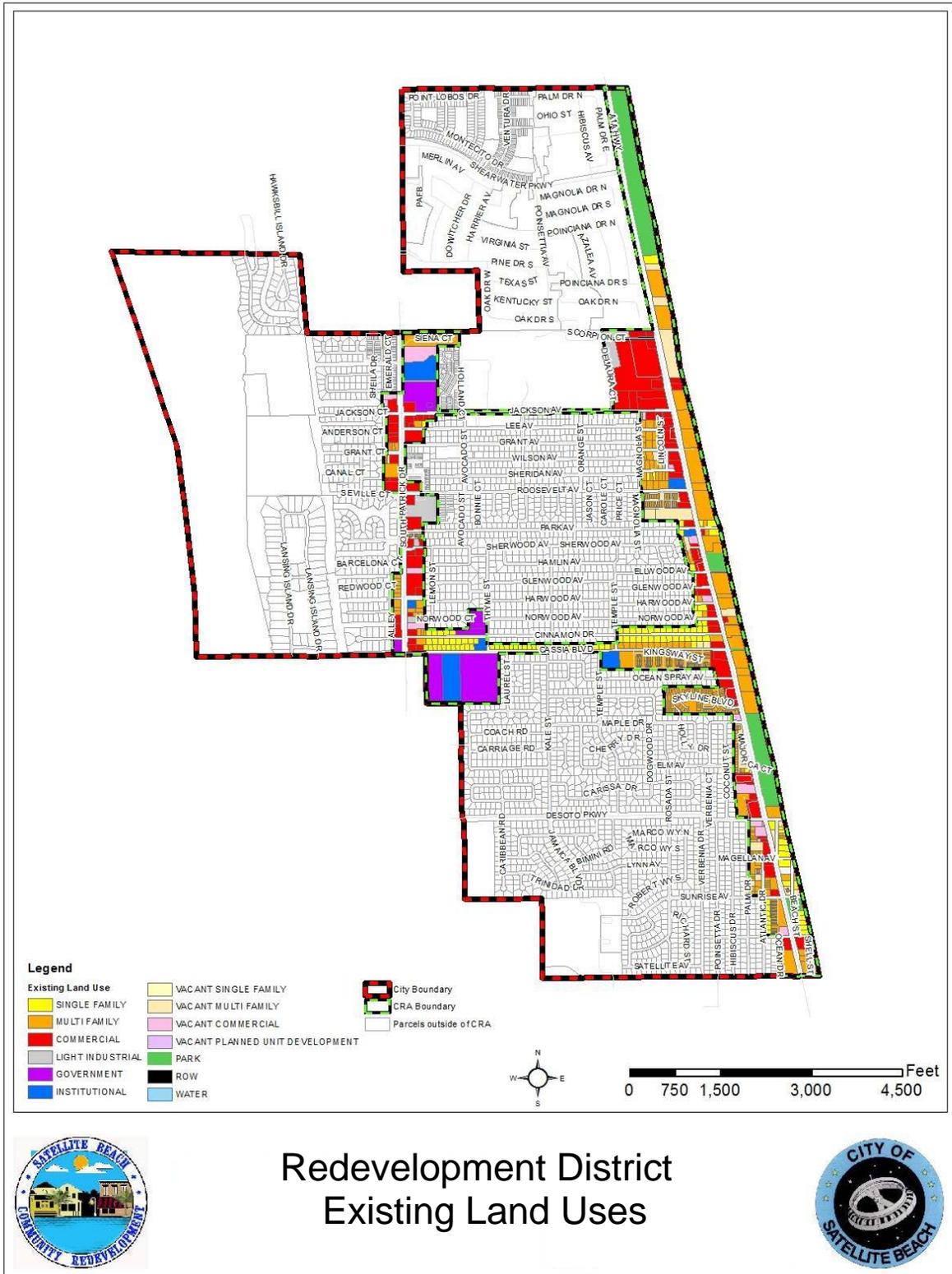
The larger overall issue with properties in the District is faulty lot layout. While some structures and uses may not meet current Land Development Regulations, there are greater numbers of properties in the District unable to realize the profit margin needed to attract development due their size, orientation, or faulty lot layout characteristic of blighted conditions usually existing in community redevelopment areas. Per Chapter 163.340(8)(c), F.S., a blighted area includes properties with a “[f]aulty lot layout in relation to size, adequacy, accessibility, or usefulness.”

Table 3. Existing Land Uses in District

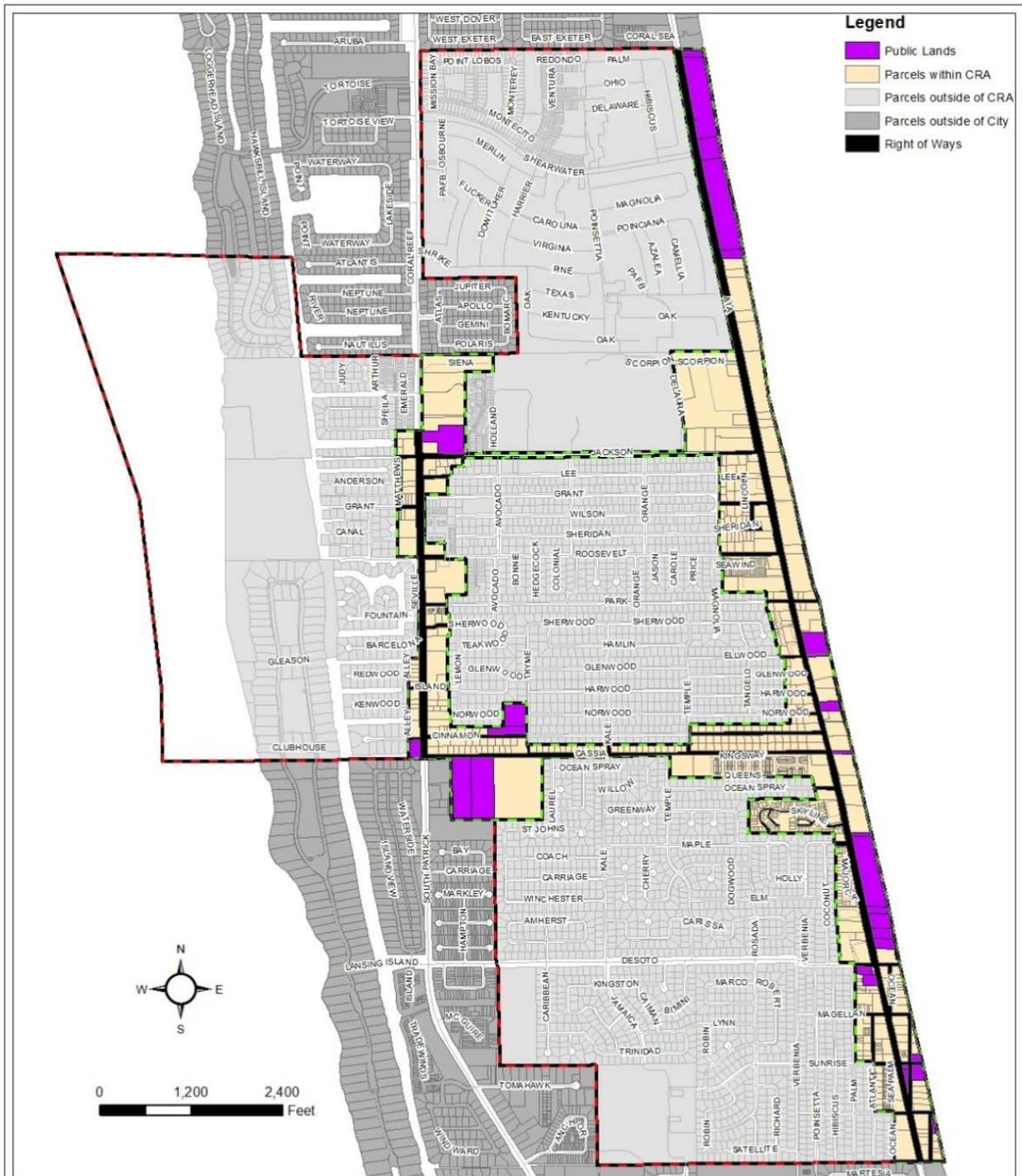
Existing Land Uses	Acres	% of Total Area
Commercial	69.45	23.07%
Government	26.28	8.73%
Institutional (zoning district)	14.90	4.95%
Light Industrial	9.06	3.01%
Single Family	28.84	9.58%
Multi-family	95.33	31.67%
Parks & Open Space	30.28	10.05%
Rights-of-Way	0.99	0.33%
Vacant Commercial	6.98	2.32%
Vacant Single Family	0.18	0.06%
Vacant Multi-family	18.72	6.23%
Total:	301.01	100.00%

Source: Brevard County Property Appraiser; Calvin, Giordano & Associates, Inc., 2012

Map 2. Redevelopment District Existing Land Uses



Map 3. Redevelopment District Public Land and Rights-of-Way



Redevelopment District Public Land and Rights-of-Way



Future Land Uses

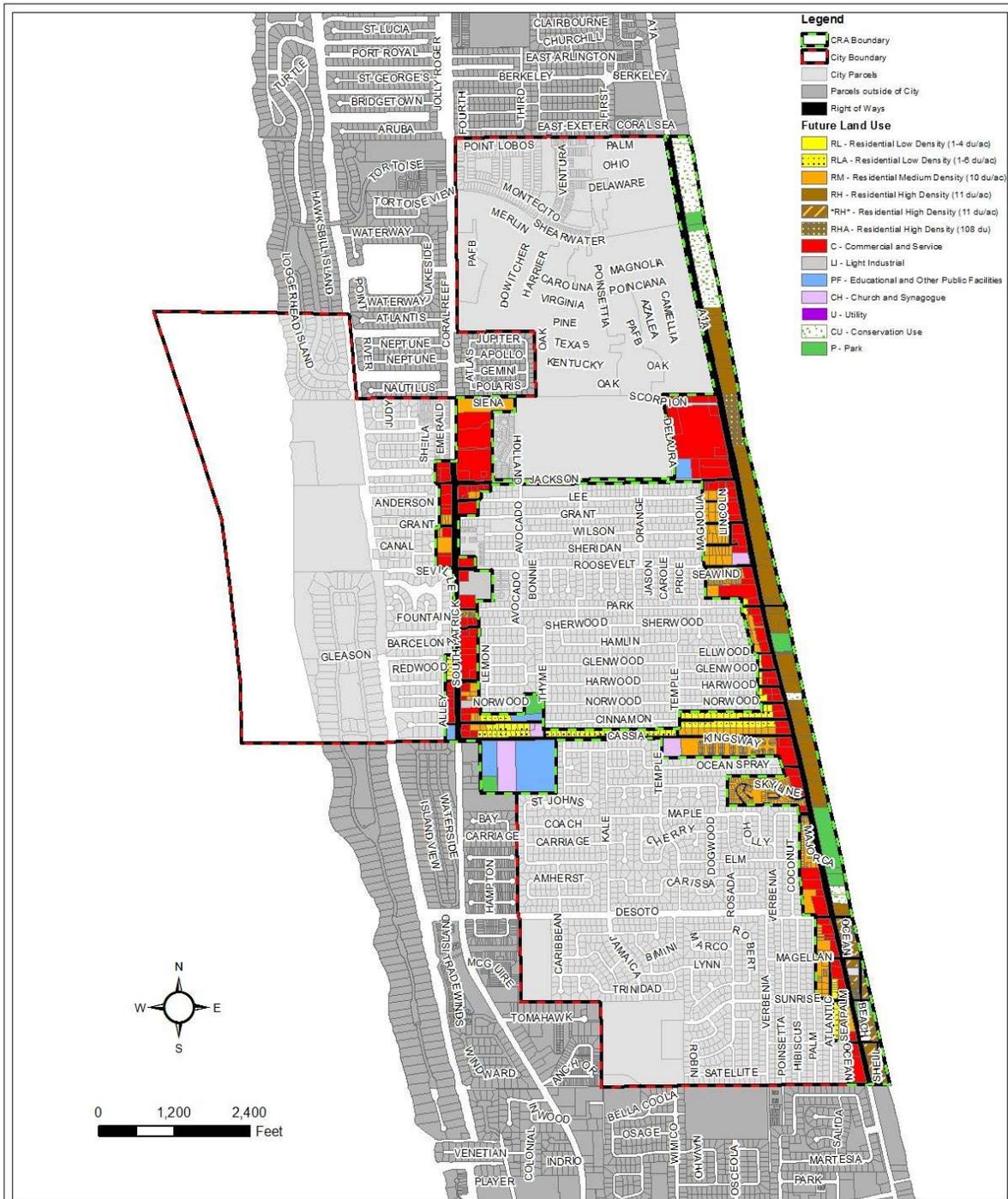
One-third (31.17%) of the District’s total land area is designated as Commercial and Service. Park and Conservation Use total 11.15%. Another 21.10% is designated for Residential Medium Density, which allows up to 10 dwelling units per acre. The area north of Park Avenue between AIA and South Patrick Drive also has the Town Center Mixed Use conditional land use designation, which allows vertical mixed-use buildings, but with very-limited density. An additional impediment to mixed-use development is the requirement to limit residential use to 50% or less of the total space.

Table 4. Future Land Uses in District

Future Land Uses		Acres	% of Total Area
C	Commercial and Service	93.82	31.17%
PF	Educational and Other Public Facilities	19.22	6.38%
CH	Church and Synagogue	9.86	3.27%
LI	Light Industrial	5.38	1.79%
P	Park	15.99	5.31%
CU	Conservation Use	17.58	5.84%
RL	Residential Low Density (1-4 dwelling units per acre)	1.67	0.55%
RLA	Residential Low Density (1-6 dwelling units per acre)	20.31	6.75%
RM	Residential Medium Density (10 dwelling units per acre)	63.50	21.10%
RH	Residential High Density (11 dwelling units per acre)	38.55	12.81%
RH*	Residential High Density (11 dwelling units per acre; *multi-family units prohibited)	4.06	1.35%
RHA	Residential High Density (108 total dwelling units) (former Ramada property across from Atlantic Plaza)	10.08	3.35%
ROW	Right of Way	0.99	0.33%
U	Utility	0.01	0.00%
Total:		301.01	100%

Source: City of Satellite Beach; Calvin, Giordano & Associates, Inc., 2012

Map 4. Redevelopment District Future Land Uses



Redevelopment District Future Land Uses



Zoning

Table 5 summarizes zoning in the Redevelopment District.

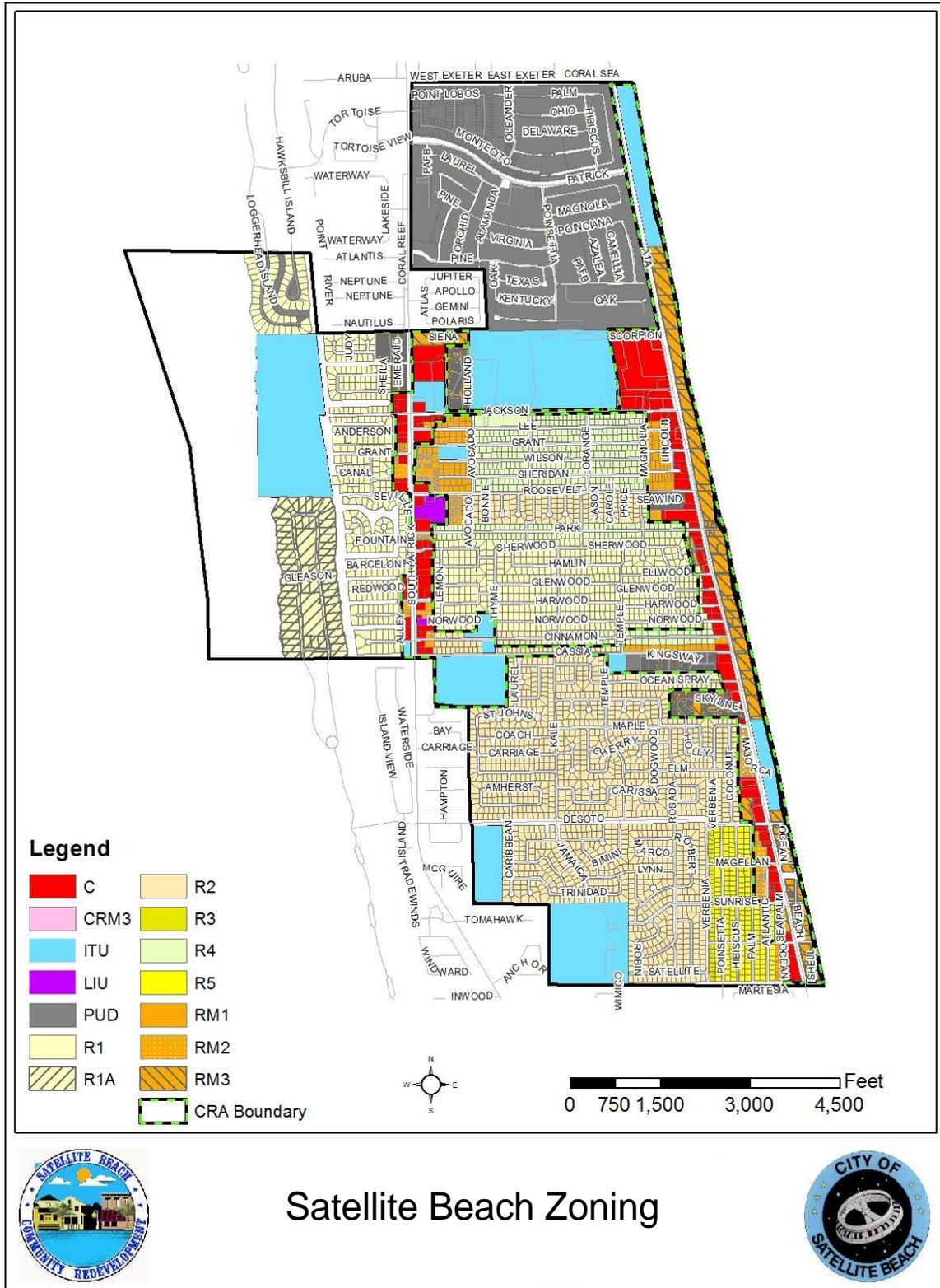
Map 5 shows zoning throughout the City, including the Redevelopment District.

Table 5. Zoning in Redevelopment District

Zoning Districts	Acres	% of Total Area
C, Commercial	92.79	30.82%
ITU, Institutional	61.60	20.46%
LIU, Light Industrial	5.38	1.79%
R1, Single-Family Residential	2.02	0.67%
R2, Single Family Residential	9.66	3.21%
R4, Single-Family Residential	7.48	2.48%
R5, Single-Family Residential	1.42	0.47%
RM1, Two-Family Residential	12.52	4.16%
RM2, Multi-Family Residential	16.63	5.52%
RM3, Residential Mixed-Use	91.58	30.42%
Total	301.07	100.00%

Source: City of Satellite Beach; Calvin, Giordano & Associates, Inc., 2012

Map 5. Satellite Beach Zoning



Satellite Beach Zoning



Mixed-Use Analysis

A past analysis determined that the following sites have mixed-use development potential in the following priority:

1. Kash 'n' Karry (now a U.S. Post Office)
2. West side of SR A1A between Roosevelt and Park Avenues (former bowling alley site).
3. Lori Laine Shopping Center (on South Patrick Drive)
4. Desoto Parkway and SR A1A (former site of the Peg Legs Restaurant, now owned by the CRA)
5. SR A1A north of Desoto Parkway.

Subsequently, the City Council added a **Town Center Mixed-Use conditional land use** to the City's Comprehensive Plan. No mixed-use buildings have been developed in the District since the adoption of this land use. The CRA should continue to support mixed-use development to diversify the commercial area.

Infrastructure

A. Wastewater

Brevard County provides wastewater collection, transmission, and treatment to the District. The wastewater collection and transmission system—including gravity pipes, manholes, force mains, and lift stations—are owned and maintained by the County. Lift stations within the District are located on South Patrick Drive north of Chevy Chase Boulevard, on South Patrick Drive at Sherwood Avenue, and at Hightower Beach Park on SR A1A.

Wastewater is treated at the South Beaches Wastewater Treatment Plant on SR A1A in Melbourne Beach. Owned and operated by Brevard County, this plant serves Satellite Beach, Indian Harbour Beach, Indialantic, and Melbourne Beach.

B. Stormwater

Stormwater permitting within the Redevelopment District is under the jurisdiction of the St. Johns River Water Management District.

Land elevations within the District vary from >15 feet above sea level along SR A1A to <4 feet above sea level along portions of South Patrick Drive. On some properties on the east side of SR A1A, coastal erosion has caused the loss of buildings. Therefore, coastal erosion is the greatest concern on the District's east side, while flooding is the greatest concern on its west side. In addition, since the receiving water body for land west of SR A1A is the Banana River, the lack of water-quality treatment is also of great concern in most of the District.

The City's 2011 Stormwater Quality Master Plan contains projects to improve water quality in portions of the District. In addition, the City is in the process of amending the Comprehensive Plan to address the risk of sea-level rise in the District's low areas along South Patrick Drive.

A number of properties are burdened by modern stormwater requirements, resulting in a need for larger stormwater-retention areas. Requirements that dedicate more of the property's land to stormwater further reduce its development size and profitability. The CRA could coordinate and invest in stormwater projects that provide appropriate stormwater conveyance and storage that may reduce the need for stormwater facilities onsite.

C. Potable Water

The water distribution system and water treatment plant providing potable water to Satellite Beach is owned and operated by the City of Melbourne. This plant also serves the Cities of Melbourne, West Melbourne, and Indian Harbour Beach; the Towns of Indialantic, Melbourne Beach, and Palm Shores; and a portion of Brevard County. Available permitted capacity of the plant is 26.5 MGD, with current maximum peak demand of 24 MGD.

D. Existing Arterial Roadways

SR A1A is an undivided, four-lane, major arterial State roadway that runs north/south through the east side of the District, with a 45-mph speed limit. Signalized intersections in the City are located at Desoto Parkway, Cassia Boulevard, Jackson Avenue, Scorpion Court, and Shearwater Parkway.

SR 513/South Patrick Drive is an undivided, two-lane, minor arterial State roadway that runs north/south through the west side of the District, with a 40-mph speed limit. Signalized intersections in the City are located at Cassia Boulevard and Jackson Avenue.

F. Planned Transportation Projects

The Florida Department of Transportation (FDOT) has funded a 2016 resurfacing project for SR A1A between the Pineda and Eau Gallie Causeways. Recognizing an opportunity to add improvements to the project, the CRA successfully applied for grant funds from the Florida Department of Economic Opportunity to complete a SR A1A Redevelopment Conceptual Engineering Plan. The plan has been completed, and improvement projects are being discussed with FDOT.

Conclusions from Existing Conditions

District demographics include both families and elderly residents. The CRA should concentrate on creating recreational opportunities that provide a wide range of amenities for families and seniors, incorporating Communities for a Lifetime (CFAL) principles. Infrastructure projects should include “Complete Streets” principles to accommodate all age groups and abilities.

District conditions demonstrate a lack of compliance with modern stormwater regulations. The CRA should concentrate on current environmental standards in infrastructure projects, and provide incentives for private property owners to also comply with those standards.

CHAPTER 3 REDEVELOPMENT GOALS & OBJECTIVES

Redevelopment projects must conform to this Chapter's Goals and Objectives, which focus on infrastructure and aesthetics to attract private investment into the community, funding to ensure that projects are completed within a designated time, and long-term maintenance considerations for every project. The CRA Advisory Board shall carefully review all redevelopment projects for compliance with these goals and objectives and provide detailed recommendations to the CRA.

GOAL #1

Renovate/reconstruct infrastructure within the District to improve our community's quality of life, meet current environmental and water-quality standards, and attract private investment for redevelopment.

Objective 1.1: Focusing on aging infrastructure, pursue projects such as land and easement acquisitions, parks and park amenities, stormwater drainage improvements, lighting, landscaping, signage, sidewalks, roadways, pedestrian crossings, traffic and median improvements, parking improvements, and transit facilities.

Objective 1.2: Conform all roadway improvements to the Comprehensive Plan's "Complete Streets" policies (Transportation Element), which require a multi-modal transportation system for all users, including pedestrians, bicyclists, and transit users.

GOAL #2

Renovate/reconstruct recreational and community facilities within the District to improve our community's quality of life, meet current environmental and water-quality standards, and attract private investment.

Objective 2.1: Focus on recreational and community facilities that are accessed by City and County residents. All renewed/reconstructed facilities shall remain open to County residents at the same cost and availability as City residents.

Objective 2.2: Incorporate Communities for a Lifetime (CFAL) principles in the design and construction of all Goal 2 projects. Because seniors are well-served by nearby social and recreational community programs, ensuring the availability of programming for seniors will allow Satellite Beach residents to comfortably "age in place."

GOAL #3

Provide incentives for redevelopment projects that include access-management improvements, stormwater improvements, and improvements to meet current development standards.

Objective 3.1: Provide grants of up to \$50,000, with an additional \$15,000 per additional unit, for redevelopment projects which include building and site improvements that bring non-conforming properties up to current development standards, including stormwater requirements.

Objective 3.2: Provide grants to properties along SR A1A that address access-management goals of the SR A1A Redevelopment Conceptual Engineering Plan.

GOAL #4

Complete aesthetics-enhancement projects within the District to increase the City's attractiveness.

Objective 4.1: Provide landscaping at neighborhood entrance streets along SR A1A and South Patrick Drive within the District.

GOAL #5

Attract private redevelopment projects within the District to enhance the tax base, increase the taxable value of properties throughout the City, and enable a significant millage-rate reduction by FY 2019/20.

Objective 5.1: To encourage redevelopment and improve development potential, provide regulatory incentives for projects that increase the tax base and meet the Comprehensive Plan's goals, objectives, and policies. Depending on the project, incentives could include shared parking, set-back reductions, increased density, and other incentives.

Objective 5.2: Projects that qualify for a regulatory incentive must demonstrate an estimated 100% increase in the property's tax-increment contribution to the CRA.

GOAL #6

Complete all redevelopment projects by FY 2019/20, and return all unused tax-increment funds to the taxing authorities through the end of the CRA in FY 2025/26.

Objective 6.1: For each fiscal year, do not exceed Total Expenses as shown in **Table 6**; return excess revenues generated after FY 2019/20 to the taxing authorities.

Objective 6.2: This Plan Amendment authorizes only those projects listed in **Table 7**. Any changes to project features must be consistent with this Plan's goals and objectives.

GOAL #7

Include long-term-maintenance cost estimates and project complexity in all project planning.

Objective 7.1: Submit annual and ten-year accrued-maintenance cost estimates of proposed projects to the CRA Advisory Board prior to approval. In making final project recommendations, the Advisory Board must consider project maintenance costs and impact to the City after the CRA has expired.

CHAPTER 4 REMAINING REDEVELOPMENT PROJECTS

Revenue and Expense Projections

Table 6 provides revenue and expense projections as a foundation for future CRA budgets. Expenses may be amended each year as long as total expenses do not increase. Any revenues exceeding expenses may be spent in one of the following ways:

1. Return to taxing authorities at fiscal-year end, or
2. Spend on a project planned for a future year, thus moving the project up on the schedule.

Revenue Assumptions. **Table 6** makes the following assumptions about revenue increases:

- 12% increase in FY 15/16 and FY 16/17.
- 10% increase in FY 17/18 through FY 19/20.
- 8% increase in FY 20/21.
- 6% increase in FY 21/22 through FY 25/26.

Operating-Expense Assumptions. **Table 6** makes the following assumptions about operating expenses:

- Under the Interlocal Agreement between the City and the CRA, costs for maintenance staff and materials will increase over time as projects are completed.
- Administrative costs will end as projects are completed and the CRA budgets only for debt-service and maintenance expenses.

Debt-Service Assumption. **Table 6** makes the following assumption about debt-service expenses:

- Debt-service expenses are projected for principal, interest, and SWAP interest payments on a 2006 Bank of America line-of-credit. This is the CRA's only debt. The CRA has no intention or need for future additional debt.

Table 6. Revenue and Expenditure Projections FY 15/16 - FY 25/26

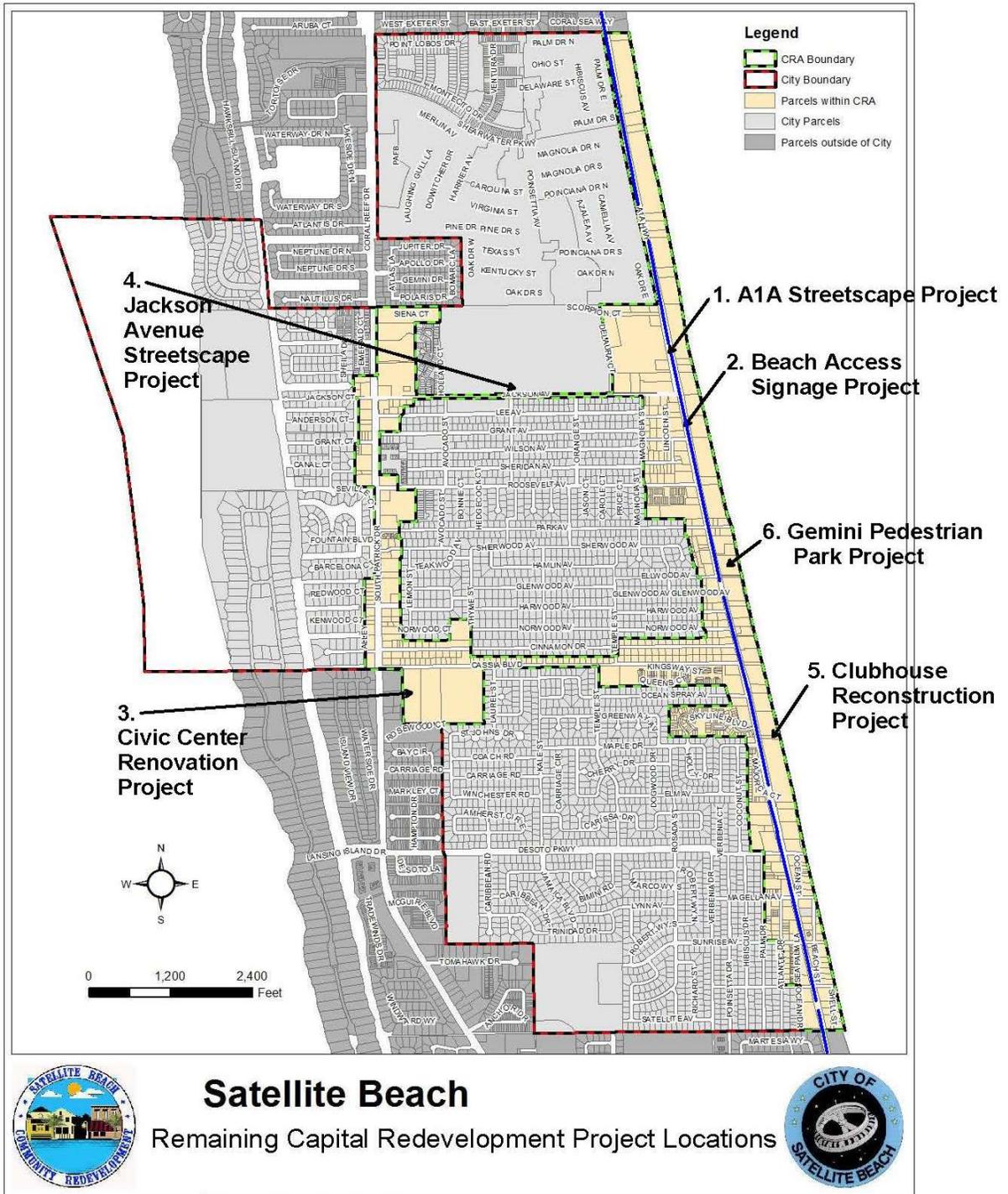
	FY 2015/2016	FY 2016/2017	FY 2017/2018	FY 2018/2019	FY 2019/2020	FY 2020/2021	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025	FY 2025/2026
REVENUES											
City TIF	\$ 841,615	\$ 942,609	\$ 1,036,870	\$ 1,140,557	\$ 1,254,612	\$ 1,354,981	\$ 1,436,280	\$ 1,522,457	\$ 1,613,804	\$ 1,710,633	\$ 1,813,271
Transfer Payment from City GF	\$ 35,338	\$ 35,338	\$ 35,338	\$ 35,338	\$ 35,338	\$ 35,338	\$ 35,338	\$ 35,338	\$ 35,338	\$ 35,338	\$ 35,338
County TIF	\$ 496,264	\$ 555,816	\$ 611,397	\$ 672,537	\$ 739,791	\$ 798,974	\$ 846,913	\$ 897,727	\$ 951,591	\$ 1,008,686	\$ 1,069,208
Fund Balance	\$ 14,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Refund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500
TOTAL REVENUES	\$ 1,391,717	\$ 1,538,263	\$ 1,688,105	\$ 1,852,932	\$ 2,034,241	\$ 2,193,794	\$ 2,323,031	\$ 2,460,022	\$ 2,605,234	\$ 2,759,157	\$ 2,922,316
EXPENSES											
Debt Service											
Bank of America Loan	\$ 508,600										
Operating											
Interlocal Agreement (City/CRA)	\$ 167,974	\$ 230,000	\$ 230,000	\$ 230,000	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000	\$ 155,000
Legal Services	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Consultant Fees	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Planning Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Agreement with Brevard County	\$ 144,341	\$ 142,923	\$ 210,008	\$ 277,331	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Travel & Training	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Banking Fees	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500
Operating Expenses	\$ 5,000	\$ 25,000	\$ 30,000	\$ 30,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
Tuition, Memberships, Publications	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Expenses	\$ 340,315	\$ 420,923	\$ 493,008	\$ 560,331	\$ 209,500						
Transfer to General Fund	\$ 245,771	\$ 243,355	\$ 142,564	\$ -							
Projects											
Façade Grants	\$ 65,000	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Beach Access Signage Project	\$ 24,000	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
A1A Streetscape Project	\$ 20,000	\$ 50,000	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Civic Center Renovation Project	\$ -	\$ 20,000	\$ 100,000	\$ 120,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Jackson Avenue Streetscape Project	\$ -	\$ -	\$ -	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Clubhouse Reconstruction Project	\$ -	\$ -	\$ -	\$ 100,000	\$ 920,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Gemini Pedestrian Park Project	\$ -	\$ -	\$ -	\$ 10,000	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Projects Expenses	\$ 109,000	\$ 160,000	\$ 350,000	\$ 580,000	\$ 1,120,000	\$ -					
TOTAL EXPENSES	\$ 1,203,686	\$ 1,332,878	\$ 1,494,172	\$ 1,648,931	\$ 1,838,100	\$ 718,100					
Revenues Less Expenses	\$ 188,031	\$ 205,385	\$ 193,933	\$ 204,001	\$ 196,141	\$ 1,475,694	\$ 1,604,931	\$ 1,741,922	\$ 1,887,134	\$ 2,041,057	\$ 2,204,216
City TIF Payback	\$ 112,819	\$ 123,231	\$ 116,360	\$ 122,401	\$ 117,685	\$ 885,416	\$ 962,959	\$ 1,045,153	\$ 1,132,280	\$ 1,224,634	\$ 1,322,530
County TIF Payback	\$ 75,212	\$ 82,154	\$ 77,573	\$ 81,600	\$ 78,457	\$ 590,277	\$ 641,972	\$ 696,769	\$ 754,853	\$ 816,423	\$ 881,687

Remaining Capital Redevelopment Projects

Table 7 shows the remaining capital projects to be completed within the District. In addition to these capital projects, façade grants will also be funded. Estimated costs may differ from final amounts as projects are designed, bid, and completed. As long as projects conform to the Goals & Objectives in Chapter 3, some project features may be altered, added, or deleted.

Table 7. Remaining Capital Redevelopment Projects	Est. Cost	Year
<p>1. <u>A1A Streetscape Project</u> Two-phased project will provide sidewalk, medians, bus shelter pads, crosswalks, mast arms, lighting, landscaping, and signage. Phase 1 was funded in FY14/15 and incorporated into FDOT’s 2016 SR A1A resurfacing project. Phase 2 will be funded in FY 15/16 and FY 16/17.</p>	\$400,000 \$ 50,000 \$250,000	FY 14/15 FY 15/16 FY 16/17
<p>2. <u>Beach Access Signage Project</u> Provide consistent signage for selected beach accesses in the City. Project design to be funded in FY 15/16; installation to be funded in FY 16/17.</p>	\$24,000 \$40,000	FY 15/16 FY 16/17
<p>3. <u>Civic Center Renovation Project</u> Provide new restrooms, flooring, paint, lighting, and signage. Project design to be funded in FY 16/17; construction to be funded in FY 17/18 and FY 18/19.</p>	\$20,000 \$100,000 \$120,000	FY 16/17 FY 17/18 FY 18/19
<p>4. <u>Jackson Avenue Streetscape Project</u> Provide sidewalks, landscaping, bio-retention, and crosswalk improvements.</p>	\$350,000	FY 18/19
<p>5. <u>Clubhouse Reconstruction Project</u> Demolish current structure and construct unique beachfront facility with redesigned and enlarged covered deck, kitchen, restrooms, and meeting space. Project design to be funded in FY 18/19; construction to be funded in FY 19/20.</p>	\$100,000 \$920,000	FY 18/19 FY 19/20
<p>6. <u>Gemini Pedestrian Park Project</u> Improve beach access with restrooms, freshwater shower, sidewalk, signage, landscaping, picnic table and pavilion, trash receptacles, and bike racks. Project design to be funded in FY 18/19; construction to be funded in FY 19/20.</p>	\$10,000 \$200,000	FY 18/19 FY 19/20

Map 6. Remaining Redevelopment Project Locations



CHAPTER 5 PROJECT DESIGN CONSIDERATIONS

Some elements for the infrastructure and facility projects outlined in Chapter 4 have been designed by Calvin, Giordano and Associates, Inc. These design elements could be incorporated into the projects in their entirety or in components.

Intersection improvements can have decorative features in the crosswalks and sidewalk areas prior to entering into crosswalks. Additionally, entrance features can be constructed to include benches and signage that are very visible and aesthetically enhancing.

Way-finding signage can be a component of all the projects, reflecting a consistent design theme throughout the City.

Figure 1. Example of Intersection Design Elements



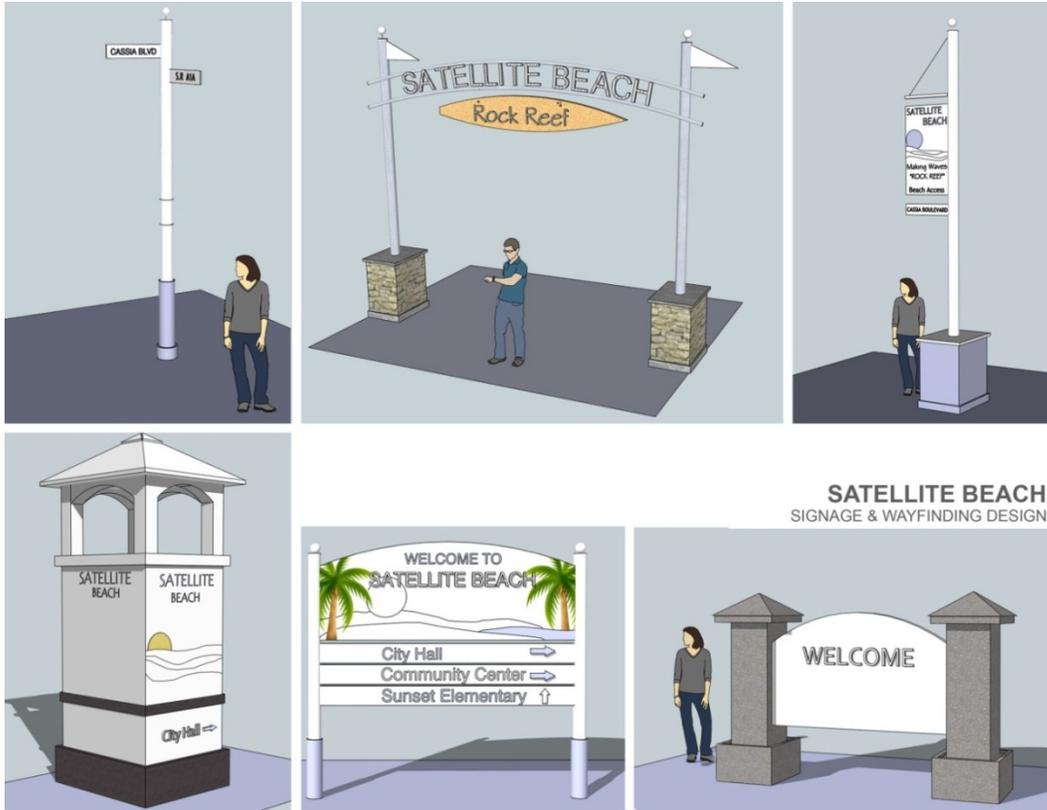
Figure 2. Example of Intersection Design Elements



Figure 3. Possible Entryway Features



Figure 4. Possible Designs for Way-finding Signs



CHAPTER 6 STATUTORY COMPLIANCE

Florida Statutes

Table 8 lists all statutory requirements for a Community Redevelopment Plan and the locations in this Plan Amendment where applicable requirements are met.

Satellite Beach Comprehensive Plan

F.S. 163.360(2)(a) requires the Plan to conform to the City's Comprehensive Plan. On January 25, 2016, the Comprehensive Planning Advisory Board determined that this Plan Amendment conforms to the Comprehensive Plan.

Housing Redevelopment & Neighborhood Impact

There are no low- or moderate-income housing units in the Community Redevelopment District; however, the following statements are provided to address F. S. 163.360(2)(c) and 163.362(3) and (8):

1. Since the District is comprised primarily of oceanfront residential units and commercial properties, there are no redevelopment projects that address affordable housing. Therefore, there are no redevelopment projects that include the removal or redevelopment of housing units.
2. All redevelopment projects will have a positive impact on all residential housing units in the City, providing increased affordable recreation amenities.
3. There will be no direct impacts on the school population by any redevelopment project.
4. All redevelopment projects are designed to have a positive environmental impact.
5. Traffic circulation and design will be positively impacted by the A1A Streetscape project.

**Table 8. Community Redevelopment Plan Amendment
Statutory Requirements**

Florida Statutes	Requirements	Plan Location
163.360	Community redevelopment plans.	
	<u>By Council Resolution</u>	
(1)	<ul style="list-style-type: none"> ▪ Determine slum area OR blighted area OR area with shortage of affordable housing (low/moderate income and elderly) OR combination thereof. ▪ Designate such area as appropriate for community redevelopment. 	Appendix A
(2)(a)	Plan must conform to City's Comprehensive Plan.	Chapter 6
(2)(b)	Plan must be sufficiently complete to provide direction on all aspects of land development.	Table 7
(2)(c)	<ul style="list-style-type: none"> ▪ Provide for development of affordable housing, or provide reasons for not addressing affordable housing. ▪ Coordinate with affordable housing entities functioning within the redevelopment area. 	Chapter 6
(3)	Plan may provide for community policing innovations.	N/A
(6)(b)4.	County and City may voluntarily use dispute resolution process established in F.S. Chapter 164 to resolve competing policy goals relating to the Community Redevelopment Agency; neither government may require the other to participate in the process.	N/A
(7)	Following the dispute resolution hearing, the City may approve the community redevelopment and the Plan if it finds that:	N/A
(7)(a)	Feasible method exists to relocate families from the CRA to decent/safe/sanitary dwellings within their means and without undue hardship.	N/A
(7)(b)	Plan conforms to the general plan of the City as a whole.	Chapter 6
(7)(c)	Plan gives due consideration to: <ul style="list-style-type: none"> ▪ community policing innovations, ▪ adequate park and recreation areas and facilities, and ▪ health, safety, welfare of children residing in the area. 	N/A
(7)(d)	Plan will afford maximum opportunity for private enterprise to rehabilitate/redevelop the redevelopment area, consistent with the City's sound needs as a whole.	Chapter 3
(7)(e)	Plan for a deteriorating/economically-distressed coastal tourist area will: <ul style="list-style-type: none"> ▪ Reduce/maintain evacuation time, and ▪ Ensure property protection against exposure to natural disasters. 	N/A
(8) - (8)(a)	For open land to be acquired wholly/partly for residential use, the City must determine:	N/A
(8)(a)1.	Shortage of sound/decent/safe/affordable housing for low/moderate income residents, including the elderly, and "sanitary exists" in the City.	N/A
(8)(a)2.	Increased need for housing in the area.	N/A
(8)(a)3.	Conditions of blight or shortage of decent/safe/affordable/sanitary housing cause/contribute to	N/A

Florida Statutes	Requirements	Plan Location
	disease/crime or menace public health/safety/morals/welfare.	
(8)(a)4.	Acquisition of the area for residential uses is integral/essential to the City's program.	N/A
(8)(b)	If area is to be developed wholly/partly for nonresidential uses, the City must determine:	N/A
(8)(b)1.	Uses are necessary/appropriate for community's proper growth/development in accordance with sound planning standards and community objectives.	N/A
(8)(b)2.	Acquisition may require governmental action because of:	N/A
(8)(b)2.a. & (8)(b)2.b. thru 2.i.	Defective/unusual title or ownership diversity which prevents free alienability of such land: tax delinquency; improper subdivisions; outmoded street patterns; site deterioration; economic disuse; unsuitable topography or faulty lot layouts; lack of correlation of streets/modern traffic requirements common with other local areas; or other conditions which retard area development.	N/A
(8)(b)3.	Blight contributes to disease/crime or menaces public health/safety/morals/welfare.	N/A
(9)	Plan approval allows CRA to carry out the Plan according to its terms.	N/A
163.362	Contents of community redevelopment plan.	
(1)	Legal description of area boundaries and reasons for establishing those boundaries.	Appendix A Appendix B
(2)(a)-(d)	Show by diagram and in general terms: amount of open space and the street layout; limitations on building type/size/height/number/use; number of dwelling units; property intended for public parks, recreation areas, streets, public utilities, and public improvements of any nature.	Chapter 2
(3)	If area contains low/moderate income housing, identify neighborhood impact in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population, and other matters affecting the neighborhood's physical/social quality.	N/A <i>but see</i> Chapter 6
(4)	Identify specific publicly-funded capital projects to be undertaken in the redevelopment area.	Chapter 4
(5)	Contain adequate safeguards that the redevelopment work will be done pursuant to the Plan.	Chapters 3 & 4
(6)	Provide for controls and restrictions/covenants of private-use leased/sold land necessary to effectuate Plan purposes.	N/A
(7)	Provide assurances of replacement housing for persons displaced from redevelopment area.	N/A
(8)	Provide a residential-use element if such use exists pre-Plan or the Plan is intended to remedy a shortage of affordable housing to low/moderate income and the elderly; or provide reasons why the Plan is not intended to remedy such shortage.	N/A <i>but see</i> Chapter 6
(9)	Contain detailed projected redevelopment costs, including publicly-funded capital projects and any CRA/county/City indebtedness to be incurred and repaid with increment revenues.	Chapter 4
(10)	Provide time certain (within 30 fiscal years after Plan adoption/amendment if CRA was created after July 1, 2002) for completing all redevelopment financed by increment revenues. <i>(NOTE: Satellite Beach Community Redevelopment Agency was created by Ordinance No. 836 adopted on June 26, 2002.)</i>	Chapter 3

APPENDIX A

REDEVELOPMENT DISTRICT'S IMPLEMENTING DOCUMENTS

- **Brevard County Resolution No. 02-137** (May 21, 2002) delegated authority to the City to create and operate a Community Redevelopment Agency.
- **City Resolution No. 755** (June 12, 2002) adopted the Finding of Necessity that blighted areas existed along the SR AIA and South Patrick Drive corridors and the Jackson Avenue and Cassia Boulevard connectors.
- **City Ordinance No. 836** (June 26, 2002) created the **Community Redevelopment Agency**, its jurisdictional boundaries ("**Community Redevelopment District**"), and its 25-year duration (ending on May 21, 2027); created the **Community Redevelopment Agency Board** and the **Community Redevelopment Agency Advisory Committee**; adopted the **Community Redevelopment Plan**.
- **City Resolution No. 837** (June 12, 2002) created the Community Redevelopment Agency Trust Fund as Section 59-1 of the City Code.
- **City Ordinance No. 849** (February 5, 2003) amended City Code provisions governing the Community Redevelopment Agency Advisory Committee.
- **City Ordinance No. 1097** (September 17, 2014) adopted the 2014 Community Redevelopment Plan Amendment.
- **City Ordinance No. 1115** (February 3, 2016) adopted the 2016 Community Redevelopment Plan Amendment.

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RESOLUTION No. 02-137

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, RELATING TO THE DELEGATION OF POWERS TO CREATE AND MAINTAIN A COMMUNITY DEVELOPMENT AGENCY; MAKING FINDINGS; AUTHORIZING THE CREATION OF THE SATELLITE BEACH COMMUNITY REDEVELOPMENT AGENCY; DELEGATING CERTAIN POWERS; PROVIDING FOR THE REPEAL OF CERTAIN INCONSISTENT RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida law empowers municipalities and counties to create a Community Redevelopment Agency to improve blighted and slum areas within the community and to alleviate the conditions created by said areas;

WHEREAS, Part III, Chapter 163, Florida Statutes, set forth a procedure for the creation and operation of a Community Redevelopment Agency;

WHEREAS, Section 163.410, Florida Statutes, which is part of Part III, Chapter 163, Florida Statutes, states in pertinent part that:

163.410 Exercise of power in counties with home rule charters—
in any county which has adopted a home rule charter, the powers conferred by this part shall be exercised exclusively by the governing body of any such county. However, the governing body of any such county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by this part within the boundaries of a municipality to the governing body of such a municipality. Such a delegation shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution. Any power not specifically delegated shall be reserved exclusively to the governing body of the county....(emphasis supplied);

WHEREAS, effective January 1, 1995, Brevard County became a charter county of the State of Florida;

WHEREAS, the City Council of the City of Satellite Beach, Florida (hereinafter the Town) has requested that the Board of County Commissioners of Brevard County (hereinafter the Board) delegate certain powers the City of Satellite Beach City Council to create and operate

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WHEREAS, said Agency is to be known as the Satellite Beach Community Redevelopment Agency;

WHEREAS, the general boundaries of the aforesaid Community Redevelopment Agency, is generally described as being with the municipal boundaries of the Town, as depicted on Exhibit "A", a copy of which is attached hereto and incorporated herein by this reference;

WHEREAS, the Board of County Commissioners of Brevard County has reviewed the request of the Satellite Beach City Council to delegate certain powers provided for in Part III, Chapter 163, Florida Statutes, and to create the Satellite Beach Community Redevelopment Agency;

WHEREAS, the Board of County Commissioners of Brevard County has reviewed the request of the Satellite Beach City Council to delegate certain powers provided for in Part III, Chapter 163, Florida Statutes, and to create the Satellite Beach Community Redevelopment Agency;

WHEREAS, the Board of County Commissioners of Brevard County finds that the delegation of said powers and forth in Part III, Chapter 163, Florida Statutes, to create and operate the Satellite Beach Community Development Agency will promote the public health, safety, welfare, economic order, and aesthetics, of the community.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Brevard County, Florida:

SECTION 1. Pursuant to Section 163.410, Florida Statutes, and subject to the conditions set forth in Section 3, below, the Board of County Commissioners of Brevard County hereby delegates all powers under Part III, Chapter 163, Florida Statutes, to the City Council of the City of Satellite Beach, Florida, to create, operate, and maintain the Satellite Beach Community Redevelopment Agency within the boundaries set forth above, subject to adjustment. Said powers shall include but not to be limited to:

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- (a) The power to rename or designate the name of said Community Redevelopment Agency;
- (b) The power to conduct surveys or other boundary examinations to adjust or otherwise modify the boundaries of the Community Redevelopment Agency;
- (c) The power to organize and operate a Community Redevelopment Agency; so generally described and specified in either Sections 163.356 or 163.357, Florida Statutes;
- (d) The power to give public notice, from time to time, as specified in Part III, Chapter 163, Florida Statutes;
- (e) The power to make a finding of necessity, as specified in Section 163.355, Florida Statutes;
- (f) The power to determine an area to be slum or blighted, or combination thereof, to designate such area as appropriate for community redevelopment, and to hold any public hearings required with respect thereto;
- (g) The power to grant final approval to a community redevelopment plan and modifications thereof;
- (h) The power to authorize the issuance of, and the power to issue, redevelopment revenue bonds, all set forth in Section 163.385, Florida Statutes;
- (i) The power to approve the acquisition, demolition, removal, or disposal of property as provided in Section 163.370(3), Florida Statutes, and the power to assume the responsibility to bear loss as provided therein;
- (j) The power to prepare a community redevelopment plan and modifications thereof, all pursuant to Sections 163.360, 163.361, 163.362, Florida Statutes;
- (k) The power to prepare and give approval to a neighborhood and community-wide plan (and modifications) thereof, pursuant to Section 163.365, Florida Statutes;

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- (l) The power to conduct eminent domain or otherwise dispose of property pursuant to Sections 163.375 and 163.380, Florida Statutes;
- (m) The power to create, operate, and maintain a redevelopment trust fund pursuant to Sections 163.387, Florida Statutes, and for the purposes set forth in said section
- (n) The power to make and execute contracts and other instruments necessary or convenient to the exercise of the powers under Part III, Chapter 163, Florida Statutes;
- (o) The power to disseminate slum clearance and community redevelopment information;
- (p) The power to undertake and carry out community redevelopment and related activities within the community redevelopment area, which may include acquisition of a slum area or a blighted area or a portion thereof, demolition and removal of buildings and improvements, installation, construction, or reconstruction of public infrastructure and the carrying out to other community redevelopment objectives, all as provided for in Section 163.370, Florida Statutes;
- (q) The power to dispose of any properties acquired in the community redevelopment area at their fair value for uses in accordance with the community redevelopment plan;
- (r) The power to provide, or to arrange or contract and to agree to any conditions that it deems reasonable and appropriate which are attached to Federal financial assistance and imposed pursuant to Federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of the community redevelopment and related activities and to fulfill such of conditions as it deems reasonable and appropriate;
- (s) Within the community redevelopment area, the power.

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- (1) To the extent authorized by law to enter into buildings or property in the community redevelopment area in order to make inspections, surveys, appraisals, sounding or test borings and to obtain an order for this purpose from the court of competent jurisdiction in the event entry is denied or resisted;
 - (2) To acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain, or otherwise any real property (or personal property for its administrative purposes) together with any improvements thereon;
 - (3) To hold, improve, clear, or prepare for development of any such property;
 - (4) To mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property;
 - (5) To insure or provide for the insurance of any real or personal property or operations against any risk or hazards, including the power to pay premiums on any such insurance;
 - (6) To the extent authorized by law, to enter into any contracts necessary to effectuate the purposes of Part III, Section 163, Florida Statutes, and
 - (7) To solicit requests for proposals for redevelopment of parcels of real property contemplated by a community redevelopment plan to be acquired for redevelopment for purposes by the Community Redevelopment Agency and as a result of such requests for proposals to advertise for the disposition of such real property to private persons pursuant to Section 163.380, Florida Statutes, prior to acquisition of such real property by the Community Redevelopment Agency;
- (t) The power to invest in any community redevelopment fund held in reserve for sinking funds or any such funds not required for immediate disbursement in

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property or securities in which savings banks may legally invest funds subject to their control and to redeem such bonds as may have been issued pursuant to Section 163.385, Florida Statutes, at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed for purchase being cancelled.

- (u) The power to borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the Federal government or the state, county, or other public body or from any sources public or private, for the purposes of Part III, Chapter 163, Florida Statutes, and to give such security as may be required and to enter and carry out contracts or agreements in connections therewith, and to include in any contracts for financial assistance with the Federal government for or with respect to community redevelopment and related activities such conditions and powers pursuant to Federal law as Brevard County or the City of Satellite Beach deems reasonable and appropriate which are not inconsistent with the purposes of this Part III, Chapter 163, Florida Statutes;
- (v) Within the City to make or have made all surveys and plans necessary to the carrying out of the purposes of this part, to contract with any person, public or private, in making and carrying out such plans, and to adopt or approve, modify and amend such plans, with plans that include the plans specified in Section 163.370, Subsection (1)(h) 1-3, Florida Statutes;
- (w) The power to develop, test, and report methods and techniques, and carry out demonstrations and other activities for the prevention and the elimination of slums and other blight and developing and demonstrating new or improved means of providing housing for families and persons of low income;

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- (x) The power to apply for, accept, and utilize grants or funds from the Federal government for such purposes;
- (y) The power to prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, non-profit organizations, and others) displaced from the community redevelopment area and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal government;
- (z) The power to appropriate such funds and make such expenditures as are necessary to carry out the purposes of Part III, Chapter 163, Florida Statutes, to zone or rezone any part of the municipality or make exceptions from building regulations, and to enter into agreements with a housing authority, which agreements may extend over a period, notwithstanding any provision or rule of law to the contrary, with respect to any action to be taken by the City of Satellite Beach pursuant to any of the powers granted by Part III, Chapter 163, Florida Statutes;
 - (aa) The power to close or vacate, or replan streets, roads, sidewalks, ways, or other places and to plan or replan any part of the City of Satellite Beach;
 - (bb) The power to organize, coordinate, and direct the administration of the provisions of Part III, Chapter 163, Florida Statutes, as they may apply to the City of Satellite Beach in order that the objective of remedying slum and blighted areas and preventing the causes thereof within the City of Satellite Beach may be most effectively promoted and achieved and to establish such new office or offices of the City or to reorganize existing offices in order to carry out such purposes most effectively.

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- (cc) The power to exercise all or any part or combination of the powers herein granted or to elect to have such powers exercised by the Community Redevelopment Agency; and
- (dd) With the approval of the City Council of Satellite Beach, the Community Redevelopment Agency may, prior to the approval of the community redevelopment plan or approval of any modification for the said plan, acquire real property in the community redevelopment area, demolish and renew any structures on the property, and pay all costs related to the acquisition, demolition, or removal thereof, including any administrative or relocation expenses, provided that the Community Redevelopment Agency assumes the responsibility to bear any loss that may arise as a result of the exercise of authority under Subsection 163.370(3) Florida Statutes, in the event that the real property is not made part of the community redevelopment area.

SECTION 2. The delegation of powers herein to the City Council of the City of Satellite Beach, Florida, shall also include the power for the City Council to empower said Community Redevelopment Agency, to conduct any activities pursuant to Part III, Chapter 163, Florida Statutes, which a Community Redevelopment Agency would otherwise be empowered to exercise or conduct pursuant to said statutes. Provided, however, that the authority to have final approval and undertake activities specified in Section 1(f), (g), (h), (i), and (l) of this Resolution shall inure in the Satellite Beach City Council, and may not be delegated to the Satellite Beach Community Redevelopment, except that the City Council may grant to the Satellite Beach Community Redevelopment Agency the authorization to issue redevelopment revenue bonds, all as set forth in Section 163.386, Florida Statutes. Further, said delegation of powers is limited to be conducted only within the incorporated areas of the Town. The officers, employees, and

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commissioners of the Satellite Beach Community Redevelopment Agency shall be subject to the Code of Ethics, as set forth in Part III, Chapter 112, Florida Statutes and further explicated in Section 163.367, Florida Statutes.

SECTION 3. Conditions. The delegation of powers set forth in this resolution is conditioned upon the following conditions:

- A. The City and the Community Redevelopment Agency shall not expend in any one Community Redevelopment Agency fiscal year more than 25% of the tax increment revenues raised pursuant to Section 163.387, Florida Statutes, on administrative expenses. For the purpose of this condition, the term "administrative expenses" includes personnel costs (i.e., salary and fringe benefits) of Community Redevelopment Agency Staff, office equipment and supplies, operating overhead (office space, electricity, and utilities for office), postage, printing, or copying charges, travel costs, seminar costs, and similar direct expenses of the Community Redevelopment Agency. Allocation of costs, in a Community Redevelopment Agency Construction or consultant contract for administrative costs of the contractor, or from the Town's General Fund would not be included within the 25% cap;
- B. The Board of County Commissioners reserves the right to either revoke the delegation of authority to the City or to designate themselves as the redevelopment agency (for non-performance) that the Board deems that it is necessary for the protection of the health, safety, welfare, or fiscal interests of the public or the redevelopment area.

Notwithstanding the foregoing, no such revocation of the delegation of authority to the municipality, and no such designation by the Board of County Commissioners as the Community Redevelopment Agency, shall (1) impair any

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contract made by the Community Redevelopment Agency prior to the time when the Board shall have exercised or taken such action; or (2) affect the obligation of the Community Redevelopment Agency (or of the Board of County Commissioners, if it designates itself as the Community Redevelopment Agency) to raise revenue through increment tax financing or other charges in the amount necessary to comply with the Community Redevelopment Agency's obligations in respect of any outstanding bonds or other evidences of indebtedness; or (3) affect the obligation of the Community Redevelopment Agency (or the Board of County Commissioners, if it designates itself as the Community Redevelopment Agency) under any outstanding bond, bond anticipation note, tax anticipation note, or other evidences of indebtedness. In the event that the Board of County Commissioners revokes its delegation of authority or otherwise designates itself as the Community Redevelopment Agency, the Board of County Commissioners shall take all necessary or appropriate action to protect the interests of any holders of bonds issued by the Community Redevelopment Agency. At any time that the City's Community Redevelopment Agency shall request, the Board of County Commissioners will consider the adoption of such resolutions as may be necessary from time to time for the Community Redevelopment Agency to issue bonds or other evidences of indebtedness.

- C. Unless extended by further resolution of the County Commission, (1) the delegation of authority provided for this resolution shall terminate 25 years from the date of the creation of the Community Redevelopment Agency, and (2) any redevelopment agency created by the City shall cease to exist as a community redevelopment agency pursuant to Part III, Chapter 163, Florida Statutes, after 25 years from the date of this resolution.

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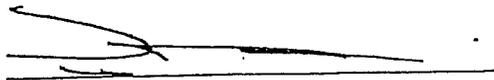
SECTION 4. Severability Clause. In the event that any term, provision, clause, sentence, or section of this Resolution shall be held by a court of competent jurisdiction to be partially or wholly enforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Resolution, and this Resolution shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

SECTION 5. Resolutions in Conflict. All resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 6. Effective date. This Resolution shall take effect immediately upon its adoption.

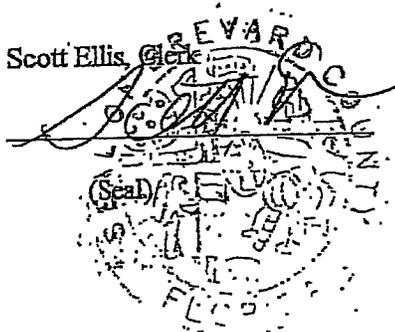
DULY ADOPTED this 21 day of May 2002.

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA



BY: Truman G. Scarborough, Chairman

As approved by the Board 5-21-02



RESOLUTION NO. 755

A RESOLUTION OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, MAKING FINDINGS; FINDING THAT BLIGHTED AREAS EXIST ALONG THE CORRIDORS OF HIGHWAY A1A AND SOUTH PATRICK DRIVE AND PROPERTIES ADJACENT THERETO, INCLUDING JACKSON AVENUE AND CASSIA BOULEVARD CONNECTORS; DECLARING THAT THE REHABILITATION, CONSERVATION AND REDEVELOPMENT OF SUCH BLIGHTED AREAS ARE NECESSARY IN THE INTEREST OF PROMOTING THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF SATELLITE BEACH; DETERMINING THAT THERE IS A NEED FOR A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT THE REDEVELOPMENT PURPOSES OF CHAPTER 163, PART III, FLORIDA STATUTES, WITHIN THE BLIGHTED AREAS; PROVIDING FOR THE ESTABLISHMENT OF A COMMUNITY REDEVELOPMENT DISTRICT; DECLARING THE BOARD OF COMMISSIONERS OF SAID COMMUNITY REDEVELOPMENT DISTRICT TO CONSIST OF THE CITY COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.340(8), Florida Statutes, a "blighted area" is defined as follows:

"Blighted area" means either:

- (a) An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one or more of the following factors which substantially impairs or arrests the sound growth of the county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:**
 - 1. Predominance of defective or inadequate street layout;**
 - 2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;**
 - 3. Unsanitary or unsafe conditions;**
 - 4. Deterioration of site or other improvements;**
 - 5. Tax or special assessment delinquency exceeding the fair market value of the land; and**
 - 6. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or**

- (b) An area in which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or public transportation**

facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction; and

WHEREAS, there exist blighted areas within the proposed boundaries of the A1A/South Patrick Corridor Community Redevelopment Area as depicted in Exhibit "A"; and

WHEREAS, in the areas described in Exhibit "A" there exists faulty or inadequate street layouts; a deterioration of infrastructure and sites; faulty lot layouts and non-conforming parking and ingress/egress points; economic and social liabilities imposing onerous burdens which decrease the tax base and reduce tax revenues, and thus meet the criteria of a blighted area as defined in Section 163.340(8), Florida Statutes, and consistent with Section 163.335(1), Florida Statutes; and

WHEREAS, a study (the "Study", found in Exhibit "B") was conducted by the City's Consultant and its A1A Corridor committee which recites factual findings of blight as described in the paragraph above, in addition to the other factors which demonstrate declining property values, declining building conditions, and a deteriorating infrastructure; and

WHEREAS, the City Council acknowledges receipt of the Study which is appended hereto as Exhibit "B", and finds that based on the Study and other evidence and testimony presented, that areas described in Exhibit "A," constitute a "blighted area" as defined in Chapter 163, Part III, Florida Statutes; and

WHEREAS, based on the Study and other evidence and testimony presented by the City's consultant, the City Council finds that designation of the "A1A/South Patrick Dr. Corridor" Community Redevelopment Agency boundaries as described in Exhibit "A," meets the intent and requirements set forth in and would be consistent with the requirements set forth in Section 163.335(1), Florida Statutes; and

WHEREAS, the rehabilitation, conservation and redevelopment, or a combination thereof, of the area described in Exhibit "A" is necessary to further the public health, safety, morals and welfare of the residents of the City of Satellite Beach, and to implement the intent of the Florida Legislature expressed in the Community Redevelopment Act of 1969, as amended, by revitalizing the area economically and socially, which will improve the tax base, promote sound growth and provide/repair infrastructure; and

WHEREAS, the State of Florida has found and declared that the preservation or enhancement of the tax base from which a taxing authority realizes tax revenues is essential to its existence and financial health; that tax increment financing is an effective method of achieving such preservation and enhancement in areas in which such tax base is declining; that community redevelopment in such areas, when complete, will enhance such tax base and provide increase tax revenues to all affected taxing authorities, increasing their ability to accomplish their other respective purposes.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH:

SECTION 1. The area of Satellite Beach more fully described in Exhibit "A," which area is wholly within the corporate limits of the City of Satellite Beach, is hereby found and declared to be a "blighted area," as defined and within the purpose and intent of Chapter 163, Part III, Florida Statutes.

SECTION 2. That pursuant to the provisions of Section 163.355, Florida Statutes, it is hereby found and declared that:

- (a) The rehabilitation, conservation or redevelopment, or a combination thereof, of the area described in Exhibit "A" is necessary in the interest of public health, safety, morals, and welfare of the citizens of the City of Satellite Beach; and
- (b) That blighted areas exist within the areas described in Exhibit "B."

SECTION 3. That there is a need for a community redevelopment agency to function and carry out the community redevelopment purposes as specified in Chapter 163, Part III, Florida Statutes.

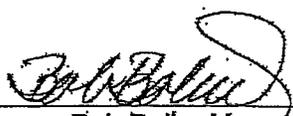
SECTION 4. That the City Council of the City of Satellite Beach, Florida, hereby declares that the areas described in Exhibit "A:"

- (a) Shall be created as the boundaries of the A1A/South Patrick Dr. Corridor Community Redevelopment Agency; and
- (b) Shall be subject to the jurisdiction of the board of commissioners of the A1A/South Patrick Dr. Corridor Community Redevelopment Agency.

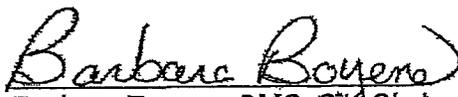
SECTION 5. That this resolution shall become effective immediately upon adoption in accordance with the Charter of the City of Satellite Beach.

SECTION 6. That this resolution was adopted at a regular meeting of the City Council on the 12th day of June, 2002.

BY: _____


Bob Bolin, Mayor

ATTEST:


Barbara Boyens, CMC, City Clerk

**EXHIBIT B
FINDINGS OF FACT**

*City of Satellite Beach Findings of Necessity
AIA/South Patrick Drive Corridor
Blight Study Summary
Technical Memo*

**PREPARED FOR THE HONORABLE MAYOR
CITY COUNCIL
CITY MANAGER
CITY STAFF**

APRIL 3, 2002

Prepared by:
Rochelle W. Lawandales, AICP
Lawandales Planning Affiliates
2200 Front Street
Melbourne, Fla. 32901
Phone: 321.757.3197
Fax: 321.757.3088

Introduction

The City of Satellite Beach is a unique area, one that was spawned even before the early "Space Race" days, where no buildings sat east of a two-lane road now known as AIA. Patrick Air Force Station was the primary employer and small shops, such as Gaskins Drug store, small Mom and Pop grocery stores, and bars dotted the sketchy AIA landscape. South Patrick Drive was road into and out of the base, but AIA was the road the "high schoolers" crossed on sunny days to catch the surf. Satellite Beach has grown up amid the sun and surf, and still reflects its heritage as it tries to grow responsibly to foster economic development and a sound tax base to meet the needs of its citizens, while preserving the pristine environment that adds to its native character.

The majority of the area grew in the 1960's and 1970's. Today, those same buildings are showing signs of decay, dilapidation, and unsafe and unsanitary conditions. While many areas are improving, small lot sizes resulting from very old plats and a constrained and formerly widened AIA have cut land areas such that without assistance from a Redevelopment program, they will sit idle for many years to come, leading to further blighting conditions.

This blight study comes about as a result of seeing a physical decline in both the AIA and South Patrick Drive corridors. This study examines the blighted conditions of the proposed redevelopment area and establishes the need for a strategic plan to create opportunities for private reinvestment, redevelopment and overall revitalization. Blighted areas in general:

- ♦ impose a costly burden on local communities in terms of service requirements
- ♦ cause the loss of much needed tax revenues;
- ♦ infringe on the general health, safety and welfare of the residents within the area of deterioration; and,
- ♦ have the effect of impairing and arresting economic growth and vitality because few will invest or reinvest in the area.

The Community Redevelopment Act (CRA), Chapter 163, Part III, of the Florida Statutes:

- ♦ provides legislative authority for local governments to use a variety of incentives and non-traditional approaches to eliminate blighting conditions
- ♦ provides some additional powers to local governments for implementation, and
- ♦ the financial means to pay the costs of public improvements and to assist key portions of the private effort.

Local Governments must establish that a given area is a blighted area, and that the revitalization and redevelopment of that area is in the interests of the residents of the community. This document, to be referred to as the *AIA/South Patrick Drive Corridor Blight Study Technical Memo*, is intended to accomplish that purpose. The Blight Study area (BSA) was contained within the lands on the east and west side of AIA from the north to south City Limit lines and generally along the east and West sides of South Patrick Drive from the north to South City limit lines.

The blight study represents a summary presentation of the data and information assembled by the consultant and the City's Building and Zoning Department to identify conditions of blight within a selected area of the City. The blight study is intended to fulfill the following necessary functions:

*City of Satellite Beach Findings of Necessity
AIA/South Patrick Drive Corridor Blight Study Summary and Technical Memo*

1. To establish the existence of the blighted conditions as specifically outlined in the definition of "Blighted Area" as contained in part 163.340 (8) of the CRA. This is required for the City to designate the identified area as a Community Redevelopment Area;
2. To identify the specific problems which exist and must be addressed in the redevelopment plan if a successful program of comprehensive redevelopment is to be realized;
3. To create the findings of necessity for use by the City and County in designating the area and delegating authority for a CRA to be created.

Proposed Boundaries

The AIA/South Patrick Dr. Corridor BSA is outlined in the map depicted on Map 4 and as shown on Exhibit A of the Resolution. The Blight Study Area (BSA) is generally comprised of lands lying adjacent to the Atlantic Ocean on the East, the parcels adjacent to or having frontage on AIA on the west, the northern and Southern City limit lines for the AIA portion. The area is linked through Jackson Avenue and extends to the north city limit line on the east side of South Patrick, the four corners of the intersection of Jackson Avenue and South Patrick Drive, and the frontage properties on South Patrick extending to Cassia. The BSA includes approximately 212 total acres, with 159 on AIA and 53 on South Patrick Drive.

Vision for the AIA/South Patrick Corridor

In redevelopment, government has one of its most justifiable reasons for intervention because in most cases, it is impossible to reverse blighted conditions through private sector initiatives alone. Until now, developers have assumed full responsibility for the economic development of AIA/South Patrick Dr. Corridor. The vision for the future, however, is based on a partnership between the public and private sectors. Through the adoption and implementation of a comprehensive redevelopment plan, via a participative process, the City seeks to revitalize the BSA, perhaps even creating a new Town Center on AIA that would serve the community as a traditional downtown would in other Cities. It is a sign of maturity that the City should consider reinvestment and redevelopment within the BSA and a sign of stewardship that the City recognizes the inter-dependence, which is necessary between the private and public sectors to achieve revitalization.

Chapter 163, Part III "Blight"

Chapter 163, Part III, contains specific definitions of "Blight". Basically, Blight is a set of negative physical circumstances that make an area a burden to the greater community. As a whole, these circumstances discourage the development and redevelopment of individual properties in the area and within the surrounding neighborhoods. Blight is rooted in a basic lack of investment and maintenance. The Community Redevelopment Act requires that the BSA fit the definition of a "blighted area" if the City is to use the powers provided by the Act for the redevelopment activities. The following is the definition for blight as set forth by the State Statute from Section 163.340.

"Blighted area," means either:

1. An area in which there are a substantial number of shum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one of more of the following factors which substantially impairs or arrests the sound growth of a county or municipality and is a menace to the public health, safety, morals or welfare in its present condition and use:

*City of Satellite Beach Findings of Necessity
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- Predominance of defective or inadequate street layout
 - Faulty lot layout in relation to size, adequacy, accessibility or usefulness
 - Unsanitary or unsafe conditions
 - Deterioration of site or other improvements
 - Tax or special assessment delinquency exceeding the fair value of the land
 - Diversity of ownership or defective or unusual conditions of title which prevents the free alienability of land within the deteriorated or hazardous area; or
2. An area in which there exists faulty or inadequate street layout, inadequate parking facilities, or roadways or bridges or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following construction.

If the AIA/South Patrick Dr. Corridor BSA can be shown to fit the Community Redevelopment Act's definition for a "blighted area", then the City adopts a resolution called a Finding of Necessity. A Finding of Necessity states that an official blighted area exists within the City limits and that redevelopment of that area is necessary in the interest of the public health, safety, morals and welfare of the residents of the City. This study will provide the evidence necessary to show that the AIA/South Patrick Dr. Corridor BSA bears conditions, which correspond to the Community Redevelopment Act's definition of a "blighted area".

Blighted Conditions Overview

Non-Conforming Uses, Structures, Lands

The types of land uses found within the BSA include: commercial/retail, professional office, institutional, light manufacturing, recreational and residential. Many non-conforming conditions exist, particularly with respect to current zoning district standards. Most of those conditions are in the structures themselves or with the land, rather than actual uses. Some automotive repair places, however, constitute a few nonconforming uses of land. The Redevelopment Plan may explore a means of bringing these sites into compliance with respect to the City's Zoning, primarily by creating more parking and landscaping.

Building Appearance:

Many of the buildings within the BSA are in a state of minor to major disrepair and in need of refurbishment and maintenance. Necessary restorations range from simple painting to rehabilitation to structural repairs such as roofs and frames. Most of the existing the buildings represent a typical concrete/stucco style resonant of the 1960's.

Parking Lots:

Approximately one half (1/2) of all of the sites have parking lots which are less than adequate, particularly those older sites along the South Patrick Corridor. Major locations on AIA, such as the Bowling Alley, auto repair shops, smaller restaurants, Dairy Queen, and some of the older strip centers were lacking in one or more of the following categories. Windshield surveys revealed that parking lots were deficient in one or more of the following areas:

1. Improper location of parking stalls
2. Insufficient number of parking stalls
3. Insufficient or non-existing pavement

*City of Satellite Beach Findings of Necessity
AIA/South Patrick Drive Corridor Blight Study Summary and Technical Memo*

4. Inadequate number of handicap parking spaces as well as a deficiency in width and a lack of access aisles.
5. Lack of drainage and retention
6. If paved, it is cracked and requires resurfacing
7. Needs striping or restriping
8. Insufficient/no curbing
9. Insufficient/no lighting
10. Insufficient/no landscaping

On-site parking and its related problem of access management, within the BSA is an element that requires considerable attention. The lack of coordination among the sites from small lots and small individual developments contributes to the overwhelming problem of access management and numerous driveways and curb cuts. The parking conditions as described have contributed to the overall blight of the area.

Landscape/Irrigation:

Almost all of the sites in the BSA are deficient in one or more ways with regard to meeting minimum code landscape requirements. Landscape deficiencies include insufficient or non-existent buffers along rights-of-way and abutting properties, an insufficient number of terminal and interior islands, a lack of protection for the existing trees and vegetation, inadequately sized planter beds to contain the existing canopy trees; and a lack of sod, hedges and/or trees, and irrigation. Through the designation of the AIA/South Patrick Dr. Corridor Redevelopment Area, a plan addressing these conditions can be designed, and in so doing, create incentives for landscape additions and restorations wherever plausible.

Landscape improvements are like a coat of fresh paint or a decorated living room. Little to no landscape often implies little to no investment. Conversely, ample and quality landscape treatment reflects pride of ownership and a perception of economic stability. Therefore, it is necessary for the landscape to depict a well thought out design and maintenance program. Many sites in the BSA exhibit insufficient landscape and/or have been insufficiently maintained over the course of years in the majority of instances. It is an amazing fact that simply treatments like facades and landscape help restore an area's sense of place and economic stability. With a redevelopment plan, the City can address these important issues. It will be especially important to maintain and improve upon these standards, through new land development codes in order for the area to redevelop in a higher quality fashion.

Pedestrian Access:

Almost all of the sites lack linkage and adequate pedestrian accessibility. While the City is progressing with a pedestrian sidewalk system, there are so many places that are not interconnected to each other and to the uses they serve. Pedestrian access is a desirable element in the health and vitality of a functioning urban area. It also contributes to crime reduction—when people are out and about, there is natural human surveillance. Pedestrian ways also provide important alternative transportation options for area residents to access non-commercial uses in the neighborhood, which can help to reduce unnecessary motor vehicle trips. The linear configuration of Satellite Beach, with the commercial corridors on either side of solid residential neighborhoods, lends itself well to becoming "livable, walkable, sustainable".

Lighting:

Sufficient lighting for public activity during early morning or evening hours can help deter crime and improve public safety. Dark areas are potential hiding places for criminal activity. The Redevelopment plan should further evaluate street lighting systems (preferably for decorative lighting) and be coordinated with the pedestrian system to provide safe, well-lit travel areas.

Curbing:

Some curbing exists along the edges of roadways, but next to none exists on the interior of the commercially zoned properties. Interior curbing protects new and existing landscape, which is important for shade purposes, channelizing stormwater, heat reduction from retentive surfaces such as asphalt and concrete, and for aesthetic reasons.

Age of Structures/Decay

The majority of the infrastructure, buildings and site improvements within the BSA range in age from thirty-five (35) to fifty (50) years old. To this extent, it is not surprising that the BSA exhibits a dated appearance and conditions are currently in a state of blight due to a lack of regular and ongoing maintenance.

AGE OF STRUCTURES

<u>South Patrick Dr</u>	<u>AIA</u>
1960's: 20	1950'S: 16
1970's: 11	1960'S: 132
1980's: 5	1970'S: 400
1990's: 15	1980'S: 194
2000: 2	1990'S: 47
	2000 +: 6

The majority of the development activity within the BSA has been minor renovations and site improvements in conjunction with changes of occupancy. This lack of growth can be attributed to high traffic volumes, transportation constraints, and poor structural conditions of the deteriorating buildings. These conditions may reveal a need to reclaim and convert some of the low value commercial properties for other types of land uses.

Growth has been slow for the City in general, as is evident by the number of structures built in recent years in the BSA. Vacancies generate visual blight, increase negative impressions and stereotype the area as undesirable to conduct business or live. They hamper private investment initiatives, decrease property values and undermine the City's tax base. Long vacancy periods are particularly damaging since they remind all those passing by that demand for space within the neighborhood is lacking. People make the assumption that the neighborhood is undesirable. This is true with the old Duval Federal Building and Pizza Hut structures, along with several vacant parcels that have failed to sell or be developed, some for over 10 years.

Taxable Values

Assessed values show the lack of investment in the two proposed areas as they relate to the City as a whole. The South Patrick corridor area is only 3% of the City total. The AIA corridor, while

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substantially more than South Patrick, amounts to only 14% of the total City's values. This is a powerfully low number, when recognizing this is the City's major commercial corridor.

	Acres	Land Value	Building Value	Assessed Value
City	1306	\$197 M	\$320M	\$519M
South Patrick:	53	\$5 M	\$11 M	\$16M (3%)
AIA:	159	\$32M	\$43M	\$75M* (14%)

*East side: \$53M/West side: \$22M

Property values in the BSA lag far behind the overall City, despite being the two major commercial corridors in the area. In fact, the residential structures along AIA carry far more value than the commercial structures. This is one of the clearest indicators of slum and blight. Without redevelopment and revitalization of the BSA land uses, it will continue to decline. Opportunities are available to prevent the City from losing more revenue because of blighted conditions, if actions are taken to arrest these conditions. Furthermore, as the land value rise and building values drop, these buildings will be demolished. Without adequate infrastructure, access management, sound development codes and incentives for private investment from creating a CRA, these areas will continue to decline.

Streets and Traffic

Uncontrolled access points are a major contributor blighting conditions. Each of the parcels has individual access points. Constant movements inhibit traffic flow, cause accidents, and provide negative impressions on ability to safely get in and out of a site. Excessive utility poles and overhead lines along with an unattractive and storm vulnerable system of signalization, nonconforming access points, vacant property, aged buildings, and unappealing facades, together detract from potential development of the two corridors. Peak hour congestion occurs daily along AIA and South Patrick Drive. Measures need to be taken to alleviate the ongoing congestion.

The expansion (widening) projected for South Patrick Drive will result in a series of temporary negative consequences for the /South Patrick Dr. Corridor BSA. Among other things, the negative consequences could include: Lengthy construction periods causing further delays and confusion due to detours which may result in a loss of business for this area and higher traveling speeds which makes it increasingly difficult for passers by to contemplate the desire to stop and shop, eat or browse.

Crime Statistics

A prime indicator of blighted conditions is the amount of crime and the increase in crime within an area. Crime imposes burdens on both the residential taxpayer and the business owners within a City by the increased cost in additional police coverage and protection. As the need for police protection increases, a larger percentage of tax revenues are used to provide additional services. Crime also contributes to a downward trend in property values, and thus reduces the tax revenues the area generates. This circular pattern results in disinvestments and in many cases discourages investment altogether. Crime in both areas has risen over the last couple of years.

A Redevelopment Plan can provide the important opportunity to utilize Crime Prevention Through Environmental Design (CPTED) standards by putting in place code, programs or solutions that provide natural surveillance through the use of sidewalks, pedways and bicycle paths, increasing lighting through a comprehensive look at the lighting needs in an attempt to eliminate the dark corridors or areas that become opportune hiding places for criminal activity.

Lot Lay-outs

The Act recognizes that faulty lot size and configuration may impair the sound economic growth of a given area and may potentially become a menace to the health, welfare, and safety of the local residents/businesses. Lots within the BSA were platted in the early 1950's. The nature of retail and business has changed dramatically. Small-scale sites are sometimes at a disadvantage. Today, the original platted lots have insufficient area to meet some standard development requirements desired for today's retailers.

Faulty lots offer little if any value to a community. Sometimes these lots have been vacant for a very long time. In such cases, the lots are often unkempt and overgrown and add significantly to conditions of visual blight within an area. Other lots, however, are already developed with a particular use but cannot be used for another. Until proper solutions are identified these lots will continue to hamper investment opportunities and continue to be at odds with the changing community around them. Additionally, many of these sites risk becoming maintenance problems, creating visual blight and hampering investments within the surrounding area.

Stormwater Management

Development of non-residential sites requires the design, permitting and construction of proper stormwater retention facilities. St. John's River Water Management District (SJRWMD) is the agency responsible for the review and permitting of stormwater management activities within the BSA. Pursuant to their review of a proposed development, on-site water retention may be required. However, the smaller lots within the BSA were not designed to accommodate on-site water retention. Although lots may be "developable" by virtue of their zoning classification, actual development cannot proceed if insufficient area is available to accommodate water retention.

It is estimated that approximately one-quarter ($\frac{1}{4}$) of the sites within the BSA are utilizing underground stormwater drainage systems and the very few new businesses and institutional facilities developed since the late 1980's, have sufficient stormwater storage. As a result, stormwater continues to drain into the Indian River Lagoon, which is creating a potential threat to the delicate balance of the ecosystem.

The City has taken great steps to improve stormwater management through a Stormwater Utility and installing more "regional" systems to aid drainage where on-site systems are non-existent. Without the help of public involvement and creative solutions to this problem vacant businesses and lots will persist. When a site's development potential is hampered because of the costs associated with it, the City should seek solutions such as the development of shared stormwater management systems and retention facilities. Solutions such as this will be examined within the Redevelopment Plan. Two-thirds ($\frac{2}{3}$) of the sites within the BSA do not have ample square footage to house the required on-site retention. Without the City's involvement in seeking solutions to this problem, the majority of the sites will continue to remain vacant and undevelopable or continue to house decaying buildings. The Redevelopment Plan would take a comprehensive look at the stormwater management challenges present within this area and create opportunities for regional solutions that would aid in redeveloping the existing land mass.

Redevelopment Opportunities

Like many older cities, Satellite Beach developed along the Ocean and River and "in-filled" in between. Almost completely built out, there is little room to grow, unless lands are annexed to the north. This "build-out" results in several key factors, some negative and some positive:

1. Lack of new, raw land for development
2. Increased demand to use and convert existing land uses to meet market trends and population demands
3. Rising land costs, often exceeding building values, which is the approaching scenario in Satellite Beach
4. Aging infrastructure inadequate to support current regulatory requirements and business needs
5. Aging structures that contribute to prevalent blight and decay

Therefore, a Chapter 163 Community Redevelopment Program would provide opportunities for the community to design a new future for the BSA and create opportunities for public and private investment, consistent with a consensus driven Redevelopment Plan. Imagine a pedestrian-oriented, mixed-use district within the BSA, perhaps even a new Town Center, which would create a new focal point for public and private activities, special events, retail and residential arenas. Liner shops would replace derelict strip centers. Frontage or "rear-age" roads would filter many access points into just a few, and provide coordinated parking, new landscape and stormwater management. Incentives and new codes for urban design and architectural standards for façade treatments, building rehabilitation, and new construction would result in a new "visual" landscape for the City. The district would capitalize on its proximity to the AIA, Jackson Avenue, and South Patrick Drive intersections, its connections to the Atlantic Ocean and other existing public and private amenities.

The City has succeeded in capitalizing on land acquisition for public access to one of our most precious treasures—the Ocean and Samson's Island on the Lagoon. AIA offers great potential to support significant beach access areas vital enough to capture interest from Maine to Key West. The roadway has been designated a Scenic Highway and with that comes great advantages from eco-tourism. By bringing residents and potential customers alike into this redeveloped and revitalized area, local and tourism dollars can aid in this niche market, which could then comfortably compete for business in the larger commercial centers in Satellite Beach.

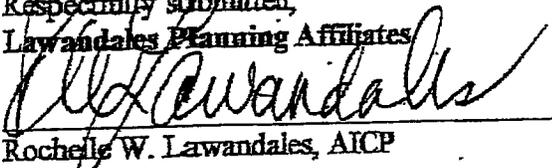
RECOMMENDATIONS

In my opinion, the BSA clearly meets the statutory requirements for establishing a Community Redevelopment Area. To establish AIA/South Patrick Dr. Corridor as a redevelopment area, the City Council, according to the Community Redevelopment Act, Chapter 163, Part III, Florida Statutes, is required to do the following:

1. Request approval from the County Commission delegating the City to create a community redevelopment district and agency.
2. Adopt a Resolution of Necessity, which identifies AIA/South Patrick Dr. Corridor as a blighted area. This Blight Study for AIA/South Patrick Dr. Corridor must be an exhibit of the Resolution.
3. Establishing a Community Redevelopment Agency to carry out the Community Redevelopment Functions as established by the Act.

*City of Satellite Beach Findings of Necessity
AIA/South Patrick Drive Corridor Blight Study Summary and Technical Memo*

4. Develop and adopt by ordinance, a redevelopment plan.
5. Create a trust fund for the implementation of the plan through an ordinance adoption.

Respectfully submitted,
Lawandaes Planning Affiliates


Rochelle W. Lawandaes, AICP

**CITY OF
SATELLITE BEACH**

Chapter 163, Part III, FS
DRAFT BLIGHT STUDY
FINDINGS

AIA/SOUTH PATRICK DRIVE
CORRIDOR

Redevelopment Planning

Purpose: To bring about positive change.

Outcome: Partnership between the PRIVATE SECTOR, THE COMMUNITY and the CITY OF SATELLITE BEACH.

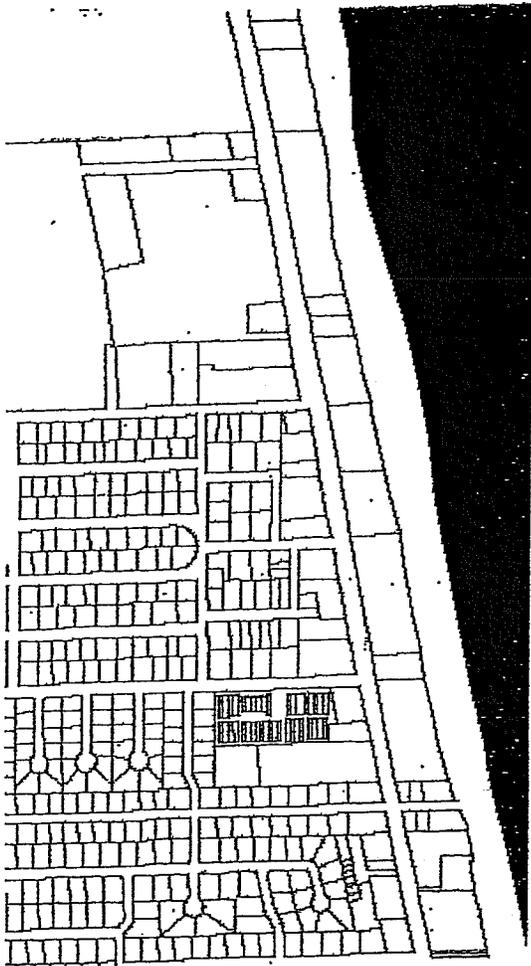
Method: Consider the entire "big picture".

Result: A community coming together to agree on a general idea for the future (a 25 year process).

#1 The BLIGHT STUDY

"Blighted area," means either:

- (a) An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions that lead to economic distress or endanger life or property by fire or other causes or one or more of the following factors that substantially impairs or arrests the sound growth of a county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:
1. Predominance of defective or inadequate street layout;
 2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 3. Unsanitary or unsafe conditions;
 4. Deterioration of site or other improvements;
 5. Inadequate and outdated building density patterns;
 6. Tax or special assessment delinquency exceeding the fair value of the land;
 7. Inadequate transportation and parking facilities; and
 8. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
- (b) An area in which there exists faulty or inadequate street layout, inadequate parking facilities, or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area either at present or following proposed construction.



Issues...

Faulty/small lot sizes

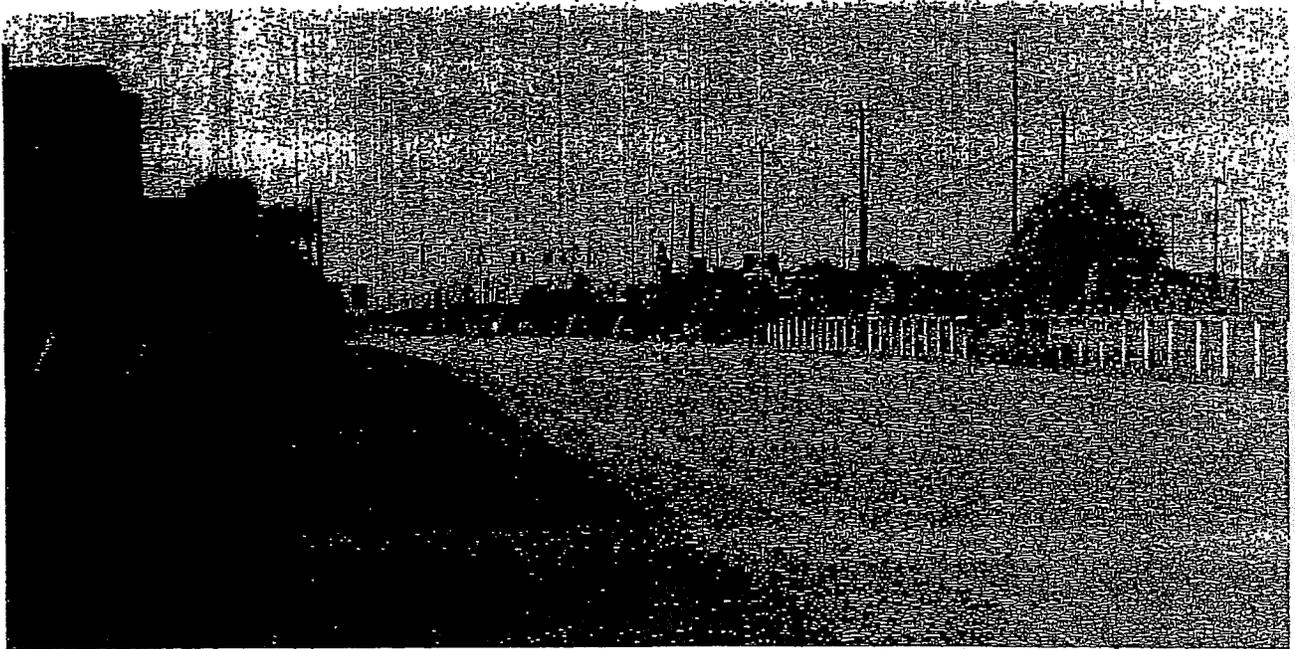
Non-conforming platted
lots of record

Disruptive/lack of
pedestrian and
vehicular flow

Uncontrolled/unlimited
access

Multiple/absentee
ownership patterns

North Section of City



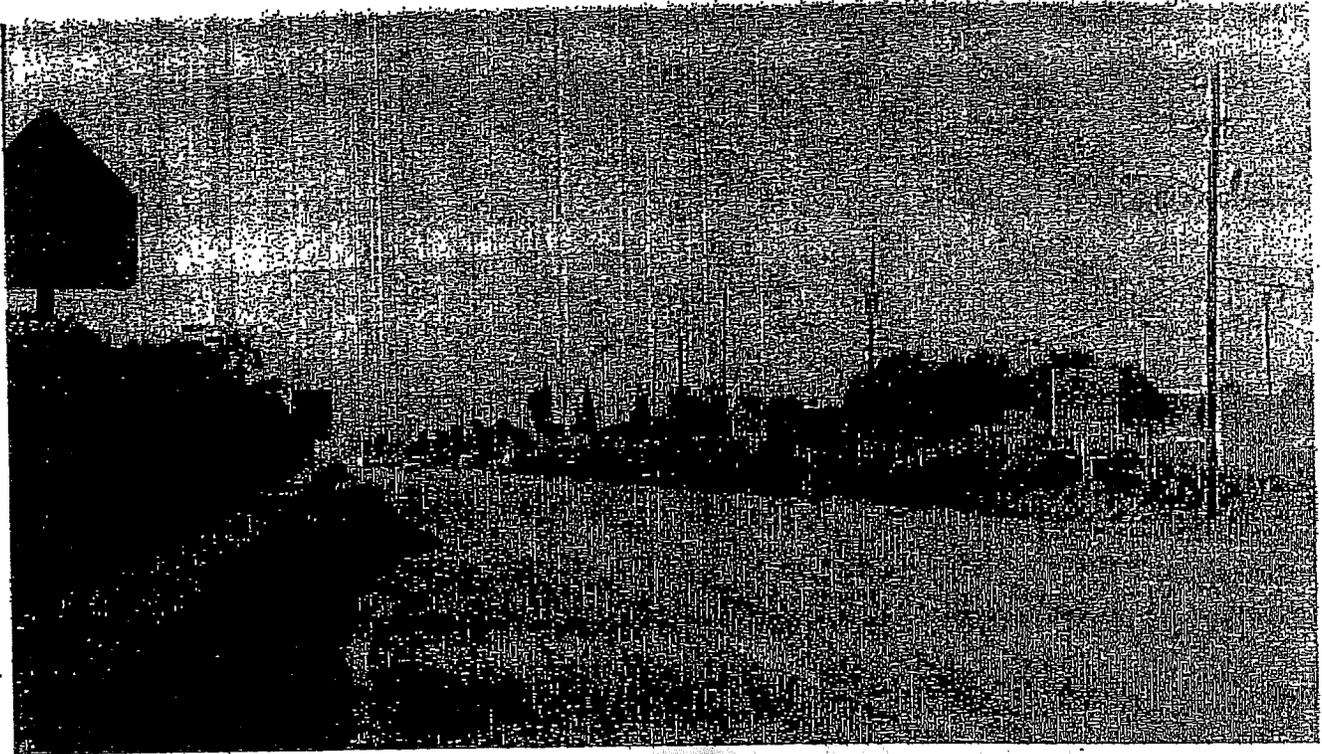
Direction: Looking South

Issues: Overhead Clutter; Signage; access management; constrained corridor; stormwater management; aging buildings/infrastructure



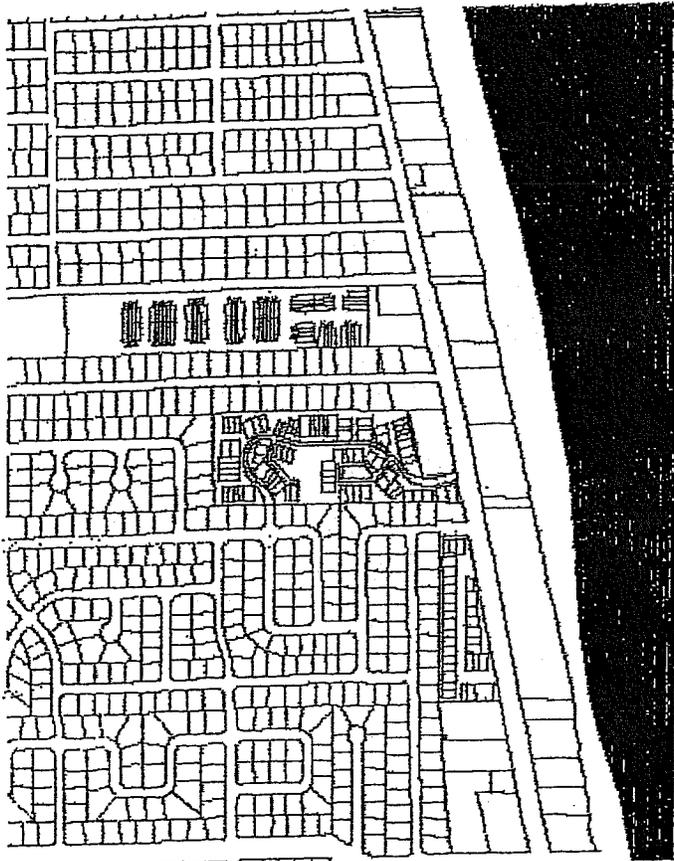
Direction: Looking West on AIA

Issues: Aging/decaying buildings; lot sizes and layouts; access management; constrained corridor; vacancies



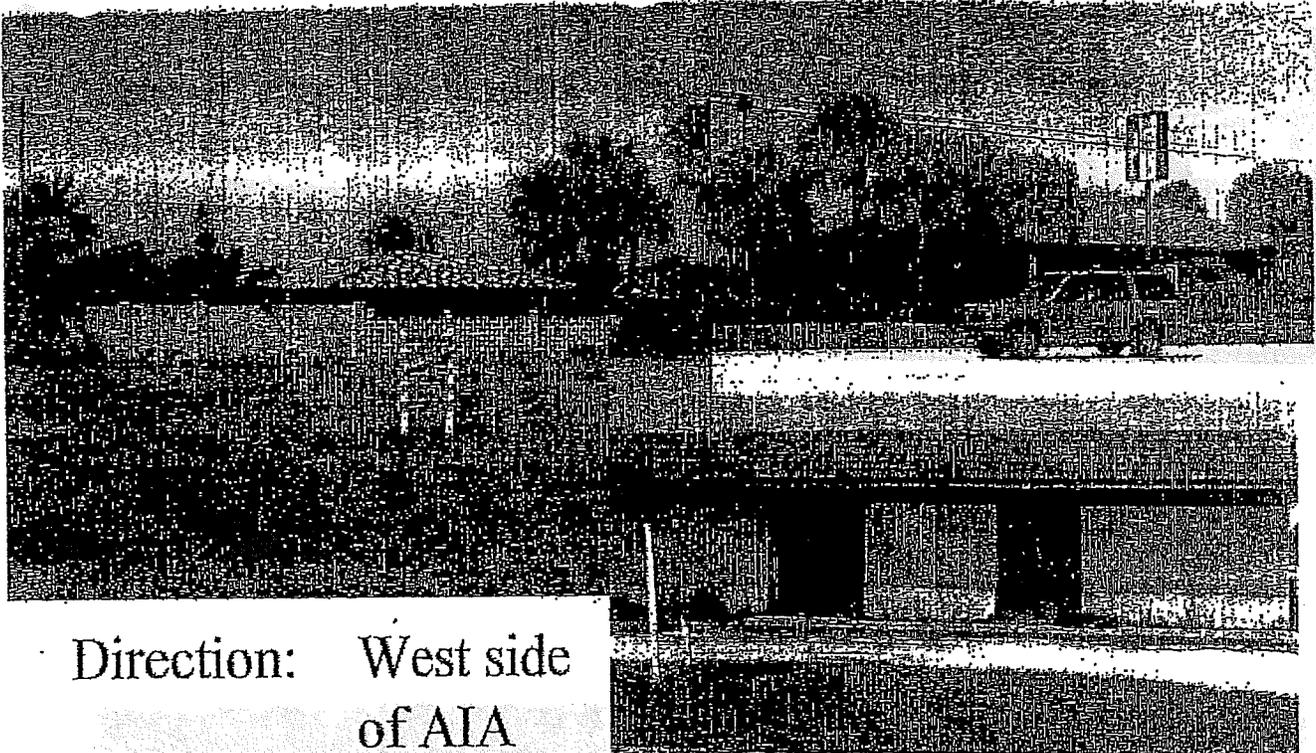
Direction: Looking South

Issues: Visual clutter; access management; lot sizes and layouts; land uses



- Issues:
- Faulty Lot Layout
 - Small lot sizes
 - Uncontrolled access

Middle Section of City



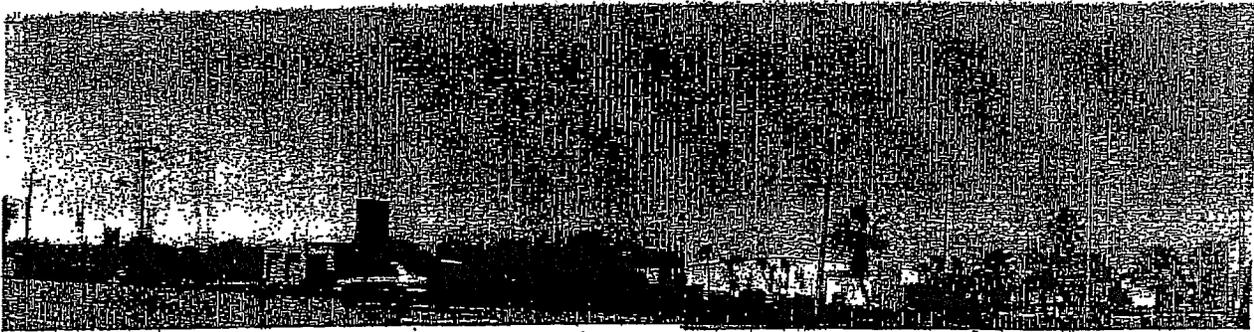
Direction: West side
of AIA

Issues: Properties have been vacant over 3
years(top left and bottom right-over 7);
lot sizes/layouts; decaying structures;
unsafe/unsanitary conditions

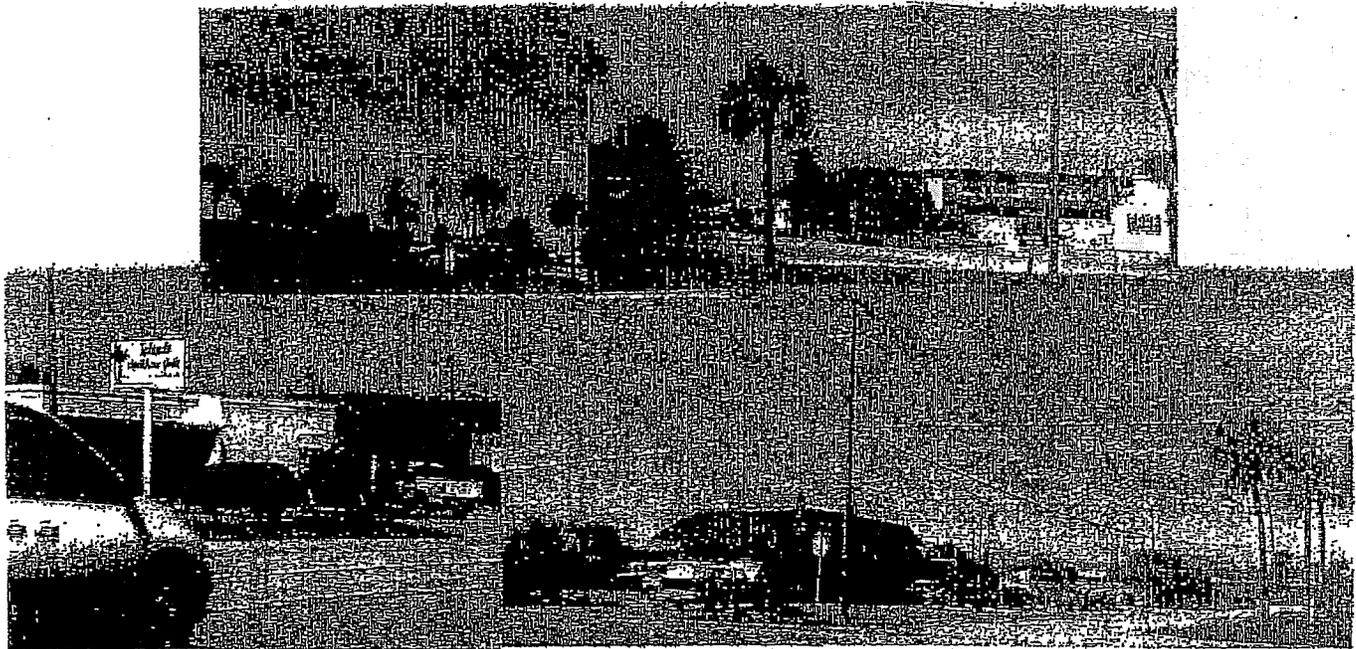


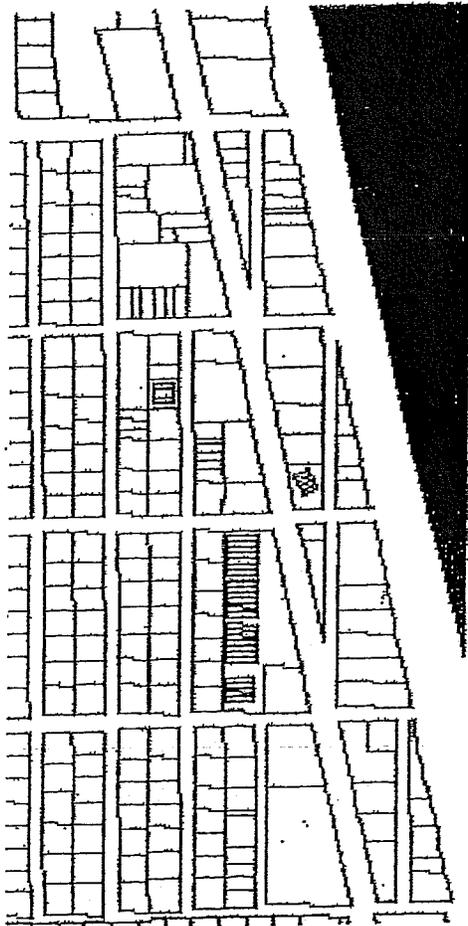
Direction: East and west side of AIA/Park Ave.

Issues: Underutilization of lands; access; aging buildings/infrastructure; signage; vacancies



Direction: West side of AIA/Norwood Ave.
Issues: Decaying Buildings; lot sizes/layouts;
Access; buffering; code enforcement





Issues...

Faulty lot layout:

Small lot sizes

Disruptive/bisected street patterns
driven by old plats

Transportation issues:

Access points for each parcel

Highway speeds/uncalmed traffic

Southern Portion of the City

ISSUES...

AGING BUILDINGS;

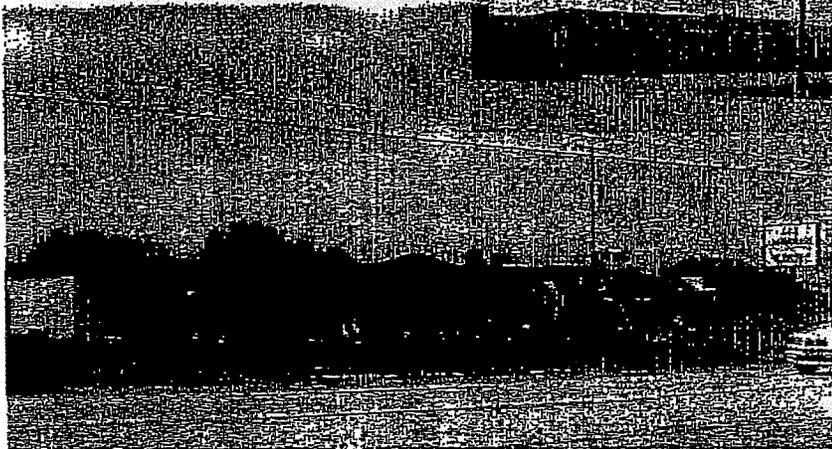
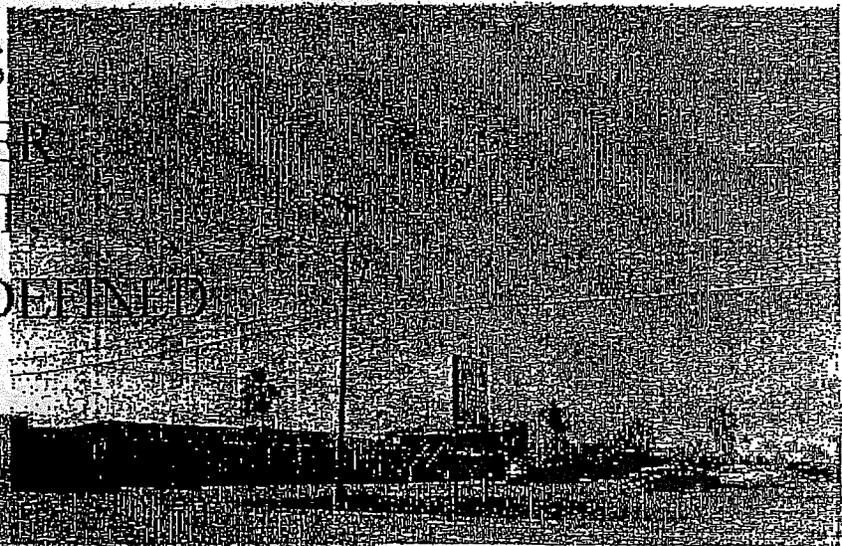
NO LANDSCAPE;

NO STORMWATER

MANAGEMENT

UNLIMITED/UNDEFINED

ACCESS



Direction:

Above: Looking East

Left: Looking West

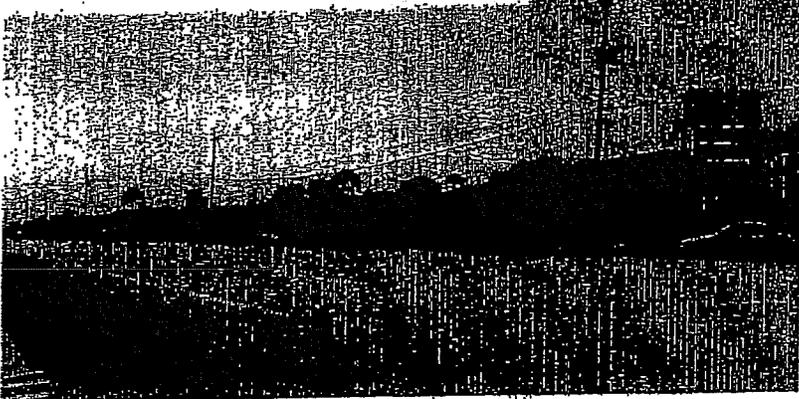
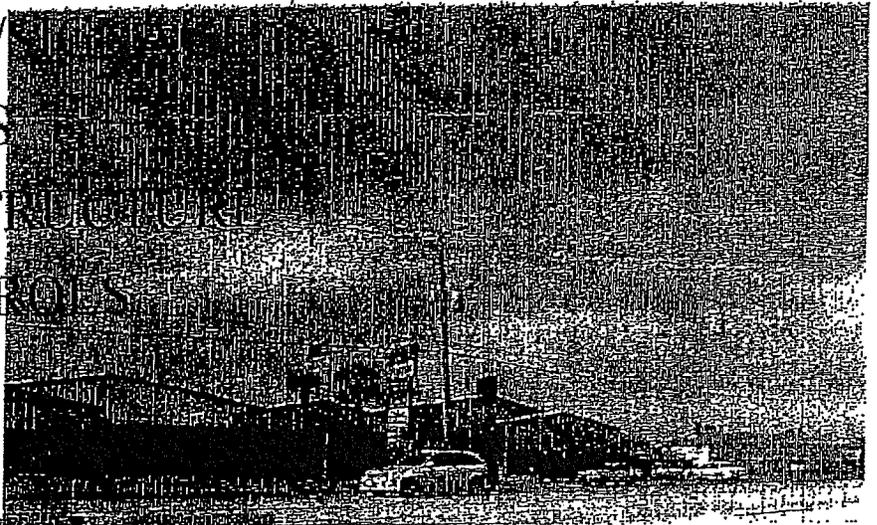
ISSUES...

VISUAL CLUTTER

AGING BUILDINGS

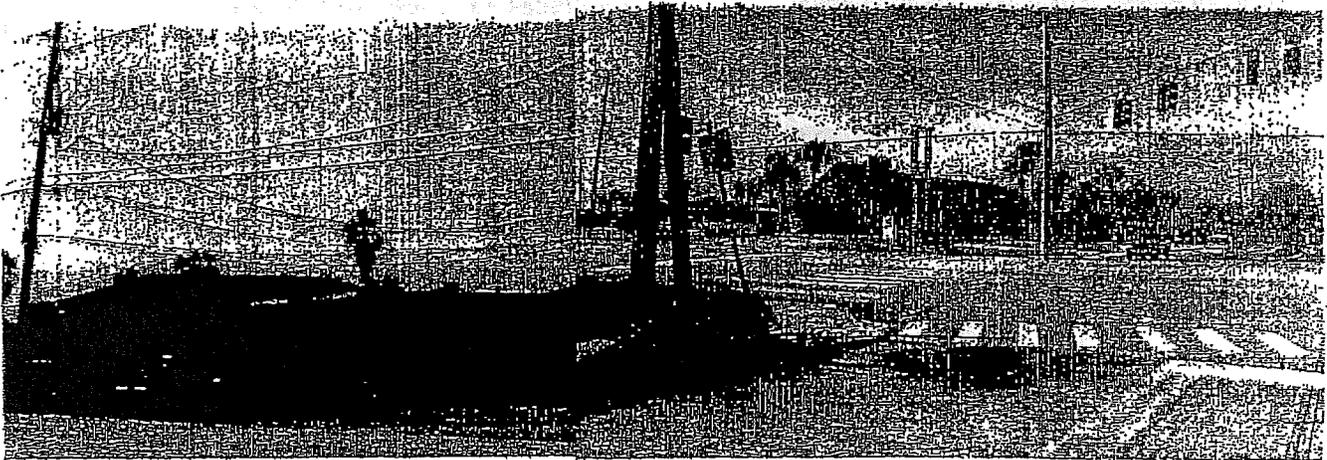
LACK OF INFRASTRUCTURE

NO ACCESS CONTROLS



ISSUES...

**DECAYING BUILDINGS; VISUAL
CLUTTER; UNLIMITED ACCESS;
FAULTY LOT LAYOUT/SIZES**



Key Facts-AIA

TRAFFIC COUNTS AIA

<u>Area:</u>	<u>1989</u>	<u>2000</u>
Pine Tree-Desoto:	31,509	27,588
Desoto-Cassia:	28,456	26,862
Cassia-Jackson:	24,994	25,811
Jackson-Patrick:	24,992	25,239

AGE OF STRUCTURES

1950'S:	16
1960'S:	132
1970'S:	400
1980'S:	194
1990'S:	47
2000 +:	6

Key Facts-ALA

EXISTING USES

(Per the Property Appraiser's Use Codes)

Vacant Residential: 21

Single Family: 29

Duplex: 34

Triplex: 1

Quad: 1

Townhome: 171

Condominium: 474

Timeshare: 1

Multiple Living Units: 4

Publicly Owned: 12

 Brevard County: 4

 State of Fla.: 1

 City: 7

Club: 1

Warehouse: 2

Vacant Commercial Land: 15

Retail 1-4 Units: 6

Professional Building: 3

Restaurant/Fast Food: 13

Banks: 2

Garage/Auto: 4

Car Wash: 1

Parking lot: 1

Bowling/Tourist/Motel: 3

Convenience Store: 3

Mixed Commercial: 2

Shopping Center Community: 1

Office Building 1 story: 11

Office Condo: 22

Office Building Multi-Story: 1

Key Facts-ALA

Code Enforcement

10 in 2000:

Primarily nuisance factors
and zoning violations

23 in 01:

Primarily blight (6
specifically sited as
"Blight"), nuisances,
zoning, vehicles and life
safety

Crime Statistics

Type	2000	2001
Drugs	16	12
DUI	66	75
Burglary/Theft/ Shoplifting	39	46
Criminal Mischief	11	7
Trespassing	2	6
Warrant Arrest	12	7

Key Facts-AIA

VALUES FOR AIA PARCELS

East side: \$53.1M

West side: \$22.1M

Total: \$75.2 M

At 6.5265 Mills= \$491,212

Condo/Res. Type= \$44 M

Non-Res. Type= \$30 M

KEY FACTS-S.PATRICK DR.

BLIGHT INDICATORS

- Traffic increases:
1997: 16,275
2000: 16,518 (Not counting AIA road closure nightmare)
- Widening of the Roadway will destroy many existing structures
- Age of Structures- 1960 and 70's-Decay is evident
- High Vacancy rates
- Long "for sale" times
- Values have not kept up with rest of City
- Underutilized lands

Key Facts-South Patrick

- 65 Parcels
- 31 Absentee Owners
- 52.9 Acres
- 8.42 acres/11 Parcels Vacant(16%)
- Land Value: \$5 M
- Bldg. Value: \$11 M
- Assessed Value: \$16 M
- 351,669 square feet
- Year Built:
 - 60's: 20
 - 70's: 11
 - 80's: 5
 - 90's: 15
 - 2000: 2
- 69 Crime incidents in 2001

TAXABLE VALUES AND TAX INCREMENT TRUST FUND

- Assessed values for the whole City began declining in 1994
- 1991 Values were higher than 1996
- Walgreen's value: \$1.54 M
- First Union: \$554,000
- Total: \$2,054,000
- @ 10 Mills: \$20,540
- @ 95% = \$19,513
- \$7805 of BC's \$'s!
- \$11,707 of SB's \$'s

Consistency with Comprehensive Plan

Future Land Use GOP'S:

- Goal 1
- Objective 1.2: Existing development will be protected from adverse effects of vehicular traffic; conditions leading to blight, and changes in land use which adversely impact the livability or use of property in the City.
- Policy 1.2.1: The City will continue to minimize or eliminate conditions which would adversely affect land use categories, adjacent land uses, signage, identified hazards, and area subject to periodic flooding.
- Policy 1.2.3: The City shall create an incentive plan to encourage property owners to reduce or eliminate conditions of blight and will develop a redevelopment plan if a blighted area is identified and code enforcement efforts and incentive programs have been ineffective.

- Objective 1.5: The City will monitor and evaluate existing development conditions by December 31, 1999, to identify trends and conditions leading to blight and will amend the Land Development Regulations to encourage redevelopment and renewal of identified blighted areas, to maintain the City's residential character.
- Policy 1.5.1: The City will encourage the use of innovative Land Development Regulations, which may include strategies for reuse, redevelopment or mixed development. The City will revise the Land Development Regulations when innovative reuse or redevelopment concepts can help further the City's goals, and objectives.
- Policy 1.5.2 The City will consider mixed land use development techniques for new development and, especially, for renewal or redevelopment.

Consistency with Comprehensive Plan

Community Appearance GOP's:

- Objective 1.3: By January, 2000, the City shall develop and promulgate planning and development guidelines for right of way appearance improvements and adjacent property development for the South Patrick Drive and SR AIA corridors.
- Policy 1.2.1: The City will endeavor to influence the FDOT to keep future FDOT projects compatible with the City's unique development characteristics and future land use plans.

- Objective 1.3: Prior to May, 1999, the City shall require that a committee review its land Development Regulations, especially those provisions addressing signage, aimed at strengthening provisions for buffering between incompatible/nonconforming land uses, and examining the code requirements for commercial site renovations.
- Policy 1.3.4: By December 31, 1999, the City shall adopt special guidelines to protect the City from the blighting influences of deteriorating commercial properties. Such guidelines will be aimed at commercial development and redevelopment along South Patrick Drive and SR AIA.

Conclusion

LPA Opinion

- **AIA and South Patrick Drive meet tests for “Blight” per statute-can clearly make findings of necessity**
- **Can set up 1 or 2 RDA’s (linkage through roadway system-i.e. Jackson/Roosevelt)**
- **Will be consistent with the City’s Comprehensive Plan**
- **Will further the goals, objectives and policies of the Plan**

ORDINANCE NO. 836

ORDINANCE NO. 836, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; MAKING FINDINGS; ENTITLED AND CREATING NEW CHAPTER 31, PART I, SATELLITE BEACH CITY CODE; CREATING SATELLITE BEACH COMMUNITY REDEVELOPMENT AGENCY; PROVIDING DEFINITIONS; PROVIDING AGENCY BOARD POWERS; PROVIDING FOR COMMUNITY REDEVELOPMENT AGENCY BOARD COMPOSITION; PROVIDING AN AGENCY ADVISORY COMMITTEE; PROVIDING FOR ADVISORY COMMITTEE TERMS, OFFICERS, RULES OF PROCEDURE, AND FOR OPEN MEETINGS; PROVIDING FOR THE COMMUNITY REDEVELOPMENT AGENCY JURISDICTIONAL DESCRIPTION; PROVIDING FOR OFFICERS OF THE COMMUNITY REDEVELOPMENT AGENCY, RULES OF PROCEDURE, SESSIONS, OPEN MEETINGS, AGENCY DURATION, AND AN AGENCY BUDGET; ADOPTING A COMMUNITY REDEVELOPMENT PLAN AND RESERVING TRUST FUND PROVISIONS; PROVIDING FOR THE REPEAL OF CERTAIN INCONSISTENT ORDINANCES OR RESOLUTIONS; PROVIDING A SEVERABILITY/ INTERPRETATION CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Section 163.410, Florida Statutes, the Brevard County Board of County Commissioners adopted Resolution No. 02-136 on May 21, 2002, which resolution delegated to the City Council of the City of Satellite Beach the authority to create and operate a Community Redevelopment Agency, pursuant to Chapter 163, Florida Statutes; and

WHEREAS, pursuant to the authority delegated to the City Council of Satellite Beach, the City Council adopted Resolution No. 755 on June 12, 2002; and

WHEREAS, the City Council in Resolution No. 755 determined that the Community Redevelopment Area defined therein was a blighted area; and

WHEREAS, the City Council in Resolution No. 755 determined that pursuant to Section 163.355, Florida Statutes (2002), the rehabilitation, conservation or redevelopment, or a combination thereof, of the Community Redevelopment Area is necessary and promotes the public health, safety, morals, and welfare of the City of Satellite Beach and its citizens, implements the intent of the Florida Legislature, as expressed in the Community Redevelopment Act of 1969, as amended, which will serve to revitalize the area economically and socially by improving the tax base, promoting sound growth, and providing improved infrastructure; and

WHEREAS, the City Council in Resolution No. 755 determined that pursuant to Section

163.355, Florida Statutes (2002), there was a need for a community redevelopment agency to function and carry out the community redevelopment purposes set forth in Chapter 163, Part III, Florida Statutes, within the Community Redevelopment Area; and

WHEREAS, the City Council in Resolution No. 755 found that area established for the community redevelopment area met the intent of, and was consistent with, the requirements of Section 163.335(1), Florida Statutes (2002); and

WHEREAS, pursuant to Resolution No. 755, the City Council created the Community Redevelopment Agency pursuant to Section 163.357, Florida Statutes (2002); and

WHEREAS, it is the intent of the City Council of the City of Satellite Beach to set forth by Ordinance the membership, powers, and method of operation of the Community Redevelopment Agency; to establish the Community Redevelopment Agency; and to adopt a Community Redevelopment Plan for the Community Redevelopment Area; and

WHEREAS, the City's Local Planning Agency has reviewed this Ordinance and found same to be consistent with the City of Satellite Beach Comprehensive Plan; and

WHEREAS, this Ordinance is adopted pursuant to the authority vested in the City Council, *inter alia*, by Brevard County Resolution No. 02-136; Part III, Chapter 163, Florida Statutes (2002); the Satellite Beach City Charter and Code; and the City's home rule powers; and

WHEREAS, the City Council finds that this Ordinance will promote the public health, safety, welfare, economic order, convenience, and aesthetics; and

WHEREAS, the City's Local Planning Agency has reviewed the proposed Community Redevelopment Plan for the Community Redevelopment Area, which plan is depicted in Exhibit "A" attached hereto and found said plan to be consistent with the City's Comprehensive Plan as adopted in the City Code; and

WHEREAS, the City Council, sitting as the Community Redevelopment Agency governing board, has determined that the Community Redevelopment Plan for the Community Redevelopment Area, which plan is depicted in Exhibit "A" attached hereto meets the following requirements of Section 163.360(6), Florida Statutes:

- (a) The proposed plan does not contemplate the relocation of any families in that the implementation of the plan will not cause any families to be displaced from the Community Redevelopment Area;
- (b) The proposed plan conforms to the general plan of the municipality as a whole;
- (c) The proposed plan will afford the maximum opportunity consistent with the sound needs of the municipality as a whole for rehabilitation or redevelopment of

the Community Redevelopment Area by private enterprise; and

(d) The proposed plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan; and

WHEREAS, the City Council finds that the proposed community redevelopment plan for the Community Redevelopment Area depicted in Exhibit "A" attached hereto, if adopted, will promote the public health, safety, welfare, economic order, convenience, and aesthetics; and

WHEREAS, after due consideration and public hearings as required by law, the City Council of the City of Satellite Beach, Florida, deems it appropriate to approve the proposed community redevelopment plan.

BE IT ENACTED BY THE CITY OF SATELLITE BEACH, FLORIDA:

SECTION 1. That the City Code of the City of Satellite Beach, Florida, is hereby amended to create a new Chapter 31 to read as follows:

**ARTICLE I.
COMMUNITY REDEVELOPMENT AGENCY**

Sec. 31-1. Community redevelopment agency created.

Resolution No. 755, adopted on June 12, 2002, pursuant to Sections 163.356(1) and 163.357(1)(b), Florida Statutes (2002), the community redevelopment agency is a public body, corporate and politic, and as a legal entity is separate, distinct, and independent from the city council.

Sec. 31-2. Definitions.

The following terms, wherever used or referred to in this article, have the following meanings:

- (a) "Act" means the Community Redevelopment Act of 1969, as amended from time to time.
- (b) "Agency" or "community redevelopment agency" means the community redevelopment agency created and designated by the City pursuant to Section 163.357, Florida Statutes (2002).
- (c) "Blighted area" means either:

(1) An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one or more of the following factors which substantially impairs or arrests the sound growth of the municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:

- a. Predominance of defective or inadequate street layout;
- b. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- c. Unsanitary or unsafe conditions;
- d. Deterioration of site or other improvements;
- e. Tax or special assessment delinquency exceeding the fair market value of the land; and
- f. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or

(2) An area in which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction;

- (d) "Board" means the governing board of the community redevelopment agency.
- (e) "Bonds" means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, or other obligations.
- (f) "Commissioner" means a member of the community redevelopment agency board.
- (g) "Committee" means the community redevelopment agency advisory committee created by Section 31-5, city code.
- (h) "Community redevelopment" or "redevelopment" means undertakings, activities, or projects of the city or community redevelopment agency in the community redevelopment area for the elimination and prevention of the development or spread of blight or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include redevelopment in a community redevelopment area or rehabilitation or conservation of the community redevelopment area in accordance with the community redevelopment plan and may include the preparation of such a plan.

- (i) "Community redevelopment area" means the community redevelopment area, the geographical boundaries of which are described in Section 31-3, city code.
- (j) "Community redevelopment plan" means the Sections 163.360 and 163.362, Florida Statutes, plan, as it is amended from time to time, for the community redevelopment area, which plan is adopted in Section 31-11, city code.
- (k) "Council" or "city council" means the governing body or City Council of the City of Satellite Beach, Florida.
- (l) "Debt service millage" means any millage levied pursuant to Section 12 of Article VII of the State Constitution.
- (m) "Increment revenue" means the amount calculated pursuant to Section 163.387(1), Florida Statutes.
- (n) "Real property" means all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto or used in connection therewith and every estate, interest, right, and use, legal or equitable, therein, including, but not limited to terms for years and liens by way of judgment, mortgage, or otherwise.
- (o) "Related activities" means:
 - (1) Planning work for the preparation of a redevelopment plan or for the preparation or completion of a plan or program pursuant to Section 163.365, Florida Statutes;
 - (2) The functions related to the acquisition and disposal of real property pursuant to Section 163.370(3), Florida Statutes; or
 - (3) The development of affordable housing for residents of the area.
- (p) "Trust fund" means the fund established by Section 59-1, city code, pursuant to Section 163.387, Florida Statutes, as amended or superseded from time to time.

Sec. 31-3. Jurisdictional area of the community redevelopment agency.

The jurisdictional boundaries of the Community Redevelopment Agency are located wholly within the City of Satellite Beach and are legally described as follows:

LEGAL DESCRIPTION: Community Redevelopment District for the City of Satellite Beach (BY SURVEYOR)

A portion of land lying in Sections 1 and 2, Township 27 South, Range 37 East, and Sections 26, 34, 35 and 36, Township 26 South, Range 37 East, all lying in the City of Satellite Beach, Brevard County, Florida, being more particularly described as follows:

Beginning at the intersection of the South line of said Section 1 and the mean high water line of the Atlantic Ocean, said point being the POINT OF BEGINNING; thence run Westerly along the said South line to the Southerly extension of the East Right-of-Way line of Ocean Drive; thence run Northerly along the said East Right-of-Way line and it's Northerly extension to the North Right-of-Way line of Palmetto Avenue; thence run Westerly along the said North Right-of-Way line to the East Right-of-Way line of Atlantic Drive; thence run Northerly along the said East Right-of-Way line and it's Northerly extension to the North Right-of-Way line of Sunrise Avenue; thence run Westerly along the said North Right-of-Way line to the East Right-of-Way line of Palm Drive; thence run Northerly along the said East Right-of-Way line and it's Northerly extension to the North Right-of-Way line of Desoto Parkway; thence run Westerly along the said North Right-of-Way line to the Southeast corner of Amherst Gardens Section Four, as recorded in Plat Book 24, Page 82, of the Public Records of Brevard County, Florida; thence run Northerly along the East line of said Amherst Gardens Section Four to the Northeast corner of said Amherst Gardens Section Four and the Southeast corner of Cresthaven Satellite Beach Unit 1, as recorded in Plat Book 16, Page 146, of the said Public Records of Brevard County; thence run Northerly along the East line of the said Cresthaven Satellite Beach Unit 1 to Northeast corner of Lot 1, Block A, of said Cresthaven Satellite Beach Unit 1; thence run Northwesterly to the Southeast corner of Lot 1, Block C, of said Cresthaven Satellite Beach Unit 1; thence run Northerly along the East line of said Lot 1, Block C to the Northeast corner of said Lot 1, Block C and the North line of said Cresthaven Satellite Beach Unit 1; thence run Westerly along the said North line to the Southeast corner of Lot 32 and the West line of Satellite Beach Estates, as recorded in Plat Book 16, Page 4, of the said Public Records of Brevard County; thence run Northerly along said East line of Satellite Beach Estates to the Northeast corner of Lot 28 said Satellite Beach Estates and a point on the South line of Ocean Spray, as recorded in Plat Book 13, Page 64, of the said Public Records of Brevard County; thence run Easterly along the South line of said Ocean Spray to the Southeast corner of said Ocean Spray; thence run Northwesterly along the East line of said Ocean Spray to the Southeast corner of Lot 1 of said Ocean Spray; thence run Westerly along the North Right-of-Way line of Ocean Spray Avenue to the Southwest corner of lands described in O.R. Book 4107, Page 0958, of said Public Records of Brevard County; thence run Northerly along the West line of the said O.R. Book 4107, Page 0958 to the Northwest corner of said O.R. Book 4107, Page 0958 and the North line of said Ocean Spray; thence run Westerly along the North line of said Ocean Spray and the North line of Ocean Spray Estates, as recorded in Plat Book 14, Page 69, of said Public Records of Brevard County and it's Westerly extension to the East Right-of-Way line of Temple Street; thence run Northerly along said East Right-of-Way line to the South Right-of-Way line of Cassia Boulevard; thence run Westerly along said South

Right-of-Way line to the Northwest corner of Ocean Spray Estates Addition No.2, as recorded in Plat Book 15, Page 33, of said Public Records of Brevard County; thence run Southerly along the West line of said Ocean Spray Estates Addition No.2 to a point on the North line of Surfside Park, as recorded in Plat Book 25, Page 161, of said Public Records of Brevard County; thence run Westerly along the North line of said Surfside Park to the Northwest corner of said Surfside Park; thence run Northerly along the Northerly extension of the West line of said Surfside Park to the Southeast corner of lands described in O.R. Book 0808, Page 0470, of said Public Records of Brevard County; thence run Westerly along the South line of said O.R. Book 0808, Page 0470 and the South line of lands described in O.R. Book 0781, Page 0046, of said Public Records of Brevard County to the Southwest corner of said O.R. Book 0781, Page 0046; thence run Northerly along the West line of said O.R. Book 0781, Page 0046 to the South Right-of-Way line of Cassia Boulevard; thence run Westerly along said South Right-of-Way line and it's Westerly extension to the Southwest corner of Lot 15, Replat of part of Michigan Beach Fifth Addition, as recorded in Plat Book 13, Page 36, of said Public Records of Brevard County; thence run Northerly along the East Right-of-Way line of the alley and Canal Street as shown on said Replat of part of Michigan Beach Fifth Addition and Satellite Beach Isles, as recorded in Plat Book 13, Page 118, of said Public Records of Brevard County and it's Northerly extension to a point on the South line of Lot 23, The Fountains Unit One, as recorded in Plat Book 23, Page 103, of said Public Records of Brevard County; thence run Easterly along the South line of Lots 23 and 24 of said The Fountains Unit One to the West Right-of-Way line of South Patrick Drive; thence run Northerly along said West Right-of-Way line to the Northeast corner of The Fountains Unit III, as recorded in Plat Book 25, Page 19, of said Public Records of Brevard County; thence run Westerly along the North line of said The Fountains Unit III to the Southeast corner of The Fountains Unit Four, as recorded in Plat Book 25, Page 160, of said Public Records of Brevard County; thence run Northerly along the East line of said The Fountains Unit Four to the South Right-of-Way line of Grant Court; thence run Easterly along the said South Right-of-Way line to the intersection with the Southerly extension of the East Right-of-Way line of Matthews Street; thence run Northerly along said Southerly extension and said East Right-of-Way line of Mathews Street to the South Right-of-Way line of Jackson Court; thence run Northwesterly to the Southeast corner of Lot 1, Emerald Harbor, as recorded in Plat Book 22, Page 1, of said Public Records of Brevard County; thence run Northerly along the East line of said Emerald Harbor and the East line of Emerald Isles Phase Two, as recorded in Plat Book 25, Page 115, of said Public Records of Brevard County to the Northwest corner of the lands described in O.R. Book 1137, Page 0507, of said Public Records of Brevard County; thence run Easterly along the North line of said O.R. Book 1137, Page 0507 and it's Easterly extension to the East Right-of-Way line of South Patrick Drive; thence run Northerly along said East Right-of-Way line to the North line of Section 35; thence run Easterly along said North line to the West line of lands described in O.R. Book 0576, Page 0587, of said Public Records of Brevard County and the East line of O.R. Book 0487, Page 0203, of said Public Records of Brevard County; thence run Southerly along the said East and West lines to the Northeast corner of the Sunset Village Townhomes, as recorded in Survey Book 5, Page 92, of said Public Records of Brevard County; thence run Westerly along the North line of said Sunset Village

Townhomes to the Northwest corner of said Sunset Village Town homes; thence run Southerly along the West line of said Sunset Village Townhomes to the Southwest corner of said Sunset Village Town homes and a point on the North Right-of-Way line of Jackson Avenue; thence run Southwesterly to the Northeast corner of Lot 10, Block 20, Eau Gallie Shores, as recorded in Plat Book 5, Page 20, of said Public Records of Brevard County; thence run Southerly along the East line of said Lot 10, Block 20 to the Southeast corner of said Lot 10, Block 20; thence run Westerly along the South line of Lots 8, 9 and 10, Block 20, of said Eau Gallie Shores to the Southwest corner of said Lot 8 and the Northeast corner of Lot 32, Block 20, of said Eau Gallie Shores; thence run Southerly along the East line of said Lot 32, Block 20 to the Southeast corner of said Lot 32, Block 20; thence run Southwesterly to the Northeast corner of Lot 6, Block 19, of said Eau Gallie Shores; thence run Southerly along the East line of Lot 6 and Lot 33, Block 19, of said Eau Gallie Shores to the Southeast corner of said Lot 33, Block 19; thence run Westerly along the North Right-of-Way line of Grant Avenue to the East Right-of-Way of South Patrick Drive; thence run Southerly along said East Right-of-Way line to the Southwest corner of lands described in O.R. Book 3760, Page 0001, of said Public Records of Brevard County; thence run Easterly and Southerly along the Southerly and Westerly lines of said O.R. Book 3760, Page 0001 and it's Southerly extension to the South Right-of-Way line of Roosevelt Avenue; thence run Easterly along said South Right-of-Way line to the East line of the North 500' of the East 291' of the West 591' of the Southwest 1/4 of said Section 35 and tax parcel number 516; thence run Southerly along said East line to a point on the North line of Replat of Block's E and F Conner's Castle Dare Subdivision, as recorded in Plat Book 20, Page 1, of said Public Records of Brevard County; thence run Westerly along the said North line to the Northwest corner of Lot 8, Block E of said Replat of Block's E and F Conner's Castle Dare Subdivision; thence run Southerly along the West line of said Lot 8, Block E and it's Southerly extension to the Northwest corner of Lot 8, Block F of said Replat of Block's E and F Conner's Castle Dare Subdivision; thence run Southerly along the West line of said Lot 8, Block F to a point on the South line of said Replat of Block's E and F Conner's Castle Dare Subdivision and the North line of 11th Addition To Michigan Beach Subdivision, as recorded in Plat Book 19, Page 23, of said Public Records of Brevard County; thence run Easterly along said North and South line to the Northeast corner of Lot 8, Block S, of said 11th Addition To Michigan Beach Subdivision; thence run Southerly along the East line of said Lot 8, Block S, it's Southerly extension and the East line of Lot 9, Block P, of said 11th Addition To Michigan Beach Subdivision to the South line of said 11th Addition To Michigan Beach Subdivision and the North line of 8th Addition To Michigan Beach as recorded in Plat Book 16, Page 143, of said Public Records of Brevard County; thence run Westerly along said North and South line to the Northwest corner of the said Lot 7, Block P, of said 8th Addition To Michigan Beach; thence run Southerly along the West line of said Block P, and it's Southerly extension to the intersection of the South Right-of-Way line of Island Drive and the Northwest corner of Lot 28, Block R of said 8th Addition To Michigan Beach; thence run Southerly along the West line of said Block R to the Southwest corner of Lot 26, Block R of said 8th Addition To Michigan Beach; thence run Easterly and Southerly along the Southerly and Westerly lines of said Lot 26, Block R to the Northwest corner of Lot 25, Block R, of said 8th Addition To Michigan Beach; thence run Southerly along the West line of said

Block R to the Southwest corner of Lot 24, Block R, of said 8th Addition To Michigan Beach; thence run Easterly along the South line of said Block R, to the Southeast corner of Lot 19, Block R of said 8th Addition To Michigan Beach; thence run Northerly along the said East line of said Block R, to the Northeast corner of Lot 17, Block R, of said 8th Addition To Michigan Beach; thence run Easterly along the South line of said Block R to the Southeast corner of Lot 1, Block R, of said 8th Addition To Michigan Beach and the Westerly Right-of-Way line of Thyme Street; thence run Southerly along said West Right-of-Way line to the Southeast corner of Lot 1, Block F, Third Addition To Michigan Beach, as recorded in Plat Book 12, Page 73, of said Public Records of Brevard County; thence run Easterly along the South line Block D, Second Addition To Michigan Beach, as recorded in Plat Book 12, Page 79, of said Public Records of Brevard County, it's Easterly and Westerly extensions thereof and the South line of Block B, First Addition To Michigan Beach, as recorded in Plat Book 11, Page 55, of said Public Records of Brevard County, it's Easterly and Westerly extensions thereof to the East Right-of-Way line of Temple Street; thence run Northerly along said East Right-of-Way line of Temple Street to the Northwest corner of Lot 102, Block 1, Plat Of Michigan Beach, as recorded in Plat Book 10, Page 43, of said Public Records of Brevard County; thence run Easterly along the North line of the Lots 102-114, Block 1, said Plat Of Michigan Beach to the Northeast corner of said Lot 114, Block 1, and the Southeast corner of Lot 89, Block 1, of said Plat Of Michigan Beach; thence run Northerly along the East line of said Lot 89, Block 1, said Plat Of Michigan Beach to the Northeast corner of said Lot 89, Block 1; thence run Northwesterly to the Southeast corner of Lot 16, Block D, Replat Part Of Michigan Beach, as recorded in Plat Book 11, Page 9, of said Public Records of Brevard County; thence run Northerly along the East line of Lots 16 and 5, BLock D, their Northerly extension, Lots 15 and 4, Block C, their Northerly extension and Lots 14 and 3, Block B to the South Right-of-Way line of Ellwood Avenue; thence run Northwesterly to the Southeast corner of Lot 1, 12th Addition To Michigan Beach, as recorded in Plat Book 20, Page 109, of said Public Records of Brevard County; thence run Northerly along the East line of said Lot 1 to the Northeast corner of said Lot 1 and the Easterly extension of the South line of Ninth Addition To Michigan Beach, as recorded in Plat Book 23, Page 119, of said Public Records of Brevard County; thence run Westerly along the said North and South lines to the Southeast corner of said Ninth Addition To Michigan Beach; thence run Northwesterly along the East line of said Ninth Addition To Michigan Beach to the North line of said Ninth Addition To Michigan Beach and the South line of Conner's Castle Dare Subdivision First Addition, as recorded in Plat Book 12, Page 62, of said Public Records of Brevard County; thence Westerly along said North and South lines to the Southwest corner of Lot 2, Block D, said Conner's Castle Dare Subdivision First Addition; thence run Northerly along the West line of said Lot 2, Block D, it's Northerly extension and the West line of Lot 2, Block C, said Conner's Castle Dare Subdivision First Addition to the North line of said Conner's Castle Dare Subdivision First Addition; thence run Westerly along said North line and the North line of Conner's Castle Dare Subdivision, as recorded in Plat 12, Page 40, of said Public Records of Brevard County to the intersection with the East line of Flamingo Homes Section "A", as recorded in Plat Book 13, Page 68, of said Public Records of Brevard County; thence run Northerly along the East line of said Flamingo Homes Section "A" to the South Right-of-Way line

Roosevelt Avenue; thence run Northwesterly to the intersection of the North Right-of-Way line of Roosevelt Avenue and the East Right-of-Way line of Magnolia Street; thence run Northerly along the said East Right-of-Way line and it's Northerly extension to the North Right-of-Way line of Jackson Avenue; thence run Westerly along the said North Right-of-Way line to the Southwest corner of land described in O.R. Book 1325, Page 0440, of said Public Records of Brevard County and the East Right-of-Way line of Delaura Court; thence run Northerly along the said East Right-of-Way line and the West line of said O.R. Book 1325, Page 0440 to the Northwest corner of said O.R. Book 1325, Page 0440; thence run Westerly along the South line of lands described in O.R. Book 4140, Page 1516, of said Public Records of Brevard County to the Southwest corner of said O.R. Book 4140, Page 1516; thence run Northwesterly along the West line of said O.R. Book 4140, Page 1516 to the Southwest corner of lands described in O.R. Book 4030, Page 3316, of said Public Records of Brevard County ; thence Northwesterly along the West line of said O.R. Book 4030, Page 3316 to the Northwest corner of said O.R. Book 4030, Page 3316; thence Northwesterly to the Southwest corner of lands described in O.R. Book 3308, Page 0294, of said Public Records of Brevard County; thence Northwesterly along the West line of said in O.R. Book 3308, Page 0294 to the Northwest corner of said in O.R. Book 3308, Page 0294 and the North line of said Section 35; thence run Easterly along the North line of said Section 35 to the West Right-of-Way line of State Road A-1-A; thence run Northwesterly along the said West Right-of-Way line to the intersection of the North line of the South 1/2 of government Lot 1, of said Section 26; thence run Easterly along the said North line to the mean high water line of the Atlantic Ocean; thence run Southeasterly along the said mean high water line of the Atlantic Ocean to the POINT OF BEGINNING.

Together with a 50 foot Public road Right-of-Way (Jackson Avenue) From state Road A-1-A to South Patrick Drive.

Sec. 31-4. Creation of community redevelopment agency board; composition; terms; appointment of chairperson and vice-chairperson.

- (a) A community redevelopment agency board is hereby created to consist of five (5) commissioners, who serve from time to time as the members of the City Council.
- (b) Commissioners shall serve for terms co-extensive with their tenure on the city council.
- (c) The mayor shall serve as the chairperson of the board, and the vice-mayor shall serve as the vice-chairperson of the board.

Sec. 31-5. Creation of community redevelopment agency advisory committee; composition; terms; chairperson and vice-chairperson.

- (a) A community redevelopment agency advisory committee is hereby created and shall consist of seven (7) committee members. Seven (7)

persons shall be appointed from time to time by the city council to serve as agency committee members. In addition, the city council may appoint two (2) alternate members, designating them as such. Alternate members shall attend complete committee meetings regardless of whether a quorum of regular members is seated. Alternate members may always participate in committee deliberations and debate, but they may make motions and vote only in the absence or voting disqualification of a regular member or the vacancy in a regular member's seat. In the event that six (6) regular members are present and voting and two (2) alternate members are present, the alternate member who may vote and make motions with regard to an agenda item shall be the alternate member who has served on the committee for the longest period of time. The committee may adopt a procedure providing that the two (2) alternate members will rotate as voting members in the absence of a regular member.

- (b) Four (4) of the initial committee members shall serve for two (2) years and three (3) of the initial committee members shall serve for one (1) year. Except for the initial committee members, appointees shall serve terms of two (2) years each. Each committee member shall serve until his or her successor has been appointed and has qualified. All committee members must continuously satisfy the requirements for being a committee member.
- (c) In the event of the death, resignation, or removal from office of a committee member, any individual appointed to fill a vacancy shall fill the remainder of the term of the person whose action created the vacancy in office.
- (d) Any person may be appointed to serve as a committee member, provided, that said person is a resident of the city, or is engaged in business within the community redevelopment area, and is otherwise eligible for such appointment. For the purposes of this provision, "engaged in business" means owning a business, practicing a profession, or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged.
- (e) Annually, on or about January of each year, the committee shall elect one of its non-alternate members to serve as chairperson and one as vice-chairperson. The term of the chairperson and vice-chairperson shall be for a period of one year, provided, however, that nothing shall prevent the committee from electing a chairperson or vice-chairperson to succeed himself. The chairperson and vice-chairperson of the committee must also be committee members at all times during their tenure.

Sec. 31-6. Powers of the city council.

- (a) Pursuant to Brevard County Resolution No. 02-136, the following powers are vested in the city council with regard to the Community Redevelopment Agency:
- (1) The power to rename or designate the name of the community redevelopment agency;
 - (2) The power to conduct surveys or other boundary examinations to adjust or otherwise modify the boundaries of the community redevelopment district;
 - (3) The power to organize and operate a community redevelopment agency as generally described and specified in either Sections 163.356 or 163.357, Florida Statutes;
 - (4) The power to give public notice, required for the agency required by law;
 - (5) The power to make a finding of necessity, as specified in Section 163.355, Florida Statutes;
 - (6) The power (i) to determine an area to be slum or blighted, or a combination thereof; (ii) to designate an area as appropriate for community redevelopment; and (iii) to hold any public hearings required with respect thereto;
 - (7) The power to grant final approval to a community redevelopment plan and modifications thereof;
 - (8) The power to authorize the issuance of, and the power to issue, redevelopment revenue bonds, as provided by Chapter 163, Florida Statutes;
 - (9) The power to approve the acquisition, demolition, removal, or disposal of property as provided in Section 163.370(3), Florida Statutes, and the power to assume the responsibility to bear any loss as provided therein;
 - (10) The power to prepare a community redevelopment plan and modifications thereof, as provided in Chapter 163, Florida Statutes;
 - (11) The power to prepare and approve neighborhood and community-wide plans (and modifications) thereof, as provided in Section 163.365, Florida Statutes;

- (12) The power to exercise eminent domain or otherwise dispose of property pursuant to Sections 163.375 and 163.380, Florida Statutes;
- (13) The power to create, operate, and maintain a redevelopment trust fund pursuant to Sections 163.387, Florida Statutes, for the purposes set forth in said section;
- (14) The power to make and execute contracts and other instruments necessary or convenient to the exercise of the powers under Part III, Chapter 163, Florida Statutes;
- (15) The power to disseminate slum clearance and community redevelopment information;
- (16) The power to undertake and carry out community redevelopment and related activities within the community redevelopment area, which may include acquisition of a slum area or a blighted area or a portion thereof, demolition and removal of buildings and improvements, installation, construction, or reconstruction of public infrastructure and the carrying out of other community redevelopment objectives, as provided for in Section 163.370, Florida Statutes;
- (17) The power to dispose of any properties acquired in the community redevelopment area at their fair value for uses in accordance with the community redevelopment plan;
- (18) The power to provide for, or to arrange or contract and to agree to, any conditions that it deems reasonable and appropriate that are conditions of federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of the community redevelopment and related activities, and to fulfill such of the conditions as it deems reasonable and appropriate;
- (19) Within the community redevelopment area, the power:
 - a. To enter into buildings or property in the community redevelopment area to the extent authorized by law in order to make inspections, surveys, appraisals, soundings or test borings and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted;

- b. To acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain, or otherwise any real property (or personal property for its administrative purposes) together with any improvements thereon;
 - c. To hold, improve, clear, or prepare for the development of any such property;
 - d. To mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property to the extent authorized by law;
 - e. To insure or provide for the insurance of any real or personal property or agency operations against any risks or hazards, including the power to pay premiums on any such insurance;
 - f. To enter into any contracts necessary to effectuate the purposes of Part III, Chapter 163, Florida Statutes; and
 - g. To solicit requests for proposals for redevelopment of parcels of real property contemplated by the community redevelopment plan to be acquired for redevelopment for purposes, and as a result of such request for proposals, to advertise for the disposition of such real property to private persons pursuant to Section 163.380, Florida Statutes, prior to acquisition of such real property by the community redevelopment agency;
- (20) The power to invest in any community redevelopment fund held in reserve for sinking funds or any such funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control and to redeem such bonds as may have been issued pursuant to Section 163.385, Florida Statutes, at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed for purchase being cancelled;
- (21) The power to borrow money and to apply for and accept advances, loans, grants, contributions and any other form of financial assistance from the federal government or the state, county, or other public body or from any sources public or private, for the purposes of Part III, Chapter 163, Florida Statutes, and to give such security as may be required and to enter and carry out contracts or agreements in connection therewith, and to include in any contracts for financial assistance with the federal government

for or with respect to community redevelopment and related activities such conditions and powers pursuant to federal law as the city deems reasonable and appropriate which are not inconsistent with the purposes of this Part III, Chapter 163, Florida Statutes;

- (22) To make or have made all surveys and plans within the city necessary to the carrying out of the purposes of this part, to contract with any person, public or private, in making and carrying out such plans, and to adopt or approve, modify, and amend such plans, which plans include those specified in Section 163.370(1)(h)1.-3., Florida Statutes;
- (23) The power to develop, test, and report methods and techniques, and carry out demonstrations and other activities for the prevention and the elimination of slums and other blight, and developing and demonstrating new or improved means of providing housing for families and persons of low income;
- (24) The power to apply for, accept, and utilize grants or funds from the federal government for such purposes;
- (25) The power to prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, non-profit organizations, and others) displaced from the community redevelopment area and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the federal government;
- (26) The power to appropriate funds and make expenditures to zone or rezone any part of the municipality or make exceptions from building regulations, and to enter into agreements with a housing authority, which agreements may extend over a period, notwithstanding any provision or rule of law to the contrary, necessary to carry out the purposes of Part III, Chapter 163, Florida Statutes, with respect to any action to be taken by the city pursuant to any of the powers granted by Part III, Chapter 163, Florida Statutes;
- (27) The power to close, or vacate, plan, or replan streets, roads, sidewalks, ways, or other places and to plan or replan any part of the city;
- (28) The power to organize, coordinate and direct the administration of the provisions of Part III, Chapter 163, Florida Statutes, as they

may apply to the city in order that the objective of remedying slum and blighted areas and preventing the causes thereof within the city may be most effectively promoted and achieved and to establish such new office(s) of the city or to reorganize existing offices in order to carry out such purposes most effectively; and

- (29) The power to exercise all or any part or combination of the powers herein granted or to elect to have such powers exercised by the Community Redevelopment Agency.
- (b) The community redevelopment agency may utilize the following powers provided that final approval and prior authorization by the city council is first obtained on a project by project, task-by-task basis:
- (1) The power to authorize the issuance of, and the power to issue, redevelopment revenue bonds, all as set forth in Section 163.385, Florida Statutes;
 - (2) The power to approve the acquisition, demolition, removal, or disposal of property as provided in Section 163.370(3), Florida Statutes, and the power to assume the responsibility to bear loss as provided therein; and
 - (3) The power to exercise eminent domain or otherwise dispose of property pursuant to Sections 163.375 and 163.380, Florida Statutes.
- (c) Except as set forth in this sub-section, the city council hereby empowers the community redevelopment agency governing board to conduct any activities pursuant to Part III, Chapter 163, Florida Statutes, or as set forth in sub-section (a) hereof, which a Community Redevelopment Agency would otherwise be empowered to exercise or conduct pursuant to said statutes or sub-section (a), except as set forth in sub-section (b) hereof. Said delegation of powers is limited to be conducted only within the community redevelopment area.

Sec. 31-8. Officers of community redevelopment agency; rules of procedure; sessions; meetings open to the public.

- (a) The chairperson shall preside at all meetings of the community redevelopment agency. In the absence, incapacitation or disqualification of the chairperson, or upon the chairperson's refusal to act as directed by the community redevelopment agency, the vice-chairperson shall preside at all meetings of the community redevelopment agency.
- (b) The presence of four (4) members shall constitute a quorum of the

agency board for meeting purposes. Action may be taken by the agency upon a vote of a majority of the agency commissioners present, unless agency rules require a larger number.

- (c) The board shall utilize *The Scott, Foresman Roberts' Rules of Order Newly Revised* (9th ed. 1990), as the official rules of procedure. The board is authorized to make such other rules as appropriate, which rules may supersede *Roberts' Rules of Order Newly Revised*.
- (d) All meetings of the board and an agenda of said meeting shall be advertised at least three (3) days prior to said meeting by posting a notice at city hall setting forth the time, place, and date of said meeting and an agenda of said meeting. The meeting notice should also specify that more than one member of the city council or community redevelopment advisory committee member may be in attendance at the meeting and may participate in discussions.
- (e) Minutes shall be taken at all agency governing board, committee, sub-committee, and *ad hoc* committee meetings. Consistent with the Government-in-the-Sunshine Act, Section 286.011, Florida Statutes, all meetings of the board, agency committees, sub-committees, and *ad hoc* committees shall be open to the public.

Sec. 31-9. Officers of community redevelopment agency advisory committee; rules of procedure; sessions.

- (a) The chairperson of the advisory committee shall preside at all meetings of the community redevelopment agency advisory committee. In the absence, incapacitation or disqualification of the chairperson, or upon the chairperson's refusal to act as directed by the community redevelopment agency advisory committee, the vice-chairperson shall preside at all meetings of the community redevelopment agency advisory committee.
- (b) The presence of four (4) members shall constitute a quorum of the advisory committee for meeting purposes. Action may be taken by the committee upon a vote of a majority of the agency committee members present, unless agency rules require a larger number.
- (c) The committee shall utilize *The Scott, Foresman Roberts' Rules of Order Newly Revised* (9th ed. 1990), as the official rules of procedure. The committee is authorized to make such other rules as appropriate, which rules may supersede *Roberts' Rules of Order Newly Revised*.
- (d) All meetings of the board and an agenda of said meeting shall be advertised at least three (3) days prior to said meeting by posting a notice at city hall setting forth the time, place, and date of said meeting and an

agenda of said meeting. The meeting notice should also specify that more than one member of the city council or the board may be in attendance at the meeting and may participate in discussions.

Sec. 31-10. Duration of agency.

Unless extended by resolution of the Board of County Commissioners amending Resolution No. 02-136 or unless sooner terminated by the City of Satellite Beach, the delegation of authority provided for in Brevard County Resolution No. 02-136 shall terminate on May 21, 2027 (twenty-five (25) years after the date of delegation of authority to create the Community Redevelopment Agency by virtue of Brevard County Resolution No. 02-136). Thereupon, the community redevelopment agency shall cease to exist as a community redevelopment agency pursuant to Part III, Chapter 163, Florida Statutes.

Sec. 31-11. Agency annual budget.

- (a) Consistent with Section 163.387, Florida Statutes, the community redevelopment agency shall, each year, adopt a fiscal year budget.
- (b) The community redevelopment agency shall not expend in any one community redevelopment agency fiscal year more than 25% of the tax increment revenues raised for that year pursuant to Section 163.387, Florida Statutes, on administrative expenses. For the purpose of this section, the term "administrative expenses" includes personnel costs (*i.e.* - salary and fringe benefits) of community redevelopment agency staff, office equipment and supplies, operating overhead (office space, electricity and utilities for office), postage, printing or copying charges, travel costs, seminar costs, and similar direct expenses of the community redevelopment agency. Allocations of costs in a community redevelopment agency construction or consultant contract for administrative costs of the contractor are not included within the 25% cap.

Sec. 31-12. Community redevelopment plan approved.

The Community Redevelopment Plan adopted by Section 2 of Ordinance No. 836 shall constitute the community redevelopment plan for the Community Redevelopment Agency.

SECTION 2. Adoption of Community Redevelopment Plan.

- (a) The Community Redevelopment Plan attached hereto as Exhibit "A" is hereby adopted as the official community redevelopment plan for the Community Redevelopment Agency.

- (b) The City Council, after a public hearing, has determined that the proposed Community Redevelopment Plan for the Community Redevelopment Area depicted in Exhibit "A" attached hereto meets the following requirements of Section 163.360(6), Florida Statutes:
- (1) The proposed plan does not contemplate the relocation of any families in that the implementation of the plan will not cause any families to be displaced from the Community Redevelopment Area;
 - (2) The proposed plan conforms to the general plan of the municipality as a whole;
 - (3) The proposed plan will afford the maximum opportunity consistent with the sound needs of the municipality as a whole for rehabilitation or redevelopment of the Community Redevelopment Area by private enterprise; and
 - (4) The proposed plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan.

SECTION 3. Severability/Interpretation Clause.

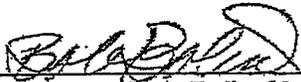
(a) It is hereby declared to be the intention of the council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

(b) In interpreting the provisions of this ordinance, underlined words (except ordinance section numbers) indicate additions to existing text.

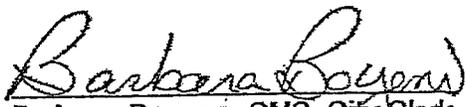
SECTION 4. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall become effective immediately upon adoption in accordance with the Charter of the City of Satellite Beach.

SECTION 6. This ordinance was passed on first reading at a regular meeting of the City Council on the 12th day of June 2002, and adopted on the second and final reading at a regular meeting of the City Council on the 26th day of June, 2002.

BY: 
Bob Bolin, Mayor

ATTEST:


Barbara Boyens, CMC, City Clerk

Attachment: Community Redevelopment Plan

ORDINANCE NO. 837

ORDINANCE NO. 837, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, RELATING TO THE SATELLITE BEACH COMMUNITY REDEVELOPMENT AGENCY AND COMMUNITY REDEVELOPMENT; MAKING FINDINGS; CREATING NEW CHAPTER 59, SATELLITE BEACH CITY CODE; ENTITLED AND CREATING A TRUST FUND AND OPERATING PROVISIONS; PROVIDING FOR TAX INCREMENT REVENUES; PROVIDING FOR THE REPEAL OF CERTAIN INCONSISTENT ORDINANCES OR RESOLUTIONS; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Section 163.410, Florida Statutes, the Brevard County Board of County Commissioners adopted Resolution No. 02-136 on May 21, 2002, which resolution delegated to the City Council of the City of Satellite Beach the authority to create and operate a Community Redevelopment Agency, pursuant to Chapter 163, Florida Statutes; and

WHEREAS, pursuant to the authority delegated to the City Council of City of Satellite Beach, the City Council adopted Resolution No. 755 on June 12, 2002, which created a Community Redevelopment Agency pursuant to Section 163.357, Florida Statutes (2002); and

WHEREAS, pursuant to Ordinance No. 836, the City Council of the City of Satellite Beach established the membership, powers, and method of operation for the Community Redevelopment Agency and adopted a Community Redevelopment Plan for the Community Redevelopment Area; and

WHEREAS, it is the intent of the City Council to provide for the creation of a trust fund pursuant to Section 163.387, Florida Statutes (2002), to fund the operation of the Community Redevelopment Agency and the projects provided for in the Community Redevelopment Plan for the Community Redevelopment Area; and

WHEREAS, the City's Local Planning Agency has reviewed this ordinance and found same to be consistent with the City of Satellite Beach Comprehensive Plan; and

WHEREAS, the City Council finds that this ordinance is consistent with and promotes the goals, policies, and objectives of the city's Comprehensive Plan, and will promote the public health, safety, welfare, economic order, convenience, and aesthetics of the city and its residents, this ordinance is adopted pursuant to the authority vested in the City Council, *inter alia*, by Brevard County Resolution No. 02-136; Part III, Chapter 163, Florida Statutes (2002); the City of Satellite Beach City Charter and Code; and the city's home rule powers.

BE IT ENACTED BY THE CITY OF SATELLITE BEACH, FLORIDA:

SECTION 1. Section 59-1 of the City Code of Satellite Beach, Florida, is hereby created to read as follows:

Sec. 59-1. Redevelopment trust fund created.

- (a) *Establishment of Trust Fund.* There is hereby created the Community Redevelopment Agency Trust Fund for the purpose of accepting and disbursing increment revenues, fees, appropriations, gifts, grants, and awards of monies made to the agency, for the purpose of funding redevelopment projects as contemplated by the Community Redevelopment Plan and administrative expenses in pursuit thereof.
- (b) *Term of existence.* The trust fund shall be self-perpetuating and sustaining from year to year, unless specifically terminated by the city council, subject to the provisions of Resolution No. 02-136, Brevard County, Florida, as amended from time to time.
- (c) *Trust assets.* All trust assets shall be allocated, extended, utilized and disbursed in accordance with Part III, Chapter 163, Florida Statutes.
- (d) *Trust funding.* Each taxing authority operating within the community redevelopment area, with the exception of a school district; any special district that levies ad valorem taxes in more than one county and created prior to July 1, 1993; any special district the sole available source of revenue on *June 26, 2002*, of which is an *ad valorem* tax; a library district; a neighborhood improvement district created pursuant to Section 163.501 *et seq.*, Florida Statutes, as amended from time to time; a metropolitan transit authority; the St. Johns River Water Management District; or any special district excluded by the city council pursuant to the act, shall annually appropriate to the trust fund herein created a sum which is equal to 95 percent of the difference between:
 - (1) The amount of *ad valorem* taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the community redevelopment area; and
 - (2) The amount of *ad valorem* taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any amount from any debt service millage, upon the total of the assessed value of the taxable real property in the community redevelopment area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to *June 26, 2002*.
- (e) *Disbursal of assets.* No funds shall be disbursed from the trust fund, unless approved by the board. The trust funds shall be utilized in accordance with the provisions of the act, and in accordance with community redevelopment plan.

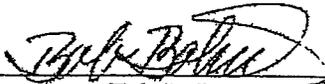
SECTION 2. Severability/Interpretation Clause.

- (a) It is hereby declared to be the intention of the council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.
- (b) In interpreting the provisions of this ordinance, underlined words (except ordinance section numbers) indicate additions to existing text and words ~~stricken through~~ are deletions from existing text.

SECTION 3. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

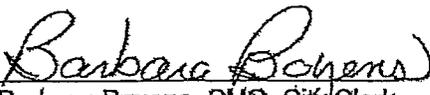
SECTION 4. This ordinance shall become effective immediately upon adoption in accordance with the Charter of the City of Satellite Beach.

SECTION 5. This ordinance was passed on first reading at a regular meeting of the City Council on the 12th day of June, 2002, and adopted on the second and final reading at a regular meeting of the City Council on the 26th day of June, 2002.



Bob Bolin, Mayor

ATTEST:



Barbara Boyens, CMC, City Clerk

ORDINANCE NO. 849

AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SATELLITE BEACH CITY CODE SECTION 31-5 (CREATION OF COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE; TERMS; CHAIRPERSON AND VICE CHAIRPERSON); AMENDING SATELLITE BEACH CITY CODE SECTION 31-8 (b) (OFFICERS OF COMMUNITY REDEVELOPMENT AGENCY; RULES OF PROCEDURE; SESSIONS; MEETINGS OPEN TO THE PUBLIC); AMENDING SATELLITE BEACH CITY CODE SECTION 31-9 (b) (OFFICERS OF COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE; RULES OF PROCEDURE; SESSIONS); PROVIDING AN EFFECTIVE DATE

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA as follows:

SECTION 1. Section 31-5 is hereby amended to read as follows:

Sec. 31-5. Creation of community redevelopment agency advisory committee; composition; terms; chairperson and vice-chairperson.

- (a) A community redevelopment agency advisory committee is hereby created and shall consist of nine (9) committee members. Nine (9) persons shall be appointed from time to time by the City Council to serve as agency committee members. In addition, the City Council may appoint two (2) alternate members, designating them as such. Alternate members shall attend all committee meetings regardless of whether a quorum of regular members is seated. Alternate members may always participate in committee deliberations and debate, but they may make motions and vote only in the absence or voting disqualification of a regular member, or the vacancy in a regular member's seat. In the event that eight (8) regular members are present and voting and two (2) alternate members are present, the alternate member who may vote and make motions with regard to an agenda item shall be the alternate member who has served on the committee for the longest period of time. The committee may adopt a procedure providing that the two (2) alternate members will rotate as voting members in the absence of a regular member.
- (b) Five (5) of the initial committee members shall serve for two (2) years, and four (4) of the initial committee members shall serve for one (1) year. Except for the initial committee members, appointees shall serve terms of two (2) years each.

Each committee member shall serve until his or her successor has been appointed and has qualified. All committee members must continuously satisfy the requirements for being a committee member. Alternate members shall serve two (2) year terms.

- (c) In the event of the death, resignation, or removal from office of a committee member, any individual appointed to fill a vacancy shall fill the remainder of the term of the person whose action created the vacancy in office.
- (d) Any person may be appointed to serve as a committee member, provided, that said person is a resident of the city, or is engaged in business within the community redevelopment area, and is otherwise eligible for such appointment. For the purposes of this provision, "engaged in business" means owning a business, practicing a profession, or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged.
- (e) The City Council shall appoint the initial chairperson and vice-chairperson to serve until January of 2004. In January 2004 and each January thereafter, the committee shall a chairperson and vice-chairperson from among its then-regular members. The term of the chairperson and vice-chairperson shall be for a period of one year, provided, however, that nothing shall prevent the committee from electing a chairperson or vice-chairperson to succeed himself. The chairperson and vice-chairperson of the committee must also be regular members at all times during their tenure.

SECTION 2 Section 31-8 (b) of the Satellite Beach City Code is hereby amended to read as follows:

- (b) The presence of three (3) members shall constitute a quorum of the agency board for meeting purposes. Action may be taken by the agency upon a vote of a majority of the agency commissioners present.

SECTION 3 Section 31-9 (b) of the Satellite Beach City Code is hereby amended to read as follows:

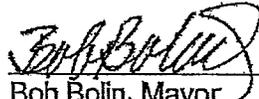
- (b) The presence of five (5) members shall constitute a quorum of the advisory committee for meeting purposes. Action may be taken by the committee upon a vote of a majority of the committee members present.

SECTION 4 SEVERABILITY CLAUSE In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected thereby, and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid and unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 5 REPEAL OF INCONSISTENT PROVISIONS. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6 EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption.

SECTION 7 This Ordinance was duly passed on first reading at a regular meeting of the City Council on the 22nd day of January, 2003, and adopted on the second and final reading at a regular meeting of the City Council on the 5th day February, 2003.



Bob Bolin, Mayor

ATTEST:



Barbara Boyens, CMC, City Clerk

DRAFT

ORDINANCE NO. 1115

AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 836 OF THE CITY OF SATELLITE BEACH BY UPDATING THE CITY OF SATELLITE BEACH COMMUNITY REDEVELOPMENT PLAN; PROVIDING FOR CONFLICTS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of Satellite Beach adopted Ordinance No. 836, on June 26, 2002 pursuant to the requirements of the Community Redevelopment Act of 1969, F.S. § 163.330-463; and

WHEREAS, through adoption of Ordinance 836 the City Council approved the "City of Satellite Beach Redevelopment Plan" and created the Community Redevelopment Agency ("CRA"); and

WHEREAS, certain projects referred to within the City of Satellite Beach Redevelopment Plan have been completed or modified, making portions of the Plan moot and obsolete; and

WHEREAS, the CRA recognized the need to update the Plan to identify new capital projects and modifications to existing projects and amended the Plan in 2014 with Ordinance 1097; and

WHEREAS, the CRA wishes to further amend the Plan with the addition of a beach-access signage project and the removal of the Crotty Park and DRS Community Center projects.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH, FLORIDA, as follows:

SECTION 1. The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Satellite Beach.

SECTION 2. Ordinance No. 836 of the City of Satellite Beach is hereby amended by replacing Exhibit "A" to said Ordinance (City of Satellite Beach Community Redevelopment Plan 2002) in its entirety with Exhibit "A" attached to this Ordinance (City of Satellite Beach Community Redevelopment Plan Amendment 2016). The remaining provisions of Ordinance No. 836, as amended prior to this Ordinance, shall remain in full force and effect.

SECTION 3. Severability Clause. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any

other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 4. Repeal of Inconsistent Provisions. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall become effective immediately upon its adoption.

SECTION 6. This Ordinance was duly passed on first reading at a regular meeting of the City Council on the ____ day of January, 2016, and adopted on the second and final reading at the regular meeting of the City Council on the ____ day of February, 2016.

FRANK P. CATINO, MAYOR

ATTEST:

LEONOR OLEXA, CMC, CITY CLERK

Approved as to Form:

CLIFFORD B. SHEPARD, CRA ATTORNEY

APPENDIX B

LEGAL DESCRIPTION OF COMMUNITY REDEVELOPMENT DISTRICT

Ordinance No. 836 provided the legal description of the Community Redevelopment District and was incorporated into Chapter 31 of the Land Development Regulations. In 2009, City staff identified scrivener's errors in the original description. The following is the corrected legal description of the District as described in *City Code Sec. 31-3. Jurisdictional area of the community redevelopment agency.*

LEGAL DESCRIPTION: **Community Redevelopment District** for the City of Satellite Beach (BY SURVEYOR)

A portion of land lying in Sections 1 and 2, Township 27 South, Range 37 East, and Sections 26, 34, 35 and 36, Township 26 South, Range 37 East, all lying in the City of Satellite Beach, Brevard County, Florida, being more particularly described as follows:

Beginning at the intersection of the South line of said Section 1 and the mean high water line of the Atlantic Ocean, said point being the POINT OF BEGINNING; thence run Westerly along the said South line to the Southerly extension of the East Right-of-Way line of Ocean Drive; thence run Northerly along the said East Right-of-Way line and its Northerly extension to the North Right-of-Way line of Palmetto Avenue; thence run Westerly along the said North Right-of-Way line to the East Right-of-Way line of Atlantic Drive; thence run Northerly along the said East Right-of-Way line and its Northerly extension to the North Right-of-Way line of Sunrise Avenue; thence run Westerly along the said North Right-of-Way line to the East Right-of-Way line of Palm Drive; thence run Northerly along the said East Right-of-Way line and its Northerly extension to the North Right-of-Way line of Desoto Parkway; thence run Westerly along the said North Right-of-Way line to the Southeast corner of Amherst Gardens Section Four, as recorded in Plat Book 24, Page 82, of the Public Records of Brevard County, Florida; thence run Northerly along the East line of said Amherst Gardens Section Four to the Northeast corner of said Amherst Gardens Section Four and the Southeast corner of Cresthaven Satellite Beach Unit 1, as recorded in Plat Book 16, Page 146, of the said Public Records of Brevard County; thence run Northerly along the East line of the said Cresthaven Satellite Beach Unit 1 to Northeast corner of Lot 1, Block A, of said Cresthaven Satellite Beach Unit 1; thence run Northwesterly to the Southeast corner of Lot 1, Block C, of said Cresthaven Satellite Beach Unit 1; thence run Northerly along the East line of said Lot 1, Block C to the Northeast corner of said Lot 1, Block C and the North line of said Cresthaven Satellite Beach Unit 1; thence run Westerly along the said North line to the Southeast corner of Lot 32 and the West line of Satellite Beach Estates, as recorded in Plat Book 16, Page 4, of the said Public Records of Brevard County; thence run Northerly along said East line of Satellite Beach Estates to the Northeast corner of Lot 28 said Satellite Beach Estates and a point on the South line of Ocean Spray, as recorded in Plat Book 13, Page 64, of the said Public Records of Brevard County; thence run Easterly along the South line of said Ocean Spray to the Southeast corner of said Ocean Spray; thence run Northwesterly along the East line of said Ocean Spray to the Southeast corner of Lot 1 of said Ocean Spray; thence run Westerly along the North Right-of-Way line of Ocean Spray Avenue to the Southwest corner of lands described in O.R. Book 4107, Page 0958, of said Public Records of Brevard County; thence run Northerly along the West line of the said O.R. Book 4107, Page 0958 to the Northwest corner of said O.R. Book 4107, Page 0958 and the North line of said Ocean Spray; thence run Westerly along the North line of said Ocean Spray and the North line of Ocean Spray Estates, as recorded in Plat Book 14, Page 69, of said Public Records of Brevard County and its Westerly extension to the East Right-of-Way line of Temple Street; thence run Northerly along said East Right-of-Way line to the South Right-of-Way line of Cassia Boulevard; thence run Westerly along said South Right-

of-Way line to the Northwest corner of Ocean Spray Estates Addition No. 2, as recorded in Plat Book 15, Page 33, of said Public Records of Brevard County; thence run Southerly along the West line of said Ocean Spray Estates Addition No. 2 to a point on the North line of Surfside Park, as recorded in Plat Book 25, Page 161, of said Public Records of Brevard County; thence run Westerly along the North line of said Surfside Park to the Northwest corner of said Surfside Park; thence run Northerly along the Northerly extension of the West line of said Surfside Park to the Southeast corner of lands described in O.R. Book 0808, Page 0470, of said Public Records of Brevard County; thence run Westerly along the South line of said O.R. Book 0808, Page 0470 and the South line of lands described in O.R. Book 0781, Page 0046, of said Public Records of Brevard County to the Southwest corner of said O.R. Book 0781, Page 0046; thence run Northerly along the West line of said O.R. Book 0781, Page 0046 to the South Right-of-Way line of Cassia Boulevard; thence run Westerly along said South Right-of-Way line and its Westerly extension to the Southwest corner of Lot 15, Replat of part of Michigan Beach Fifth Addition, as recorded in Plat Book 13, Page 36, of said Public Records of Brevard County; thence run Northerly along the East Right-of-Way line of the alley and Canal Street as shown on said Replat of part of Michigan Beach Fifth Addition and Satellite Beach Isles, as recorded in Plat Book 13, Page 118, of said Public Records of Brevard County and its Northerly extension to a point on the South line of Lot 23, The Fountains Unit One, as recorded in Plat Book 23, Page 103, of said Public Records of Brevard County; thence run Easterly along the South line of Lots 23 and 24 of said The Fountains Unit One to the West Right-of-Way line of South Patrick Drive; thence run Northerly along said West Right-of-Way line to the Northeast corner of The Fountains Unit III, as recorded in Plat Book 25, Page 19, of said Public Records of Brevard County; thence run Westerly along the North line of said The Fountains Unit III to the Southeast corner of The Fountains Unit Four, as recorded in Plat Book 25, Page 160, of said Public Records of Brevard County; thence run Northerly along the East line of said The Fountains Unit Four to the South Right-of-Way line of Grant Court; thence run Easterly along the said South Right-of-Way line to the intersection with the Southerly extension of the East Right-of-Way line of Matthews Street; thence run Northerly along said Southerly extension and said East Right-of-Way line of Matthews Street to the South Right-of-Way line of Jackson Court; thence run Northwesterly to the Southeast corner of Lot 1, Emerald Harbor, as recorded in Plat Book 22, Page 1, of said Public Records of Brevard County; thence run Northerly along the East line of said Emerald Harbor and the East line of Emerald Isles Phase Two, as recorded in Plat Book 25, Page 115, of said Public Records of Brevard County to the Northwest corner of the lands described in O.R. Book 1137, Page 0507, of said Public Records of Brevard County; thence run Easterly along the North line of said O.R. Book 1137, Page 0507 and its Easterly extension to the East Right-of-Way line of South Patrick Drive; thence run Northerly along said East Right-of-Way line to the North line of Section 35; thence run Easterly along said North line to the West line of lands described in O.R. Book 0576, Page 0587, of said Public Records of Brevard County and the East line of O.R. Book 0487, Page 0203, of said Public Records of Brevard County; thence run Southerly along the said East and West lines to the Northeast corner of the Sunset Village Townhomes, as recorded in Survey Book 5, Page 92, of said Public Records of Brevard County; thence run Westerly along the North line of said Sunset Village Townhomes to the Northwest corner of said Sunset Village Townhomes; thence run Southerly along the West line of said Sunset Village Townhomes to the Southwest corner of said Sunset Village Townhomes and a point on the North Right-of-Way line of Jackson Avenue; thence run Southwesterly to the Northeast corner of Lot 10, Block 20, Eau Gallie Shores, as recorded in Plat Book 5, Page 20, of said Public Records of Brevard County; thence run Southerly along the East line of said Lot 10, Block 20 to the Southeast corner of said Lot 10, Block 20; thence run Westerly along the South line of Lots 8, 9 and 10, Block 20, of said Eau Gallie Shores to the Southwest corner of said Lot 8 and the Northeast corner of Lot 32, Block 20, of said Eau Gallie Shores; thence run Southerly along the East line of said Lot 32, Block 20 to the Southeast corner of said Lot 32, Block 20; thence run Southwesterly to the Northeast corner of Lot 6, Block 19, of said Eau Gallie Shores; thence run Southerly along the East line of Lot 6 and Lot 33, Block 19, of said Eau Gallie Shores to the

Southeast corner of said Lot 33, Block 19; thence run Westerly along the North Right-of-Way line of Grant Avenue to the East Right-of-Way of South Patrick Drive; thence run Southerly along said East Right-of-Way line to the Southwest corner of lands described in O.R. Book 3760, Page 0001, of said Public Records of Brevard County; thence run Easterly and Southerly along the Southerly and Westerly lines of said O.R. Book 3760, Page 0001 and its Southerly extension to the South Right-of-Way line of Roosevelt Avenue; thence run Easterly along said South Right-of-Way line to the East line of the North 500' of the East 291' of the West 591' of the Southwest 1/4 of said Section 35 and tax parcel number 516; thence run Southerly along said East line to a point on the North line of Replat of Block's E and F Conner's Castle Dare Subdivision, as recorded in Plat Book 20, Page 1, of said Public Records of Brevard County; thence run Westerly along the said North line to the Northwest corner of Lot 8, Block E of said Replat of Block's E and F Conner's Castle Dare Subdivision; thence run Southerly along the West line of said Lot 8, Block E and its Southerly extension to the Northwest corner of Lot 8, Block F of said Replat of Block's E and F Conner's Castle Dare Subdivision; thence run Southerly along the West line of said Lot 8, Block F to a point on the South line of said Replat of Block's E and F Conner's Castle Dare Subdivision and the North line of 11th Addition To Michigan Beach Subdivision, as recorded in Plat Book 19, Page 23, of said Public Records of Brevard County; thence run Easterly along said North and South line to the Northeast corner of Lot 8, Block S, of said 11th Addition To Michigan Beach Subdivision; thence run Southerly along the East line of said Lot 8, Block S, its Southerly extension and the East line of Lot 9, Block P, of said 11th Addition To Michigan Beach Subdivision to the South line of said 11th Addition To Michigan Beach Subdivision and the North line of 8th Addition To Michigan Beach as recorded in Plat Book 16, Page 143, of said Public Records of Brevard County; thence run Westerly along said North and South line to the Northwest corner of the said Lot 7, Block P, of said 8th Addition To Michigan Beach; thence run Southerly along the West line of said Block P, and its Southerly extension to the intersection of the South Right-of-Way line of Island Drive and the Northwest corner of Lot 28, Block R of said 8th Addition To Michigan Beach; thence run Southerly along the West line of said Block R to the Southwest corner of Lot 26, Block R of said 8th Addition To Michigan Beach; thence run Easterly and Southerly along the Southerly and Westerly lines of said Lot 26, Block R to the Northwest corner of Lot 25, Block R, of said 8th Addition To Michigan Beach; thence run Southerly along the West line of said Block R to the Southwest corner of Lot 24, Block R, of said 8th Addition To Michigan Beach; thence run Easterly along the South line of said Block R, to the Southeast corner of Lot 19, Block R of said 8th Addition To Michigan Beach; thence run Northerly along the said East line of said Block R, to the Northeast corner of Lot 17, Block R, of said 8th Addition To Michigan Beach; thence run Easterly along the South line of said Block R to the Southeast corner of Lot 1, Block R, of said 8th Addition To Michigan Beach and the Westerly Right-of-Way line of Thyme Street; thence run Southerly along said West Right-of-Way line to the Southeast corner of Lot 1, Block F, Third Addition To Michigan Beach, as recorded in Plat Book 12, Page 73, of said Public Records of Brevard County; thence run Easterly along the South line Block D, Second Addition To Michigan Beach, as recorded in Plat Book 12, Page 79, of said Public Records of Brevard County, its Easterly and Westerly extensions thereof and the South line of Block B, First Addition To Michigan Beach, as recorded in Plat Book 11, Page 55, of said Public Records of Brevard County, its Easterly and Westerly extensions thereof to the East Right-of-Way line of Temple Street; thence run Northerly along said East Right-of-Way line of Temple Street to the Northwest corner of Lot 102, Block 1, Plat Of Michigan Beach, as recorded in Plat Book 10, Page 43, of said Public Records of Brevard County; thence run Easterly along the North line of the Lots 102-114, Block 1, said Plat Of Michigan Beach to the Northeast corner of said Lot 114, Block 1, and the Southeast corner of Lot 89, Block 1, of said Plat Of Michigan Beach; thence run Northerly along the East line of said Lot 89, Block 1, said Plat Of Michigan Beach to the Northeast corner of said Lot 89, Block 1; thence run Northwesterly to the Southeast corner of Lot 16, Block D, Replat Part Of Michigan Beach, as recorded in Plat Book 11, Page 9, of said Public Records of Brevard County; thence run Northerly along the East line of Lots 16 and 5, Block D, their Northerly extension, Lots 15 and

4, Block C, their Northerly extension and Lots 14 and 3, Block B to the South Right-of-Way line of Ellwood Avenue; thence run Northwesterly to the Southeast corner of Lot 1, 12th Addition To Michigan Beach, as recorded in Plat Book 20, Page 109, of said Public Records of Brevard County; thence run Northerly along the East line of said Lot 1 to the Northeast corner of said Lot 1 and the Easterly extension of the South line of Ninth Addition To Michigan Beach, as recorded in Plat Book 23, Page 119, of said Public Records of Brevard County; thence run Westerly along the said North and South lines to the Southeast corner of said Ninth Addition To Michigan Beach; thence run Northwesterly along the East line of said Ninth Addition To Michigan Beach to the North line of said Ninth Addition To Michigan Beach and the South line of Conner's Castle Dare Subdivision First Addition, as recorded in Plat Book 12, Page 62, of said Public Records of Brevard County; thence Westerly along said North and South lines to the Southwest corner of Lot 2, Block D, said Conner's Castle Dare Subdivision First Addition; thence run Northerly along the West line of said Lot 2, Block D, its Northerly extension and the West line of Lot 2, Block C, said Conner's Castle Dare Subdivision First Addition to the North line of said Conner's Castle Dare Subdivision First Addition; thence run Westerly along said North line and the North line of Conner's Castle Dare Subdivision, as recorded in Plat 12, Page 40, of said Public Records of Brevard County to the intersection with the East line of Flamingo Homes Section "A", as recorded in Plat Book 13, Page 68, of said Public Records of Brevard County; thence run Northerly along the East line of said Flamingo Homes Section "A" to the South Right-of-Way line Roosevelt Avenue; thence run Northwesterly to the intersection of the North Right-of-Way line of Roosevelt Avenue and the East Right-of-Way line of Magnolia Street; thence run Northerly along the said East Right-of-Way line and its Northerly extension to the North Right-of-Way line of Jackson Avenue; thence run Westerly along the said North Right-of-Way line to the Southwest corner of land described in O.R. Book 1325, Page 0440, of said Public Records of Brevard County and the East Right-of-Way line of Delaura Court; thence run Northerly along the said East Right-of-Way line and the West line of said O.R. Book 1325, Page 0440 to the Northwest corner of said O.R. Book 1325, Page 0440; thence run Westerly along the South line of lands described in O.R. Book 4140, Page 1516, of said Public Records of Brevard County to the Southwest corner of said O.R. Book 4140, Page 1516; thence run Northwesterly along the West line of said O.R. Book 4140, Page 1516 to the Southwest corner of lands described in O.R. Book 4030, Page 3316, of said Public Records of Brevard County; thence Northwesterly along the West line of said O.R. Book 4030, Page 3316 to the Northwest corner of said O.R. Book 4030, Page 3316; thence Northwesterly to the Southwest corner of lands described in O.R. Book 3308, Page 0294, of said Public Records of Brevard County; thence Northwesterly along the West line of said in O.R. Book 3308, Page 0294 to the Northwest corner of said in O.R. Book 3308, Page 0294 and the North line of said Section 35; thence run Easterly along the North line of said Section 35 to the West Right-of-Way line of State Road A-1-A; thence run Northwesterly along the said West Right-of-Way line to the intersection of the North line of the South 1/2 of government Lot 1, of said Section 26; thence run Easterly along the said North line to the mean high water line of the Atlantic Ocean; thence run Southeasterly along the said mean high water line of the Atlantic Ocean to the POINT OF BEGINNING.

Together with a 50-foot public road right-of-way (Jackson Avenue) from State Road A-1-A to South Patrick Drive.

END