FINDING OF NECESSITY REPORT
&
COMMUNITY REDEVELOPMENT PLAN

City of Winter Garden

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Prepared by Herbert/Halback, Inc.

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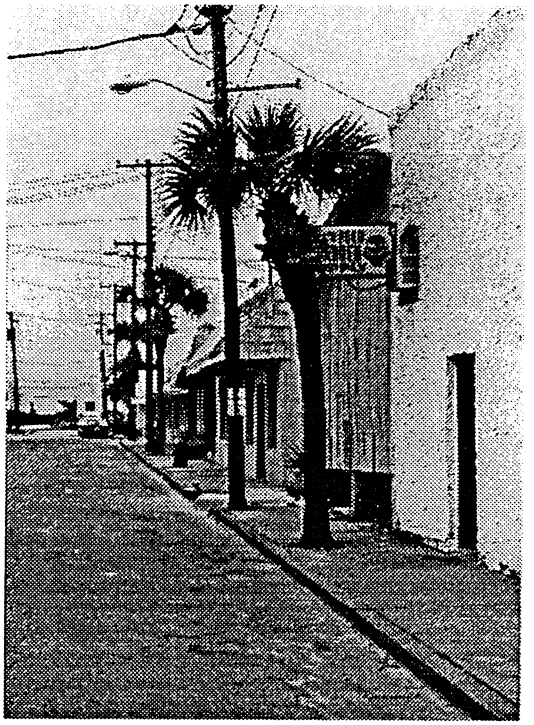
PART I

Finding of Necessity Report



1. Overview

1.1 PURPOSE OF THE STUDY

In 1991, the residents and businesses of Winter Garden demonstrated a high level of community support and dedication for the revitalization of their downtown core. Last September this effort resulted in the designation of Winter Garden as a Florida Main Street City. The Main Street approach has through *organization* activated and motivated leadership to create a revitalization vision for area; through *promotion* they intend to enhance their image; through *design* programs will improve, restore and maintain the historic character of the the downtown area and through *economic restructuring and cultural enhancement* strategies improve the skills of their existing businesses as well as analyze market trends throughout West Orange County in order to counter a thirty year trend of disinvestment and deterioration.

This study was initiated by the City and Main Street Winter Garden to provide an outline into the State's community redevelopment process, investigate and document blighting conditions and provide criteria for the establishment of a community redevelopment agency and redevelopment trust fund in order find an organization and funding mechanism to assist in meeting revitalization goals.

1.2 COMMUNITY REDEVELOPMENT ACT OVERVIEW

In 1969 the Florida Legislature created the Community Redevelopment Act, Chapter 163, part III, Florida Statutes (F.S.). The purpose of the act is to assist local governments in eliminating and preventing blighted and or slum areas that are detrimental to the health, safety and welfare of residents of the State. In 1977 the act was expanded to allow for the use of tax increment financing (TIF) through the creation of a redevelopment trust fund.

The community redevelopment process is enacted and implemented by the local governing body. Counties that have a charter form of government are granted exclusive rights, within their boundaries, to exercise the redevelopment powers set forth by Chapter 163, part III. The governing body of a county, that has adopted a home rule charter, may delegate redevelopment powers to a municipality through a resolution. Redevelopment powers are granted to a municipality as specifically enumerated through the resolution. Orange County is a home rule charter government.

In order for the local governing body to exercise the powers set forth by F.S. 163, part III, a resolution must be adopted, finding that one or more blighted or slum areas exist, and that the rehabilitation, redevelopment, or conservation of such area(s) is in the interest of the public health, safety, morals or welfare.

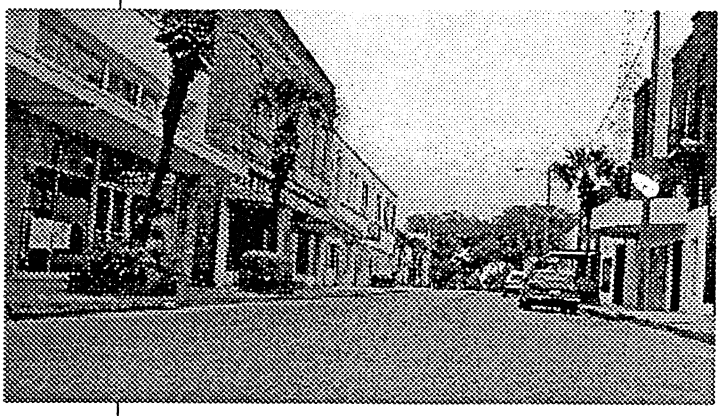
A Community Redevelopment Agency (CRA) may be created after the adoption of the finding of necessity resolution and determination that a CRA is necessary to carry out the purposes of the Redevelopment Act. Establishment of a CRA, its powers, requirements and restrictions will be discussed in greater detail in a subsequent section.

An element of the community redevelopment process is the creation of a redevelopment plan for the area established by the finding of necessity resolution. The plan provides detailed physical information of the redevelopment area, identifies projects and estimates costs and provides a method of financing. The plan must meet established criteria set forth by the Community Redevelopment Act.

The community redevelopment plan is submitted to the local governing body for approval. The plan must go through the public hearing process and at that time may be approved by the governing board. Plan development will be discussed in greater detail in a subsequent section.

The trust fund is established through ordinance by the governing body that created the CRA. The adoption of this ordinance "freezes" the tax base within the redevelopment area at the level of the most recent real property tax assessment roll prior to the effective date of the ordinance. Tax rolls used for this purpose are the preliminary roles submitted by the county property appraiser to the State by July 1 of each year.

Trust fund revenues are obtained by appropriation of any incremental increase in ad valorem taxes collected by various taxing authorities. Tax increment results from the increase in the ad valorem tax revenues realized from the increased property values for ad valorem tax purposes; or the millage levied by the taxing authority; or both. Funds deposited and or allocated to the trust fund must be used by the CRA to finance any community redevelopment project identified in, or otherwise advance the purposes of, the approved redevelopment plan.



2. ANALYSIS

2.1 CRITERIA FOR DETERMINING BLIGHT

As stated in the previous section, one of the first steps in the community redevelopment process is determining that slum and blighted conditions exist in an area. The finding by the governing body of the municipality of such conditions is known as the "Finding of Necessity" Sec. 163.355, F.S.

As set forth in Section 163.340 Florida Statutes, the following definitions apply:

1. "Slum area" means, "An area in which the majority of facilities, both, residential and non-residential structures, which for reason of dilapidation, deterioration, age or obsolescence; inadequate ventilation, light, air, sanitation, or open spaces, overcrowded conditions and any condition that threatens life or property by fire, or any set of factors conducive to illness, transmission of disease, infant mortality, juvenile delinquency, or crime and is detrimental to public health, safety, morals or welfare."

2. "Blighted area" means either:

(a) "An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger the life or property by fire or other factors which substantially impairs or arrests sound growth of a county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition or use. Criteria for determination of blight include:

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. Site or improvement deterioration.
5. Delinquency of taxes or special assessments, exceeding the fair market value of the land; and,
6. Diversity of ownership, 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 the area either at present or following the proposed construction.

In order to qualify for tax credits authorized in chapter 220, "blighted area" means an area as described in paragraph (a)."

The conditions of blight, such as diminishing tax base, increased demands for public services, traffic hazards, inadequate transportation systems and physical conditions that inhibit accessibility, directly impairs the ability of designated areas to redevelop and improve economically. By the identification of blight and the creation of community redevelopment areas, agencies and plans, local governments have the opportunity to carry out redevelopment.

2.2 STUDY AREA DEFINITION

A preliminary analysis was performed to gain an understanding of existing and future development trends. The analysis focused on State Road 50, Dillard Street and Plant Street corridors as well as the City's downtown core and surrounding residential areas.

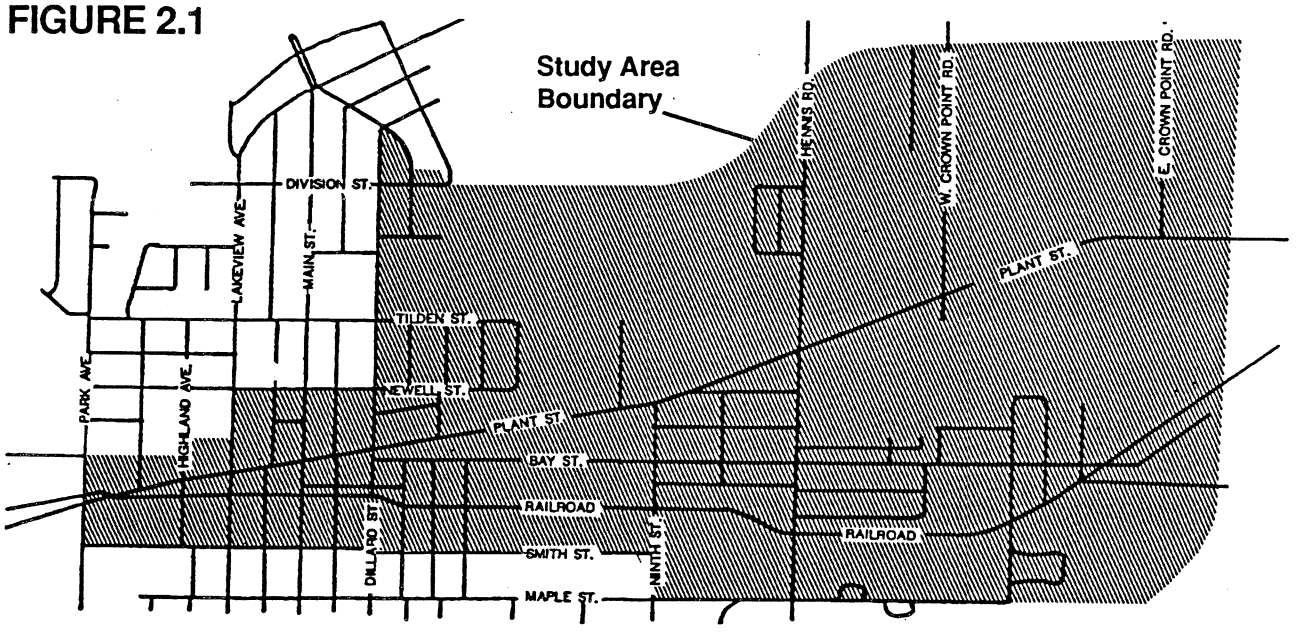
Winter Garden's historic downtown core maintains high vacancy rates and deteriorating building conditions. Affordable housing concerns exist within the Plant and Dillard Street corridors.

The majority of the City is directly served by the municipal water and sewer systems. However, there are areas where the systems are dated and possibly antiquated. One of the largest area employers (West Orange Hospital) is relocating. The Northwestern Beltway is proposed east of the City, with an interchange at Plant Street. This interchange has the potential of redirecting development from the downtown and Dillard - Plant Street corridors. The above conditions contributed to the determination of Winter Garden's redevelopment study area.

The study area lies within and directly adjacent to the City of Winter Garden, a municipality located in west Orange County, Florida. The study centers on Plant Street (State Road 438) and Dillard Street (State Road 537), running east from S. Park Avenue tc the eastern edge of the City's annexation area. The area encompasses the downtown core and the Main Street Winter Garden District. Land uses include; residential, office, commercial, industrial, agricultural, institutional (West Orange Hospital and associated medical facilities), and public (government facilities and churches).

A description of the study area boundaries is as follows: (Figure 2.1) east at the intersection of S. Park Avenue and W. Smith Street to Ninth Street; north on Ninth to the T&G railroad tracks; east along the T&G railroad tracks to Eleventh Avenue; north on Eleventh to the A.C.L. railroad tracks; southeast along the tracks for approximately 575 linear feet; west for approximately 1150 linear feet through a wooded area and orange grove; north 1300 linear feet through an orange grove; then west to Division Street continuing to Surprise Drive (including four lots north of Division from Palm to Sunrise); north on Sunrise to Dillard Street; south on Dillard to Newell Street; west on Newell to Lakeview Avenue; south on Lakeview to Henderson Street; west on Henderson to S. Highland Avenue; south on Highland to Bay Street; west on Bay to S. Park Avenue; south on Park to W. Smith Street. Also included in the study area is the Winter Garden Annexation Reserve Area east of the current City Limits Line.

STUDY AREA MAP
FIGURE 2.1



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2.3 PHYSICAL ENVIRONMENT INVENTORY

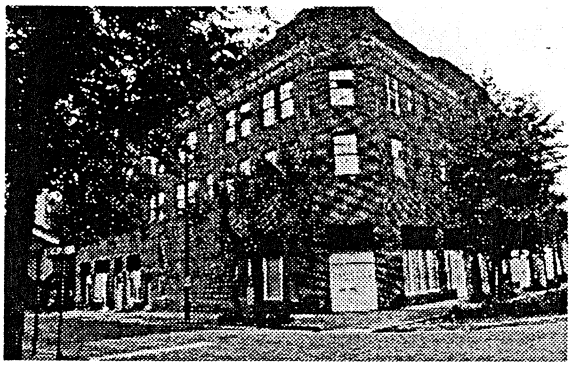
An analysis of the physical environment is critical in determining blight. The following section documents the existing land uses, utility systems, building conditions, transportation systems, property diversity/valuation, level of affordable housing and economic activity for the study area.

2.3.1 EXISTING LAND USE

Existing land uses are identified and documented in order to derive an understanding of the pattern of activity within the area, identification of potential conflicts between uses as well as how uses may assist or impede redevelopment activity.

The attached map (Figure 2.2) indicates the existing land use pattern in the study area. Table 1 lists the number of structures identified in each land use category. For ease of description, the study area has been divided into four quadrants. Plant Street is the North-South division line with Dillard Street the East-West division line.

Northwest Quadrant



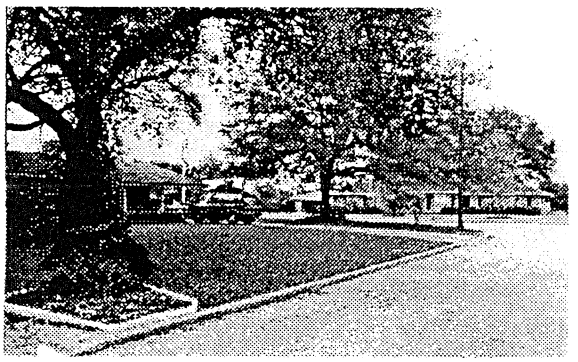
Land uses consist of commercial, office, public and residential. Commercial use is primarily focused on Plant Street with a few businesses scattered to the north.

A small number of office uses exist. United Telephone Company has the single largest presence; the facilities encompass nearly an entire block. The Post Office is also located in this quadrant.

Public uses predominate within this quadrant. Uses consist of two churches, First Baptist and First Methodist, and the Winter Garden Municipal Complex. Facilities associated with the Municipal Complex include the City Hall, Commission Chambers, Police Station and West Orange Youth Center.

Residential properties are located in the extreme western corner and scattered along Newell Street. Lots and houses are small in character with minor impact to the area.

Northeast Quadrant



This quadrant consists primarily of residential, vacant, and agricultural land uses. The residential is comprised of a well established subdivided neighborhood with few vacant parcels.

Agricultural lands are planted in citrus. A number of trees show signs of damage from past freezes. The remaining trees appear to be viable and in fruit production.

Also included in this quadrant are some industrial-commercial uses along Plant Street and institutional, hospital-health care facilities, along Dillard Street. The health care facilities consist of the West Orange Memorial Hospital and a senior citizen care center.

Orange County has recently purchased a wooded parcel within this quadrant to serve as a trail head for the West Orange Greenway. The trail head would provide parking, picnic, and support facilities for the trail users. The County has mentioned that play equipment may also be installed at this location. The County trail head/park will also serve area residents.

Southeast Quadrant

There is a variety of residential, commercial and industrial uses. Minor office use also occurs. The largest congregation of residential is in the southern most section of the quadrant. The remaining residential is scattered.

Commercial and industrial uses make up the largest single land uses. Citrus processing plants are the predominant industrial use.

Southwest Quadrant

Commercial and residential uses comprise the majority of the land uses in the southwest quadrant. Commercial uses are concentrated between Plant Street and the T&G railroad track and along Dillard and Plant Street. Residential uses are concentrated along the western and southern edge.

TABLE 2.1
Land-Use Inventory

Use	Number of Structures
Residential	297
Commercial	88
Office	35
Industrial	27
Public	20
Institutional	2
TOTAL	**469**

As indicated in Table 1, based on the number of building structures, residential uses account for 64% of the land use within the study area. Residential uses are predominantly detached single family with a few multi-family units.

Commercial uses include discount stores, food markets, service related businesses, specialty shops, restaurants and other uses which account for 19% of the total land use. These uses are primarily associated with the central core, defined by Dillard Street, Lakeview Avenue, Smith Street and Newell Street. Service related businesses account for 42% of all commercial uses.

Office uses occupy 7% of the structures within the study area. These uses have been grouped into six categories: social, medical, real estate, utility, groves/citrus production and other. Of these, medical captures the highest use with 25%.

Industrial uses are found throughout the study area but are primarily located to the south. Citrus processing and packing facilities predominate. Other industry includes recycling plants, tortilla factories, fertilizer and concrete facilities.

Public and institutional facilities, account for just 4% of the structures. However, in terms of land ownership and coverage the impact is much larger.

STUDY AREA BOUNDARY

LEGEND

RESIDENTIAL | AGRICULTURAL | OFFICE | HOSPITAL/INSTITUTIONAL

PUBLIC | INDUSTRIAL | COMMERCIAL | VACANT/NO STRUCTURES

FIGURE 2.2

EXISTING LAND USE

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winter garden

Community Redevelopment Study

2.3.2 UTILITY SYSTEMS

A majority of the properties within the study area are served by the City's sewage treatment and potable water facilities. The sewage treatment plant is located on the north side of Fullers Cross Road. Final disposal is by hydraulic land spreading on a 131 acre City-owned site, located on S.R. 437 approximately 4 miles northeast of the plant.

The City operates and maintains two water treatment facilities: one located on Boyd Street and the other located on Palmetto Street. The City has documented the need to renovate the Boyd Street plant due to the age of the existing 12 inch well and ground water storage facilities. The City has recently installed a 12 inch and 16 inch well at the Palmetto Street plant. Water is stored in both ground and elevated storage facilities.

Figure 2.3 illustrates main line routing for the water and sewer systems within the study area. Although the infrastructure is in place, age and condition of the utilities is questionable. Prior to 1948 the City utilities were installed and operated by the Florida Power Corporation. Systems documentation is not available for this period. City utility records are sketchy and incomplete from 1948 through the early 1970's.

Documented improvements within the study area are as follows:

Water

Tilden Street from Dillard Street to Donald Drive - 1991
Tremaine Street From Central to S. Lakeview Avenue - 1990
Main Street from Tremaine to Newell Street - 1990
North Street midway between 9th and 10th to 10th Street - 1975
Klondike Avenue between 9th and 10th Street - 1975

Sewer

Bay Street from Dillard to 9th Street - Early 70's

The City Engineer, John R. Kirby, conducted interviews with the City's Public Works, Water and Sewer Department Heads, to provide the above information. The information only covers a portion of the existing systems. It was the general feeling of the City that the remainder of the systems may be original equipment installed when the roads and buildings were constructed.

With the apparent lack of data, it is difficult to assess the condition and functionality of these systems. However, it is safe to say that in certain locations of the study area there are underground utilities that are old and unfunctional, providing physical constraints to redevelopment activity. The older systems will have to be up graded, if not totally reconstructed, to accept new development.

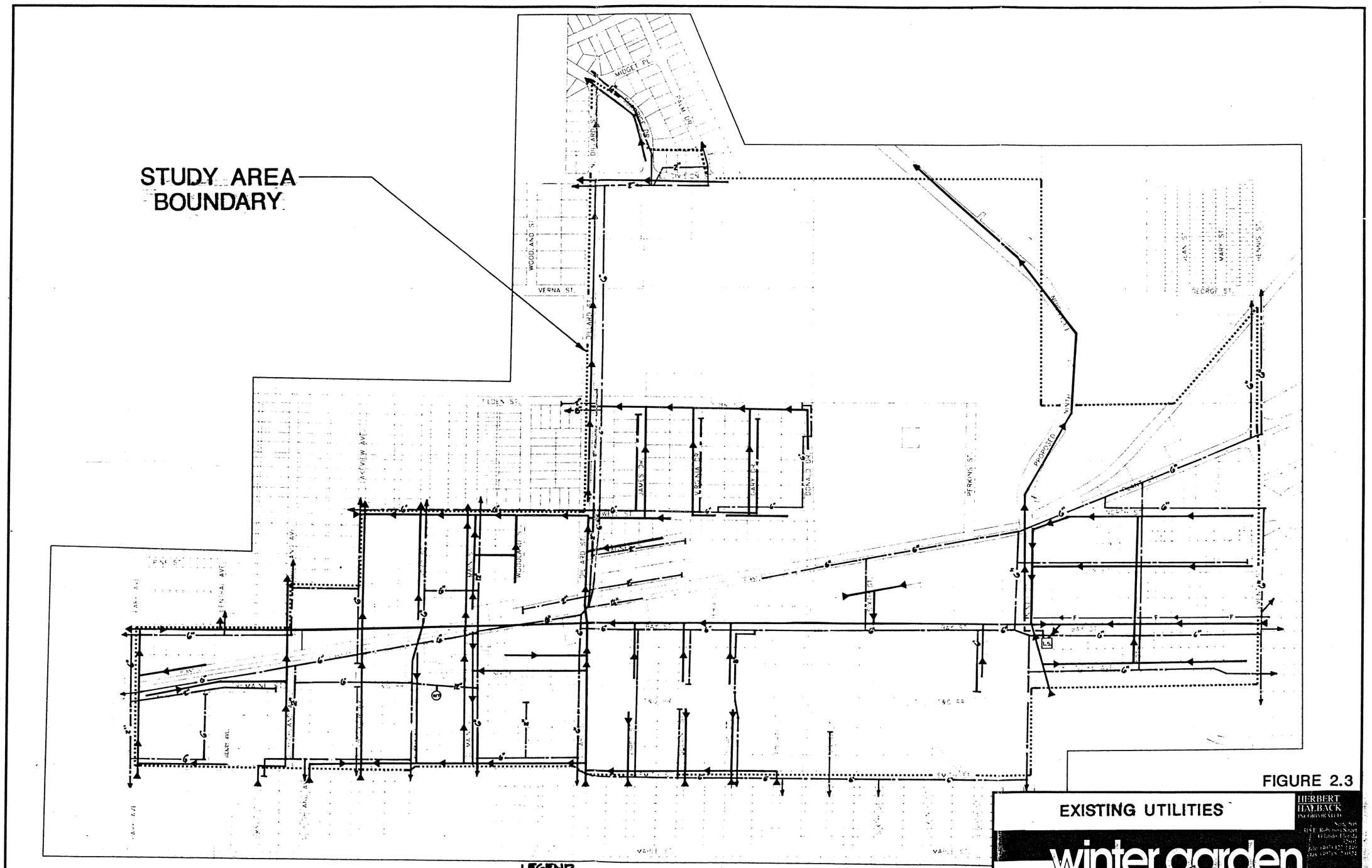

FIGURE 2.3

EXISTING UTILITIES

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Community Redevelopment Study

issue date

project no.

sheet no.

2.3.3 EXISTING BUILDING CONDITIONS

A field survey was conducted to determine existing building conditions. Survey results are shown in Table 2.2 Only primary buildings were evaluated. Building exteriors were visually analyzed for structural conditions and maintenance. Interior and site conditions were not used in the evaluation process. Each building was placed into one of four categories, defined as:

Sound: Buildings in this category appear to provide safe and adequate shelter, have no apparent structural defects, or have only slight defects which are normally corrected during the cause of regular maintenance.

Minor Deterioration: Buildings in this category appear to provide safe and adequate shelter, but require more than routine or minor repair or improvements.

Major Deterioration: Buildings in this category do not appear to provide safe or adequate shelter, require considerable repair or rebuilding, or are of inadequate construction.

Dilapidated: Buildings in this category exhibit evidence of a structured hazard, are condemned, or subject to condemnation and should be demolished.

Generally, structures are assumed to be sound unless there is evidence of one or more visible defects. Also, if a structure has one defect in a lower category, the whole structure is classified in the lower category.

Figure 2.4 illustrates, on a block by block basis, the building conditions within the study area. Numerical values were assigned to each of the four evaluation categories as follows; four (4) - Sound, three (3) - Minor Deterioration, two (2) - Major Deterioration, one (1) Dilapidated. Numerical values were added together for each block and averaged, resulting in overall classifications.

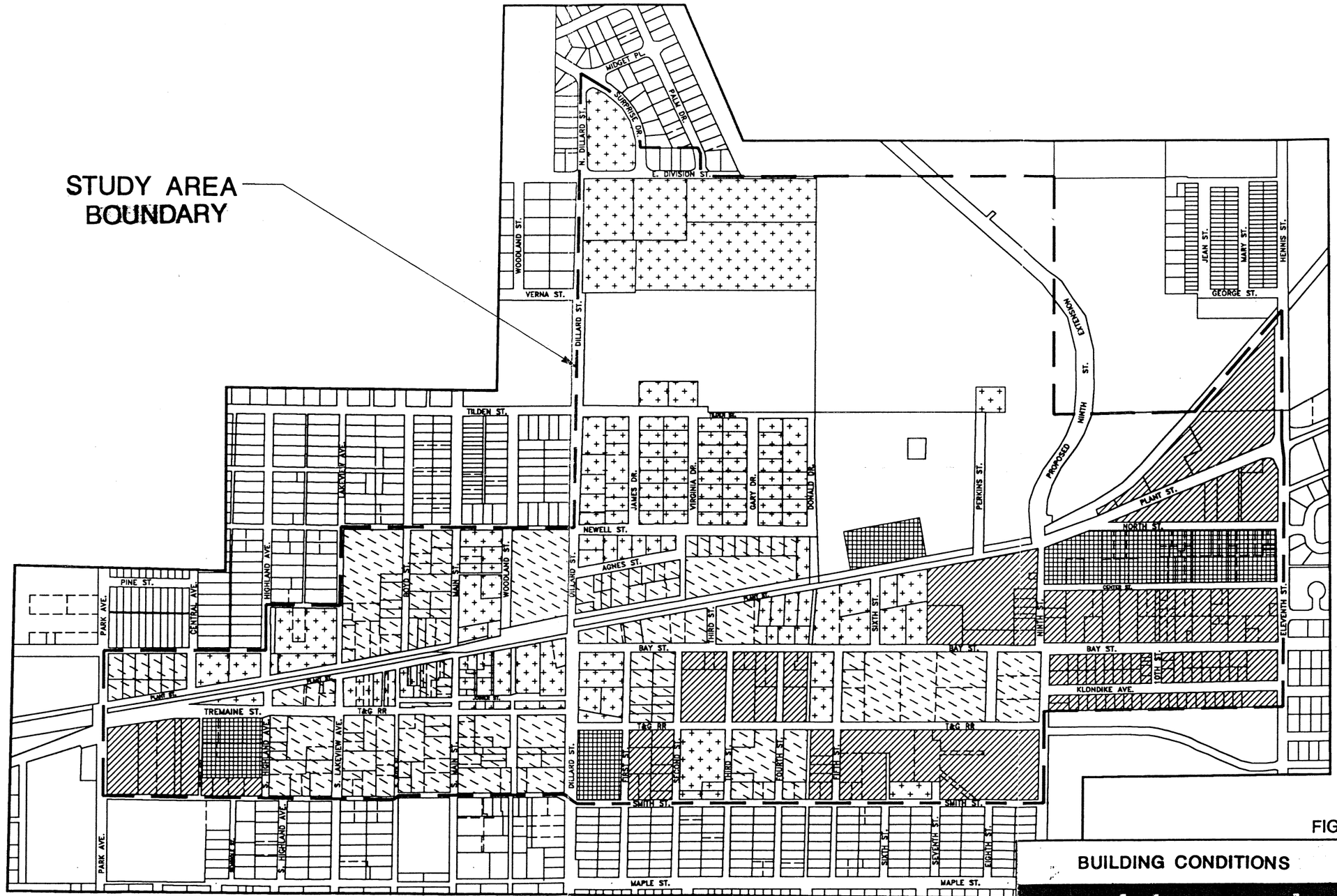
TABLE 2.2
Building Condition Summary

Condition	Number	Percent
Sound	181	43%
Minor Deterioration	82	19%
Major Deterioration	72	17%
Dilapidated	89	21%

As indicated in Table 2, less than half the structures were found to be sound (43% or 181 structures); 19% or 82 structures exhibited signs of minor deterioration; 17% or 72 structures had major deterioration; and 21% or 89 structures were found to be in a dilapidated state. With over half of the structures in the study area (57%) showing some evidence of deterioration, the need for redevelopment is apparent.

The high proportion of major deterioration is due to the concentration of poorly maintained housing within the study. Out of the 161 structures, rated in either the major deteriorated or dilapidated categories, 108 or 67% of these are residential. The rest are either commercial or industrial and constitute 33% of the structures.

STUDY AREA BOUNDARY



LEGEND

- SOUND
- MINOR DETERIORATION
- MAJOR DETERIORATION
- DILAPIDATED

FIGURE 2.4

BUILDING CONDITIONS

HERBERT HALBACK INCORPORATED

winter garden Community Redevelopment Study

Many of these residential units exhibited problems with the foundations and exterior walls. The most prevalent defect noted was the condition of the roofs, doors and windows. The roofs showed either worn or missing material, or slight sagging. Windows were either missing glass or screws or both and doors were out of plumb or in poor condition.

The majority of structures that front Dillard and Plant Streets in the downtown core are in sound condition. Many of the structures downtown were built prior to 1940 and considered historic. Interior conditions of these buildings have not been inspected. However, it is assumed that the electrical, plumbing, mechanical, fire and life/safety systems and conditions found in these buildings would not meet current building codes. Renovation and code adaptation is costly, and could present a problem for both buildings and downtown core redevelopment.

With less than half of the structures within the study area classified as sound, the general impression is that the area is in a deteriorating state. The condition of the buildings, the surrounding landscape, of poorly maintained lots, the preponderance of vacant industrial uses and downtown store fronts all contribute to the impression of overall deterioration and need for redevelopment within the study area.

2.3.4 TRANSPORTATION SYSTEMS

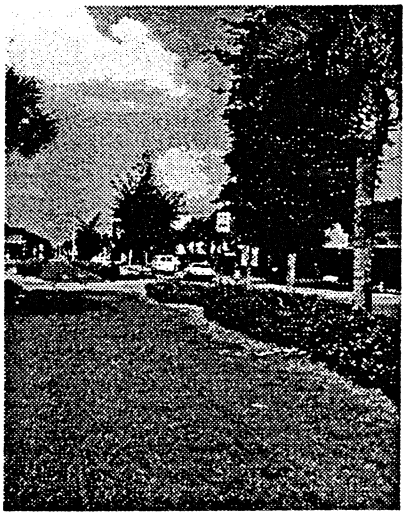
Existing street layout within the study area consists of a gridiron block pattern. All roads are laid out in a north-south and east-west direction except for Plant Street which runs at an angle. Two state highways are located in the study area; State Highway 438 - Plant Street, and State Highway 537 - Dillard Street.

According to the current Highway Functional Classification System for Urban and Urbanized Areas, Plant and Dillard Streets are minor arterials and 9th Street, Main Street and Plant Avenue are classified as urban collectors. Currently Dillard Street is the only four lane roadway within the study area. All other roads are two lane.

A capacity analysis of the roadway system in the study area, (compiled in 1990) shows Plant and Dillard Streets operating at Levels Of Service (LOS) A and B respectively. Ninth Street and Park Avenue are operating at LOS D and C respectively. It is not until the year 2010 that the projected LOS for Plant and 9th Street become level F. There are no current plans for any roadway improvements within the study area. However, the Florida Department of Transportation (FDOT) has recently completed a preliminary design study for improvements to Plant Street from Hiawassee Road (outside the study area) west to Main Street. The roadway configuration will be four lane with a continuous left turn lane. Improvements include curb and gutter and a five foot sidewalk on either side. An eighty-six foot right of way will be required. The four lane roadway will end at Dillard Street and transition back to existing conditions between Dillard and Main Streets. There is currently no schedule for construction; funds have not been appropriated to go beyond this point.

In addition to FDOT's planned improvements for Plant Street is the Orlando-Orange County Expressway Authority's planned Northwest Beltway Extension. This extension has a planned interchange with Plant Street just east of the Winter Garden City limits. Final Design is complete but funds have not been appropriated and there is no current construction schedule.

Aside from the planned roadway improvements, the existing roadway layout has some inherent problems. Although the City is laid out in a grid pattern, several of the streets do not intersect opposite each other. This creates intersections that are not conducive to positive through traffic. The misaligned intersections, tight grid pattern, and numerous cross streets along Plant west of Dillard Street, contribute to existing traffic problems.



The railroad has been an integral part of Winter Garden since its beginning. Fifty years ago, the railroad played a vital role. Today, railroad use is minimal. CSX Railroad leases the two railroad spurs located in the study area to Central Florida Railroad. The main spur is located south of Plant Street and serves primarily the citrus processing plants on the east end of town. Some of the business in the center of town which back onto the railroad may still use the service. The secondary spur connects with the main spur just west of town at Park Avenue and Plant Street. From there, trains back-up to the east, paralleling Plant Street, to service one or two manufacturing plants on the east side of town.

The railroad tracks used to run west to the City of Oakland and beyond but now terminates about two miles west of Winter Garden. Orange County has plans to purchase the abandoned CSX railroad right-of-way and develop a rail-trail. The West Orange Greenway will be approximately seventeen miles in length, stretching between Apopka, Ocoee, Winter Garden, Oakland and the Lake County Line. The planned improvements include a twelve foot wide paved surface trail and various support facilities. Acquisition is under way, development is planned to commence within the next eighteen months. The trail will pass through the heart of Winter Garden. The planned improvement will not only enhance alternative forms of transit within the area but aid redevelopment opportunities as well.

Public parking within the downtown area is primarily in the form of on street parallel spaces. Only a few small private parking lots exist, placing a high demand for the public on street parking. The restrictiveness of land associated with the downtown hinders the ability to provide adequate parking. Alternate parking solutions will have to be sought to provide parking for redevelopment while maintaining the historical integrity of the area.

2.3.5 PROPERTY OWNERSHIP/VALUES

Property ownership patterns are evaluated for two reasons. First, diversity of ownership can be a factor which "substantially impairs or arrests the sound growth of a county or municipality...". This impairment may occur if ownership patterns would preclude the assembly of multiple parcels for redevelopment purposes. Property or lot layout is also evaluated to determine if the size, configuration and accessibility of parcels is adequate for continued economic use and development.

There are 535 individually owned parcels located within the 67 physical blocks of the Study Area (Figure 2.5). Ownership and lot configurations indicate three significant patterns. First, commercial parcels located between Plant Street, the T&G Railroad, South Main and S. Highland exhibit a number of size and configuration problems. For the block between S. Highland and S. Lakeview, the parcels have either insufficient depth or width to accommodate on-site parking, provide for individual or shared service facilities, or provide for expansion of the structure. The block between S.Boyd and S. Main also exhibits similar problems and many of the parcels that front on Plant Street do not extend to Joiner, resulting in service to the commercial establishments from Plant Street.

In general, the commercial area south of Plant between S. Main and S. Highland was developed in the 1920's and 30's and both parcels and structures were designed for economic conditions that are significantly different than those effective today. This is not uncommon in many Florida communities, but does represent a set of conditions that can adversely effect the economic and development potential of an area.

The second significant pattern concerns the property ownership and lot layout for parcels located south of Plant, north of Smith and between Dillard and Ninth Street. Many of the parcels are owned by a limited number of corporations representing citrus and agricultural interests and have been developed for processing and industrial uses. Potential redevelopment opportunities within this area would be enhanced by the availability of large sites with the capability to assemble larger sites through negotiations with a relatively small number of owners.

The final pattern involves the area east of Ninth, between Center Street and the Study Area boundary. This area is developed primarily with low income residential and commercial uses. The lot configuration is atypical in a number of areas, and it appears that lots have been split to accommodate more than one residential or commercial structure. In addition, many of the residential lots have substandard lot depth for single family development. A majority of the lots between Bay Street and the Study Area boundary have a depth of 90 feet or less, with several less than 80 feet. The standard lot depth for single family detached lots is typically 100 or 110 feet. Therefore, redevelopment of these areas to improve residential living conditions may be hindered by inadequate lot size, requiring variances to the City's zoning and subdivision regulations.

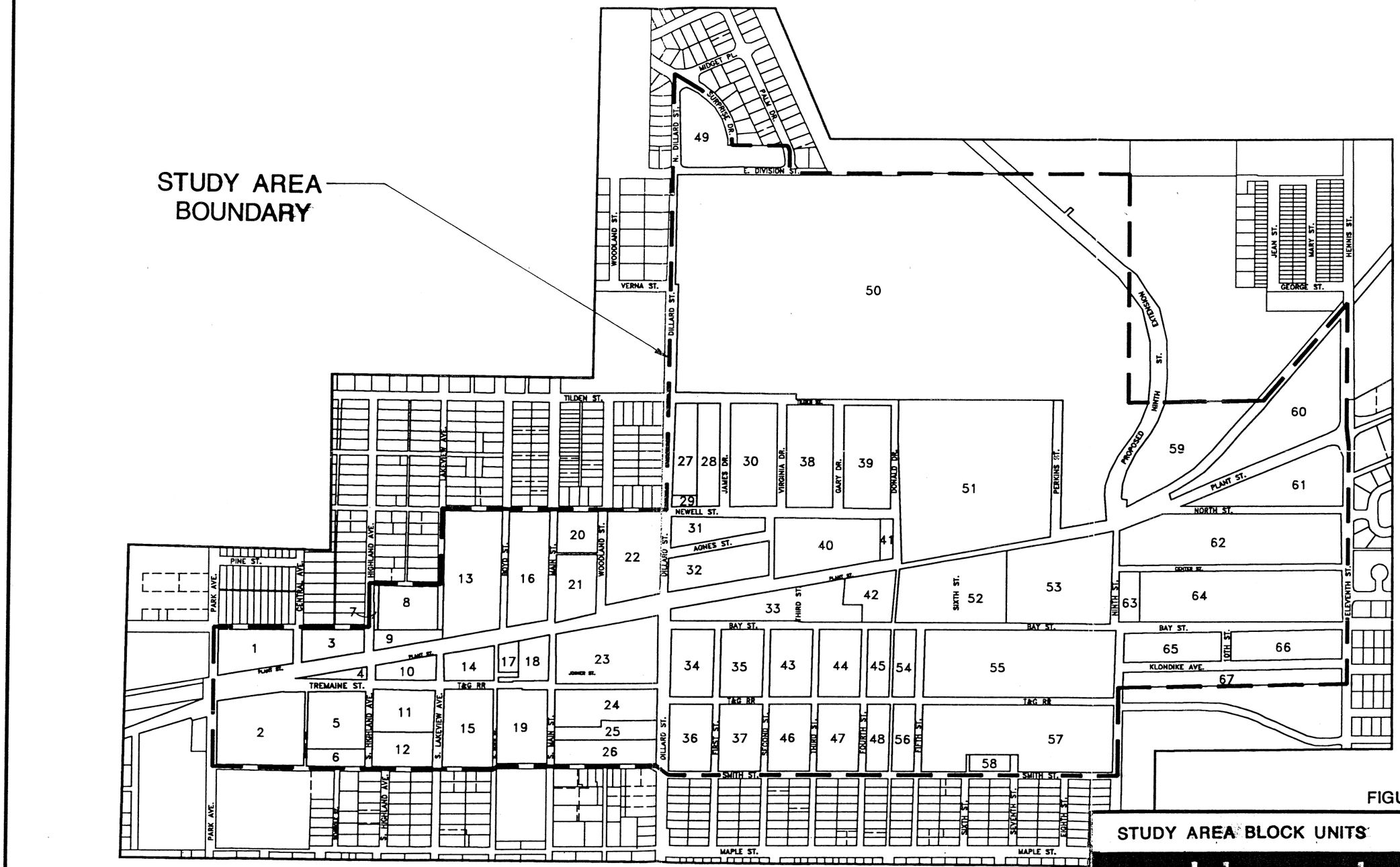


FIGURE 2.5

STUDY AREA BLOCK UNITS

HERBERT HALBACK INCORPORATED

winter garden

Community Redevelopment Study

Table 2.3
Diversity of Ownership,
Number of Owners Per Block,

Block	Owners/ Block	Block	Owners/ Block	Block	Owners/ Block
1	12	23	21	45	3
2	5	24	7	46	4
3	2	25	9	47	6
4	1	26	4	48	3
5	5	27	5	49	5
6	4	28	7	50	9
7	1	29	1	51	3
8	2	30	16	52	3
9	2	31	7	53	10
10	6	32	13	54	2
11	6	33	7	55	10
12	6	34	5	56	6
13	12	35	11	57	7
14	7	36	1	58	1
15	13	37	9	59	1
16	12	38	16	60	5
17	5	39	14	61	6
18	12	40	10	62	36
19	10	41	1	63	3
20	6	42	12	64	31
21	5	43	4	65	22
22	1	44	6	66	17
				67	21

Source: Herbert/Halback, Inc., from data provided by the Orange County Property Appraiser, March, 1992

Taxable property values were determined and evaluated for the Study Area in order to assess the effect of economic and building conditions, lot configurations and ownership patterns. The value data was determined on a block by block basis and is presented in Table 2.4. Several important trends and issues emerged from this evaluation.

Table 2.4
Taxable Property Value by Block

Block	Taxable Value	Block	Taxable Value
1	$120,132	35	$176,758
2	640,654	36	183,390
3	178,583	37	392,238
4	69,276	38	395,602
5	224,903	39	411,628
6	84,772	40	229,901
7	0	41	6,072
8	0	42	531,954
9	0	43	671,206
10	201,380	44	119,833
11	208,777	45	93,531
12	136,159	46	218,310
13	703,707	47	80,325
14	459,583	48	17,069
15	727,260	49	0
16	1,050,894	50	296,405
17	215,637	51	261,620
18	479,002	52	238,204
19	269,789	53	504,178
20	6,509	54	47,385
21	3,006,948	55	481,501
22	0	56	43,292
23	1,603,601	57	998,713
24	322,486	58	157,941
25	218,889	59	55,930
26	149,584	60	421,122
27	254,692	61	470,693
28	159,230	62	884,467
29	96,475	63	82,086
30	495,070	64	543,374
31	233,013	65	189,120
32	216,021	66	168,702
33	728,552	67	236,477
34	479,780		
		Total	**$23,350,385**

Source: Herbert/Halback, Inc. from data supplied by the Orange County Property Appraiser

First, $10.3 million of the $23.35 million total taxable value for the Study Area, or 44%, is represented by the historic downtown area between Henry Avenue and Dillard Street. The amount of taxable value for this area is relatively low when considered on a per square foot of land basis. The basis for this may be attributed to a decline in economic value caused by increased commercial activity within the SR 50 Corridor, but also to the adverse property ownership and lot configuration conditions described above.

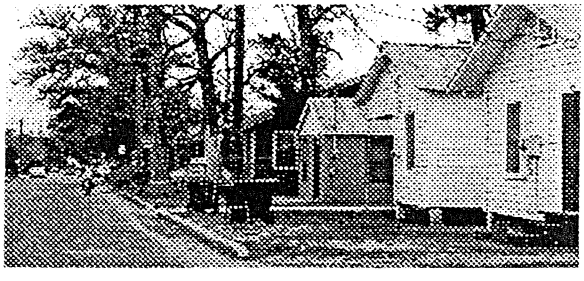
Another value consideration is represented by the predominantly industrial area east of Dillard, west of Ninth Street, lying between Plant and Smith Streets. This area represents 26.4% of the total taxable value of the Study Area. Although it has been pointed out that lot configurations within this area may be more favorable to redevelopment, the existing agricultural processing uses which dominate the area may be reaching the end of their economic lives. The implication of this would be a decline of taxable property values within the area.

The third consideration is that a significant portion of the Study Area does not have a taxable property value. Several blocks within the historic commercial core are non-taxable, representing public and church related land uses. In addition, the West Orange Hospital District, which is exempt from ad valorem taxation, owns a number of sizable parcels within the Study Area. These parcels are found within blocks 49 and 50. The net effect of this consideration is that a sizable portion of the land area does not generate ad valorem taxes.

2.3.6 AFFORDABLE HOUSING

An analysis of the housing occupancy and cost data was performed in order to determine if a shortage of housing affordable to residents of low and moderate income existed within the City and Study Area. The lack of availability of a sufficient supply of affordable housing can be considered, according to Section 163.355, Florida Statutes, as a basis for a finding of necessity.

A review of data contained in the Housing Element of the adopted Comprehensive Plan for the City of Winter Garden, and a Census Tract Report of Value and Rent Characteristics dated 1990, reveals that for renter occupied units in 1980, approximately 407 households, or 38% of all renter households, expended more than 30 % of household income for housing costs. For owner occupied units, the percentage exceeding 30% of household income expended for housing costs was 19%. Together, these figures indicate that in 1980, 57% of all Winter Garden households were paying disproportionate share of household income to housing costs.



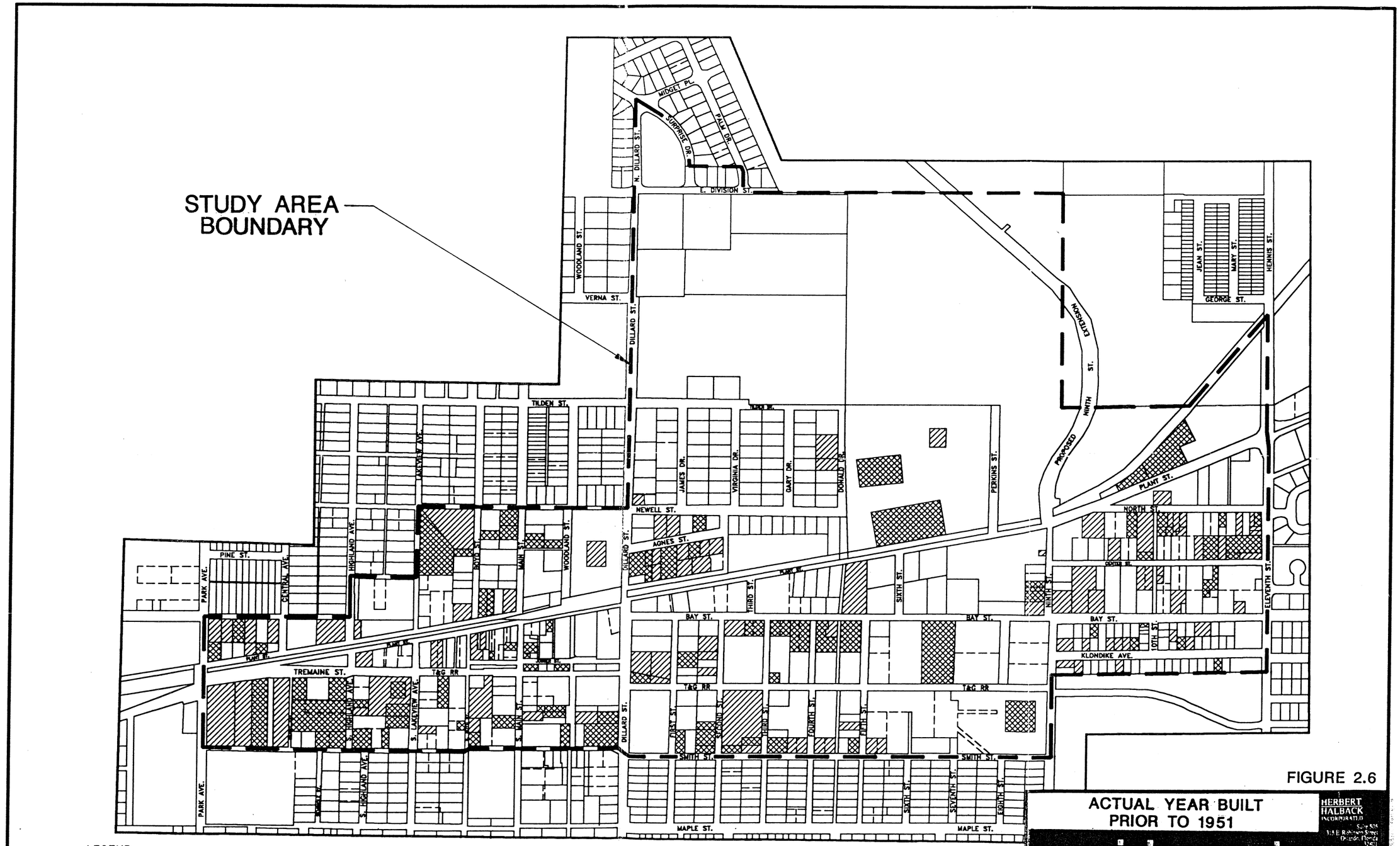
Although the available data and analysis relies upon 1980 Census data, and 1990 occupancy and income characteristics data has not yet been published, it is reasonable to assume that housing costs increased substantially during the 1980's and that housing affordability issues are still current. The issue of housing affordability can be a significant factor contributing to blight .

2.3.7 DEVELOPMENT INVESTMENT AND DISINVESTMENT ACTIVITY

There are a number of indicators of investment and disinvestment activity within any given area. These indicators may include building permits, tax certificate sales, mortgage foreclosures, occupational license renewals, and sales tax collections. For the Study Area, building permit data for 1991 was collected and evaluated as well as actual and effective year built information supplied by the Orange County Property Appraiser.

The building permit data indicated that no construction activity requiring a permit had occurred during the 1991 calendar year. The review of the actual and effective year built data is illustrated in Figure 2.6. The term "actual year built" indicates the year in which the original building permit was issued and construction completed. The "effective year built" indicates the year in which a structure was substantially rebuilt. For the purpose of this study it was determined to evaluate building rehabilitation, as a measure of investment activity, over the previous ten years.

Figure 2.6 indicates the geographic location of structures that were effectively rebuilt during two periods, 1981-1985 and 1986-1991. The data indicates that substantial building rehabilitations over the previous ten years have been limited and are concentrated in the Plant Street corridor east of Dillard. This trend can be assumed to indicate a lack of economic activity within the Study Area. For comparison, Figure 2.7 is provided to indicate all structures within the Study Area that are greater than 40 years of age and which have not been effectively rebuilt since 1951. It is assumed that these structures would require substantial rehabilitation in order to comply with current building and life safety codes. The relative lack of building reinvestment is indicative of economic disinvestment contributing to an overall condition of blight.



LEGEND

- ACTUAL YEAR BUILT: PRIOR TO 1931
- ACTUAL YEAR BUILT: 1931–1951

FIGURE 2.6

ACTUAL YEAR BUILT PRIOR TO 1951

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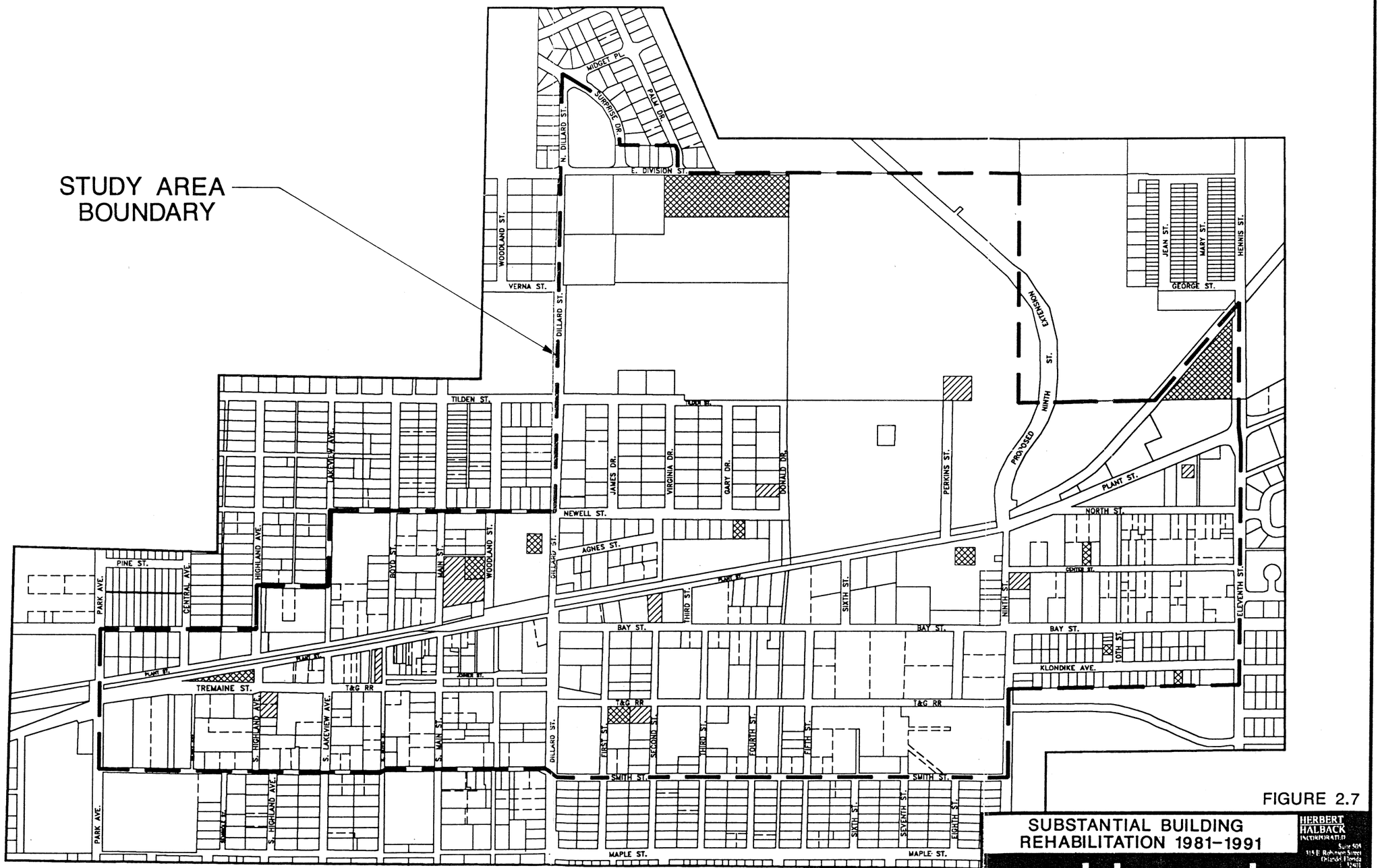
winter garden Community Redevelopment Study

STUDY AREA BOUNDARY



LEGEND

- EFFECTIVE YEAR BUILT: 1981–1985
- EFFECTIVE YEAR BUILT: 1986–1991

FIGURE 2.7

SUBSTANTIAL BUILDING REHABILITATION 1981–1991

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winter garden
Community Redevelopment Study

issue date
project no
sheet no

3. Regulatory and Legal Reviews

The purpose of this analysis was twofold. First, to identify any provisions of the zoning ordinance or adopted comprehensive plan that would act to restrict or encourage redevelopment activities. The second purpose was to provide a brief description and schedule for all actions required to establish a Community Redevelopment Area and Agency for the City of Winter Garden.

A review of the Winter Garden Comprehensive Plan, adopted in 1991, provided several policies and objectives which have a direct bearing on redevelopment activities within the City. These policies and objectives are listed below.

Policy 2.5: Objective 3 - Future development and redevelopment activities shall be directed into appropriate areas as depicted on the Future Land Use Map; consistent with sound planning principles; the low density residential character of the City; natural limitations including topography and soil conditions; and the goals, objectives and policies contained in this Plan.

Policy 3.6: Objective 4 - The City shall continue to encourage the redevelopment and renewal of blighted areas through the enforcement of its codes and the utilization of its Code Enforcement Board. It shall work to eliminate all dilapidated housing units by the year 2000.

Policy 4.1 - The City shall continue to coordinate its redevelopment activities with the Orange County Community Development Program.

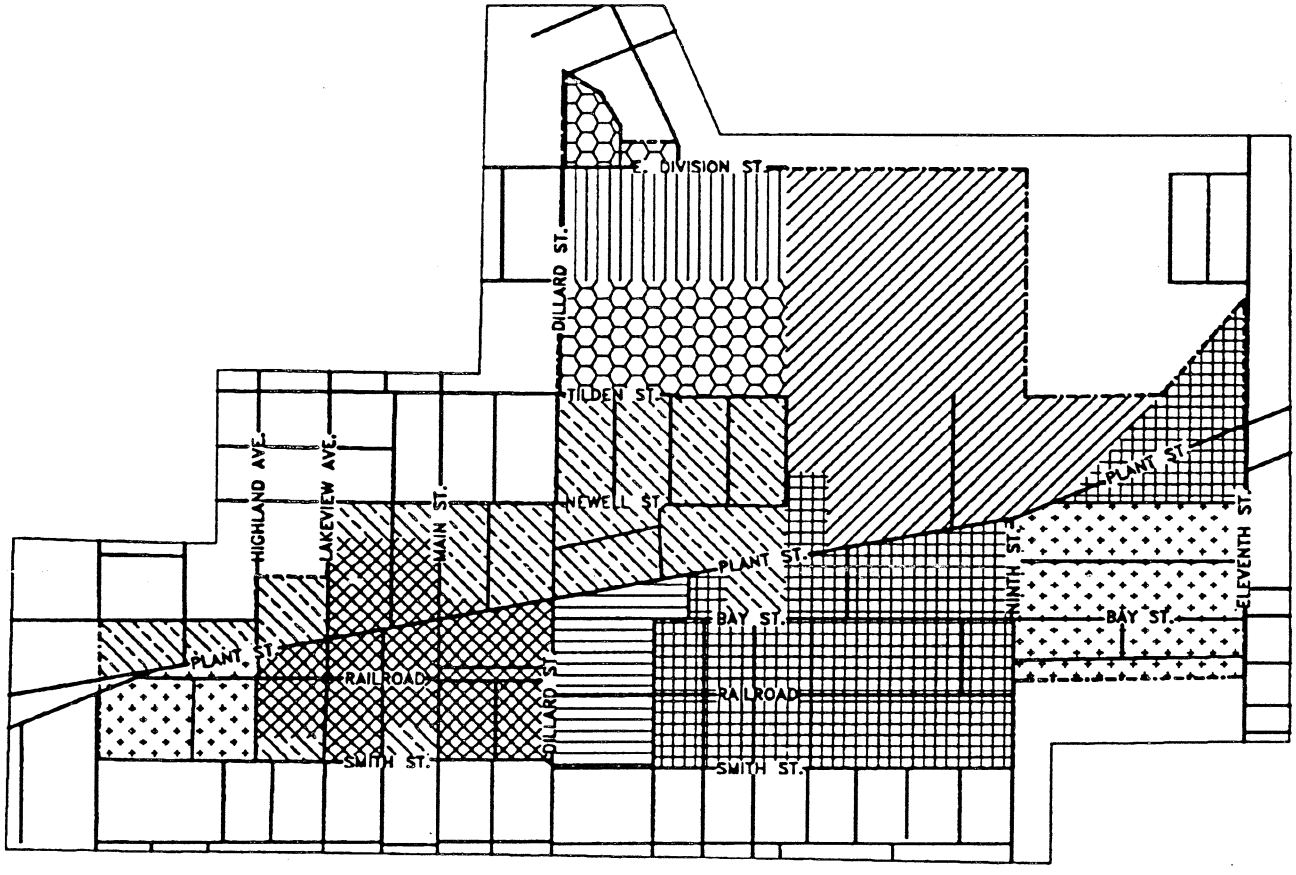
Policy 4.2 - The City shall strictly enforce its housing and building codes in order to help prevent the spread of blight. This shall include the Standard Building, Housing, Mechanical, Plumbing, Gas, and Fire Prevention Codes and the National Electrical Code along with the most recent amendments.

These policies and objectives are supportive of redevelopment and provide, in the case of Policy 3.6/Objective 4, a specific redevelopment requirement that may be implemented through a Community Redevelopment Plan. The review of the Plan did not indicate any potential restrictions that would be placed on redevelopment activities.

In addition to the review of Plan policies and objectives, an analysis of the Future Land Use Plan and Zoning Map was performed for the Study Area. Existing zoning and future land use classifications for the Study Area are depicted on Figures 3.1 and 3.2. The zoning districts found within the area confirm existing land use patterns. However, there are two areas where zoning may restrict future redevelopment potential. The first is the area north of Plant Street, east and west of the proposed Ninth Street extension. This property is within a single ownership and is zoned for low density residential uses (R-1). The redevelopment issue that may arise is whether the Plant Street frontage should be developed for low density residential or whether commercial uses would be more appropriate. Plant Street is intended to become a major transportation corridor and entrance to the City, and its potential to serve higher intensity commercial land uses should be enhanced.

The variety of zoning districts which affect the Plant Street Corridor is a secondary issue and potential restriction to redevelopment based on the fact that performance standards for these districts vary. Building setbacks, maximum building heights, and other standards should be evaluated for the entire corridor and a comprehensive program of corridor development standards should be created. This type of program would serve to eliminate discrepancies between zoning districts and standards that would restrict redevelopment potential.

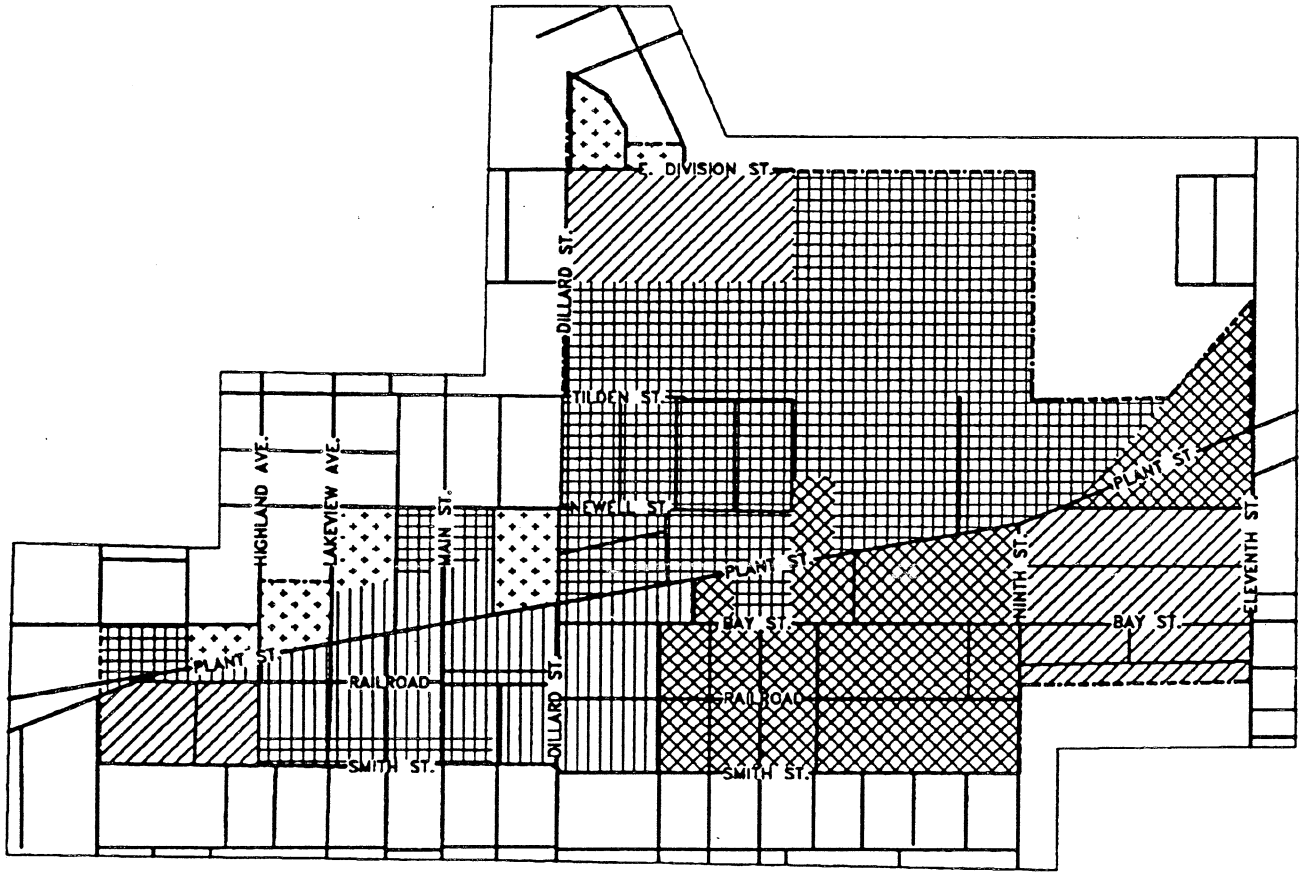
Existing Zoning
Figure 3.1



LEGEND

R-1	C-2	PUD
R-2	C-3	R-NC
C-1	I-2	STUDY AREA

Future Land Use
Figure 3.2



LEGEND

COMMERCIAL

INDUSTRIAL

LOW DENSITY RESIDENTIAL & NEIGHBORHOOD COMMERCIAL

PUBLIC FACILITIES AND EDUCATION

LOW DENSITY RESIDENTIAL (0-6U/A)

STUDY AREA

The second issue area involves the properties west of Highland Avenue and south of the railroad corridor. The Future Land Use Map indicates that the area is planned for low density residential, where as the Zoning Map indicates that low density residential and neighborhood commercial would be appropriate. The discrepancy between the two classifications could be considered a restriction to redevelopment, although the impact to surrounding residential neighborhoods of increased commercial activity should be evaluated.

These issue areas represent the major conflicts revealed in the analysis. It should be noted, however, that the zoning and future land use designations for the Main Street/ downtown area are varied. The Main Street area is the focal point of the community and is comprised of several types of land uses. The mixture and intensity of these land uses is special to the Main Street area and it can be argued that the Future Land Use Plan and Zoning Ordinance should include a special district for the downtown. A special land use and zoning district would provide an opportunity to create development standards and guidelines to preserve the character of the area and encourage the type of redevelopment consistent with that character.

The second focus of the Regulatory and Legal Review involved the necessary steps and schedule to create a Community Redevelopment Area and Agency for the City of Winter Garden. This information is provided in the schedule depicted below.

Step 1: Approval of Winter Garden Community Redevelopment Resolution by Orange County.

Pursuant to Section 163.410, Florida Statutes, in any County which has adopted a home rule charter, the powers conferred by the Community Redevelopment Act of 1969 are to be exercised exclusively by the governing body of such County unless the governing body of such county, by resolution, specifically delegates the exercise of such powers within the corporate boundaries of a municipality to the governing body of such municipality. Orange County has recently adopted a charter form of government and has exclusive redevelopment powers. Therefore, the City of Winter Garden must request that the Board of County Commissioners authorize, by resolution, the delegation of redevelopment powers to the City.

The resolution process will require a properly advertised public hearing before the Board of County Commissioners, and drafting of the resolution. The County has recently approved a similar resolution with the City of Winter Park.

Step 2: Adoption of a Finding of Necessity resolution establishing the Community Redevelopment Area and Agency.

This step involves actions required of the Winter Garden City Commission. The Finding of Necessity Report establishes the conditions of slum and blight within a specified area that are the basis for the need for redevelopment. Adoption of the Finding by resolution of the City Commission is basis for establishing the boundaries of the Community Redevelopment Area. Following adoption of the Finding of Necessity Resolution, the City must then prepare and adopt an ordinance establishing the Community Redevelopment Agency and setting forth its structure, powers and respon-

sibilities. There are three alternatives as to how the Agency may be organized. In many communities, the City Commission serves as the Board of the Community Redevelopment Agency (CRA). A second alternative involves the creation of a separate CRA Board comprised of members appointed by the City Commission or other affected agencies. The third alternative represents a combination of one and two above, with participation by elected and appointed officials.

Step 3: Adoption of a Community Redevelopment Plan and creation of the Community Redevelopment Trust Fund

This is the final step in the process and a prerequisite to the establishment of the base year for tax increment revenue collections. The Redevelopment Plan provides the programs, projects and funding recommendations necessary to address the conditions of slum and blight that are indicated in the Finding of Necessity Report. The adoption of the Plan and Trust Fund recommendations must be accomplished by the Community Redevelopment Agency and City Commission following review by the Local Planning Agency and approval by Orange County pursuant to the terms and conditions of the Resolution authorizing delegation of redevelopment authority. The Plan must be consistent with Winter Garden's adopted Comprehensive Plan, and the Local Planning Agency has up to 60 days to review the Redevelopment Plan and provide comments to the CRA and City Commission.

Adoption of the Plan/Trust Fund prior to July 1st establishes the prior ad valorem tax year assessment as the base to determine tax increment revenues. Should the City of Winter Garden adopt a Redevelopment Plan prior to July 1, 1992, the base year would be the 1991. In this case, the proposed Redevelopment Area 1991 tax assessment of $23.5 million would become the base that is "frozen". Increases against this assessment base due to new construction, redevelopment and market value adjustments would generate an incremental revenue stream to the CRA. On January 1st of each year, each non-exempt special taxing district would deposit their respective portion of the incremental revenue within the Redevelopment Trust Fund, and the CRA would use such funds to implement projects identified in the Redevelopment Plan.

It is possible to complete the steps listed above concurrently to achieve a July 1st deadline to establish 1991 as the base assessment year. However, the City must move expeditiously to complete the required Resolution from Orange County for delegation of redevelopment authority.

4. Conclusions

Based on the following factors, it can be concluded that redevelopment within the Winter Garden redevelopment study area is impeded by slum and blighted conditions, as is evident by the following findings. Sufficient blight conditions exist within the study area to make it eligible for Community Redevelopment pursuant to Part III of Chapter 163, Florida Statutes.

1. Predominance of defective or inadequate street layout: Projected growth in the Study Area, the construction of the Northwest Beltway, misaligned intersections and numerous cross streets are and will be constraints to development and redevelopment of the Study Area.

2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness: Lot size and configuration problems within the study area inhibit redevelopment. There is insufficient lot depth and or width to accommodate on-site parking, provide for individual or shared services, or allow facility expansion.

3. Unsanitary or unsafe conditions: Even though the study area is served by both municipal water and sewer systems, these systems were installed well over twenty years. The City is of the opinion that many of the systems are the same systems that were installed prior to 1948. The age of the systems and the increased usage over the years has created a situation in which infiltration and inflow has become an obstacle to redevelopment .

4. Site or improvement deterioration: Over half of the structures within the study area exhibit minor deterioration or worse. Over one third of the structures are considered to have major deterioration. A vast number of the structures within the study area were constructed over 40 years ago. Building rehabilitation projects have been limited in the area, requiring a substantial rehabilitation of the structures in order to comply with current building and life safety codes. The condition of the buildings, surrounding landscape, poorly maintained lots and the preponderance of vacant industrial uses and downtown storefronts all creates an overall impression of deterioration, hindering its development.

5. Diversity of ownership or defective or unusual conditions of title which present the free alienability of land within the deteriorated or hazardous area: The number of owners per block makes the assembly of property for large developments or redevelopment projects difficult to accomplish.

Each of these elements alone impairs the ability of the Winter Garden study area to be redeveloped. Taken together, they present major constraints to revitalization, and are key indicators of redevelopment. Based on these findings, the City of Winter Garden is recommended to formally request that Orange County delegate redevelopment powers to the City of Winter Garden in accordance with the procedures and provisions of Chapter 163, Part III, Florida Statutes.

PART II

Community Redevelopment Plan

5.0 Overview

5.1 PURPOSE

The Winter Garden Community Redevelopment Plan was initiated by the City and Main Street Winter Garden Community Redevelopment Committee in order to assess information presented in Part I - Finding of Necessity Report, and propose a means of implementation. Presented in Part II of this report will be the basis for planning, development framework, identification of design districts, development plan and implementation program for the Community Redevelopment Plan.

The residents and businesses of Winter Garden have demonstrated a high level of community support and dedication to the revitalization of their downtown core and adjacent areas. This support lead to the designation of Winter Garden as a Florida Main Street City in 1991. The Main Street Winter Garden organization has been responsible for the drive to address redevelopment within the City, attempting to counter a thirty year trend of disinvestment and deterioration.

The Community Redevelopment Committee was appointed by the City Commission to direct the preparation of the Finding of Necessity Report, determine the Community Redevelopment Area ("Area") boundaries and develop the Community Redevelopment Plan. A listing of the members of the Winter Garden Community Redevelopment Committee is located behind the title page of this report. The Finding Report and the Redevelopment Plan have been developed utilizing an interactive participation process, including Committee workshops, community leader interviews, questionnaires and public workshops. During this process, the Community Redevelopment Committee developed and adopted the following mission statement:

"The City of Winter Garden is dedicated to the revitalization of their City's Downtown core and related businesses and residential areas. Pursuant to Florida's Community Redevelopment Act, and the determination of blighted conditions within the Area, the City of Winter Garden will establish and maintain a Community Redevelopment Agency and utilize the redevelopment powers set forth by the County and State to provide funding, opportunities and programs for Area revitalization."

The purpose of the Community Redevelopment Plan is to provide the framework necessary for the City of Winter Garden to meet this mission.

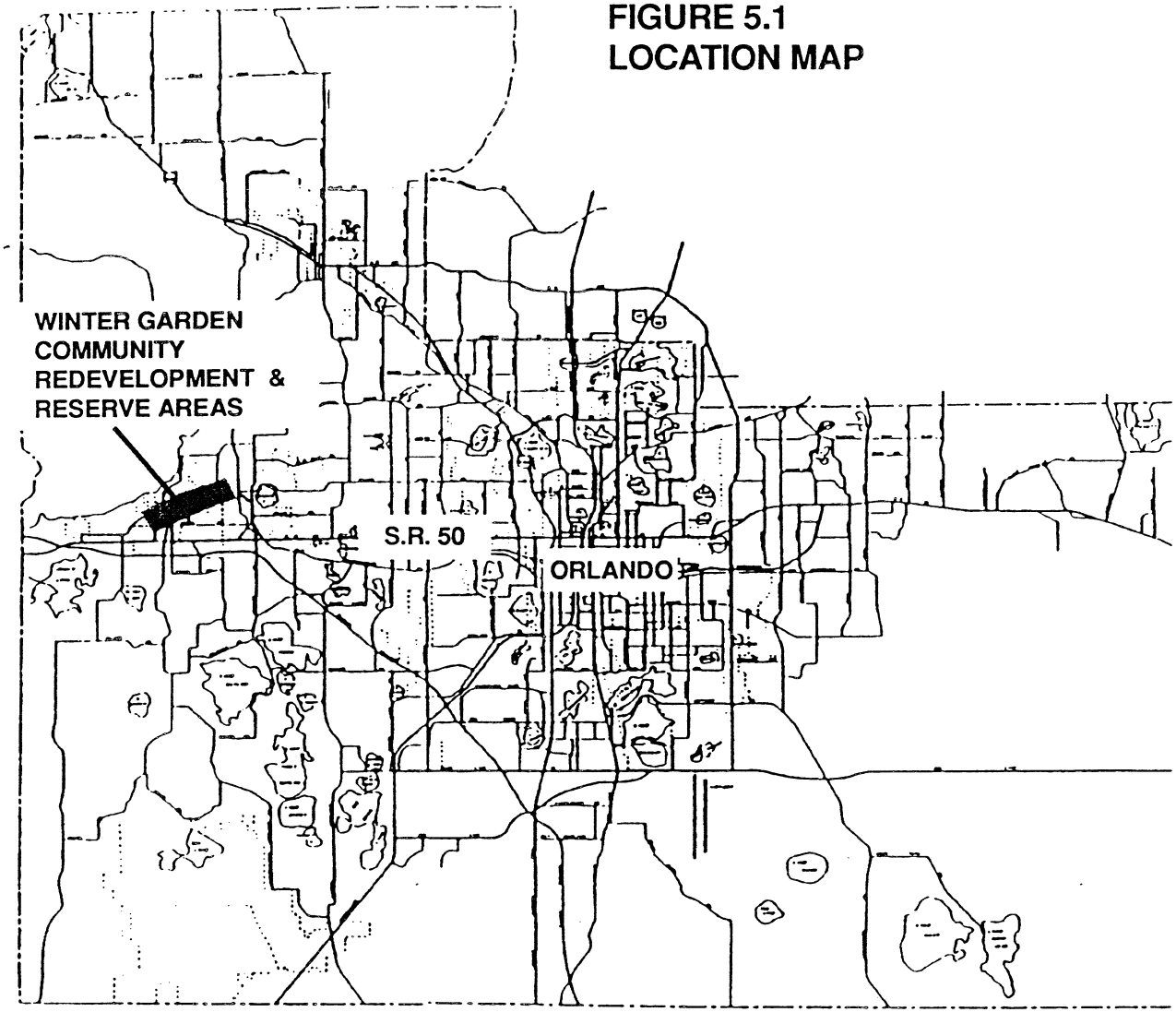
As presribed in the Finding of Necessity Report, a physical analysis was performed, not only on the downtown core and adjacent land uses, but on the City's annexation reserve area to the east of and adjacent to the Community Redevelopment Area. The City is in the process of annexing a portion of the Reserve area and is concerned with the future development within this area. To address this concern, a Community Redevelopment Reserve Area ("Reserve Area") has been developed. As these areas are brought into the City, it is the intent of the City and Community Redevelopment Agency to bring these areas directly into the Winter Garden Community Redevelopment Area.

The Community Redevelopment Plan utilizes information generated from the Finding of Necessity Report along with information provided by the City of Winter Garden's Comprehensive Plan and Annexation Study, as well as the Orange County Growth Management Plan.

5.2 GENERAL LOCATION

The Winter Garden Community Redevelopment Area ("Area") lies within the City of Winter Garden, a municipality located in west Orange County, Florida (Figure 5.1 Location Map). The Area centers on Plant Street (State Road 438) and Dillard Street (State Road 537), running east from S. Park Avenue to Eleventh Avenue. The Area encompasses the downtown core and the Main Street Winter Garden District. The Community Redevelopment Reserve Area ("Reserve Area") is located directly east of the eastern boundary of the Area and extends to the proposed western right-of-way line of the Northwest Beltway. Detailed boundary descriptions for both the Area and Reserve Area have been developed and are provided on the following page.

FIGURE 5.1
LOCATION MAP



Prepared by Herbert/Halback, Inc.

5.2.1 DESCRIPTION OF BOUNDARIES

Community Redevelopment Area ("Area') boundary is as follows: Begin at the intersection of the west right-of-way line of S. Park Avenue and the south right-of-way line of W. Smith Street; thence east along the said south right-of-way of W. Smith Street to the east right-of-way line of Ninth Street; thence north along the said east right-of-way line of Ninth Street to the intersection of the centerline of the T&G Railroad Tracks; thence east along the said centerline of the T&G Railroad Tracks to the east right-of-way line of Eleventh Avenue; thence north along the said east right-of-way line of Eleventh Avenue to the centerline of Plant Street (S.R. 438); thence north along the east right-of-way line of Hennis Road to the intersection of the centerline of the A.C.L Railroad Tracks; thence southeast along the said centerline of the A.C.L Railroad Tracks to a point approximately 575 linear feet from the said east right-of-way line of Hennis Road; thence west 1,150 linear feet from the said point on the A.C.L Railroad Tracks ; thence north 1,300 linear feet from the said point; thence west to the north right-of-way line of Division Street and along said north right-of-way line of Division Street to the west right-of-way line of Palm Drive; thence north along the said west right-of-way of Palm Drive to the north property line of the lot fronting Division Street and Palm Drive; thence west along the property line of the said lot to the westerly right-of-way line of Surprise Drive; thence north along the said westerly right-of-way line of Surprise Drive to the west right-of-way line of Dillard Street; thence south along the said west right-of-way line of Dillard Street to the south right-of-way line of Newel Street; thence west along said right-of-way line of Newell Street to the west right-of-way line of Lakeview Avenue; thence south along the said west right-of-way line of Lakeview Avenue to the north right-of-way line of Henderson Street; thence west along the said north right-of-way line of Henderson Street to the west right-of-way line of Highland Avenue; thence south along the said west right-of-way line of Highland Avenue to the north right-of-way line of Bay Street; thence west along the said north right-of-way line of Bay Street to the west right-of-way line of Park Avenue; thence south along the said west right-of-way line of Park Avenue to the point of beginning.

Community Redevelopment Reserve Area ("Reserve Area") boundary is as follows: Begin at the intersection of the centerline of Plant Street (S.R. 438) and the east right-of-way line of Eleventh Street; thence south along the said east right-of-way line of Eleventh Street to the intersection of the centerline of the T&G Railroad Tracks; thence west along said centerline of the T&G Railroad Tracks to the east right-of-way line of Ninth Street; thence south along said east right-of-way line of Ninth Street to the south right-of-way line of Maple Street; thence east along the said south right-of-way line of Maple Street to the termination point of Maple Street; thence east approximately 1,700 linear feet from the said termination point of Maple Street to the proposed west right-of-way line of the Northwest Beltway; thence north along the said proposed right-of-way line of the Northwest Beltway approximately 4,500 linear feet (across Plant Street); thence west from said proposed west right-of-way line of the Northwest Beltway to the west right-of-way line of East Crown Point Road; thence west from the said west right-of-way line of East Crown Point Road to the west right-of-way line of West Crown Point Road; thence southwesterly from the said west right-of-way line of West Crown Point Road to the west right-of-way line of Hennis Road; thence southwesterly from the said west right-of-way line of Hennis Road approximately 1,750 linear feet to the Community Redevelopment Area boundary line; thence south along the said Community Redevelopment Area boundary line to a point approximately 1,300 linear feet from said point; thence east from said point approximately 1,150 linear feet to the centerline of the A.C.L Railroad Tracks; thence along the centerline of the said A.C.L Railroad Tracks to the east right-of-way line of Hennis Road; thence south along said east right-of-way of Hennis Road to the point of beginning.

The Winter Garden Community Redevelopment Area and Community Redevelopment Reserve Area are depicted in Figure 5.2.

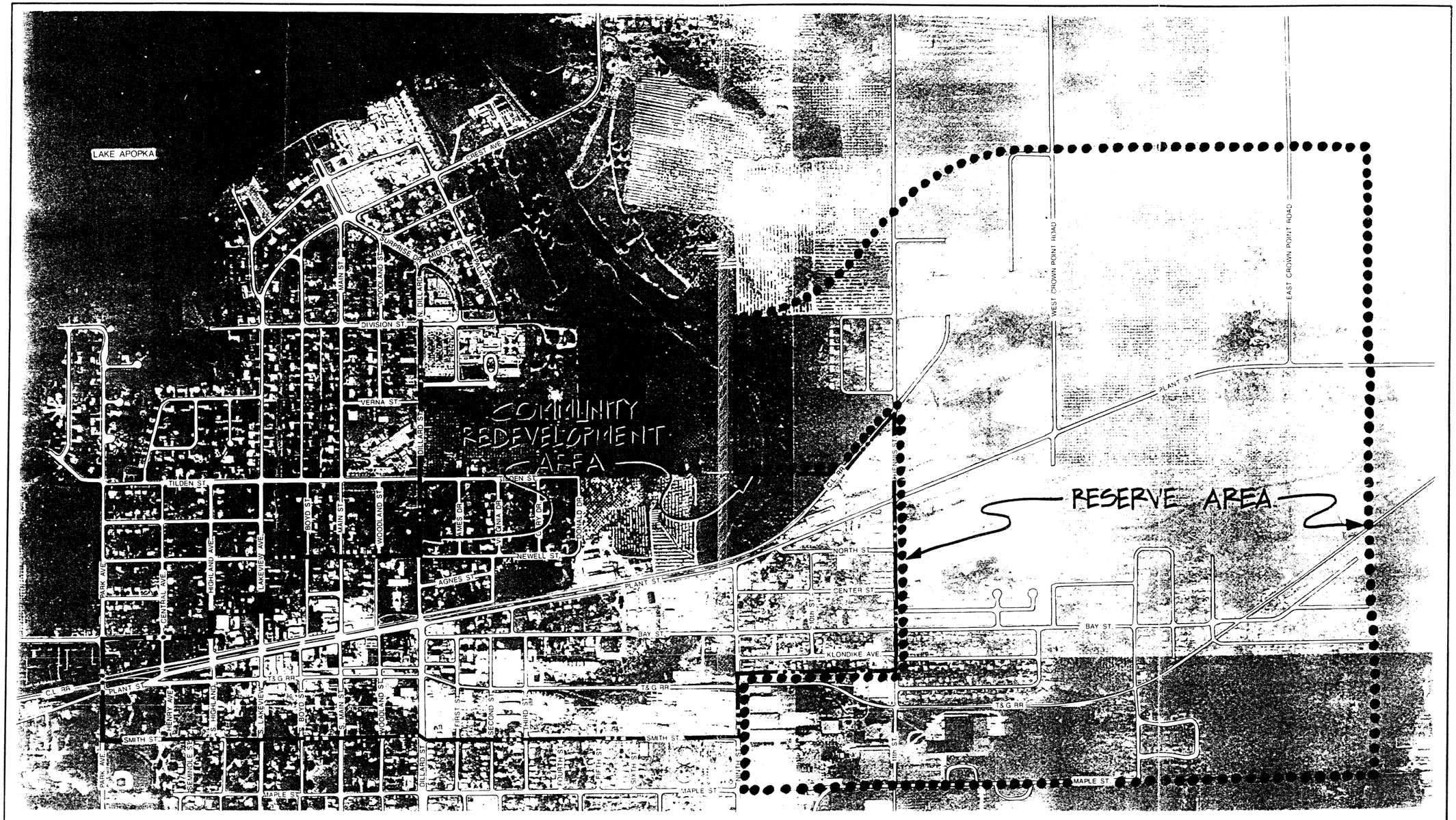


FIGURE 5.2

COMMUNITY REDEVELOPMENT AND RESERVE AREA BOUNDARIES

winter garden
Community Redevelopment Study

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5.3 FINDING OF NECESSITY REPORT SUMMARY

A physical environment inventory was performed for existing land use, utility systems, existing building conditions, transportation systems, property ownership/values, affordable housing, and development investment and disinvestment activity. Based on the above inventory and resulting analysis, the following factors were identified as contributing factors to blight within the Winter Garden Community Redevelopment Study Area

1. Predominance of defective or inadequate street layout: Projected growth in the Study Area, the construction of the Northwest Beltway, misaligned intersections and numerous cross streets are and will be constraints to development and redevelopment in the Study Area.

2. Faulty lot layout in relation to size, adequacy accessibility or usefulness: Lot size and configuration problems inhibit redevelopment. There is insufficient lot depth and/or width to accommodate on-site parking, provide for individual or shared services, or allow facility expansion.

3. Unsanitary or unsafe conditions: Even though the Study Area is served by both municipal water and sewer systems, these systems were installed prior to 1948. The age of the systems and the increased usage of the systems over the years created a situation in which infiltration and inflow has become an obstacle to redevelopment.

4. Site or improvement deterioration: Over half of the structures within the Study Area exhibit minor deterioration or worse. Over one-third of the structures are considered to have major deterioration. A vast number of the structures within the Study Area were constructed over 40 years ago. Building rehabilitation projects have been limited in the Area, requiring a substantial rehabilitation of the structures in order to comply with current building and life safety codes. The condition of the buildings, surrounding landscape, poorly maintained lots, and the preponderance of vacant industrial uses and downtown storefronts all create an overall impression of deterioration, hindering its development.

5. Diversity of ownership or defective or unusual conditions of title which present the free alienability of land within the deteriorated or hazardous Area: The number of owners per block makes the assembly of property for large developments or redevelopment projects difficult to accomplish.

Each of these elements contributes to the existence of blight conditions within the Study Area.

6.0 Basis for Planning

6.1 MARKET ANALYSIS & TAX INCREMENT REVENUE FORECASTS

6.1.1 ECONOMIC ANALYSIS

Table II of the Future Land Use section of the City's Comprehensive Plan contains forecasts of acreage, by general land use categories, for 1995 and 2000. These forecasts are summarized in Table 5.1 below. During the period 1987-1995, the forecast indicates a projection of 209 additional acres of low density residential development. Low density is defined as 0-6 dwelling units per gross acre. An additional 33.8 acres of medium density residential development is forecast, with the medium category defined to include 6.1-10 units per gross acre.

The non-residential land use forecast for 1995 includes 48.9 acres of commercial and 37.8 acres of industrial. Together, the residential and non-residential forecasts would indicate that a significant amount of additional development was expected to occur within the City and annexed areas from 1987 to 1995. The data does not, however, indicate how this additional development would be geographically distributed within the Area. This information is critical to a determination of how much new development could be expected within the CRA Area.

Table 6.1
Summary of Future Land Use Projections, City of Winter Garden

Land Use Category	Forecast Period 1995	2000
Low Density Residential	209.0 ac.	83.0 ac.
Med. Density Residential	33.8 ac.	13.4 ac.
Subtotal - Residential	242.8 ac.	96.4 ac.
Commercial	48.9 ac.	18.9 ac.
Industrial	37.8 ac.	14.5 ac.
Subtotal - Nonresidential	85.7 ac.	33.4 ac.
Total	**328.5 ac.**	**129.8 ac.**

Source: City of Winter Garden Comprehensive Plan, Future Land Use Element, Table II, pg. 5, June 1991.

A second source of data was researched to determine more geographically specific land use forecasts. This source was Socioeconomic Data prepared for the Orlando Urban Area Transportation (OUATS) by the East Central Florida Regional Planning Council. This data also serves as the basis for the adopted Orange County Comprehensive Plan. Employment and housing unit forecasts for the year 2010 were researched for a series of traffic zones that represent the Winter Garden CRA Area. These zones included 245, and 248 - 252. These forecasts indicate that no significant additional commercial or industrial development is forecast for the CRA Area through the year 2010. The forecast of residential units indicates that 897 new single family units would be expected by the year 2010, although a majority of these units (685) are forecast for traffic zone 250 and a majority of the area of this zone lies outside the CRA Area.

The combination of the Winter Garden Comprehensive Plan and OUATS land use forecasts indicates that additional development forecast for the City would primarily occur outside the CRA Area. This lack of geographically specific, projected market development activity makes it very difficult to project development related tax increment revenues for the Area.

6.1.2 TAX INCREMENT REVENUE POTENTIAL

Tax increment revenue potential, based on the Area as the certified Redevelopment District, would be comprised of two parts. First, an incremental revenue stream would result from an increase in the base property assessment for the Community Redevelopment Area. (This type of increase does not include additional construction, only increases in the appraised value of existing properties.) For example, in 1991 the certified assessed property value for the Area was $23,356,457. If this assessment were to increase, additional ad valorem taxes would be created (assuming no across the board tax roll backs) resulting in tax increment revenue to the Redevelopment Agency.

However, if assessments were to decline, no additional ad valorem taxes would be created and the Agency would not receive a tax increment payment.

Information to determine historical trends for existing property valuation increases is only available at the County level. Experience has indicated that for Orange County, as a whole, the average increase in total valuation of existing properties, over the past five years, has been in the range of 6-8%. However, the increase from 1990 to 1991 was only in the range of 2-3%. This level of increase may more accurately represent near term trends for property assessments within the Winter Garden Area.

The table of projected values and increment revenues presented below is based on a conservative 2%. Also, the increment is calculated based on the 1991 total millage rate for Winter Garden, inclusive of County and special district rates of 9.6015. This rate was held constant over the forecast period.

Table 6.2
Project Assessment and Tax Increment Values

Year	Assessment	Increase	Increment	Collectible
1992	$23,350,385	NA	NA	NA
1993	23,823,586	467,129	4,485.14	4,260.88
1994	24,300,057	943,600	9,059.98	8,606.98
1995	24,786,058	1,429,601	13,726.31	13,040.00
1996	25,281,779	1,925,322	18,485.98	17,561.68
1997	25,787,414	2,430,957	23,340.83	22,173.79
Total	**NA**	**NA**	**$69,098.24**	**$65,643.33**

The column identified as Collectible is based on the statutory limitation (Florida Statutes, Chapter 163, Part III) that only 95% of the increment may be collected by the Community Redevelopment Agency.

During the period of 1992-1997, this collectible scenario indicates that normal increases in valuation would yield approximately $65,643 of total tax increment revenue. Of this amount, 40 percent or $26,257 represents dollars that would have been distributed to the City based on its current millage rate of 3.8040. The difference, or $39,386, represents "new" dollars from the millage rates applicable for Orange County and special taxing districts.

The second part of the revenue potential determination addresses the increase in total assessment that would result from new construction and development within the Area.

It was illustrated in the Economic Analysis that the lack of geographically specific projected market development activity makes it very difficult to project development related to tax increment revenues for the Area. This lack of qualified data is the basis for the selection of another method of forecasting potential increment revenues for new development.

The alternative method involves the creation of an increment forecast based on a set of development and redevelopment "opportunities". These opportunities represent a series of projects or actions that may occur in the future, although the specific timing is not known. Three "opportunities" have been identified for the Area. The first involves the West Orange Hospital facilities located on East Division Street. Upon completion of the new Health Central Hospital facility, expected to occur in 1993, the West Orange hospital facility will be phased out of use. The West Orange Hospital District staff is currently evaluating the potential for reuse of the hospital facilities.

This potential reuse of the hospital represents a major development "opportunity" within the CRA Study Area. The opportunity is based on the fact that the present land use and facilities are ad valorem tax exempt. A taxable reuse or redevelopment of all or a portion of the land or structures could provide a significant new increment of revenue. Development of an adaptive reuse plan for this site should be a high priority for both the West Orange Memorial Hospital District and the Community Redevelopment District. Therefore, it is assumed that a reuse will be identified and completed no later than 1995.

The type of reuse will be dependant upon many factors, but potential uses include assisted care living facilities, market rate housing, or some form of single purpose office use. The most conservative approach to developing a forecast of potential increment revenue would be to assume that the property is redeveloped as market rate housing. For planning purposes it has been assumed that the property would support approximately 24 single family homes with an average assessed value of $110,000. This value would yield an $85,000 taxable value per unit with homestead exemptions, or a total project taxable value of $2,040,000. Market absorption of lots is projected to occur over two years beginning in 1994. Therefore, tax increment revenues for twelve units would flow to the CRA in 1995 and the entire project would provide revenue in 1996.

The second major development "opportunity" is the undeveloped property located between Dillard and the proposed Ninth Street extension, north of Plant Street. This property is currently zoned for a Planned Unit Development project. The site represents an opportunity because of its location, size and availability of public services. The future residential and commercial development potential of this property should be enhanced because of its location within the Plant Street corridor and future access to the proposed Beltway extension from S.R. 50 north to Apopka. The proposed Beltway interchange with Plant Street to the west of this property should accelerate the timing and potential for development.

For the purpose of preparing a tax increment revenue forecast, it has been conservatively assumed that a small portion of this opportunity site would be under development by 1995. This increment of development is projected to include 212 units of affordable, low density single family housing. In order to

determine the market value of this increment of development is was assumed that the units would be marketed for sale at an average taxable value of $80,000 per unit. Furthermore, market absorption of units would occur at a rate of 36 units per year beginning in 1995.

The third and final "opportunity" involves the current plans of the U.S. Postal Service to develop a regional distribution center in the Winter Garden/Ocoee area. There has been substantial discussion within the Winter Garden community regarding this distribution center and the future status of the Main Street/Downtown station. At this time, the U.S. Postal Service has indicated that the Main Street Station will continue another two years in its current location, and the distribution center may be delayed.

The proposed distribution center would require a site of approximately 5-10 acres and a high level of access to the roadway system. This type of development should be promoted by the City and Community Redevelopment Agency for a location within the Plant Street Corridor. A location adjacent to Plant Street will provide the type of future roadway access needed for the distribution center. This project is considered to be a positive opportunity for the following reasons. First, it will expand the employment base of the community and redevelopment district. Second, it would provide an opportunity to redevelop a portion of the Plant Street Corridor. Third, the facility would provide a payment-in-lieu of tax increment to the City and to the Community Redevelopment Agency. Since the U.S. Postal Service is considered to be an arm of the Federal government, its facilities are ad valorem tax exempt. However, the Postal Service has a policy of providing payments-in-lieu of taxes to local governments in which facilities are located.

The forecast of potential revenue is based on the following assumptions. First, the project would be initiated in 1994 and completed in 1995. Therefore, the first potential payment-in-lieu of taxes would not occur until 1996. The second assumption is that the payment would be based on the acquisition value of the land and improvements. Acquisition value is assumed based on a land area of 7.5 acres and a purchase cost of $2.00 per square foot of land area. This would result in a land value of $653,400. The improvement value was estimated at 30,000 square feet of building area and $40 per square foot of construction cost for a total improvement value of $1.2 million. The total of land and improvements would be $1,853,400.

Table 6.3
Future Development Values

Year	Opportunity	Units	Taxable Value
1995	Hospital Property	12	$1,020,000
1995	PUD Property	36	$2,880,000
1996	Hospital Property	12	$1,020,000
1996	PUD Property	36	$2,880,000
1996	U.S. Postal Service Distribution Center	NA	1,853,400
1997	PUD Property	36	$2,880,000
Total	**NA**	**132**	**$12,533,400**

The table below illustrates the tax increment that could be created should these "opportunities", as described above, be realized. The increase depicted for each year also included the 2.0 percent increase in the base assessment for the proposed Community Redevelopment Area. It should be noted, that this revenue forecast is based on several major assumptions concerning the type and timing of these development "opportunities". Public and private market actions will determine whether the assumptions are correct.

Table 6.4
Projected Assessment and Tax Increment Revenues

Year	Base Assessment	Increase	Net Tax Increment	Collectible
1992	$23,350,385	NA	NA	NA
1993	23,350,385	$467,008	$4,484	$4,260
1994	23,350,385	943,356	9,058	8,605
1995	23,350,385	5,329,230	51,169	48,611
1996	23,350,385	11,656,601	111,921	106,325
1997	$23,350,385	$15,236,740	146,296	138,981
Total	**NA**	**NA**	**$322,920**	**$306,782**

Source: Herbert/Halback, Inc.

The potential increment revenue is comprised of the ad valorem tax dollars that would normally have been collected by several agencies. A synopsis of affected agencies and tax dollars is provided below.

Agency	Millage Rate	Affected Increment
Orange County Incorporated	5.2889	$168,987
West Orange Hospital District	0.5086	$16,250
Winter Garden	3.8040	$121,545
	9.6015	**$306,782**

6.2 URBAN DESIGN FRAMEWORK

The urban design framework is a composite of many features which together are perceived and associated to reflect the image of an urban area. Such discrete visual factors that often define an area's image include: major roadways, buildings and other landmarks, landscaping, open spaces and the edges separating distinct districts.

A major benefit to the visual image of Winter Garden is the Downtown Core along Dillard and Main Street. Rich with history, the City is blessed to have so many historic buildings. Aesthetic qualities, however, are lacking in terms of exterior appearances. Vacancies, lack of facade and streetscape uniformity are a few of the factors that detract from a good visual image. The scale and character of the downtown is intact, making for a sound springboard for revitalization.

Winter Garden was a railroad town. The railroad was critical, shipping citrus and other agricultural products of the area. Development hugged the tracks, soon becoming a tight knit of office, retail, residential and industrial uses.

The importance of the railroad has changed in Winter Garden. Service to the City has been limited to a few trips a week to a couple of facilities. In fact the tracts that once headed west to Oakland and beyond are abandoned about two miles out of town.

Within the downtown district are some major landmarks providing a good backbone for community activity. Supporting the downtown core is a strong residential base. This residential base should be preserved and efforts made to enhance it. Already we find areas where residential and commercial uses are

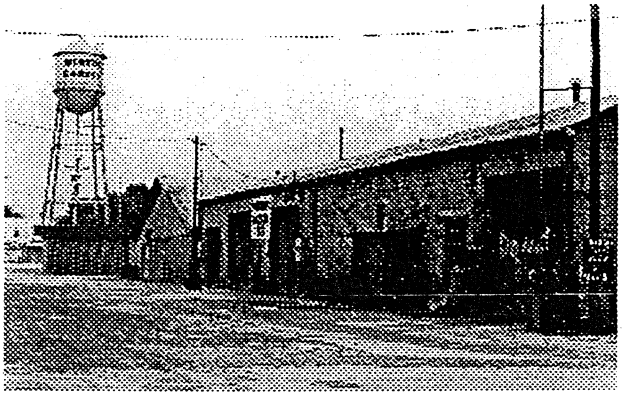
interdispersed. By preserving and enhancing these areas, a clear and crisp residential edge is created.

Roadways not only provide access but visual character as well. The roadway system has changed over the years. Dillard Street has replaced Main Street as the major connection with State Road 50. Increased volumes mandated the expansion of Dillard Street to four lanes. Development along Dillard to near the Plant Street intersection has been transformed into strip commercial. This land use creates a hodge podge of signs, buildings, parking and multiple curb cuts that is basically devoid of any landscape treatment.

From Dillard Street west, Plant Street, still maintains the same character as it has for many years. Unique to this area is the railroad track corridor. This corridor provides the opportunity for green space enhancement and use. Historic buildings are the predominant character of this section of Plant Street. Many of these buildings are in disrepair and are vacant, detracting from the overall appearance. The downtown core, as stated previously, maintains a strong base from which to enhance the overall image of Winter Garden.

From Dillard Street east to the Ocoee City line, Plant Street is a wide mix of commercial, residential and industrial uses. There are a number of vacant facilities that have fallen into disrepair. Located in the Area and Reserve Area are three blighted residential areas. The residential units are small, in poor condition, lack adequate open space and are sited on unusually small lots. The type of land use and existing conditions detract from the overall character. However, this area does provide opportunities for future redevelopment activities. Large undeveloped parcels exist in the Reserve Area providing the opportunity for new residential development.

As stated in the Finding of Necessity Report, Winter Garden has blight conditions that impair the City's ability to redevelop the Area and Reserve Area. By building on existing assets and rural small town flair, Winter Garden has the opportunity to redirect development and revitalize its core. Subsequent sections will address problems and opportunities within the Area and Reserve Area.



6.3 PROGRAMMED PUBLIC IMPROVEMENTS

Primary public improvements programmed for the Winter Garden Area have been discussed in previous sections. Those programs include:

- West Orange Greenway - Construction to commence in 1993.
- S.R. 438 Roadway Improvements - Project on hold, currently not funded nor construction time table established.
- Northwestern Beltway - Bonding Authority has been approved, construction time-table has not been established.

In reviewing the City of Winter Garden's Five Year Growth Plan (1989-1994), a need to expand the existing Police Department, incorporating the remaining municipal complex facilities, was identified. This would require the relocation of City Hall and associated offices. An area for this relocation has not been identified, nor has a time-table and construction budget been established.

6.4 SUSCEPTIBILITY TO CHANGE

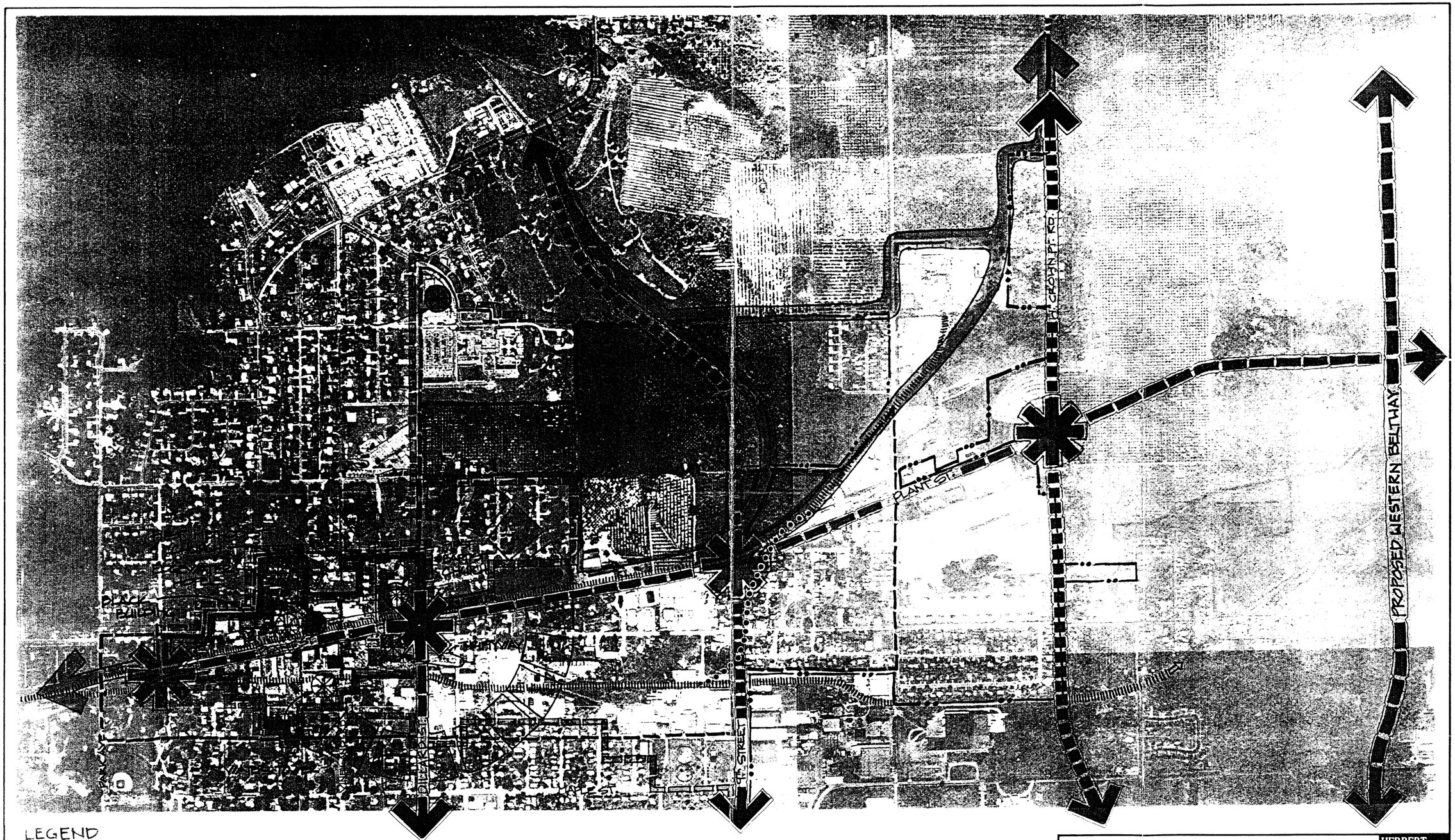
Susceptibility to change analysis is a technique used to identify those areas and properties that are most likely to undergo change, based upon such factors as zoning, land uses, current use, ownership patterns, and regulatory policies. As part of this analysis, a series of "givens" are first identified. Givens are those properties which are least likely to change due to public policy. Schools, churches, and major governmental institutions are good examples of "givens." Properties that have recently undergone major investment may also be considered as "economic givens." At the other end of the spectrum, large vacant or under-used properties which are reasonably accessible and otherwise unconstrained may be considered to be highly susceptible to change. In between the categories of least and most susceptible to change are gradations of susceptibility to change, related to such factors as property size and the viability of the current economic use.

6.4.1 LEAST SUSCEPTIBLE TO CHANGE

This category includes those properties defined as givens, from which existing public policy would suggest that current use will not change. There are several large public land uses within the Area. The City Hall Complex, which includes the Police Department, is the largest public landuse directly fronting Plant Street. Although there is talk of the need for a new city hall and municipal office complex, the land will always be public domain. Other public lands include the Marvin C. Zanders Park and a community center located in the east section of the Area.

Churches, although privately funded, can be considered public facilities. There are two major churches in the Area which can be considered "givens". They are The First Baptist and First Methodist Churches. Both were established in the early 1900's and have active congregations. There is little reason to expect these land uses will change. Other smaller churches are located in the eastern section which also seem to be well established.

Private investments have generally been low or non-existent in the Area and Reserve Area. There are few properties that can be identified strictly as "givens" in terms of recent investments. However, the many buildings that are sound or exhibit only minor deterioration and are occupied by economically productive uses



LEGEND

EXISTING	EMERGING	
▬▬	▬▬	PRIMARY TRANSPORTATION CORRIDOR
▬ ▬	▬ ▬	COLLECTOR TRANSPORTATION CORRIDOR
✱	✱	GATEWAYS
		PROPOSED TOWN CENTER

- PROPOSED WEST ORANGE GREENWAY
- EXISTING R.R. TRACKS
- PROPOSED R.R. REALIGNMENT
- PROPOSED DOWNTOWN REDEVELOPMENT AREA
- VACANT LAND OPEN FOR CHANGE
- BUILDING OPEN FOR CHANGE
- STUDY AREA BOUNDRY
- NEIGHBORHOOD EDGE
- CITY LIMIT LINE
- LANDMARK

URBAN DESIGN FRAMEWORK
OPPORTUNITIES AND CONSTRAINTS

winter garden

Community Redevelopment Study

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can be considered to have low susceptibility to change. Examples of such uses include, but are not limited to: Florida Power, United Telephone, Jimmy's Thriftway and Heller Citrus Processing.

Residential use is scattered throughout the Area and Reserve Area. Some of it is susceptible to change but most of it is not. In particular, the section north of Plant Street and east of Dillard Street is physically sound and is unlikely to undergo wholesale change to another use.

6.4.2 MODERATELY SUSCEPTIBLE TO CHANGE

It is easy to say that all those areas which are not either least or highly susceptible to change will fall in this category. In fact, this category is the most difficult to define. There are, however, some "signs" which begin to identify areas that are moderately susceptible to change. For example, when there are properties where residential uses exist within or surrounded by a commercial/industrial zone, it can be considered at least moderately susceptible to change. Residential uses which fall in this category are found mostly in the section between Plant and Smith Streets and Highland Avenue and Ninth Street.

Another "sign" would be where parcel assembly is possible and the existing uses are either marginal or inappropriate. The majority of uses fronting the south side of Plant Street east of Dillard Street are zoned in an industrial category. This is an area where lot configuration, vacant land and the mix of land uses would be conducive to redevelopment. When the Western Beltway and Plant Street improvements are completed, it is anticipated the market will favor higher intensity commercial uses within the Plant Street Corridor.

Within the "Historic Core" fronting Plant Street, there are commercial parcels that are moderately susceptible to change because of the marginal nature of the existing businesses. Many of the businesses in this section are neighborhood/community oriented commercial uses which need strong residential neighborhood communities to support them. The combination of 80 percent second floor vacancies, ground floor vacancies and other factors present many opportunities for change. A key to revitalization of the neighborhood/community commercial uses is to strengthen the adjacent residential neighborhood. Until this happens there will always be a moderate susceptibility to change.

Many sections of the Area and Reserve Area which are moderately susceptible to change could become more susceptible to change, depending upon such "leverage" factors as public investments for streetscape improvements and roadway upgrading. Improvements in the physical surroundings of the Area will aid in changing the perception of deterioration, and ultimately result in the renewal of the surrounding commercial core and the residential neighborhood.

6.4.3 HIGHLY SUSCEPTIBLE TO CHANGE

Within the Area, redevelopment opportunities exist where building conditions are such that major reinvestments for rehabilitation and renovation are required. Like vacant parcels of land, large parcels that are occupied by vacant or deteriorated structures are highly susceptible to change. One such structure which fits

this description is the Edgewater Hotel. Vacant and unoccupied, it provides a perfect opportunity for adaptive reuse. Another building which fits this category is the West Orange Hospital. A new facility is currently under construction which, when completed, will leave the existing facility empty.

There are several industrial or commercial use properties which are vacant or empty and exhibit various forms of deterioration that can be considered for redevelopment opportunities. A large tract of vacant land in the northeast section of the Area provides the greatest possibilities for redevelopment. Formerly, this land was highly productive citrus groves and wooded lands. A processing plant also sits on the land but it is poorly maintained and no longer highly productive. With frontage on Plant Street, it provides an opportunity to develop residential neighborhoods with supporting recreation and commercial along Plant Street.

The railroad, once a viable transportation corridor for Winter Garden, is not relied upon as it once was. As more uses are phased out, the train service will also be phased out. This will leave the railroad corridor or right-of-way open for redevelopment. With the proposed West Orange Greenway, the vacated train corridor can become a viable regional transportation corridor for pedestrians and bicyclists.

6.5 OPPORTUNITIES AND CONSTRAINTS

The Urban Design Framework and Susceptibility to Change Analysis provides a basis for identification of problems and opportunities. This process identifies those problem areas that can hinder development in the Area or that have been identified as contributing to its poor image. Opportunity areas are those which contribute positively to an area or that have characteristics that can aid in the development and redevelopment of the Area.

6.5.1 CONSTRAINTS

Perhaps the greatest hindrance to the successful redevelopment of Winter Garden is its visual image. The visual image of any area starts at its edges and ends in the core. Roadways become a vital part of this image as well as their surrounding environments. Essential to Winter Garden's image are Dillard and Plant Streets, which act as major corridors for movement of people in and out of the city. Currently, the visual experience of these two streets is poor. As discussed in the Urban Design Framework section, these streets are basically devoid of aesthetic treatment and have an uncontrolled or fragmented street edge. As bad as this sounds, it is a quite common experience among both small and large cities. The important thing is there are numerous opportunities.

The large number of deteriorated or vacant buildings in the Area and Reserve Area is a further detraction to the city's visual image. Many of these buildings are within the core of the city or along the major roadways. Many of the buildings are unsightly, and in some cases, the property is unkempt and unattractive.

Another problem associated with the Area and Reserve Area is the small lot size and configurations. There is insufficient depth or width to accommodate or allow for redevelopment without combining lots or replatting them to make them developable. This is particularly true with the commercial blocks fronting Plant Street. Contributing to this problem is the tight grid pattern of the street layout. Whole blocks may actually be too small for worthwhile redevelopment projects.

The infrastructure, in terms of water and sewer, is installed city wide. Research has shown us that some of this could have been installed as early as the 1940's or earlier. This means that major infrastructure improvement requirements, as a result of new development, could become a hindrance to redevelopment.

6.5.2 OPPORTUNITIES

Opportunities for improvement can be divided into two categories, existing and emerging. One of the greatest existing opportunities is the Main Street Program because it is an existing organization with State and National connections. The projects and financial opportunities which this program will provide can go hand in hand with the operation of a Community Redevelopment Agency. Preservation and revitalization of the historic building facades, in conjunction with the streetscape, will go a long way in sparking interest in the downtown core. In fact, the repainting effort already accomplished has had a dramatic effect on the visual image.

The historic downtown core adds much to the city's image, both visual and perceptive. It provides a base from which to build on the existing small town feel and pedestrian scale which is so important for small cities. In addition, Winter Garden has a strong community base. From the major downtown churches to the solid residential core and cohesive neighborhoods close to downtown, the community provides a good opportunity to spur the pride and commitment needed to project a positive image.

Emerging opportunities (figure 6.1) are those which are not physically or visually existing, but are either planned or programmed future activities. One such opportunity is the West Orange Greenway project. As a replacement for the passenger train, the Greenway will bring a new breed of traveler: the bicyclist. This influx of new people will provide opportunities for retail and commercial development focused to the trail users. The landscape enhancements which the trail will provide will also further improve the city's visual image.

Planned roadway improvements can make a big difference in the future development of Winter Garden. The future Western Beltway link with Plant Street will provide connections to metropolitan Orlando and the surrounding cities. It can bring more people to downtown and the residential communities with improved access to and from the City.

Along with the beltway, the Florida Department of Transportation (FDOT) is planning to improve Plant Street from east of the beltway connection into town and ending at Main Street. Improved traffic flow is one opportunity, but the greatest opportunity would be to

improve the aesthetic quality of the roadway. New roadway construction allows the City to work with FDOT in providing opportunities for streetscape and median improvements. The use of a restricted median and curb cuts are also measures to improve the roadway edge and aesthetic quality.

When West Orange Hospital moves it operation out of town to its new facility the impact will be felt in the Area with the loss of the employment and economic base. However, the empty building will bring new opportunities for adaptive reuse, provided it is economically feasible to do so. One such reuse would be to focus and build on the existing elderly population. There are many major organizations that specialize in providing health, living and social care for the growing retirement aged populations of today.

Undeveloped lands close to downtown provide opportunities to enhance the residential and services base. One such section is in the northeast quadrant of the Area. Adjacent to the West Orange Hospital property and stretching south to Plant Street, this property encompasses approximately 96 acres of orange groves and vacant land. With little restrictions to residential development, the whole Area, including the West Orange Hospital property, could become a major mixed use residential development. These residential areas could provide low to medium density housing opportunities with supporting services focused on Plant Street.

Most of the opportunities identified are somewhat long range but are not out of reach. The establishment of a Community Redevelopment Agency, in conjunction with the Main Street Program, will begin to provide the avenues to turn these opportunities into realities.

6.6 MUNICIPAL PLAN REVIEW

Discussions were held with the City's Planner and Code Enforcement Official to determine the applicability of previous, current and ongoing plans and studies. The Consultant was informed that there were two ongoing plans; an annexation study and a stormwater management plan.

6.7 COMMUNITY LEADER INTERVIEW ANALYSIS

The Winter Garden Community Redevelopment Committee interviewed a number of Area residents, businessmen and community leaders in order to acquire input concerning the need for redevelopment. Interviews were held with Mildred Dixon, Reverend Faulkner, Juanita Maxey, Jimmy Pitchford, Joe Morabito, Theo Graham, Tommy Deloach, Jerry Baker and Vera Carter, Orange County Commissioner. A summary of the major issues identified through the interviews follows:

Existing Problems

- Traffic
- Insufficient parking downtown
- The conditions of the buildings downtown
- Past leaders were not responsive to change
- No bus or transit systems
- Lack of retail
- Not enough nice places to dine
- Lack of visibility
- West Orange Hospital leaving blights the residential Area

Opportunities

- The bypass (Northwest Beltway is an opportunity because it can bring people downtown)
- The Edgewater Hotel is a great revitalization opportunity
- Keep an outlook for increased residential areas
- Enhancing the pedestrian environment with landscaping and benches will also enhance our image
- Build on our small town atmosphere
- Increasing the food opportunities downtown will bring more people
- The Downtown Buildings could be improved to support increased retail, especially retail shops

Funding/Programs

- Overall, the majority of the respondents feel that every funding avenue available should be investigated.
- Even though most of those interviewed were not that aware of the Florida Redevelopment Act prior to being interviewed, they felt, after learning more about the program, that a Winter Garden CRA should be established.

Northwest Beltway

- Growth/Excitement
- We will experience growth in light industrial, commercial and residential
- Good opportunity to bring people downtown to shop
- Potential for growth in higher income residential homes
- Possible traffic congestion if not controlled
- City should have an inter-local agreement with Ocoee in order to control growth on this corridor

West Orange Greenway

- Great Idea
- Will stimulate property owners to clean up their property
- Assist with revitalization efforts by providing a market
- Good impact
- Positive influence
- Should stay out of residential

Effect of the Relocation of the West Orange Hospital

- Won't hurt as badly as initially thought
- City should look into redevelopment opportunities
- The site should maintain a medical facility maybe a nursing home or elderly care
- Continuing care opportunities should be investigated
- Could blight the residential Area

Physical Improvements

- Parking
- Landscaping
- Benches
- Something for kids/recreation
- Beautification - we need to brighten the downtown up
- Make the back streets safer so the parking that is there will be used
- Increase transit opportunities

Opportunities for the Edgewater Hotel

- Mini Church Street Station
- Good Restaurant
- Offices
- Bed & Breakfast Inn
- Speciality Shops
- Home Style Cafeteria
- Parking Garage

Relocation of the Railroad

- Those responding felt that the railroad should be relocated from downtown Winter Garden

Role of the Local Churches

- Good resource base
- Clergy should bring revitalization awareness to its members
- Get membership to support revitalization efforts
- Churches should not block liquor laws so a nice restaurant can prosper
- With the revitalization of the West Orange Hospital

Other Comments

- We need a City that reflects its name
- Keep in touch with Homes in Partnership, West Orange Community Development and Orlando Fights Back
- Decide what makes us unique and marketable and build on that
- Need to clearly identify redevelopment project

6.8 PUBLIC QUESTIONNAIRE RESULTS

During the April 21, 1992 Winter Garden Community Redevelopment Public workshop, a questionnaire was distributed to solicit community responses concerning redevelopment issues within the Winter Garden Area. Sixteen completed questionnaires were returned. Overall, those responding approved and supported measures to revitalize the Winter Garden area, including the creation of a Community Redevelopment Area and Agency. Presented below are the results of the questionnaire.

1. Are you a resident and/or property owner within the city? (Check more than one if applicable.)

Permanent Resident	**11 (69%)**
Seasonal Resident	**0**
Property Owner	**11 (69%)**
Business Owner	**2 (13%)**
Other	**0**
NA	**1(6%)**

2. How long have you lived in Winter Garden?

Less than 1 yr.	**0**
1-5 yrs.	**3 (19%)**
6-10 yrs.	**10 (63%)**
NA	**2 (19%)**

3. How many people in your household?

1	**2 (13%)**
2	**6 (38%)**
3-5	**6 (38%)**
more than 5	**0**
NA	**2 (13%)**

4. Do you believe Winter Garden has a clearly defined set of community goals and objectives (vision of the future)?

Yes	**4 (25%)**
Partially	**6 (38%)**
No	**1 (6%)**
Don't know	**5 (31%)**

5. Would you be willing to participate in a public forum to develop or update a vision for the future of Winter Garden?

Yes	**14 (88%)**
No	**1 (6%)**
NA	**1 (6%)**

6. Do you think your community is changing for the better?

Yes	**12 (75%)**
No	**1 (6%)**
NA	**3(19%)**

7. What type of funding sources do you think are reasonable for community redevelopment projects? (Check more than one if applicable.)

Property Taxes	**2 (13%)**
Special Assessments	**3 (19%)**
User Fees	**5 (31%)**
State & Federal Grants	**12 (75%)**
Private Foundations	**7 (44%)**
None	**0**
NA	**1 (6%)**

8. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects?

Yes ---------- **12 (75%)**
No ---------- **2 (13%)**
NA ---------- **2(13%)**

9. Would you support the relocation of the railroad from downtown Winter Garden?

Yes ---------- **16 (100%)**
No ---------- **0**

10. Would you support an annexation of properties adjacent to the city if it would enhance the city's tax base?

Yes ---------- **13 (81%)**
No ---------- **2 (13%)**
NA ---------- **1 (6%)**

11. Should the city become more involved (financially or otherwise) in developing additional retail business within the city (boutiques, restaurants, etc.)?

Yes ---------- **13 (81%)**
No ---------- **2 (13%)**
NA ---------- **1 (6%)**

12. What effect do you think the Beltway will have on the future of Winter Garden?

Good ---------- **13 (81%)**
Bad ---------- **2 (13%)**
None ---------- **0**
Depends ---------- **1 (6%)**

13. What effect do you think the West Orange Greenway (Trail) will have on Winter Garden?

Good ---------- **13 (81%))**
Bad ---------- **0**
None ---------- **2 (13%)**
NA ---------- **1 (6%)**

14. Are your basic needs for retail goods (food, pharmacy, household and clothing) met by the businesses located in the city?

All ---------- **7 (44%)**
Some ---------- **7 (44%)**
None ---------- **1 (6%)**
NA ---------- **1 (6%)**

15. Where do you primarily shop for the following goods?

Groceries
In City ---------- **6(38%)**
Outside City ---------- **3 (19%)**
Both ---------- **6(38%)**
NA ---------- **1(6%)**

Restaurants
In City ---------- **1(6%)**
Outside City ---------- **8 (50%)**
Both ---------- **6 (38%)**
NA ---------- **1(6%)**

Apparel & accessories
In City ---------- **4(25%)**
Outside City ---------- **4(25%)**
Both ---------- **7(44%)**
NA ---------- **1(6%)**

Building materials, hardware & garden supply
In City ---------- **4(25%)**
Outside City ---------- **6(38%)**
Both ---------- **4(25%)**
NA ---------- **2(13%)**

Furniture, home furnishings & equipment
In City ---------- **1(6%)**
Outside City ---------- **9(56%)**
Both ---------- **5(31%)**
NA ---------- **1(6%)**

Misc. (florists, laundry, shoe repair, books, novelties etc.)

In City ---------- **8(50%)**
Outside City ---------- **1(6%)**
Both ---------- **6(38%)**
NA ---------- **1(6%)**

16. Which of the following types of businesses would you like to see added or increased within the city? (Check more than one if applicable.)

Convenience Goods

1 ----------Additional grocery stores
1 ----------Meat Markets
5 ----------Bakeries
0 ----------Candy stores
11 ----------Seafood stores
4 ----------Wine and cheese stores

Eating and Drinking Establishments

5 ----------Delicatessens
12 ----------High quality family style restaurants
4 ----------Ice-cream/yogurt shops

Shopper's Goods

8 ----------Women's clothing stores
4 ----------Men's clothing stores
6 ----------Shoe stores
2 ----------Jewelry, leather and sporting goods stores
4 ----------Department stores
1 ----Building materials and hardware
2 ----------Furniture stores
1 ----------Office equipment
2 ----Music, radio and television stores
0 ----------Florists
0 ----------Laundry stores
0 ----------Banks
0 ----------Gift and card novelties
5 ----------Book stores
2 ----------Automobile service
2 ----------Appliance repair
2 ----------Other (specify)

17. Which of the following public amenities do you think should be added or increased within the city? (Check more than one if applicable.)

8 ----------Parks
9 ----------Landscaping
11 ----------Bike paths/sidewalks
0 ----------Other (specify)
2 ----------NA

Additional Comments:

- **Plan should be specific, goal should be established for historic preservation**
- **CRA Committee should include citizens**
- **Edgewater Hotel - bed & breakfast**
- **Interest in Preservation/Affordable housing**
- **Annex carefully**

7.0 Development Framework

The development framework for this Community Redevelopment Plan represents the basic planning concepts and goals for both the Redevelopment and Reserve areas. These concepts and goals are presented first to provide the framework and to establish the context in which detailed project and program recommendations are made for individual planning districts.

7.1 LAND USE STRATEGY

The recommended land use strategy is based on several development and transportation assumptions and principles. First, the future construction of the Northwest Beltway and interchange with Plant Street will significantly alter traditional land use patterns within the Winter Garden area. The interchange will create commercial and high density residential development opportunities within the Plant Street corridor. The potential effect on commercial development patterns will be similar to changes that occurred as a result of improvements and development within the S.R. 50 corridor.

The land use strategy envisioned for the Redevelopment and Reserve Areas recognizes the need to maintain the traditional community center, ensure appropriate development of the Interchange area and promote redevelopment within the Plant Street corridor. The strategy is also based on a major goal to develop and preserve residential neighborhoods, and therefore, redevelopment within the Plant Street corridor should only occur in a manner consistent with this goal.

The potential effect of the Beltway and Interchange upon the Main Street Winter Garden commercial area could be economically damaging without a program to market and develop the Main Street district. It is vital that the expected development of the Plant Street corridor complement the traditional downtown business district of Winter Garden. This core area does and will continue to provide valued personal and local service and retail needs. The traditional community of Winter Garden has developed and created its identity around the central business and cultural center of the downtown environment.

The emerging commercial core envisioned for the vicinity of the Northwest Beltway/Plant Street interchange would be a major force driving commercial and office development within the Reserve Area. However, to protect the Main Street economic base, the role of this emerging center should be restricted. Current retail development trends favor what is referred to as "power centers," and "category killers." These terms represent the type of shopping center in which there is a large food store and/or a Walmart or similar retail store. Typically in these power centers there is very little "local serving" space.

Power centers and category killers represent the type of development that should occur within the emerging commercial center because of the relative lack of local serving business space. This is important because the Main Street commercial core's current market niche is providing space for local serving retail and service businesses.

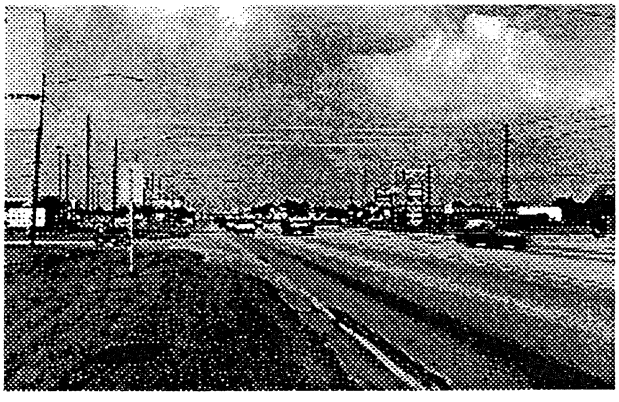
Current market, land cost and parking considerations dictate that the Main Street district is unlikely to be chosen as a site for a power center or category killer. Therefore, the enhancement of future market potential for the Main Street area should focus on preserving and promoting a base of local serving retail and personal service establishments.

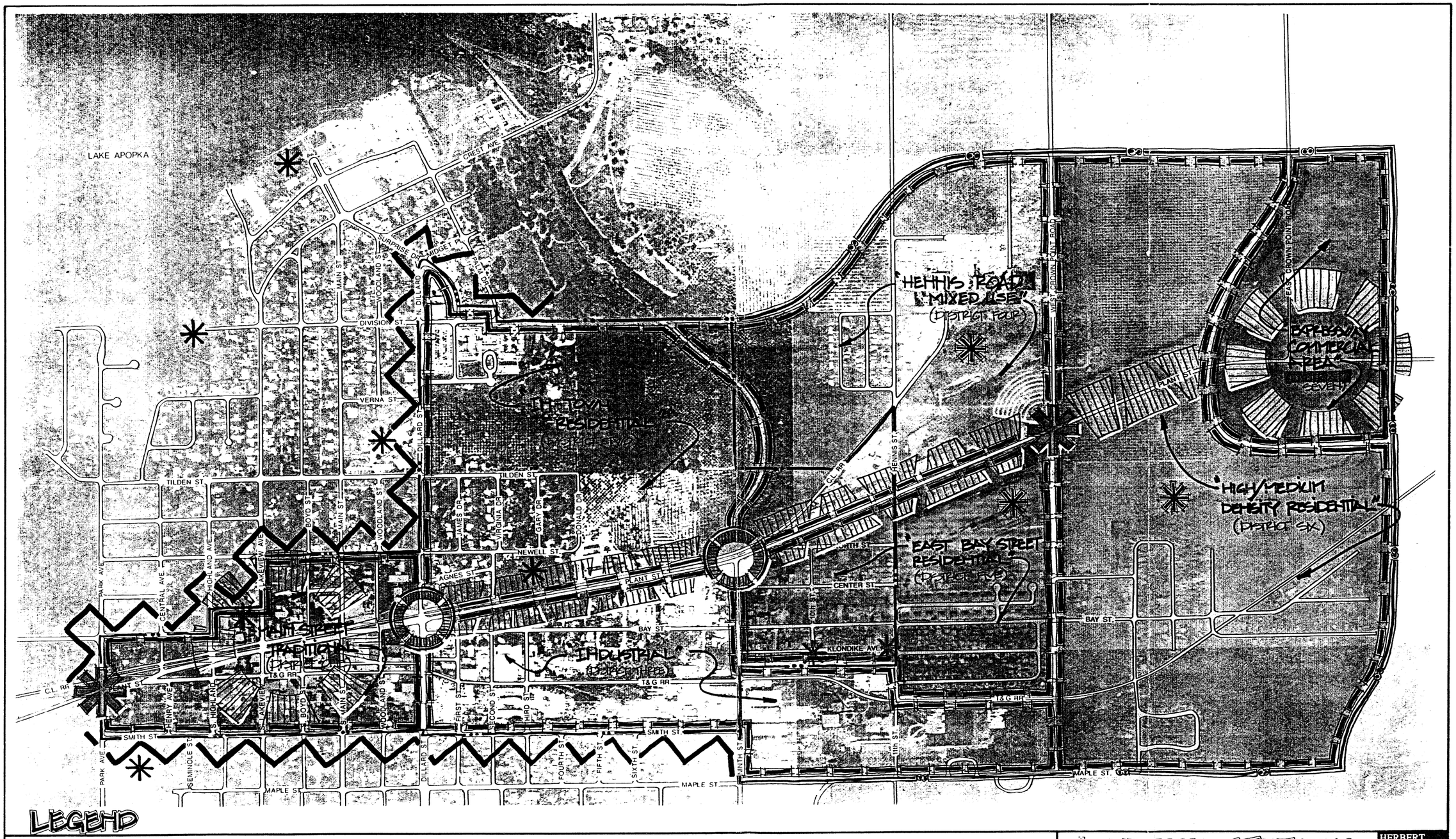
This complementary combination of a local serving Main Street and a regional commercial center can be a significant benefit to developing a strong economic and employment base for Winter Garden. Both commercial activity centers would be supported by a series of special districts whose specific development and support roles would be determined by existing development patterns, the goal to develop and preserve neighborhoods, and the planned arterial and collector system. The support roles essential to both areas include residential, industrial and office employment centers.

The second major feature of the land use strategy is related to a goal to preserve the identity and traditional values of Winter Garden. The land use strategy recommends that the proposed extension of Ninth Street to the north serve as an identification line distinguishing between the more traditional neighborhoods and building types found within the City of Winter Garden, and more recent and projected development or redevelopment that will occur within the Interchange Area. Development guidelines and standards for areas west of the Ninth Street extension would favor a traditional development pattern based on a grid of local roads. Neighborhoods and shopping areas to the east of Ninth Street would develop at higher densities and intensities, with a more contemporary architectural and development style.

The land use framework also encourages increased residential development within the Community Redevelopment and Reserve Areas. Residential development in close proximity to the commercial cores will improve the market basis for commercial uses and efficient use of transportation and utility infrastructure, and promote increased use of pedestrian and bicycle facilities. This goal of increased residential development is to ensure a continuing balance of jobs and people within the community.

A third and final feature of the land use strategy is the creation of a strong link between the traditional and interchange area commercial/neighborhood districts. This linkage is formed by the designation of the Plant Street corridor as an Urban Design Overlay District. This street will serve as the major entry to the City of Winter Garden in the 21st Century, and should be designed and developed as a gateway facility linking Winter Garden's past and future.




LAKE APOPKA
CREST AVE
SURPRISE DR
MIDGET PL
PALM DR
MAIN ST
WOODLAND ST
N. DILLARD
DIVISION ST
VERNA ST
DILLARD ST
TILDEN ST
BOYD ST
JAMES DR
VIRGINIA DR
GARY DR
DONALD DR
NEWELL ST
AGNES ST
PLANT ST
BAY ST
KLONDIKE AVE
CENTER ST
NORTH ST
HENNIS ST
C.L. RR
T&G RR
SMITH ST
MAPLE ST
PARK AVE
CENTRAL AVE
HIGHLAND AVE
LAKEVIEW AVE
HENRY AVE
SEMINOLE ST
FIRST ST
SECOND ST
THIRD ST
FOURTH ST
FIFTH ST
SIXTH ST
NINTH ST
11th ST
10th ST
WEST CROWN POINT ROAD
EAST CROWN POINT ROAD
"HENNIS ROAD MIXED USE" (DISTRICT FOUR)
"EXPRESSWAY COMMERCIAL AREA" (DISTRICT SEVEN)
"HIGH/MEDIUM DENSITY RESIDENTIAL" (DISTRICT SIX)
"EAST BAY STREET RESIDENTIAL" (DISTRICT FIVE)
"MAIN STREET TRADITIONAL" (DISTRICT ONE)
"INDUSTRIAL" (DISTRICT THREE)
LEGEND
COMMUNITY REDEVELOPMENT AREA BOUNDARY LINE
COMMUNITY REDEVELOPMENT RESERVE AREA BOUNDARY LINE
DISTRICT BOUNDARY LINES
EXISTING RESIDENTIAL EDGE TO BE PRESERVED
CORE AREAS AND PLANT STREET OVER-LAY DISTRICT
MAJOR IDENTIFICATION POINTS
PROPOSED GATEWAYS
EXISTING
EMERGING
RECREATION AND OPEN SPACE FACILITIES
LAND USE STRATEGIES
winter garden
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issue date
project no.
sheet no.

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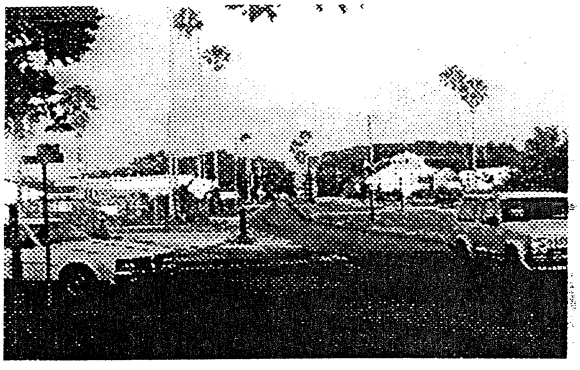
7.2 TRANSPORTATION APPROACH

Traffic circulation within the Community Redevelopment and Reserve Areas and access to the proposed Northwest Beltway are critical transportation service considerations. Circulation within the planning areas is an important issue based on two considerations. First, there does not currently exist sufficient roadway capacity to support expected future development within the Plant Street corridor. Second, the funding resources necessary to implement a supporting system of arterials and collectors are not presently identified.

Plant Street is the only major east-west arterial roadway presently serving the Redevelopment Areas and its present two (2) lane configuration is insufficient to meet future traffic demands as identified in the Orlando Urban Area Transportation Study prepared by the East Central Florida Regional Planning Council. North-south traffic circulation is accommodated by Park Avenue, Dillard Street and the Ninth Street facility south of Plant.



The transportation concept emphasizes a multi-modal approach to vehicular and pedestrian circulation within the Community Redevelopment and Reserve Areas. "Mobility Corridors" incorporating roadways, bikeways, pedestrian paths and connectors form the basis for a proposed circulation system which defines seven development districts.

The urban mobility system should be composed of a number of existing and proposed corridors creating an overall circulation grid. Specific recommendations to the create the system are identified below.

- Plant Street should be expanded from two (2) lanes from the Northwest Beltway interchange to Dillard Street. The expansion should provide for four (4) travel lanes and a left turn lane included as part of a landscaped median. Bicycle lanes should also be incorporated into the roadway. A parkway should be part of the Plant Street right-of-way on either side of the street. This parkway would provide for landscaping, pedestrian walkways and utility corridors. This arterial would be the primary route for traffic entering town from the beltway.

- Division Street should be expanded and extended to serve as an additional east west arterial route serving development on the north edge of the Community Redevelopment Area and the Reserve Area. From town, Division Street should be extended to connect with a proposed collector/distributor system serving development adjacent to the beltway corridor. Bikeways, pedestrian paths, and landscaping, similar to that proposed for Plant Street should be incorporated into the Division Street expansion.

- Smith Street should be realigned in the vicinity of Ninth Street to intersect with Maple Street , thus forming a continuous east-west collector roadway. Maple Street should be extended beyond Carter Avenue to serve new development west of the beltway corridor. The use of Smith Street west, of Ninth Street, as part of the collector is based on its current commercial use to provide access to industrial

and commercial properties. Maple Street, west of Ninth, would continue to provide local residential access.

- Tindell Street should serve as an east-west collector route between Park Avenue and an extended Ninth Street.

- Dillard Street should continue to serve as a major north-south arterial route serving the Main Street area. Where practical, streetscape improvements should be implemented to improve the visual appearance of the street.

- West Crown Point Road should be expanded to a four (4) lane divided urban arterial, providing a north/south arterial parallel and approximately one mile east of Dillard.

- Park and Crest Avenues should be designed as a north/south collector serving the west edge of the Community Redevelopment Area. These combined facilities, in conjunction with Tindell Street, would provide for traffic movement to areas north of the City and east of Lake Apopka.

- Ninth Street should be a major north/south collector between the Dillard Street and West Crown Point Road arterials. Ninth Street should be extended north from Plant Street to connect with the Division Street extension and Crest Avenue.

- East Crown Point Road should be realigned and improved as part of a new collector/distributor system serving the commercial core that is expected to develop west of the beltway as a result of the Plant Street interchange.

The multi-modal urban mobility concept also incorporates pedestrian and bicycle circulation systems. As previously discussed, new and expanded arterial roadway development should incorporate bicycle and pedestrian paths. Additional bicycle and pedestrian routes along secondary roadways would complete a grid pattern circulation systems similar to that proposed for vehicular traffic.

A major component and basis of this circulation system is the regional development of the West Orange Greenway. This Rails-for-Trails system will serve three (3) of the seven (7) design districts including the Main Street commercial core. The other design districts served by this regional facility would be primarily residential in character.

Important objectives of a bicycle/pedestrian/open space system are the creation of opportunities for linkages between subareas, providing active and passive recreational opportunities, and providing access and connection to different existing and proposed recreational/open space amenities. A local circulation system when developed in conjunction with the regional West Orange Greenway, would achieve the objectives of this type of system. Specific recommendations for the completion of the bicycle/pedestrian/open space system are given below.

- All planned roadway improvements at the arterial level should include bicycle and pedestrian pathways. Separate bicycle lanes, four (4) feet wide, within the roadway are the desirable specification. Pedestrian sidewalks should be part of a landscaped parkway on either side of the street. If right-of-way expansion is not feasible, the road should be widened to include, at a minimum, a two (2) foot extended curb area to accommodate bicycle traffic on each side of the street.

- Park Avenue, Main Street and Hennis Road should be designated bicycle routes to provide a north-south link between areas and connecting with the West Orange Greenway.

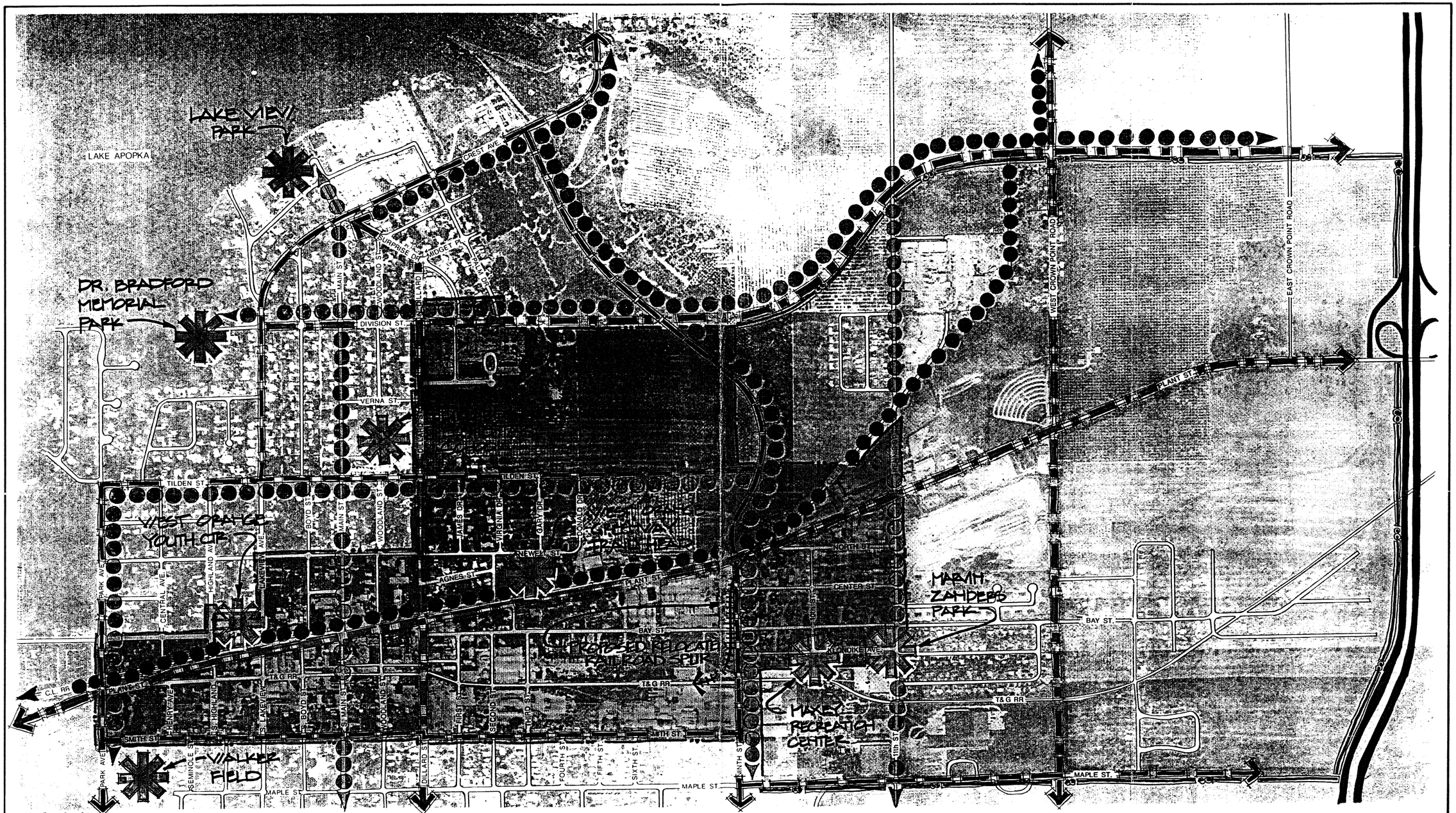
- Tindell Street, between Park Avenue and Main Street, and Crest Avenue between Main Street and the Ninth Street extension should also be designated as bicycle routes.

- Bay Street, as a bicycle route from Plant Street west to new development in the Reserve Area, would provide an additional east-west link between subareas and connect with several recreational amenities.

Inclusion of bicycle routes along less travelled and congested roads, such as Main and Hennis Streets, need not necessarily result in roadway expansion. Signage used to direct bicycle traffic and alert motorists may be an inexpensive alternative to road expansion. This type of system has been successfully utilized by other municipalities in the past.

While the railroad has been a vital part of Winter Garden in the past, its present role is minimal. Two (2) spurs are currently leased by CSX Railroad to Florida Central Railroad to service customers in two general areas. One of these spurs should be relocated and realigned to eliminate the track paralleling Plant Street within the Main Street area west of Dillard.

In addition to these corridor improvement objectives, the transportation strategy includes the provision of parking and demand management techniques designed to encourage off peak travel, joint use of parking facilities, and promote future opportunities for shuttle or tram service between the Main Street and Interchange Design Districts.



LEGEND

- COMMUNITY REDEVELOPMENT AREA BOUNDARY
- COMMUNITY REDEVELOPMENT RESERVE AREA BOUNDARY
- COLLECTOR ROADWAY SYSTEM (PROPOSED)
- ARTERIAL ROADWAY SYSTEM (PROPOSED)
- NORTH/WEST BELTWAY (PROPOSED)
- REGIONAL BIKE-WAY SYSTEM (WEST ORANGE GREEN-WAY)
- LOCAL BIKE-WAY SYSTEM (PROPOSED)
- EXISTING OPEN SPACE AND RECREATION FACILITIES

TRANSPORTATION APPROACH

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winter garden

Community Redevelopment Study

issue date:
project no:
sheet no:

7.3 NEIGHBORHOOD IMAGE

A basic element of the development framework established here is the creation of new, and the preservation of existing, neighborhoods within the Community Redevelopment and Reserve Areas. Neighborhood image is a key component of the strong identity and sense of place that is associated with the community of Winter Garden. Recommendations are focused upon reinforcing, preserving and providing identity, clarity and an aesthetic integrity for the community.

Within the land use strategy is the recommendation and encouragement of increased residential development. The contiguity of emerging and planned residential areas adjacent to existing neighborhoods and planned commercial expansion represents significant planning and design issues. Conflicts between incompatible land uses should be sufficiently screened to preserve the aesthetic quality of the neighborhoods by controlling visibility of large parking lots and service areas associated with commercial and industrial development. The potential for conflict appears to be concentrated in three (3) districts.

Along the north and south edge of the traditional business district of Plant Street are located a number of existing residential neighborhoods. With this commercial core being a focus of the Main Street Winter Garden organization, redevelopment and revitalization projects should also address the transitional zones between the businesses and the residential areas.

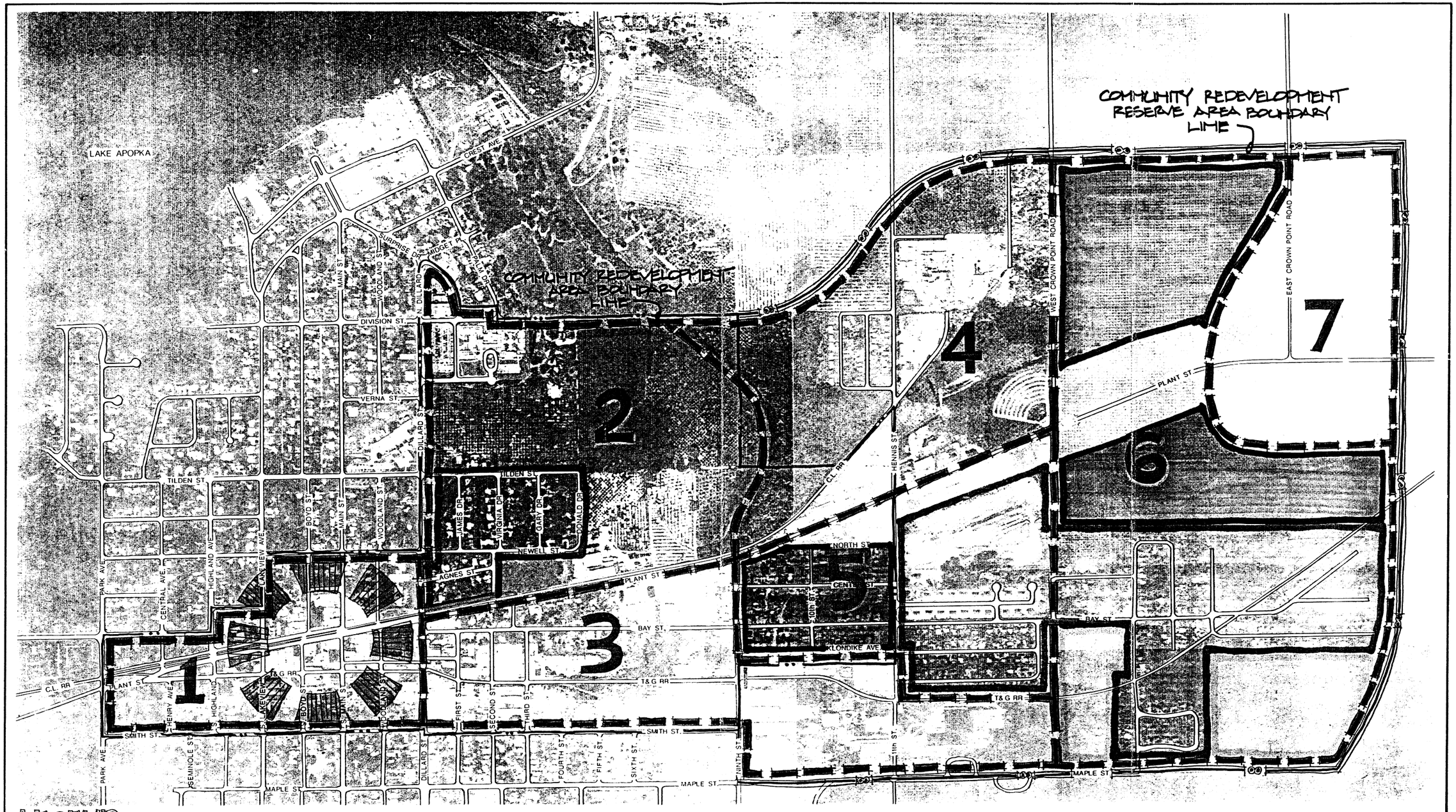
The second potential area for conflict is the area sandwiched between the industrial district and Plant Street. Part of this area is currently affordable housing. A portion of this district requires redevelopment and potentially could supply additional affordable housing. The potential conflict arises between the industrial uses and the residential uses. Redevelopment and enhancement of this area should recommend sufficient screening between the incompatible land uses.

The proposed Northwest Beltway provides the third potential conflict with residential development and neighborhood image. Existing low density neighborhoods and proposed residential areas adjacent to the beltway and areas designated for high intensity commercial development increase the potential for development and life-style conflicts.

The character of new residential neighborhoods, while maintaining the integrity and sense of "small town Winter Garden," should vary according to the type, density and location of the development. Some of the special districts have very limited amounts of existing residential development. These districts essentially represent a clean palette for development with minimal restrictions on neighborhood preservation. Other districts, however, will need to maintain a close association with well established existing neighborhoods. These areas should preserve the character and form that exists. It may be desirable to continue the long-block pattern of residential development that characterize many of the neighborhoods of Winter Garden.

Redevelopment and enhancement of existing communities and the careful development of new neighborhoods create a strong sense of place and civic pride. Promotion and establishment of "Safe Neighborhood" programs; such as Neighborhood Watch, Security Enhancement, and Crime Prevention Through Environmental Design (CPTED) will increase public safety and assist in the preservation of Winter Garden's "small town feel" .

Adequate recreational amenities and programs within communities should also contribute to these desirable attributes.



LEGEND

- [1] DISTRICT BOUNDARIES AND DISTRICT NUMBERS
- DOWNTOWN COMMERCIAL CORE
- EXISTING RESIDENTIAL NEIGHBORHOOD TO BE PRESERVED
- EXISTING RESIDENTIAL NEIGHBORHOOD TO BE REDEVELOPED
- DEVELOPMENT OF LOW TO MED. DENSITY RES. NEIGHBORHOOD
- DEVELOPMENT OF MED. TO HIGH DENSITY RES. NEIGHBORHOOD
- DEVELOPMENT OF HIGH DENSITY RES. NEIGHBORHOOD
- DEVELOPMENT OF SCHOOL AND COMMUNITY PARK

NEIGHBORHOOD IMAGE

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winter garden

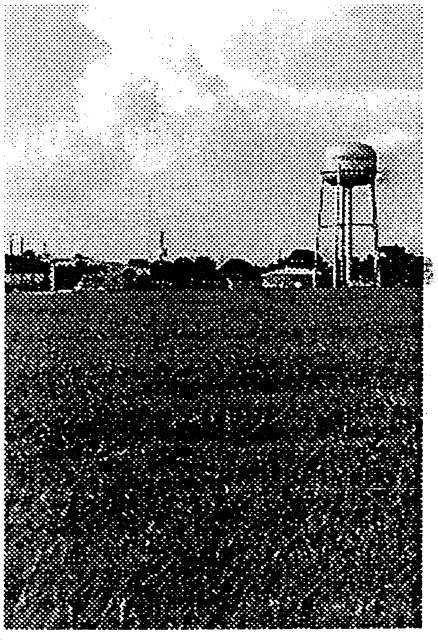
Community Redevelopment Study

7.4 ECONOMIC PROGRAMS

Renewed commercial growth and expansion, is one of the objectives of community redevelopment in Winter Garden. The employment base of the region can be increased through redevelopment of the existing business district, such as the Main Street District, and development of new commercial centers such as the area adjacent to the Plant Street/Northwest Beltway interchange.

The protection and strengthening of the commercial community within the Main Street District can be aided through organized marketing programs and, possibly, an annual calender of events to attract retail customers. As a result of development and expansion, the City will realize a very real and very important benefit - favorable impacts on business activity, increased property values, a broadening of the tax base, the attraction of new businesses, and a higher volume of retail sales within the community.

The Community Redevelopment Agency should work in tangent with the Main Street Winter Garden organization to maximize efforts directed towards economic restructuring and cultural enhancement. Programs developed through this collaboration could be utilized throughout the Community Redevelopment Area. Economic programs may include the development of retail redevelopment strategies, marketing plans, revolving loan programs for structural and aesthetic enhancement, establishment of business support groups, joint marketing program between the Main Street District and the Expressway Commercial District, application for historic rehabilitation assistance grants, and technical and financial assistance for existing and new business. The Community Redevelopment Agency has the opportunity through the implementation of economic, beautification and rehabilitation programs to create a diverse and viable commercial and cultural center for West Orange County.



8.0 Selected Community Redevelopment Plan

8.1 DESIGN DISTRICTS

Within the Community Redevelopment and Reserve Areas, seven (7) design districts have been identified. Each of these districts is, or will be, unique in terms of land use, form of development and character. Therefore, special "design" guidelines, projects and programs are necessary to accomplish specific goals and objectives for each area. A brief description of the boundaries, development objectives, proposed projects and programs for each design district and overall area improvements follows.

8.1.1 AREA-WIDE IMPROVEMENTS

Before many of the projects can be implemented within the different districts, it is recommended that several city-wide projects be implemented. Some of these may be implemented by the City of Winter Garden, the Community Redevelopment Agency, Orange County, Florida Department of Transportation or any combination of joint ventures. These projects are primarily infrastructure improvement projects and should be considered as part of a total development framework.

Plant Street Expansion and Improvement

The expansion of the Plant Street right-of-way should be coordinated between the City, CRA and FDOT. FDOT has completed plans for this expansion as an arterial collector improvement. Currently, no funds have been appropriated nor has a schedule for construction been determined. The present FDOT design for Plant Street includes four (4) traffic lanes with a continuous left-turn lane. Improvements include curb and gutter and sidewalks on both sides. Plans do not include landscaping or bicycle traffic provisions. The City and the CRA should work with FDOT readdress the tree canopy, pedestrian/bicycle pathway, and landscaped parkway and median requirements as created by the CRA.

Arterial and Collector System Improvements

Anticipated traffic problems created by future growth and misaligned intersections could be reduced with the extension and interconnection of several roadways. These extensions would facilitate east-west and north-south traffic congestion on the smaller streets. It is recommended that Division Street be extended east to the Northwest Beltway. Smith and Maple Streets should be realigned in the vicinity of Ninth Street to ease east-west traffic flow and provide a southern link to the commercial core from proposed development along the beltway. To facilitate north - south traffic, Ninth Street should be extended from Plant Street to intersect with the proposed Division Street extension and West Crown Point Road should be extended south to the new Maple Street extension.

Sanitary Sewer and Potable Water Improvements

The existing sanitary sewer and water systems should be upgraded and improved where necessary to reduce the potential for unsafe and unsanitary conditions. The City is of the opinion that many of the systems currently in use may be part of the original system first installed in 1948. The age and the increased demand associated with future development within the District would be a burden to the current systems. The existing capacity within the Area would be a hindrance to redevelopment.

Stormwater Management

Comprehensive stormwater management systems and guidelines do not presently exist in Winter Garden. Creation of such a system and policies prior to redevelopment of the area

would ensure appropriate and safe water management practices to prevent erosion and groundwater contamination. These should be established not just for the industrial and commercial development districts, but also for the entire City of Winter Garden. The City Engineer, Mr. John Kirby, has currently commenced a study to address this issue. The CRA should work closely in the development of policies for this area.

West Orange Greenway System

Acquisition and planned improvements are planned for a stretch of railroad corridor within Winter Garden as part of the West Orange Greenway. This seventeen (17) mile system of paved trails and support facilities will travel through the heart of the Main Street Traditional Town Center. The CRA should closely coordinate with Orange County to ensure that the development of the Greenway will enhance future redevelopment plans for the Area. The West Orange Greenway should be the basis for the development of a local bicycle/pedestrian transportation system.

Safe Neighborhood Program Development

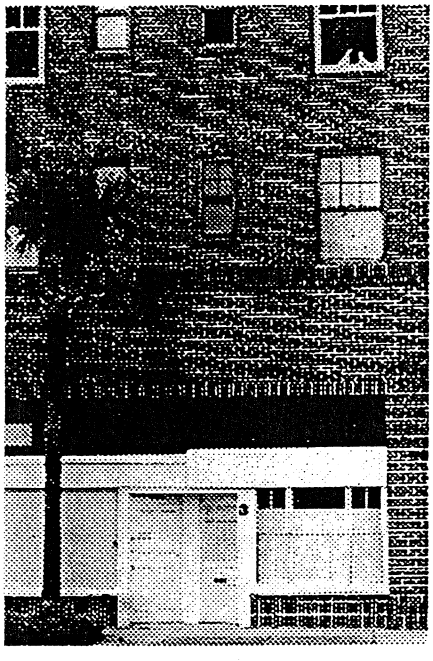
The CRA should investigate, develop and implement safe neighborhood and crime prevention programs for the Community Redevelopment Area and Reserve Area. Programs should be developed to meet the needs of each individual Design District. Programs may include the development of a Safe Neighborhood Plans, designation of Safe Neighborhood Districts, Neighborhood Watch Programs, as well as a Crime Prevention through Environmental Design Program (works in concert with design guidelines). The implementation of these programs reduce the opportunity for crime while reinforcing territory and building Community pride.

8.1.2 MAIN STREET TRADITIONAL TOWN CENTER - DESIGN DISTRICT 1

The district is centered around Plant Street and the historic business center of Winter Garden. It is bordered by Smith Street to the south, Dillard Street to the east and Park Avenue to the west. The northern boundary of this district is delineated by the residential areas along Newell, Pine and Bay Streets.

Downtown Redevelopment

The primary redevelopment focus of District 1 is local retail and support services that have long been a tradition of downtown Winter Garden. The restoration of the old Edgewater Hotel could serve as a stimulus to the redevelopment and restoration of the commercial core. Several downtown buildings have hazardous and dilapidated structural conditions which potentially reduce the fair market value of the properties.

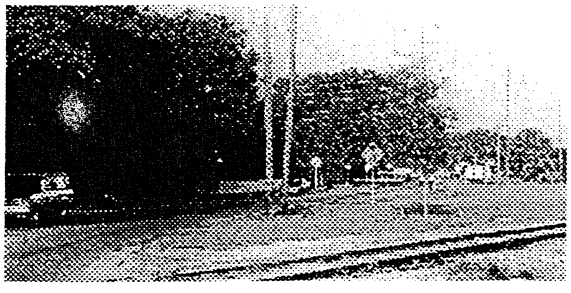


Redevelopment of the area should focus on the marketing of ground level and second story space in downtown buildings. Second story space is ideally suited for office and professional services within the core. This is an opportunity to increase revenue potential and market value for owners of downtown property with leased office/professional space upstairs and retail space downstairs. This project could be accomplished through a joint marketing/leasing/advertising program initiated by the CRA.

Gateway and Landmark Development

A major component of redevelopment in a commercial context is the creation of landmarks which identify to visitors the significance of place. Special design features allow users to orient themselves and recognize that they are within a special part of the community. In urban design terms, these are often referred to as gateways, nodes or major identification points (MIPs).

Gateways are most often arrival points to communities or to distinctive districts within larger developments. Two (2) such gateways have been recognized in the Community Redevelopment and Reserve Areas along Plant Street. One gateway is planned to emerge at the Plant Street and Park Avenue intersection along the western edge of District 1. This gateway will provide a sense of arrival to visitors to the historic district and traditional commercial core of Winter Garden as they travel from areas west of the city.

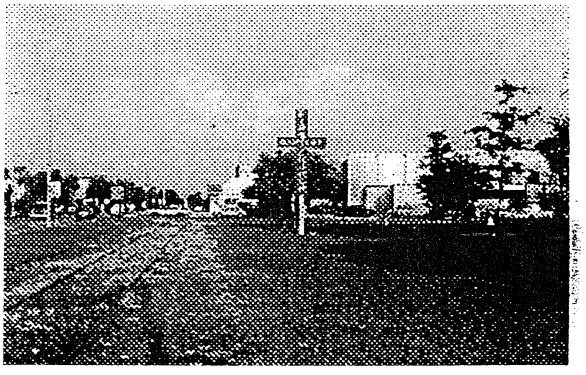


MIP at Dillard and Plant Streets

The gateway to the community should be characterized by special landscaping, signage,streetscape and intersection treatments. The significance of the landmark should be obvious to the downtown visitor and reflect the importance and characteristics of the District.

Civic and Cultural Gathering Space

An additional project within District 1 is the creation of a civic and cultural space. Such an area would provide a public meeting and gathering area for leisure and organized activities. This space should be developed in conjunction with the proposed Urban Design District intersection treatment at Plant and Dillard Streets as an entry feature to the downtown commercial center. It is recommended that this civic space be in the northwest corner of the intersection, tying in with the Baptist Church, resulting in a more effective use of the existing open area along Plant Street.



Parking Improvements

The CRA and/or the City of Winter Garden should consider purchasing and assembling several land parcels in District 1 to provide for additional employee and customer parking in close proximity to the downtown commercial core. Existing City property within the District

could also be developed for downtown parking depending on the parcel size. Shared parking agreements should be made with the Baptist and Methodist Churches to utilize their existing lots during non-service hours. Shared arrangements should also be initiated between the bank, the hotel and other adjacent retail facilities.

Historic District

Many buildings in this district may be eligible for National Historic Register. The CRA should pursue such a designation and potentially create a "downtown historic district" to encourage redevelopment and attract tourist and additional retail traffic. Owners of National Historic Registered buildings are eligible for tax breaks and rehabilitation loans and grants to restore and maintain their facilities. The creation of an Historic District is an intermediate step before buildings qualify for historic registration. It is recommended that the CRA perform a Master Historic Inventory of buildings within the Main Street Traditional Town Center.

Signage and Facade Guidelines

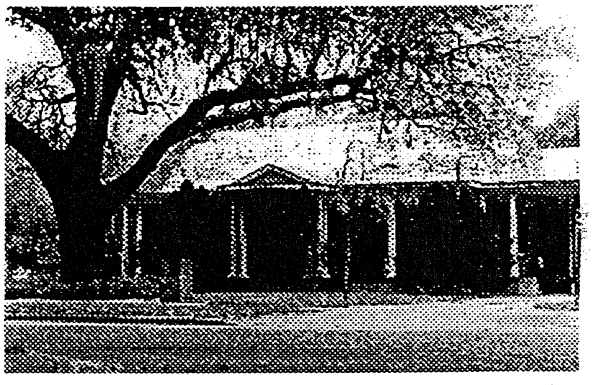
Signage and facade guidelines should be developed in conjunction with Main Street Winter Garden. These guidelines would improve the aesthetic quality of the area and provide a sense of identity and uniqueness. The CRA and Main Street Winter Garden Program should also coordinate a joint marketing and special events program for the downtown merchants.

8.1.3 IN-TOWN TRADITIONAL RESIDENTIAL DISTRICT - DESIGN DISTRICT 2

This district is adjacent to the Main Street District and has Plant Street as a contiguous southern boundary. The west boundary is Dillard Street. The proposed extensions of Ninth Street and Division Street will delineate the respective eastern and northern edges of this district.

Planned Unit Development Project

With the existence of an established residential area within the district, the prime development focus will be to continue the low density development pattern. An "in town" concept is used to encourage residential development in close proximity to the traditional downtown business core. To provide internal circulation, Tilden and Verna Streets should be extended east to the proposed Ninth Street extension. To facilitate north - south travel, Sixth Street should be continued from Plant Street to the proposed Division Street extension. This would set the basis for continuing the existing "long block" and grid street roadway pattern.



The majority of the undeveloped land is owned by a few local land owners. The CRA should, on behalf of the land owners, create a residential planned unit development (PUD)

project. The advantage of such a project would be the easing of development procedures and the sharing and phasing of infrastructure costs. The CRA could then request proposals (RFPs) from potential developers. Limited commercial, service and recreation facilities should be encouraged to develop along Plant Street.

Regional Postal Facility

The United States Postal Service has been considering locating a regional facility in west Orange County to facilitate mail services in this expanding region. The CRA should aggressively market, to the U. S. Postal Service, a site for a new regional postal facility within the Winter Garden city limits. The northwest corner of Plant and Ninth Streets would be an ideal location. Both streets allow for ease of access by large vehicles and trucks. Ninth Street has been classified as a primary collector. Plant Street is listed as an arterial roadway and provides ready access to the proposed Northwest Beltway at the Plant Street interchange.

West Orange Memorial Hospital Reuse and Redevelopment

An important and primary concern within District 2 is the future reuse/redevelopment of the existing West Orange Memorial Hospital facility. It is the recommendation of this firm that, in the event the West Orange Memorial Hospital District determines the structure as too cost prohibitive for adaptive reuse, the facility be demolished and the site be used as either a single family infill project characteristic of the existing neighborhood or a new recreation/ open space facility to service existing and new residents.

8.1.4 INDUSTRIAL DISTRICT DESIGN DISTRICT 3

This industrial district is centered along the railroad corridor south of Bay Street. A portion of the district extends a block north to Plant Street. The boundaries of this district are defined by the railroad, and Smith, Bay and Dillard Streets.

Transportation Circulation Improvements

As indicated by its name, continued development of this district will be primarily light industry. To encourage additional industrial development, the CRA should upgrade and enhance the existing facilities such as roadways. Internal roads within and access roads to the district should be improved to handle heavy truck traffic. Such traffic should be designated to certain roadways only. Joint use driveways should be encouraged for site access. The CRA should also provide assistance in creating a marketing program to promote this light industry complex by advertising such items as its easy access to and from the new beltway.

Stormwater Management Guidelines

A stormwater/discharge pretreatment program should be created within the district to reduce and mitigate surface run-off. Standards should be set by the City for on-site treatment before stormwater and discharge leave the property. Such a program would help to create a needed environmental awareness within both the industrial district and the City.

Buffer and Screening Guidelines

Adequate buffers and screens will be necessary to protect adjacent residential neighborhoods from visual and auditory intrusion from industrial operations and storage. This may be part of a city-wide landscape buffer and screening ordinance. The site would be tremendously enhanced through landscape treatment and signage control along Plant, Dillard and Ninth Streets.

8.1.5 HENNIS ROAD MIXED USE DISTRICT DESIGN DISTRICT 4

This area is centered around Hennis Road with West Crown Point Road and the Ninth Street extension as the respective east and west boundaries. Plant Street delineates the southern edge with an extended Division Street corridor to the north.

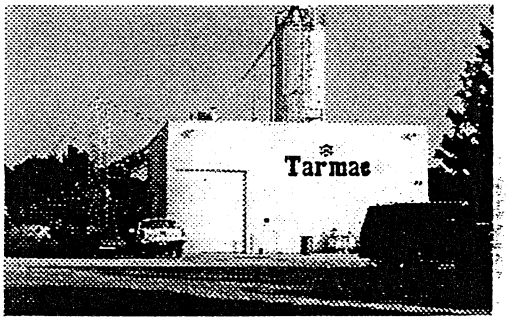
Current land uses within this district are single family residential and industrial. It is recommended that the district be divided into two (2) subareas for different development types in the future. Hennis Road, with its north - south alignment through the district, will should serve as a buffer between land uses. East of Hennis Road should be promoted for light industrial uses. Fertilizer, concrete and other businesses are currently in operation in this area.

Residential and Recreational Improvements

The west region of Hennis Road currently has a small residential development. Much of the land in this area is vacant. Additional medium' density affordable housing should be encouraged to develop. Neighborhood open space should be developed to serve residents and be part of the local open space system. This local open space may also provide access to the West Orange Greenway system.

Promotion of Light Industry

The portion of the Design District east of Hennis Road is currently a mix of industrial and residential land uses. Additional light industrial development should be encouraged. The CRA should provide assistance in creating a marketing program to promote additional light industry. City-wide or CRA required buffer and screening standards should be enforced to separate land uses.



8.1.6 EAST BAY STREET RESIDENTIAL DISTRICT - DESIGN DISTRICT 5

This district is centered around Eleventh Street with West Crown Point Road and Ninth Street as the respective east and west boundaries. Plant Street delineates the northern edge with Klondike Avenue and the railroad to the south.

This area is already developed as low and medium density housing with limited commercial frontage along Plant Street. A portion of the district is medium density affordable housing. The need for enhancement or redevelopment exists in the western portion of the district. Due to the diverse ownership of the area, the assembly of parcels for large redevelopment projects may be difficult. The preponderance of dilapidated structures and substandard building sites within the western half of the district creates the overall impression of deterioration, hindering its redevelopment.

Streetscape and Landscape Improvements

Streetscape and landscaping programs should be created for Eleventh Street and Bay Street to assist in enhancing the visual aesthetics and community identity of the District.

Historic Preservation Project

A few structures in the Eleventh Street and Center Street vicinity of District 5 may be eligible for National Historic Register. Potential structures should be identified through a Master Historic Inventory. Restoration of such structures may establish design guidelines or themes for redevelopment of the surrounding area.

Recreation Facilities Improvements

The Maxey Recreation Center, currently a private facility, should be enhanced and expanded to accommodate anticipated residential growth in the vicinity. A joint venture with the CRA, private groups and the Winter Garden Parks and Recreation Department is encouraged to optimize the Center's potential. A diverse mix of daytime and after-school activities should be developed as part of the Recreation Center's program to serve the local community.

Marvin Zanders Park should also be enhanced to meet existing and future recreation needs. A new neighborhood facility should be developed in the general vicinity of the VFW Building.

8.1.7 MEDIUM/HIGH DENSITY RESIDENTIAL DISTRICT - DESIGN DISTRICT 6

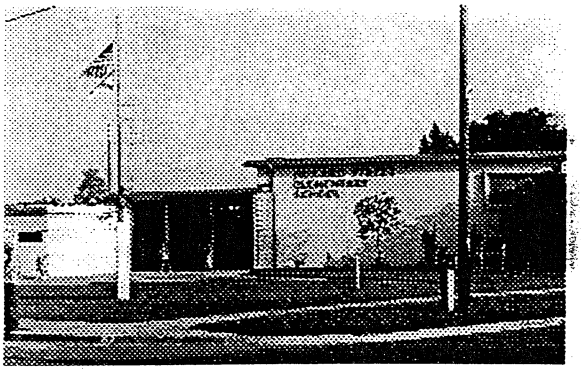
This district is located between West Crown Point Road and the proposed Northwest Beltway corridor. Division Street Extension and Maple Street Extension define the north and south edges. Part of this district is adjacent to a proposed collector/distributor system developed to service new commercial development associated with the Beltway/Plant Street interchange.

The development focus of this district is a mixed use area of commercial, office, residential and cultural facilities. The Plant Street corridor is targeted for commercial and office development with the creation of the Northwest Beltway corridor.

Low density single family developments exist in the southern portion of the district. North of this commercial corridor, high density housing is encouraged. A small medium density townhouse complex currently exists off of East Crown Point Road.

Education and Recreational Improvements

A primary project of District 6 should be the creation of a combined school and community park with joint facilities. With increased residential development proposed for Winter Garden, additional education facilities will probably be needed in the form of either an elementary or middle school. This would ensure that student ratios requirements are in line with Orange County standards. A community park should be developed in conjunction with the new school. This joint use facility should include ballfields, a swimming pool and other amenities. This should also be part of the open space system for the area and be accessible for bicycle traffic.



Design Development Guidelines

A program should be created to address signage, buffering and screening, and access standards along the Beltway and Plant Street corridors. Billboards should not be allowed anywhere within the Community Redevelopment Area. Adequate buffering and screening should be required separating the Beltway corridor and adjacent residential developments. Unified and joint use driveways should be required for circulation control for parcels along the Plant Street corridor.

8.1.8 EXPRESSWAY COMMERCIAL DISTRICT DESIGN DISTRICT 7

This new commercial core is centered around the proposed Plant Street/Northwest Beltway interchange and encompasses a section of Plant Street and East Crown Point Road.

Collector/Distributor System and Retail Center Improvements

An intensive expressway retail center should be encouraged to develop west of the beltway corridor along Plant Street. The CRA should play a major role in the realignment of East Crown Point Road. The purpose of this realignment would be to develop a collector/distributor system parallel to the Beltway to service the commercial core. This would allow for the creation of highly visible and attractive commercial parcels along the Beltway corridor and the Plant Street interchange. The realignment would also allow easier access to these parcels. The current layout of East Crown Point Road places it too close to the interchange, not allowing for maximized commercial development. The interchange and collector/distributor system should become the focus of the expressway commercial core.

Historic Preservation

The Britt Mansion is located at the current East Crown Point Road and Plant Street intersection. This mansion is part of the National Historic Registration. Design criteria should be established for all adjoining properties to preserve the integrity of its site. The opportunity may exist for historically themed development focusing on the Britt Mansion.

Commercial Development Promotion

A marketing program should be created to assist merchants of the Expressway and District 1. The attributes and services provided by the two distinctly different retail centers should be emphasized and described to the retail public.

Public Transportation Improvements

A public transportation system should be encouraged to operate between the two (2) commercial cores. The fact that vehicular traffic could by reduced by the public transit system would be a special benefit to District 1 since parking is limited.

Design Development Guidelines

Extensive screening and buffering requirements should be addressed between all incompatible land uses. Comprehensive streetscape, landscaping and design guidelines should be established for the district. The CRA should initiate discussions with the City of Ocoee concerning interchange landscaping and signage guidelines.

EDGEWATER HOTEL · PROMOTE GROUND FLOOR RETAIL OPPORTUNITIES

MAINTAIN POST OFFICE

SEEK ABANDONMENT OF RAILROAD RIGHT-OF-WAY AND INCORPORATE INTO STREETSCAPE AND BICYCLE SYSTEM

IMPROVE PLANT STREET ROAD SURFACE

GATEWAY

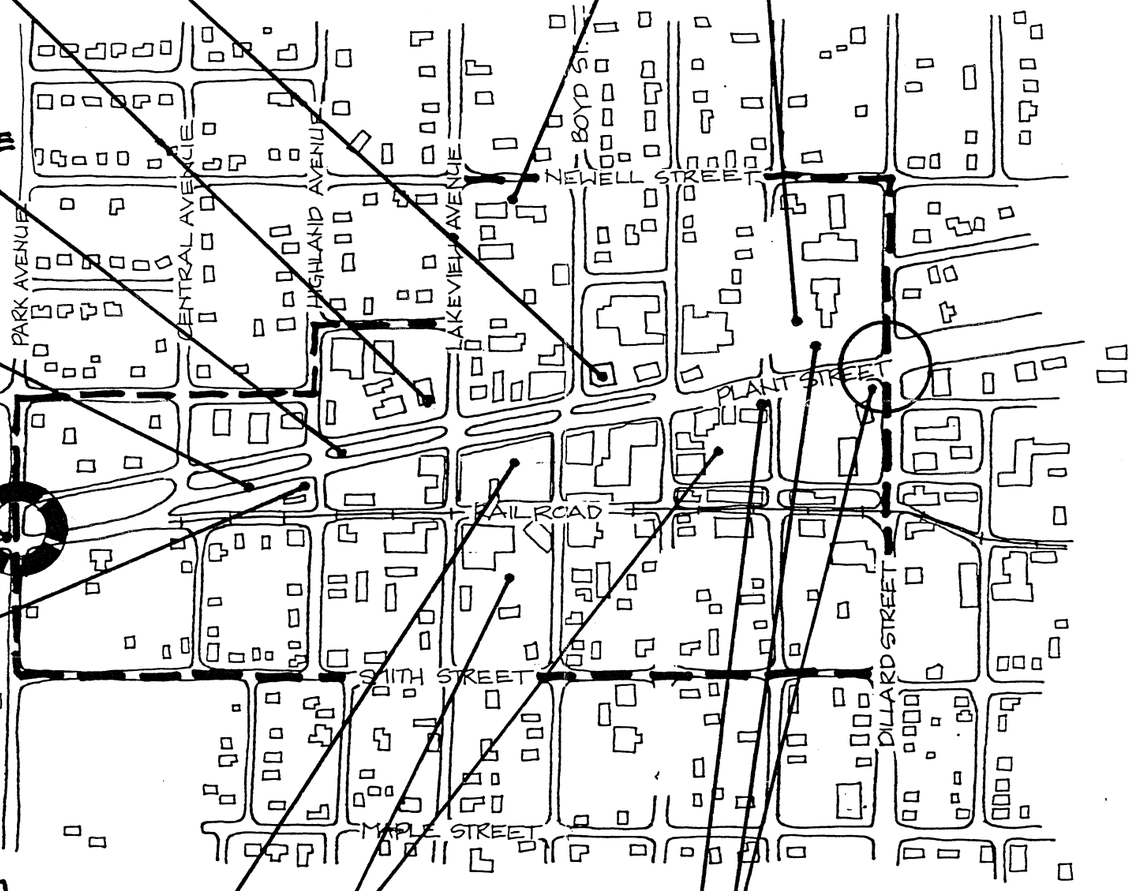
EXPAND OFF-STREET PARKING

DEVELOP SHARED PARKING AGREEMENT BETWEEN BANK, HOTEL AND ADJACENT RETAIL

REDEVELOP MUNICIPAL PROPERTIES FOR OPEN SPACE / PARKING / CITY OFFICES

UTILIZE METHODIST CHURCH PARKING FOR CITY EMPLOYEES

UTILIZE BAPTIST CHURCH PARKING FOR BUSINESS DURING NON-SERVICE HOURS



ESTABLISH MAIN STREET TRADITIONAL SIGNAGE PROGRAM

MAJOR IDENTIFICATION POINT

CREATE CIVIC/CULTURAL SPACE TO DESIGNATE ENTRYWAY

NOTES:

- DEVELOP TRADITIONAL TOWN CENTER FACADE & STREETSCAPE GUIDELINES
- ENCOURAGE SMALL BUSINESS COMMUNITY INVOLVEMENT
- PROMOTE SMALL BUSINESS ASSISTANCE PROGRAMS
- DEVELOP LEASING PROGRAM FOR NON-GROUND FLOOR SPACE
- CRA SUPPORT FOR MAIN STREET WINTER GARDEN ACTIVITIES
- ESTABLISH HISTORIC DIST.
- JOINT MARKETING PROGRAM BETWEEN MAIN STREET 'TRADITIONAL' AND EXPRESSWAY DISTRICTS
- MAINTAIN AND ENHANCE RESIDENTIAL EDGES
- IMPLEMENT STORMWATER MANAGEMENT PROGRAM WITH INFILTRATION AND IN-FLOW MONITORING

FIGURE 8.1

MAIN ST 'TRADITIONAL'

HERBERT HALBACK INCORPORATED

winter garden

Community Redevelopment Study

ESTABLISH NEIGHBORHOOD PARK OR SINGLE FAMILY HOMES

SEEK DONATION OF WEST ORANGE MEMORIAL HOSPITAL AND GROUNDS

ECOURAGE NEW RESIDENTIAL

EXTEND VERNA STREET TO NINTH STREET

EXTEND TILDEN STREET TO NINTH STREET

PRESERVE EXISTING RESIDENTIAL NEIGHBORHOOD

ESTABLISH NEW PARK FACILITY

ECOURAGE NEIGHBORHOOD USE OF WEST ORANGE GREENWAY TRAILHEAD

MAJOR IDENTIFICATION POINT

EXTEND DIVISION STREET TO EXPRESSWAY COMMERCIAL DISTRICT

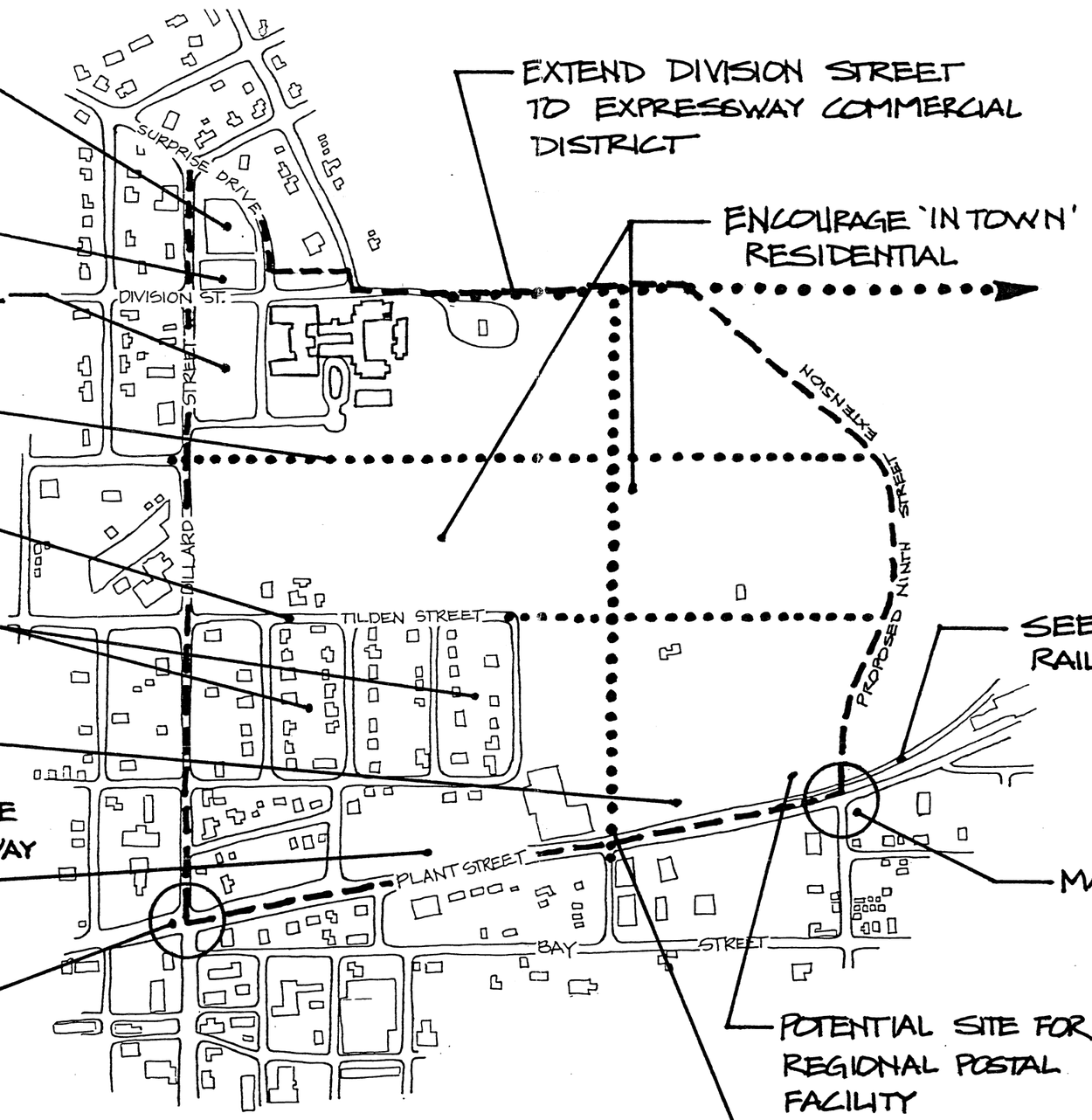
ENCOURAGE 'IN TOWN' RESIDENTIAL

SEEK ABANDONMENT OF RAILROAD CORRIDOR

MAJOR IDENTIFICATION POINT

POTENTIAL SITE FOR REGIONAL POSTAL FACILITY

EXTEND SIXTH STREET TO DIVISION STREET



NOTES:

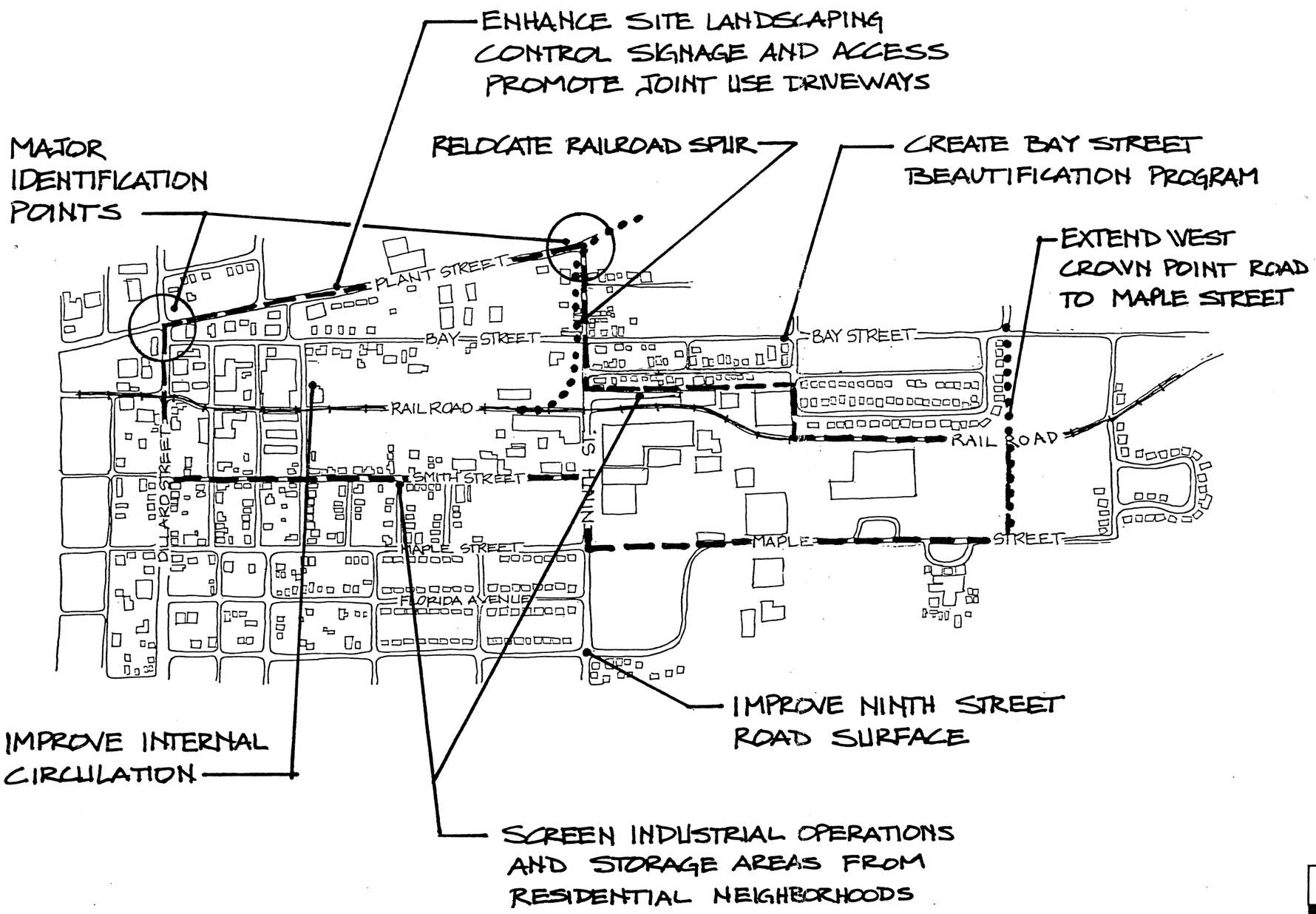
- MAINTAIN AND ENHANCE RESIDENTIAL EDGES
- PROMOTE SAFE NEIGHBORHOOD AND CRIME PREVENTION PROGRAMS
- ENCOURAGE LOCAL BIKE/PEDESTRIAN SYSTEM
- NON-RESIDENTIAL USES CONFINED TO PLANT STREET

FIGURE 8.2

'IN TOWN' RESIDENTIAL

HERBERT HALBACK INCORPORATED

winter garden Community Redevelopment Study



NOTES:

- PROMOTE ASSISTANCE FOR EXISTING AND POTENTIAL LIGHT INDUSTRIAL BUSINESSES
- PROVIDE ADEQUATE TRANSPORTATION SYSTEM TO SUPPORT LIGHT INDUSTRY
- LIMIT TRUCK TRAFFIC TO DESIGNATED ROADWAYS
- ENCOURAGE BUSINESS COMMUNITY INVOLVEMENT
- PROVIDE BUFFERING BETWEEN RESIDENTIAL AND INDUSTRIAL LAND USE
- ESTABLISH ENVIRONMENT AWARENESS PROGRAM
- IMPLEMENT STORMWATER PRETREATMENT PROGRAM.

FIGURE 8.3

INDUSTRIAL

HERBERT HALBACK INCORPORATED

winter garden

Community Redevelopment Study

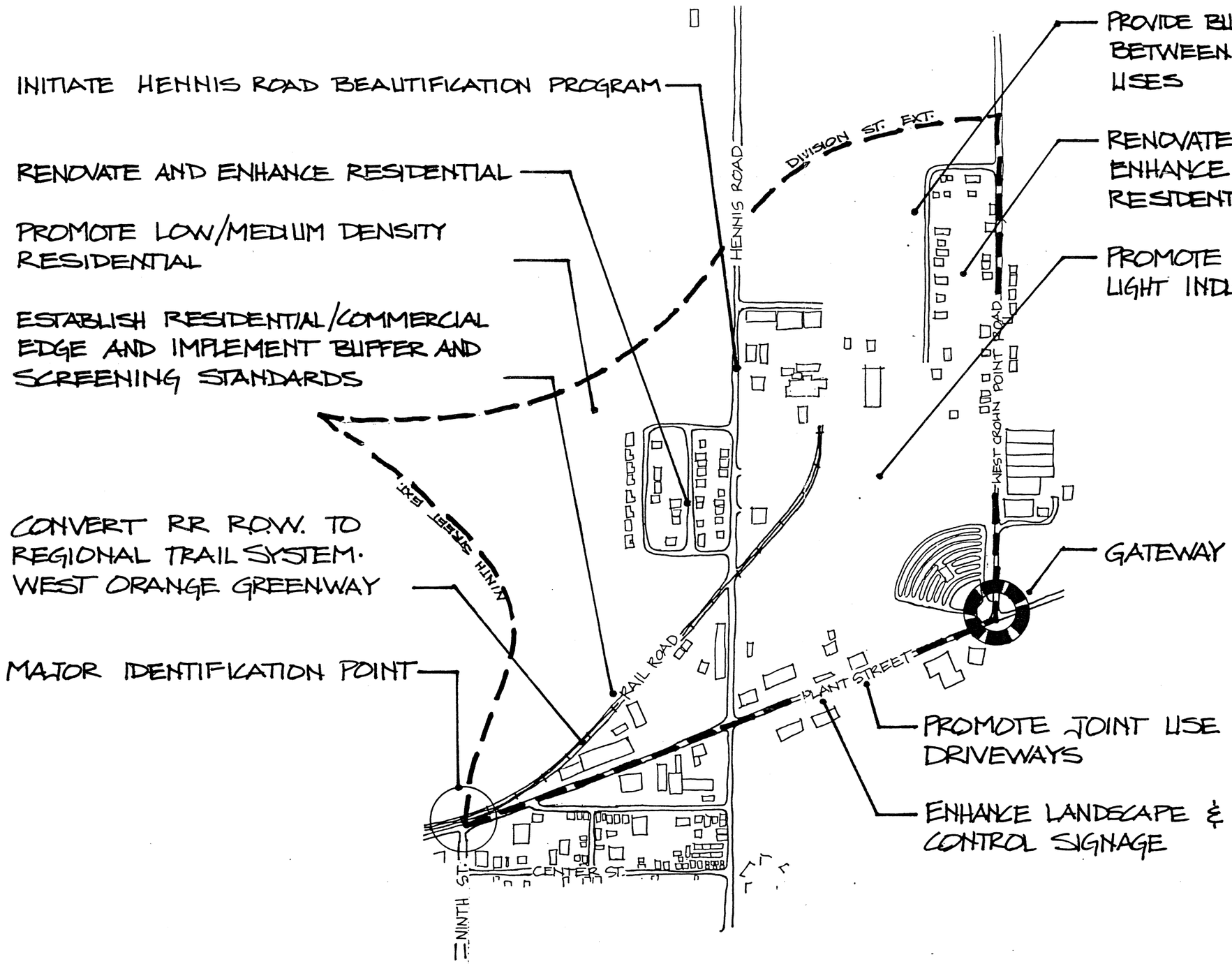


FIGURE 8.4

HENNIS ROAD MIXED USE

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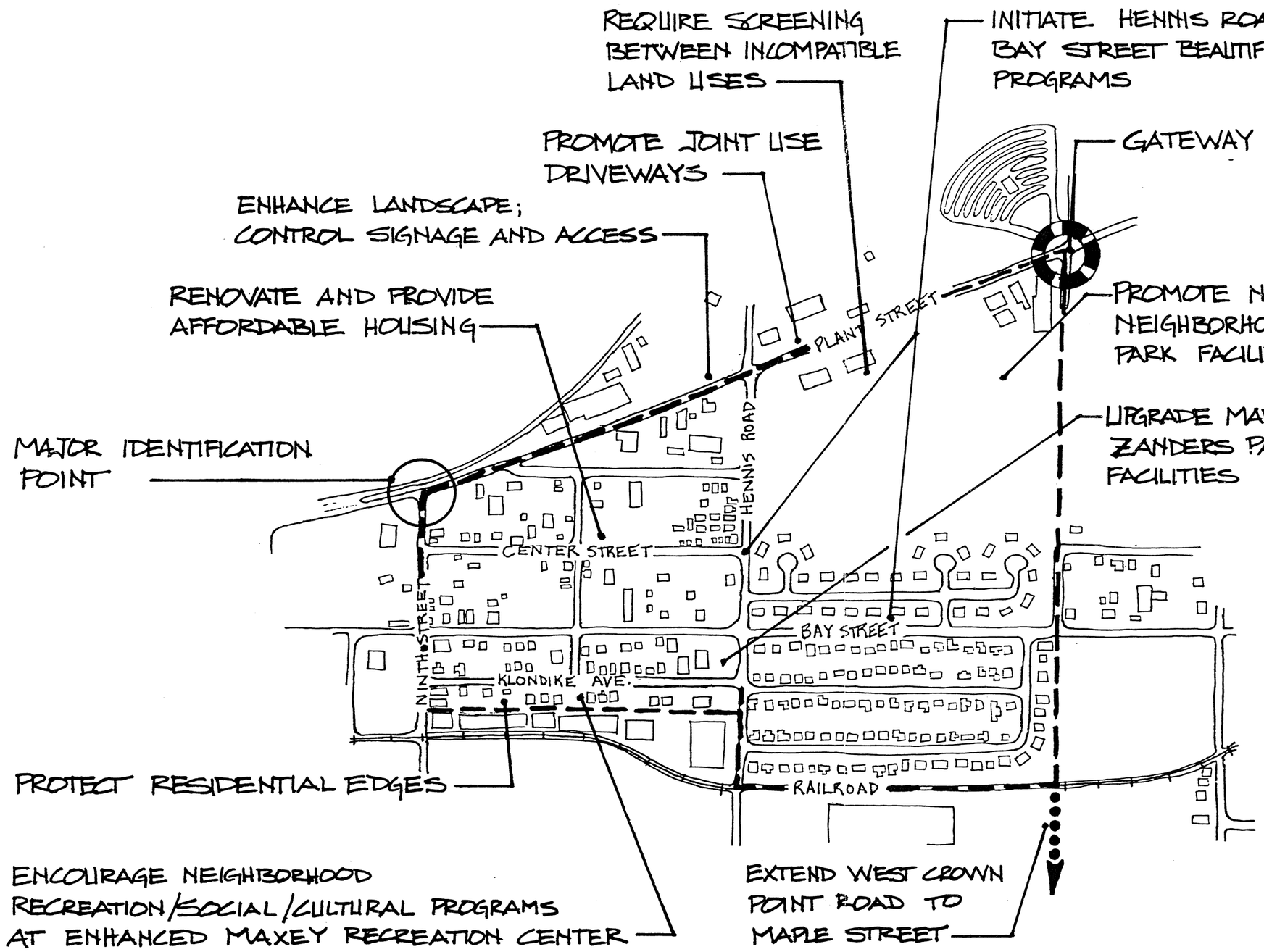
winter garden

Community Redevelopment Study



NOTES:

- ENCOURAGE OPEN SPACE ENHANCEMENT
- PROVIDE PROGRAMS TO MATCH HOUSING NEEDS AND POTENTIAL DEVELOPERS
- ENCOURAGE NEIGHBORHOOD ASSOCIATIONS TO INCREASE COMMUNITY PRIDE AND INVOLVEMENT
- PROMOTE SAFE NEIGHBORHOOD AND CRIME PREVENTION PROGRAMS
- ENCOURAGE LOCAL BIKE/PEDESTRIAN SYSTEM
- NON-RESIDENTIAL USES TO BE CONFINED TO PLANT STREET
- CONDUCT MASTER HISTORIC INVENTORY

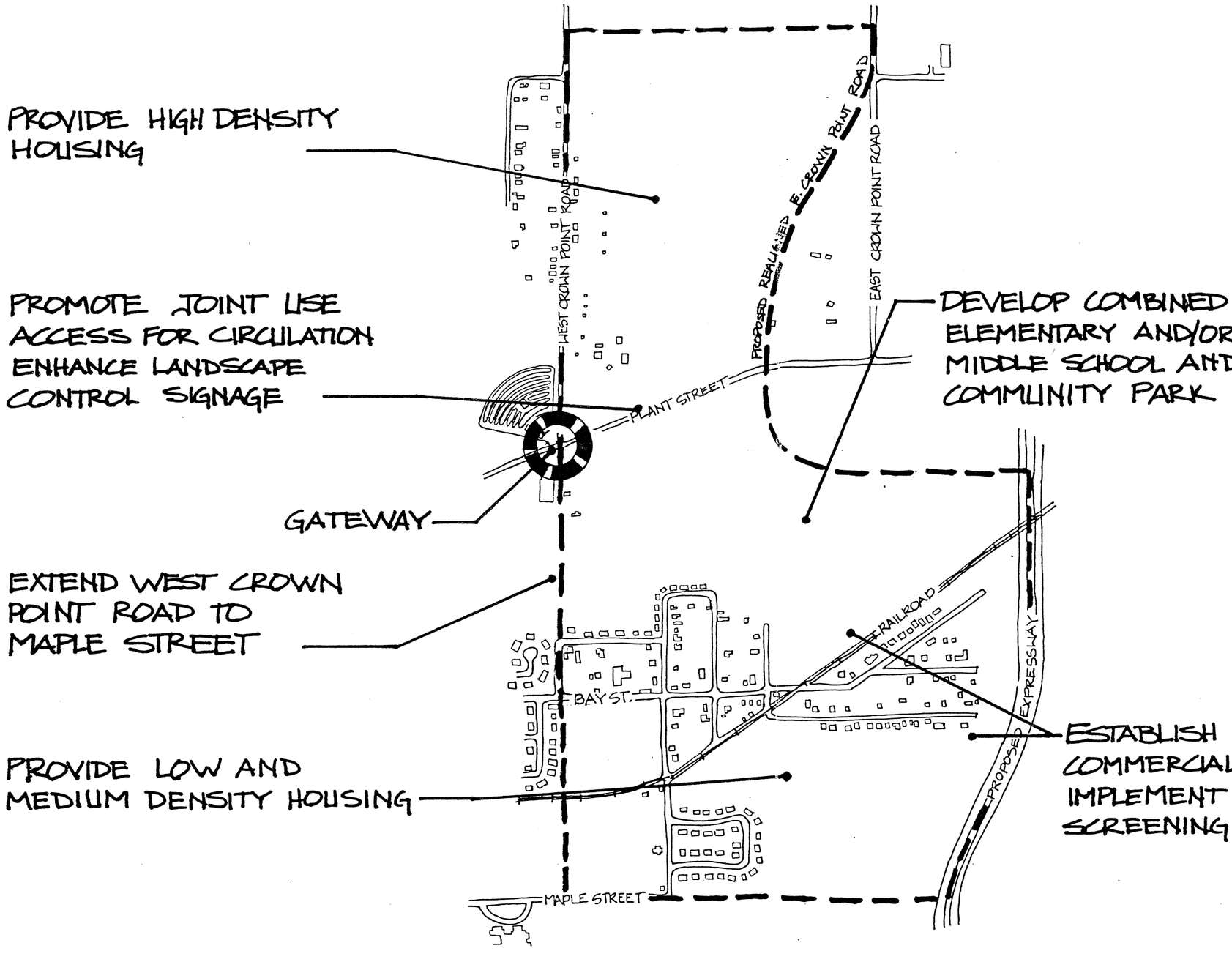
FIGURE 8.5

E BAY ST RESIDENTIAL

HERBERT HALBACK INCORPORATED

winter garden

Community Redevelopment Study



NOTES:

- PROMOTE SAFE NEIGHBORHOOD AND CRIME PREVENTION PROGRAMS
- ENCOURAGE LOCAL BIKE/ PEDESTRIAN SYSTEM
- ESTABLISH BELTWAY SIGNAGE GUIDELINES (NO BILLBOARDS)
- NON-RESIDENTIAL USES CONFINED TO PLANT STREET

FIGURE 8.6

MED/HIGH DENSITY RES

HERBERT HALBACK INCORPORATED

winter garden

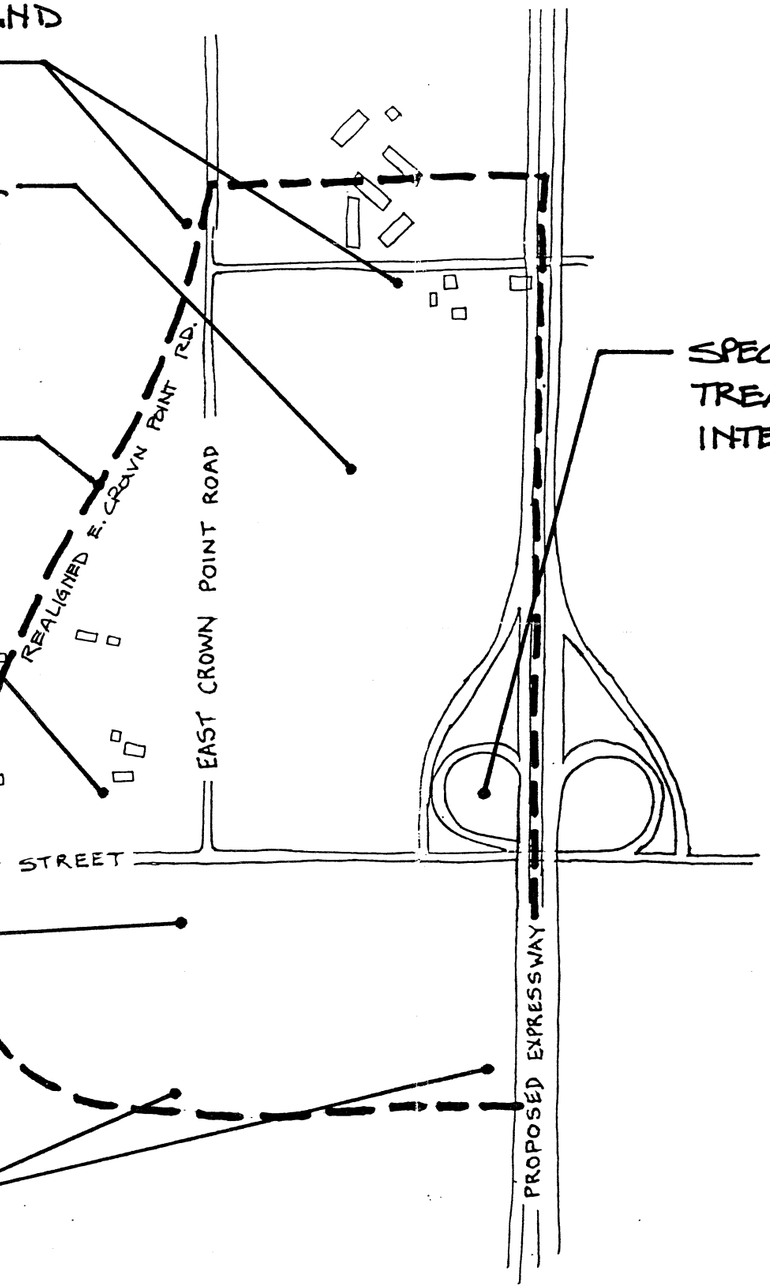
Community Redevelopment Study

ESTABLISH RESIDENTIAL/COMMERCIAL EDGE AND IMPLEMENT BUFFER AND SCREENING STANDARDS

INTENSIVE COMMERCIAL CENTER

REALIGN AND EXTEND EAST CROWN POINT ROAD TO PROVIDE EXPRESSWAY COLLECTOR/DISTRIBUTOR SYSTEM

PROTECT INTEGRITY OF HISTORIC BRITT MANSION SITE



SPECIALIZED TREATMENT AT INTERCHANGE

INTENSIVE RETAIL CENTER

ESTABLISH RESIDENTIAL/ COMMERCIAL EDGE AND IMPLEMENT BUFFER AND SCREENING STANDARDS

NOTES:

- ESTABLISH COMPREHENSIVE STREETSCAPE AND DESIGN GUIDELINES
- JOINT MARKETING PROGRAM BETWEEN MAIN STREET TRADITIONAL AND EXPRESSWAY COMMERIAL DISTRICTS
- OPEN DISCUSSIONS WITH CITY OF OCOEE CREATING INTERCHANGE LANDSCAPE AND SIGNAGE STANDARDS
- ESTABLISH PUBLIC TRANSIT SYSTEM BETWEEN COMMERCIAL CORES
- ESTABLISH BELTWAY SIGNAGE GUIDELINES (NO BILLBOARDS)
- ESTABLISH COMPREHENSIVE STORMWATER MANAGEMENT GUIDELINES

FIGURE 8.7

BELTWAY COMMERCIAL

HERBERT HALBACK INCORPORATED

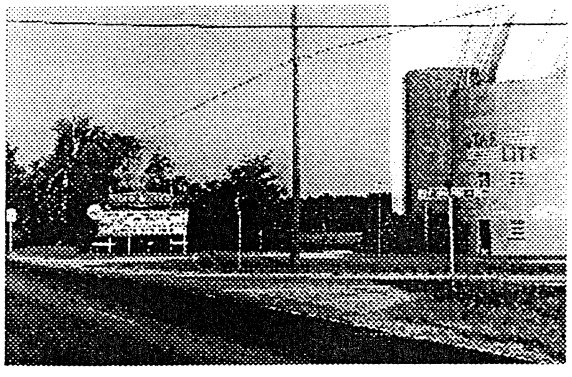
winter garden

Community Redevelopment Study

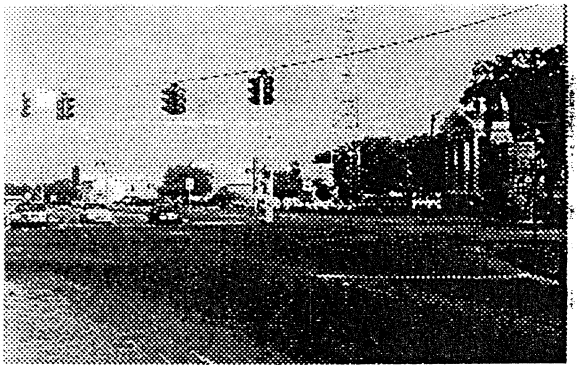
8.2 PLANT STREET URBAN DESIGN DISTRICT

The Development Framework identifies Plant Street as a major gateway to the City of Winter Garden and the primary linkage between the Main Street Traditional commercial District and the future Beltway Interchange commercial district. Following the completion of the northwest section of the Beltway, it will be the source of "first impressions" for visitors to the City. The image and function of this corridor is central to this Community Redevelopment Plan, and special urban design guidelines are necessary to accomplish the desired land use, aesthetic and traffic objectives for this corridor.

These special urban design guidelines will be implemented through the creation of an Urban Design District. This District shall be established as part of the City's Land Development Regulations and include land use, urban design, gateway and intersection treatments, signage, landscape, facade and parking standards and guidelines.



Three (3) major intersections are seen as primary focal points within the Urban Design District and should receive distinctive attention. The area in proximity to the Plant Street and West Crown Point Road should serve as a gateway to Winter Garden. This would serve as an announcement of arrival to travellers entering the City from Plant Street or the Northwest Beltway. Gateway intersections should receive dramatic landscaping, signage, streetscape and paving treatments.



The remaining two (2) intersections along Plant Street, at Ninth and Dillard Streets, should serve as major identification points (MIPs). The MIPs will serve as visually identifying and orienting landmarks for travellers within the Community Redevelopment Area. Distinctive treatment of the landscape, signage and streetscape should also occur at MIPs, but not to the same degree as the gateways.

The District will include the area described in Figure 8.2.1, generally described as all frontage parcels between Dillard Street and the intersection of the proposed realigned East Crown Point Road and Plant Street. Plan objectives for implementation of guidelines are listed below.

Land Use:

• Encourage a mixture of office, residential and recreational uses within the corridor. Local serving retail and personal service land uses will be restricted to the Ninth Street and West Crown Point Road intersections with Plant Street.

• Establish buffer and screening standards to protect established residential neighborhoods from commercial encroachment and to mitigate the visual, noise and other impacts from commercial and industrial activities. This would include restrictions on hours of operation for commercial uses abutting residential uses.

• Establish a community crime prevention program for the Urban Design District.

• Provide development incentives for existing small businesses to improve the visual appearance of sites as well as conform to development requirements of the Urban Design District.

• Implement a comprehensive series of stormwater management design guidelines.

Urban Design:

• Establish a maximum building setback standard that functions to maintain a continuous "facade" of buildings along Plant Street. Off-street parking should be located to the side and rear of buildings and the principle entrance to each structure should be oriented to Plant Street.

• Future improvements to Plant Street should be based on the typical cross-section illustrated below. This cross-section includes two(2) four foot bicycle lanes, four vehicle travel lanes, curb and gutter, a center landscaped median and turn lane of sixteen (16) feet, and a twenty-two (22) foot parkway with sidewalks on each side. In addition, live oaks should be planted in both parkways to create a "canopy" street.

• Create a visual environment that is intended to have a variety of texture and forms to complement the area and further enhance the Plant Street Corridor as a distinctive place in the community.

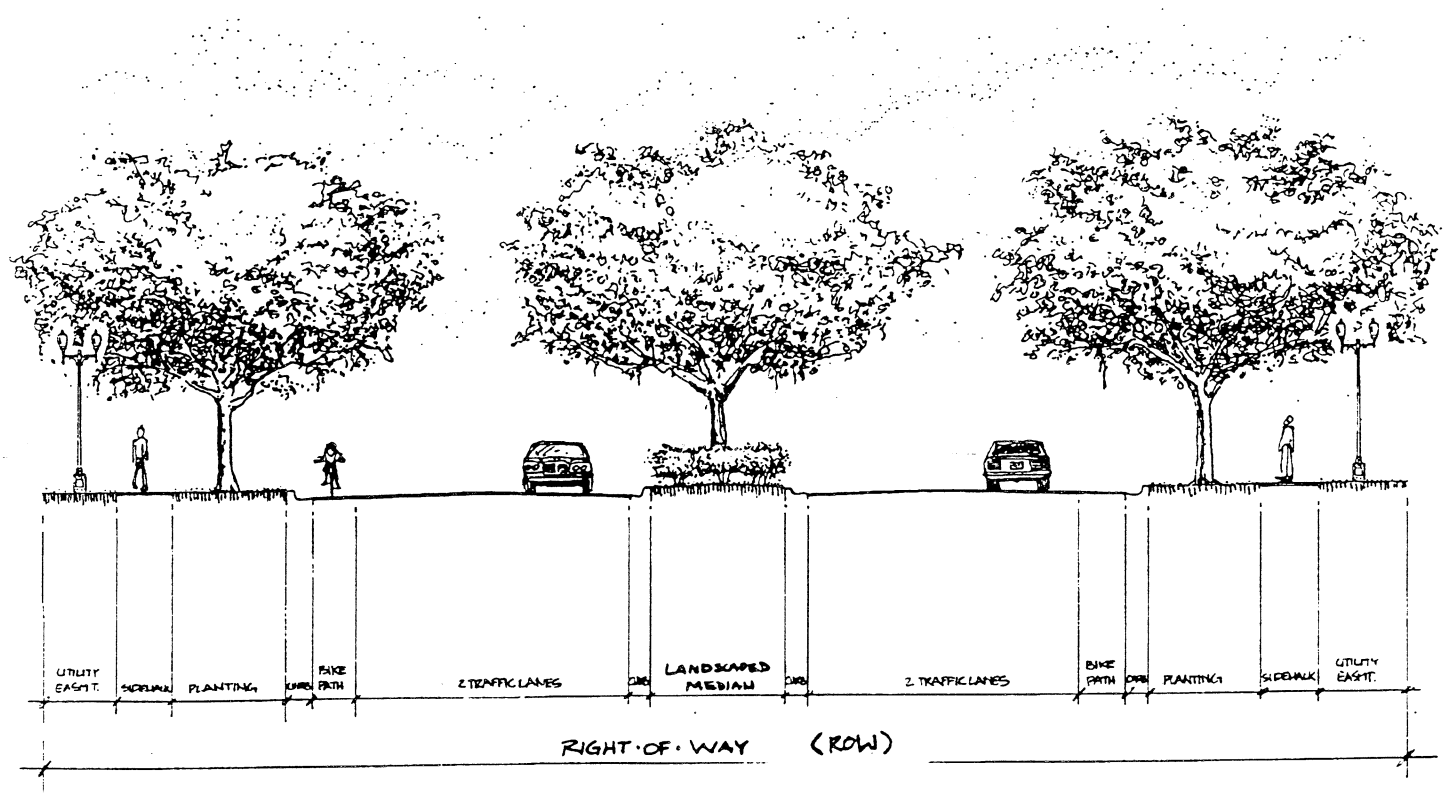
• Implement a themed signage program to identify and direct people to major gateways, landmarks, shopping areas, neighborhoods and cultural and recreational facilities.

• Develop intersection treatments (lighting, signage, landscaping, signalization) to create gateways and major identification points.

• Incorporate in the streetscape design opportunities for public transit facilities to accommodate localized public systems between the Main Street and Expressway Commercial Districts.

• Limit building heights to maintain integrity and scale of the small town image.

PLANT STREET CORRIDOR FIGURE 8.8



8.3 DEVELOPMENT PLAN

The Development Plan identifies and prioritizes the improvements and programs necessary to effectuate redevelopment within the Winter Garden Community Redevelopment Area and Reserve Area. The projects are prioritized according to physical, visual, economic and community impact; ease of implementation and initial and long term costs. The establishment of relationships between public and private interests is critical to the successful implementation of the Plan. The goal of the Plan is to provide a working document to guide redevelopment activity within the area; creating a economically sound environment, as well as, a safe and pleasant place to live, work and visit.

8.3.1 PROPOSED PROJECTS

Preceding sections of the Plan, Development Framework, Design Districts and Plant Street Urban Design District, established the overall direction for redevelopment within the project area. Physical improvements and programs were identified for each of the design districts as well as those that were Area wide in nature. These improvements and programs are reflected in Figure 8.9 Winter Garden Community Redevelopment Plan. Both public and private participation will be required for the implementation of the projects.

During the first years of operation the CRA will receive limited funding through tax increment financing. Since physical or capital projects typically have a high initial cost, during the next five years, the Winter Garden Community Redevelopment Agency should concentrate on the administration, program development, coordination and planning efforts within the Area and Reserve Area.

To properly carryout the administrative and coordination function of the Agency, it is recommended that a Community Redevelopment Director be hired by the Agency in cooperation with the City. Since the Main Street Winter Garden District is located within the Community Redevelopment Area, it is possible that the duties and responsibilities of the Director of the CRA and the Program Manager of Main Street could be performed by one position. Therefore, administration costs could also be shared. Based on this assumption, an annual operational budget of $60,000.00 should be established, with $30,000.00 allocated from the Main Street Organization and $30,000.00 from the CRA.

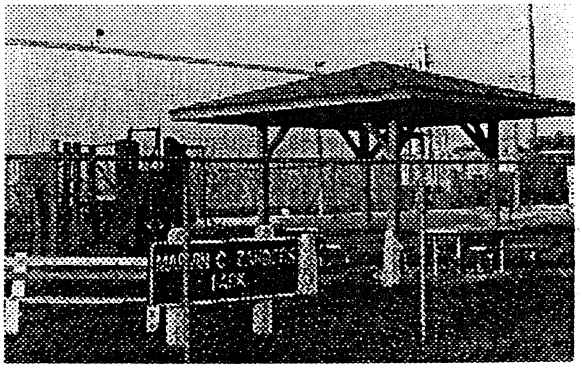


FIGURE 8.9 Winter Garden Community Redevelopment Plan - Proposed Projects

	Improvements	Programs	Why	Where	Who
1. Main Street Traditional	• Edgewater Hotel - adaptive reuse • RR corridor abandonment/enhancement • Gateway • Parking enhancement • Public transit system to Beltway District • Civic/cultural area • Maintain Post Office	• Financial assistance programs • Joint marketing programs with districts • Historic District • Signage/streetscape/facade program • National Register • Leasing program, non-ground floor space	• Increase commercial tax base - retail spaces • Buildings in dilapidated, hazardous conditions • Unfair market value for land • Public transit - different cores serve different needs - access for all residents • Civic area - meeting place/gateway feature	• Gateway - Plant St. & Park Ave. • Parking - walking distance to core • Civic area - Plant & Dillard streets • Public transit - along Plant St. to Beltway • Throughout district as noted	• CRA • Mainstreet Winter Garden • City of Winter Garden • Private • Rail Road • Orange County
2. In Town Residential	• West Orange Greenway/trailhead • PUD - parcel assembly/residential • Regional Postal facility • Recreation facilities • Verna & Tilden streets extended to 9th • Hospital reuse/demolition • Extend 6th St. to Division	• Recreation programs • Buffering/screening programs • Streetscape	• Increased recreational services • Trailhead - regional capabilities - tie into neighborhood facility • PUD - increase residential tax base • Street extension aids circulation • Postal - increase service • Hospital demolition creates parking potential/increase residential	• Trailhead - Plant St. • PUD - east of 9th St. corridor - south of Division St. - adjacent to existing residential • Recreation facility within residential neighborhood • Postal - Plant & 9th St. - good truck circulation • Throughout district as noted	• CRA • Orange County • U.S. Postal Service • City of Winter Garden • Private • West Orange Hospital
3. Industrial	• Improve transportation system • Stormwater pre-treatment/improvement • Realign RR spur to connect with T&G RR spur	• Environmental awareness program • Assistance to promote light industrial complex • Screening/buffering programs • Signage programs	• Increases industry infill • Ease of truck access to industries • Pollution run-off & erosion control • Remove RR from downtown	• Transportation - 9th, Bay, Smith streets • New RR spur along 9th Street corridor • Stormwater throughout	• CRA • City of Winter Garden • Rail Road
4. Hennis Rd. Mixed Use	• Affordable housing PUD • West Orange Greenway • Light industrial complex	• Loans for residential enhancement • Assistance to promote light industrial complex • Screening/buffering programs • Joint-use drives • Landscape/signage guidelines	• PUD - purchase for ease of development • Provides affordable housing • Improves visual image • Increases employment base	• Residential - west of Hennis Rd. • Industrial - east of Hennis Rd. • Greenway - RR right of way	• CRA • City of Winter Garden • Orange County/CDBG • Private
5. Bay St. Residential	• Affordable housing PUD • New neighborhood park facility • Enhance Marvin Zanders Park & Maxey Recreation Center	• Low cost home improvement loans • Recreational/neighborhood education programs • Historic survey/register • Neighborhood beautification programs	• Increase retail services • Increased recreational opportunities • Residential enhancement • Increase affordable housing opportunities	• Commercial along Plant St. serving local residents • Maxey/Zanders - enhance existing facilities • Park - northeast section of district • Throughout district as noted	• CRA • City of Winter Garden • Orange County/CDBG
6. Med./High Density Residential	• New Elementary and/or Middle school • Regional community park • Residential PUD - medium/high density	• Joint-use drives • Beltway signage requirements • Landscape/buffering requirements • Neighborhood beautification programs	• New schools - accommodate anticipated growth - meet County standards for student ratios • PUD - increase residential - purchases for ease of development • Park - needed to serve regional base	• High density PUD - north of Plant St. • School(s)/park - south of Plant St. • Low/medium density PUD - south of Plant St.	• CRA • City of Winter Garden • Orange County School Board • Orange County
7. Beltway Commercial Core	• Collector/distributor system/ E. Crown Point Rd. re-alignment • Intensive retail/office center	• Historic preservation - Britt Mansion • Screening/buffering requirements • Joint marketing program for Beltway & Main St. cores • Extensive streetscape guidelines • Landscape/signage guidelines for interchange	• C/D system - accommodate anticipated growth - access to more marketable lands • Commercial core focuses on interchange • Provides regional retail/commercial services	• C/D system - realign E. Crown Point Rd. further west along Plant St. • Commercial core - along Plant St. to Beltway • Extensive buffers along Beltway corridor adjacent to residential areas • Historic - element could dictate design standards for area	• CRA • City of Winter Garden • Main Street Winter Garden • Orlando/Orange County Expressway Authority
8. Plant St. Urban Design	• Streetscape/ROW improvements • Gateway • MIP's • Street canopy enhancement • Stormwater management system • Intersection treatments • Public transit system	• Signage/facades programs • Landscape requirements • Mixed use zoning • Screening/buffering requirements along edge of districts • Building setback & height standards	• Accomplish the desired land use - aesthetic & traffic objectives for the corridor • Gateway entry announcement • Buffer - mitigate visual, noise & impacts from incompatible land use • Setback/height standards - maintain small town feel - adjacency of buildings to street - buildings address streets • Canopy offers visual integrity & small town feel • Public transit offers access to different cores	• Beltway core to Dillard St. • MIP's: - 9th & Plant streets - Dillard & Plant streets • Gateway - W. Crown Point Rd.	• CRA • City of Winter Garden • Main Street Winter Garden • FDOT • Orange County • Orlando/Orange County Expressway Authority
9. Area-wide	• Road extensions - Division St. - W. Crown Point Rd. - 9th St. • Sanitary sewer/water upgrade & improvements • Local bike/pedestrian system • Stormwater/drainage improvements • West Orange Greenway	• Streetscape guidelines • Buffering/screening guidelines • Safe Neighborhood/crime prevention programs • Stormwater management • Community redevelopment information bureau • Grant/alternative funding	• Provide adequate infrastructure to promote redevelopment • Enhance visual image • Increase health, safety, welfare of area	• Throughout Community Redevelopment Area/Reserve Areas as designated by plan	• CRA • City of Winter Garden • Orange County • FDOT

Commission
4,000,000
Reserve Area
* UNDEVELOPED AREAS

A two-phase work program has been developed; projects have been prioritized and related costs identified. Phase I is a five year program that covers the fiscal years of 1992-1993 thru 1996-1997; Phase II addresses the activity from 1997 thru 2022 (duration of the Community Redevelopment Plan). The work program presented in table 8.1, provides a fiscal year review of Phase I and Phase II programs, improvements and related costs.

Table 8.1
Winter Garden Community Redevelopment Plan Work Program

Phase I
1992-1997

Fiscal Year 1992-1993

Program Development	Associated Cost
Grant/Alternative Funding Program	$1,500.00
Leasing/Market Program	5,000.00
Design/Facade Guidelines	15,000.00
Community Redevelopment Information Bureau	1,000.00
Subtotal	$22,500.00

Improvements	Associated Cost
Plant Street Improvements - Coordination & Preliminary Planning w/FDOT	NA*
West Orange Hospital - Development Plan Coordination	NA*
U.S. Postal Distribution Center - Site Selection Coordination	NA*
West Orange Greenway - Coordination w/Orange County	NA*
Abandonment/Relocation of Railroad - Coordination	NA*
TOTAL 1992-1993	**$22,500.00**

* Coordination and preliminary planning will be performed at an administrative level.

Fiscal Year 1993-1994

Program Development	Associated Cost
District 1 & 5 Historic Structure Survey	$15,000.00
Edgewater Hotel - Coordination w/Main Street	NA*
Maxey Recreation Center - Coordination w/Community	NA*
Financial Assistance Programs - Development w/Main Street	NA*
Safe Neighborhood Program - Preliminary Planning	1,000.00
Subtotal	$16,000.00

Improvements	Associated Cost
Plant Street Improvements - Coordination & Preliminary Planning w/FDOT	NA*
West Orange Greenway - Coordination w/Orange County	NA*
District 2 PUD Master Plan & RFP Package	$30,000.00
Park Improvements - Marvin Zanders Park	30,000.00
Gateway Design - District 1	8,000.00
9th Street Extension - Design	120,000.00
Subtotal	$188,000.00
TOTAL 1993-1994	**$204,000.00**

* Coordination and preliminary planning will be performed at an administrative level.

Fiscal Year 1994-1995

Program Development	**Associated Cost**
Development of an Affordable Housing Preliminary Plan	$10,000.00
Environmental Awareness Program Development - District 3	NA*
Neighborhood Beautification Program Development	3,000.00
Creation of Historic District(s)	NA*
Safe Neighborhood Program - Plan Development	10,000.00
Subtotal	$23,000.00

Improvements	**Associated Cost**
Plant Street Improvements - Coordination & Preliminary Planning w/FDOT	NA*
District 2 PUD - Development	NA**
Gateway Construction - District 1	65,000.00
9th Street Extension - Construction	1,500,000.00
Subtotal	$1,565,000.00
TOTAL 1994-1995	**$1,588,000.00**

* Coordination and preliminary planning will be performed at an administrative level.
** Related costs to be incurred by Developer.

Fiscal Year 1995-1996

Program Development	**Associated Cost**
Light Industrial Marketing Program	NA*
Public Transit System - Coordination	NA*
Shared Parking Facilities Program	NA*
Affordable Housing PUD Master Plan - District 5	20,000.00
Subtotal	$20,000.00

Improvements	**Associated Cost**
Plant Street Improvements - Coordination & Preliminary Planning w/FDOT	NA*
Park Planning - District 5	50,000.00
Sewer & Water Improvement Plan	15,000.00
Division Street Extension - Design	250,000.00
Local Bicycle/Pedestrian Plan	17,500.00
Public Facilities Streetscape/ Landscape Improvement Plan	18,500.00
Subtotal	$351,000.00
TOTAL 1995-1996	**$371,000.00**

* Coordination and preliminary planning will be performed at an administrative level.

Fiscal Year 1996-1997

Program Development	**Associated Cost**
Public Transit System - Coordination	NA*
Affordable Housing PUD Master Plan RFP	NA*
Stormwater Management Program	23,000.00
Plant Street Joint Driveway Program	NA*
Streetscape Guidelines - Area Wide	28,000.00
Subtotal	$51,000.00

Improvements	**Associated Cost**
Plant Street Improvements - Coordination & Preliminary Design w/FDOT	$50,000.00
Park Construction - District 5	43,000.00
Sewer & Water Improvements - District 1 Phase I	150,000.00
Division Street Extension - Phase I Construction	1,500,000.00
Local Bicycle/Pedestrian Improvements Phase I	25,000.00
Landscape Improvements Phase I	28,000.00
Subtotal	$1,796,000.00
TOTAL 1996-1997	**$1,847,000.00**

* Coordination and preliminary planning will be performed at an administrative level.

Phase I Summary

Fiscal Year 1992-1993	$22,500.00
Fiscal Year 1993-1994	204,000.00
Fiscal Year 1994-1995	1,588,000.00
Fiscal Year 1995-1996	371,000.00
Fiscal Year 1996-1997	1,847,000.00
TOTAL	**$4,032,500.00**

Phase II
Fiscal Years 1997-2022

The following is a priority listing of projects for the fiscal period of 1997-2022

Plant Street Improvements
- Final Design
- Right-of-Way Acquisition
- Construction
- Gateway Construction (West Crown Point Road)
- MIP's Construction (9th and Dillard)
- Intersection Treatments

Civic/Cultural Area - District 1/Plant Street
Division Street Extension Phase II Construction
Stormwater Improvements/Pretreatment Programs - District 3
Sanitary Sewer/Water Upgrades Phase II
Landscape Improvements Phase II
Bicycle/Pedestrian System Phase II
Signage Program
East Crown Point Road Realignment
West Crown Point Road Extension
Maple Street Extension
Affordable Housing PUD - District 4
Residential PUD - District 6
School/Park - District 6

Estimated Public Expenditures$22,000,000.00
(Excludes FDOT related costs for Plant Street, costs for School/park and, housing costs)

8.3.2 FUNDING SOURCES

It is evident that the work program can not be implemented through tax increment funds alone. As shown in Table 6.2, collectable increment during the period 1992-1997 may be as low as $65,643.33. However, the Community Redevelopment Agency has the ability to seek and coordinate alternate forms of funding to insure that the Plan can be fulfilled in a logical and timely manner.

Main Street Winter Garden

The CRA should maintain the alliance with the Main Street organization. This Organization has the ability to assist the CRA especially within the Main Street District. Resources available thru the Main Street program will greatly assist in the development of the design, promotions and economic restructuring components of the Plan.

City of Winter Garden

The CRA should work closely with the City of Winter Garden in the Development of Area Capital Improvement Programs, especially relating to sanitary sewer, water and stormwater improvements. The CRA should develop programs for the use of impact fees towards Area improvements. The CRA and City should investigate the possibility in creating a Municipal Services Taxing Unit (MSTU) for the Plant Street Corridor and adjacent areas to provide a funding source for the needed improvements.

Other Government Agencies

The CRA should establish relationships with Orange County, Florida Department of Transportation, St Johns River Water Management District , Orlando/Orange County Expressway Authority, Orange County School Board, Tri-County Transit and the City of Ocoee to coordinate with and seek assistance from regarding Area projects.

Grants/Alternative Funding Programs

The CRA should actively pursue grants,gifts, and alternative funding sources to assist in Area improvements and Programs. Potential grant sources and assistance programs include; Florida Rails to Trails, Historic Preservation grants, Historic Survey Grants, DCA Advertising Assistance Program, Florida Bureau of Business Assistance,Economic Development Transportation Funds, Florida First Capital Finance Corporation, Community Contribution Tax Incentive Program, Community Development Corporation Support and Assistance Program, Community Services Block Grants, Housing Redevelopment Trust Fund, Florida Recreation Development Assistance Program, Land and Water Conservation fund, Highway Beatification Programs, Adopt-A-Highway, Adopt-A-Streetscape and Adopt-A-Park programs. Fund raising activites, foundations and community involvement projects provide additional avenues to project implementation.

8.4 IMPLEMENTATION PROGRAM

8.4.1 PLAN ADOPTION

By initiating the study to document slum and blighted conditions, the City of Winter Garden, through the Community Redevelopment Committee, took the first steps towards redevelopment of its downtown core and adjacent residential and business areas within the City, as well as to encourage the proper development of land located within the adjacent annexation reserve area.

With the delegation of redevelopment powers from Orange County, along with the adoption of the Finding of Necessity, and creation of a Community Agency, the City of Winter Garden and Orange County verify the need of and commitment to redevelopment for the Community Redevelopment Area and Reserve Area as described in this plan.

Prior to adoption, the Plan must be reviewed by the City's local planning authority and the Winter Garden Planning and Zoning Board to ensure that the Plan is consistent with the City's growth management policies.

Once comments have been received and the Plan is found consistent with the City's Growth Management Plan, and meets all provisions set forth in Florida Statute 163.360, the City Commission will hold a public hearing on the proposed Plan. The City must advertise the public hearing in a newspaper having general circulation in the Winter Garden Area. The notice shall provide the date, time, place, and purpose of the public hearing, as well as identify generally the Community Redevelopment Area covered by the Plan and the general scope of the Plan under consideration.

Concurrently, Orange County must adopt a resolution concurring with the Plan and thereby agreeing to allow the Winter Garden Community Redevelopment Agency to carry out redevelopment activities as outlined in the Plan.

8.4.2 THE REDEVELOPMENT TRUST FUND

At the same time that the Plan is adopted, the City of Winter Garden must, through ordinance adoption, establish the Redevelopment Trust Fund. This fund will receive all tax increment monies generated by the redevelopment area, as well as any grants, gifts or profit from redevelopment activities. This fund shall remain in place until all indebtedness resulting from the redevelopment activities has been remunerated.

As required by Orange County, the Redevelopment Trust Fund shall contain separate accounts segregating County deposits from all other deposits.

8.4.3 COMMUNITY REDEVELOPMENT POWERS

Chapter 163, Part III, Florida Statues addresses and identifies the powers, responsibilities and duties of a Community Redevelopment Agency. Below is an outline of those powers.

Prior to Plan Approval

The powers of the CRA are limited prior to approval of the Community Redevelopment Plan. Prior to Plan approval the CRA can not perform the following activities. These powers are vested with the Winter Garden City Commission.

Designate Areas For Redevelopment
Hold Public Hearings
Grant Final Approval of the Community Redevelopment Plan
Authorize the Issuance of Revenue Bonds
Approve the Acquisition, Demolition, Removal or Disposal of Property

City Commission - Retention of Powers, Duties & Responsibilities

The following is a summary of the redevelopment powers, duties and responsibilities to be retained by the Winter Garden City Commission; and exercised upon recommendation of the Winter Garden Community Redevelopment Agency.

Make Building Regulation Exceptions
Zone or Rezone Within the Area
To Close, Vacate, Plan or Replan Streets, Roads, Sidewalks, Ways or Other Places as Specified By the Plan.
Power of Eminent Domain
Construction of Foundations/Platforms for Affordable Housing Air Rights Sites
Borrow Money or Authorization to Borrow
Enforcement or Policing Powers

Winter Garden CRA Powers, Duties & Responsibilities

The following is a summary of the powers, duties, and responsibilities which are to be delegated to the Winter Garden Community Redevelopment Agency, upon the adoption of the Community Redevelopment Plan, by the Winter Garden City Commission. The exercise of all powers, duties and responsibilities delegated must be in accordance with the said plan.

Make and Execute Contracts for Redevelopment Purposes
Distribute Community Redevelopment Information
To Undertake Construction, Improvements or Reconstruction Projects
Implement Voluntary or Compulsory Repair/Rehabilitation Programs
Make Inspections, Appraisals, Surveys, Soundings and Test Borings
Acquire by Purchase, Lease, Option, Gift, Grant, Bequest, Devise any Real Property including:

Slum/Blight Areas or Portions Thereof
Property For the Purposes of Rehabilitation/Redevelopment Projects
Property that is Unhealthful, Unsanitary or Unsafe
Air Rights for Affordable Housing Projects
Demolish and/or Remove Buildings and Improvements
Disposition of Property Acquired in the Area at a Fair Market Value
Insure or Provide for Insurance of Real Property Held By the Agency
Mortgage, Pledge, Hypothecate, or Otherwise Encumber any Real Property Held by the Agency
Invest Community Redevelopment Agency Funds Not Required For Immediate Distribution
Apply for and Accept Advances, Grants, Loans, Contributions, and Other Forms of Financial Assistance
Make or Have Made All Plans and Surveys Necessary To Implement Redevelopment Projects and Programs Specified in the Plan
Issuance of Revenue Bonds, upon
Authorization by Resolution of the Governing Body
To Prepare Plans and Assist With Relocation of Persons Due to Redevelopment Activities
Enter Into Agreements With the Housing Authority
Direct the Operations and Administration of The Community Redevelopment Agency

8.4.4 RELOCATION PROCEDURES

If the relocation of residents or businesses is required as a result of the redevelopment activities, the Agency must accept responsibility for providing financial assistance to minimize hardship to those being displaced. The Agency shall generally follow those policies and procedures established by the Federal Department of Housing and Urban Development, which include:

1. Provide adequate notification to affected parties regarding acquisition, as well as benefits available to them.

2. Provide assistance as necessary to secure comparable accommodations that are decent, safe, sanitary and in the same general vicinity.

3. Provide comparable replacement facilities, available to all, regardless of their race, color, religion, sex or national origin.

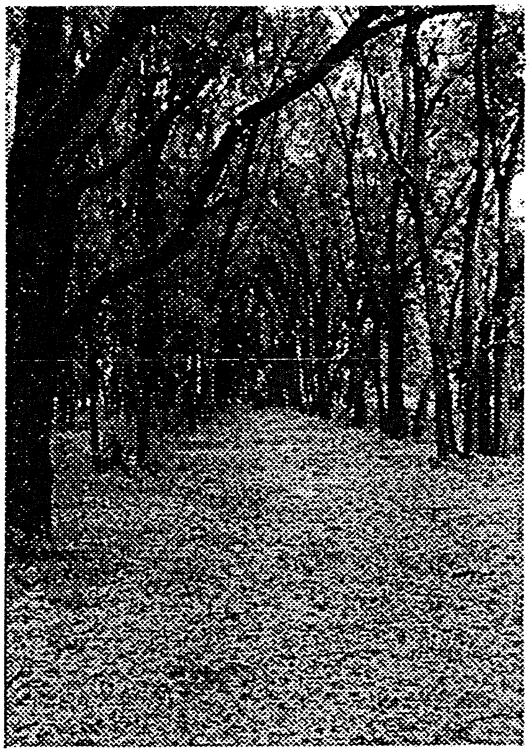
4. Provide fair and reasonable financial compensation to those displaced.

8.4.5 PROJECT CLOSEOUT

Following implementation of public or private responsibilities included in the Redevelopment Plan and the retirement of all bonds issued to pay for the public improvements, the Redevelopment Agency responsibility shall cease.

8.4.6 PLAN MODIFICATION

The Redevelopment Plan may be modified in a manner consistent with the applicable law and in accordance with the Community Redevelopment Act.



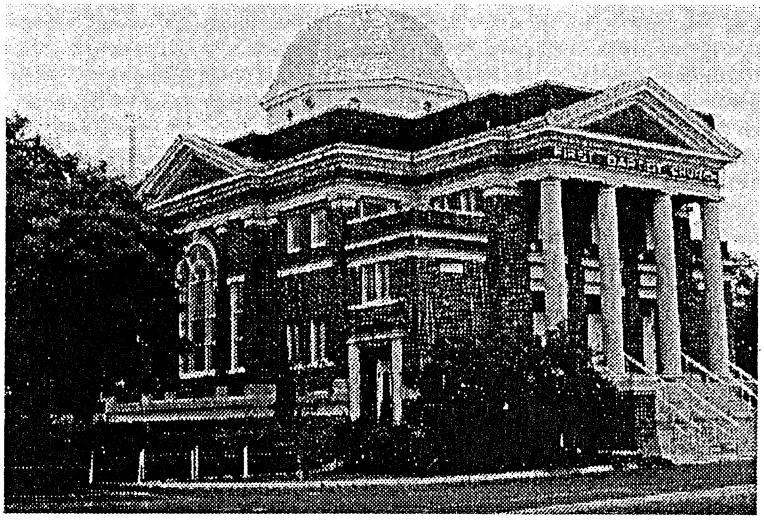
8.4.7 DURATION OF THE PLAN

The controls, restrictions, covenants, and conditions imposed by the Redevelopment Plan shall be effective for thirty (30) years from the date of the adoption of the plan, unless there is an express agreement between parties to the contrary.

8.4.8 SEVERABILITY

If any provision of the Redevelopment Plan is held to be involved, unconstitutional or otherwise legally infirm, such provisions shall not affect the remaining portions of the plan.

APPENDICES



APPENDIX B

DO YOU HAVE A VISION FOR WINTER GARDEN?
Community Leader Questionnaire

DATE: 3-24-92

COMMUNITY LEADER: Tommy Burnett

INTERVIEWED BY: Jerry Baker

1. What do you feel are some of the existing problems facing Downtown Winter Garden?

There is a traffic and parking problem which will always be a negative for downtown Winter Garden Shopping.

2. What are some of the opportunities for Downtown redevelopment ?

The proposed by pass could be our best opportunity to bring people downtown Winter Garden. The Edgewater Hotel is a pink elephant and it would be wonderful if someone could revitilize that building.

3. What types of funding sources do you think are reasonable for community redevelopment projects?

Property Taxes	x	Special District Assessments	X	Private Foundations	X
User Fees	X	State and Federal Grants	X	None	

4. Are you familiar with Florida's Community Redevelopment Act and the use of Redevelopment Districts? Yes X No X

5. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects? Yes X No

6. What effect do you feel that proposed Western Beltway will have on Winter Garden?

Growth and excitement

7. What effect do you feel that the proposed West Orange Greenway will have on Downtown?

Great Idea. With the influx of new people coming through town it will stimulate property owners to up grade their propety

8. What effect do you feel that the relocation of the West Orange Hospital will have on Winter Garden?

None. The people in control of that building must make sure that it is properly used as a medical facility. (Nursing Home- elderly care)

9. Should the City become more involved (financially or otherwise) in developing additional retail business within the City? Yes _____ No __x__

If yes what type:

10. What kinds of physical (public/private) improvements do you think will encourage additional downtown development?

The biggest obstacle is parking and the Edgewater Hotel.

11. What are some of the redevelopment opportunities for the Edgewater Hotel?

The Edgewater Hotel should be turned into a mini Church Street Station. All it takes is someone with deep pockets. I think a nice restaurant would go well

12. Would you support a program to remove the railroad from downtown? Yes __x__ No _____

13. What role can local churches play in area revitalization?

When I voted to change the liquor laws within the city that was my ticket for being voted out of the City Commission. I think a well controlled liquor law to the right types of businesses would be an asset.

14. Other Comments:

DO YOU HAVE A VISION FOR WINTER GARDEN?

Community Leader Questionnaire

DATE: March 24, 1992

COMMUNITY LEADER: Rev. Bill Faulkner

INTERVIEWED BY: Ray Spears

1. What do you feel are some of the existing problems facing Downtown Winter Garden?

Downtown needs a major upgrading of existing buildings. There are too many vacant run-down buildings. We need to do more to attract small businesses to the area.

2. What are some of the opportunities for Downtown redevelopment ?

Revitalization of the old Edgewater Hotel, a good family-type restaurant, specialty shops, etc.

3. What types of funding sources do you think are reasonable for community redevelopment projects?

Property Taxes	_____	Special District Assessments	_____	Private Foundations	_____
User Fees	_____	State and Federal Grants	__X__	None	_____

4. Are you familiar with Florida's Community Redevelopment Act and the use of Redevelopment Districts? Yes _____ No __X__

5. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects? Yes _____ No _____

6. What effect do you feel that proposed Western Beltway will have on Winter Garden?

I think the beltway is going to bring more people to Winter Garden and we need a city that reflects its name.

7. What effect do you feel that the proposed West Orange Greenway will have on Downtown?

I personally think there are better things we can do downtown. I would like to see the railroad tracks removed and the median area turned into a botanical garden-type area with small fountains, park benches, etc.

8. What effect do you feel that the relocation of the West Orange Hospital will have on Winter Garden?

I think it depends a great deal on what the existing facility in Winter Garden is going to be used for. I would hope that the new Medical Center would give us higher quality medical care.

9. Should the City become more involved (financially or otherwise) in developing additional retail business within the City? Yes __X__ No _____

If yes, what type?

Small businesses like men's and women's clothing, shore store, coffee and dessert shops, craft stores, etc.

10. What kinds of physical (public/private) improvements do you think will encourage additional down-town development?

We need to change the run-down, abandoned image of downtown. It needs to be brightened up.

11. What are some of the redevelopment opportunities for the Edgewater Hotel?

Restaurant, Bed & Breakfast, Shops

12. Would you support a program to remove the railroad from downtown? Yes __X__ No _____

13. What role can local churches play in area revitalization?

By bringing a community awareness to its membership.

14. Other Comments:

We need to do everything we can to capitalize on our name and to promote community pride. Let's decide what makes us unique and marketable and build on that.

DO YOU HAVE A VISION FOR WINTER GARDEN?

Community Leader Questionnaire

DATE: March 26, 1992

COMMUNITY LEADER: Vera Carter, Orange County Commissioner

INTERVIEWED BY: Larry Cappleman/GaryYoungblood

1. What do you feel are some of the existing problems facing Downtown Winter Garden?

Areas that are already blighted to help take in vacant lands to bring in re-development. Money that comes home, include industrial areas.

2. What are some of the opportunities for Downtown redevelopment ?

3. What types of funding sources do you think are reasonable for community redevelopment projects?

Property Taxes	_____	Special District Assessments	X	Private Foundations	_____
User Fees	_____	State and Federal Grants	_____	None	_____

4. Are you familiar with Florida's Community Redevelopment Act and the use of Redevelopment Districts? Yes X No _____

5. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects? Yes X No _____

6. What effect do you feel that proposed Western Beltway will have on Winter Garden?

Work with Ocoee and central area surrounding interchange. Interlocal greenway with Ocoee to limit Development along corridor.

7. What effect do you feel that the proposed West Orange Greenway will have on Downtown?

8. What effect do you feel that the relocation of the West Orange Hospital will have on Winter Garden?

Retirement center, a church group could run such a development.

9. Should the City become more involved (financially or otherwise) in developing additional retail business within the City? Yes __X__ No _____

If yes, what type?

Winter Garden has a major retail opportunity in core area to attract Commercial uses with major incentives

10. What kinds of physical (public/private) improvements do you think will encourage additional down-town development?

Would like Winter Garden to distribute improvements among blighted areas, transit opportunities, recreation opportunities, and work with City expansion.

11. What are some of the redevelopment opportunities for the Edgewater Hotel?

Converted with downstairs retail, upstairs office or retail. Add P/D zoning for mixed uses.

12. Would you support a program to remove the railroad from downtown? Yes _____ No _____

13. What role can local churches play in area revitalization?

In the revitalization of West Orange Hospital

14. Other Comments:

Maintain and control what will occur around expressway. Define Winter Garden's goals & objectives with time limit. Following April 21st workshop, would like notice by first of summer telling the Commission where the TIF money will be spent and have a redevelopment plan to present.

DO YOU HAVE A VISION FOR WINTER GARDEN?

Community Leader Questionnaire

DATE: March 27, 1992

COMMUNITY LEADER: Juanita Maxey

INTERVIEWED BY: Ann Ellis

1. What do you feel are some of the existing problems facing Downtown Winter Garden?

Parking

Few places to shop - variety needed.

Need eating place where people can go out to dinner.

Really feels lack of retail shopping area hurts downtown.

2. What are some of the opportunities for Downtown redevelopment ?

Do something with hotel

Open shoe store, fabric store, etc.

3. What types of funding sources do you think are reasonable for community redevelopment projects?

Property Taxes	____	Special District Assessments	____	Private Foundations	X
User Fees	____	State and Federal Grants	X	None	____

4. Are you familiar with Florida's Community Redevelopment Act and the use of Redevelopment Districts? Yes X No ____

5. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects? Yes X No ____

6. What effect do you feel that proposed Western Beltway will have on Winter Garden?

Unsure, could be a good opportunity to bring people into town to shop.

7. What effect do you feel that the proposed West Orange Greenway will have on Downtown?

Again, not really sure. It may be a good recreation opportunity, or it may bring undesirables into town.

8. What effect do you feel that the relocation of the West Orange Hospital will have on Winter Garden?

Hate to see it move but it's done, so we have to make the best of it. Hopes the old hospital will be tuned into a continuing care facility similar to Westminster Towers. At 85 years of age, she has been a pink lady for years and still is, so she is very interested in the hospital.

9. Should the City become more involved (financially or otherwise) in developing additional retail business within the City? Yes __X__ No _____

If yes, what type?

Restaurants and retail shops - City should relax some of their rules to make development possible and realistic. They should help rather than hinder efforts of people who are willing to try.

10. What kinds of physical (public/private) improvements do you think will encourage additional downtown development?

Parking - making building more attractive. Making back streets feel safer so parking that is already there would be used.

11. What are some of the redevelopment opportunities for the Edgewater Hotel?

Restaurant - childrens clothing store.

12. Would you support a program to remove the railroad from downtown? Yes __X__ No _____

13. What role can local churches play in area revitalization?

Really not sure. Very concerned because her church grounds are use by drug dealers. Hopes they will influence their membership to support revitalization efforts.

14. Other Comments:

Very supportive of CRA and efforts to improve the City. People would much rather shop in Winter Garden than Orlando if we gave them a variety of shops. Very strong on wanting more retail downtown.

DO YOU HAVE A VISION FOR WINTER GARDEN?

Community Leader Questionnaire

)ATE: March 30, 1992

COMMUNITY LEADER: Theo Graham

INTERVIEWED BY: Larry Cappleman

1. What do you feel are some of the existing problems facing Downtown Winter Garden?

Fixing the hotel. Must put something in that location. Main street vacant buildings should also be occupied. Principal problem is the run-down buildings.

2. What are some of the opportunities for Downtown redevelopment ?

Orlando has proved that there is hope. If downtown is made to look attractive, people will but from the merchants.

. What types of funding sources do you think are reasonable for community redevelopment projects?

Property Taxes	_____	Special District Assessments	_____	Private Foundations	_____
User Fees	_____	State and Federal Grants	__X__	None	_____

4. Are you familiar with Florida's Community Redevelopment Act and the use of Redevelopment Districts? Yes __X__ No _____

5. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects? Yes __X__ No _____

6. What effect do you feel that proposed Western Beltway will have on Winter Garden?

Traffic congestion, proposed four laning of Plant Street should stop at 9th Street and four lane 9th Street to Highway 50.

7. What effect do you feel that the proposed West Orange Greenway will have on Downtown?

If it stays downtown and out of the residential areas it should be a very nice addition. Can help the town economically.

8. What effect do you feel that the relocation of the West Orange Hospital will have on Winter Garden?

Mr. Graham opposed the move. Does not think economically the move will adversely effect the City.

9. Should the City become more involved (financially or otherwise) in developing additional retail business within the City? Yes _____ No __X__

If yes, what type?

Private business (enterprise) should fund such opportunities.

10. What kinds of physical (public/private) improvements do you think will encourage additional downtown development?

Remove railroad track. Replace with additional ways to move traffic or allow expansion of current buildings.

11. What are some of the redevelopment opportunities for the Edgewater Hotel?

Office building - problem is there is not enough parking to support the building's use.

12. Would you support a program to remove the railroad from downtown? Yes __X__ No _____

13. What role can local churches play in area revitalization?

Encouragement of downtown revitalization. Can be a great information pipeline to help promote good values from downtown businesses.

14. Other Comments:

DO YOU HAVE A VISION FOR WINTER GARDEN?

Community Leader Questionnaire

)ATE: March 31, 1992

COMMUNITY LEADER: Jimmy Pitchford

INTERVIEWED BY: Ray Spears

1. What do you feel are some of the existing problems facing Downtown Winter Garden?

Typical town with old buildings that are poorly kept and without tenants.

2. What are some of the opportunities for Downtown redevelopment ?

I would like to see the downtown redevelop but I can't see the feasibility of landlords redoing their stores and being able to get someone to rent the building for the amount that would make it a profitable endeavor.

3. What types of funding sources do you think are reasonable for community redevelopment projects?

Property Taxes	_____	Special District Assessments	_____	Private Foundations	_____
User Fees	_____	State and Federal Grants	_____	None	_____

4. Are you familiar with Florida's Community Redevelopment Act and the use of Redevelopment Districts? Yes _____ No ___X___

5. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects? Yes _____ No _____

6. What effect do you feel that proposed Western Beltway will have on Winter Garden?

No Comment

7. What effect do you feel that the proposed West Orange Greenway will have on Downtown?

No Comment

8. What effect do you feel that the relocation of the West Orange Hospital will have on Winter Garden?

None.

9. Should the City become more involved (financially or otherwise) in developing additional retail business within the City? Yes X No _____

If yes, what type?

10. What kinds of physical (public/private) improvements do you think will encourage additional downtown development?

Plant trees where the railroad is.

11. What are some of the redevelopment opportunities for the Edgewater Hotel?

Tear it down or, if possible, make it a retirement home.

12. Would you support a program to remove the railroad from downtown? Yes X No _____

13. What role can local churches play in area revitalization?

14. Other Comments:

DO YOU HAVE A VISION FOR WINTER GARDEN?

Community Leader Questionnaire

DATE: April 1, 1992

COMMUNITY LEADER: Joe Morabito

INTERVIEWED BY: Larry Cappleman

1. What do you feel are some of the existing problems facing Downtown Winter Garden?

Lack of visibility compared to Highway 50. Economics of that visibility are negative.

2. What are some of the opportunities for Downtown redevelopment ?

It offers a small town atmosphere, less busy and congested area. A slower paced atmosphere and environment.

3. What types of funding sources do you think are reasonable for community redevelopment projects?

Property Taxes	____	Special District Assessments	X	Private Foundations	X
User Fees	X	State and Federal Grants	____	None	____

4. Are you familiar with Florida's Community Redevelopment Act and the use of Redevelopment Districts? Yes ____ No ____

5. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects? Yes X No ____

6. What effect do you feel that proposed Western Beltway will have on Winter Garden?

Growth in the path of the interchange increase the bedroom community aspect of Winter Garden growth in higher income residential homes.

7. What effect do you feel that the proposed West Orange Greenway will have on Downtown?

Very positive influence. Landscaping alone will enhance.

8. What effect do you feel that the relocation of the West Orange Hospital will have on Winter Garden?

Would have been better economically for Winter Garden for the hospital to stay. Will create a "white elephant" building in a residential community. Could blight the area.

9. Should the City become more involved (financially or otherwise) in developing additional retail business within the City? Yes X No _____

If yes, what type?

Qualified answer. Public funds should not be used to bring in businesses as a support. Prefer to create a desirable infrastructure, streetscape, advertising, etc.

10. What kinds of physical (public/private) improvements do you think will encourage additional downtown development?

Landscaping, Greenway, Main Street Businesscape, possible post office, development of new facility.

11. What are some of the redevelopment opportunities for the Edgewater Hotel?

Restaurant, offices, nearby parking garage.

12. Would you support a program to remove the railroad from downtown? Yes X No _____

13. What role can local churches play in area revitalization?

Communication, dissemination of information.

14. Other Comments:

DO YOU HAVE A VISION FOR WINTER GARDEN?
Community Leader Questionnaire

DATE: 4-3-92

COMMUNITY LEADER: Tommy DeLoach

INTERVIEWED BY: Jerry L. Baker

1. What do you feel are some of the existing problems facing Downtown Winter Garden?

Parking. If owners of existing downtown buildings would do some exterior clean up they might attract some new retail business. I do not feel the owners of these buildings have the desire.

2. What are some of the opportunities for Downtown redevelopment ?

If some of the older buildings downtown, to include the Edgewater Hotel, could be up graded, it would attract new retail opportunities. I see good outlook for residential housing and downtown could prosper from the influx of new residents.

3. What types of funding sources do you think are reasonable for community redevelopment projects?

Property Taxes	____	Special District Assessments	x	Private Foundations	____
User Fees	____	State and Federal Grants	x	None	____

4. Are you familiar with Florida's Community Redevelopment Act and the use of Redevelopment Districts? Yes ____ No x

5. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects? Yes x No ____

6. What effect do you feel that proposed Western Beltway will have on Winter Garden?

Solid growth in light industrial, commercial, and residential projects.

7. What effect do you feel that the proposed West Orange Greenway will have on Downtown?

The by pass will bring numerous new people to our area which would enhance the revitilazatio
f downtown Winter Garden.

8. What effect do you feel that the relocation of the West Orange Hospital will have on Winter Garden?

none. The existing West Orange Hospital must be used for some type of medical unit

9. Should the City become more involved (financially or otherwise) in developing additional retail business within the City? Yes _____ No x_____

If yes what type: I believe the businesses should be responsible for the development of retail business

10. What kinds of physical (public/private) improvements do you think will encourage additional downtown development?

11. What are some of the redevelopment opportunities for the Edgewater Hotel?

Unknown. Is there anyone out there that has enough cash to do the project.

12. Would you support a program to remove the railroad from downtown? Yes x No _____

13. What role can local churches play in area revitalization?

In my opinion the churches should not block the liquor laws that are in place. A well designed restaurant should have the ability to prosper the business.

14. Other Comments:

DO YOU HAVE A VISION FOR WINTER GARDEN?

Community Leader Questionnaire

DATE: April 3, 1992

COMMUNITY LEADER: Mildred Dixon

INTERVIEWED BY: Neil Fritz/Paul Lewis

1. What do you feel are some of the existing problems facing Downtown Winter Garden?

It died in the 60's, past leaders not responsive to change, no new activity attracted, added parallel parking. Not inviting to pedestrians, no bus access, no taxi's, progressive loss of business.

2. What are some of the opportunities for Downtown redevelopment ?

Bring in some stores, increase transportation access to black communities, add food outlets/restaurant, provide pedestrian access/benches, etc., and create more jobs.

3. What types of funding sources do you think are reasonable for community redevelopment projects?

Property Taxes	____	Special District Assessments	X	Private Foundations	X
User Fees	X	State and Federal Grants	X	None	____

4. Are you familiar with Florida's Community Redevelopment Act and the use of Redevelopment Districts? Yes X No ____

5. Should Winter Garden create a Community Redevelopment District to fund Community Improvement Projects? Yes X No ____

6. What effect do you feel that proposed Western Beltway will have on Winter Garden?

Ocoee will reap the benefit. We will have to develop in that direction.

7. What effect do you feel that the proposed West Orange Greenway will have on Downtown?

Will use it herself. Good impact on downtown.

8. What effect do you feel that the relocation of the West Orange Hospital will have on Winter Garden?

Won't hurt as bad as initially anticipated. City should look into redevelopment.

9. Should the City become more involved (financially or otherwise) in developing additional retail business within the City? Yes __X__ No _____

If yes, what type?

Restaurant - middle income, "homestyle", affordable.

10. What kinds of physical (public/private) improvements do you think will encourage additional downtown development?

Benches, something for children.

11. What are some of the redevelopment opportunities for the Edgewater Hotel?

Cafeteria - even a roof garden overlooking the lake.

12. Would you support a program to remove the railroad from downtown? Yes __X__ No _____

13. What role can local churches play in area revitalization?

Resource to give information/encourage participation, put a resource (human) on advisory board - person appointed by church - not necessarily the minister.

14. Other Comments:

Keep in touch with homes in partnership and West Orange Community Development, Inc., and Orlando fights back.

APPENDIX C

PART III

COMMUNITY REDEVELOPMENT

163.330 Short title.
163.335 Findings and declarations of necessity.
163.340 Definitions.
163.345 Encouragement of private enterprise.
163.346 Notice to taxing authorities.
163.350 Workable program.
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163.355 Finding of necessity by county or municipality.
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163.362 Contents of community redevelopment plan.
163.365 Neighborhood and communitywide plans.
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163.370 Powers; counties and municipalities; community redevelopment agencies.
163.375 Eminent domain.
163.380 Disposal of property in community redevelopment area.
163.385 Issuance of revenue bonds.
163.387 Redevelopment trust fund.
163.390 Bonds as legal investments.
163.395 Property exempt from taxes and from levy and sale by virtue of an execution.
163.400 Cooperation by public bodies.
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163.410 Exercise of powers in counties with home rule charters.
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163.430 Powers supplemental to existing community redevelopment powers.
163.445 Assistance to community redevelopment by state agencies.
163.450 Municipal and county participation in neighborhood development programs under Pub. L. No. 90-448.

163.330 Short title.—This part shall be known and may be cited as the "Community Redevelopment Act of 1969."

History.—s. 1, ch. 69-305.

163.335 Findings and declarations of necessity.—

(1) It is hereby found and declared that there exist in counties and municipalities of the state slum and blighted areas which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums and blight is a matter of state policy and state concern in order that the state and its counties and municipalities shall not continue to be endangered by areas which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization, and other forms of public protection, services, and facilities.

(2) It is further found and declared that certain slum or blighted areas, or portions thereof, may require acquisition, clearance, and disposition subject to use restrictions, as provided in this part, since the prevailing condition of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that other areas or portions thereof may, through the means provided in this part, be susceptible of conservation or rehabilitation in such a manner that the conditions and evils enumerated may be eliminated, remedied, or prevented; and that salvageable slum and blighted areas can be conserved and rehabilitated through appropriate public action as herein authorized and the cooperation and voluntary action of the owners and tenants of property in such areas.

(3) It is further found and declared that the powers conferred by this part are for public uses and purposes for which public money may be expended and the power of eminent domain and police power exercised, and the necessity in the public interest for the provisions herein enacted is hereby declared as a matter of legislative determination.

(4) It is further 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 the preservation and enhancement of such tax base is implicit in the purposes for which a taxing authority is established; 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 increased tax revenues to all affected taxing authorities, increasing their ability to accomplish their other respective purposes; and that

the preservation and enhancement of the tax base in such areas through tax increment financing and the levying of taxes by such taxing authorities therefor and the appropriation of funds to a redevelopment trust fund bears a substantial relation to the purposes of such taxing authorities and is for their respective purposes and concerns. This subsection does not apply in any jurisdiction where the community redevelopment agency validated bonds as of April 30, 1984.

(5) It is further found and declared that there exists in counties and municipalities of the state a severe shortage of housing affordable to residents of low or moderate income, including the elderly; that the existence of such condition affects the health, safety, and welfare of the residents of such counties and municipalities and retards their growth and economic and social development; and that the elimination or improvement of such condition is a proper matter of state policy and state concern and is for a valid and desirable public purpose.

History.—s. 2, ch. 69-305; ss. 1, 22, ch. 84-356.

163.340 Definitions.—The following terms, wherever used or referred to in this part, have the following meanings:

(1) "Agency" or "community redevelopment agency" means a public agency created by, or designated pursuant to, s. 163.356 or s. 163.357.

(2) "Public body" or "taxing authority" means the state or any county, municipality, authority, special district as defined in s. 165.031(5), or other public body of the state, except a school district, library district, neighborhood improvement district created pursuant to the Safe Neighborhoods Act, metropolitan transportation authority, water management district created under s. 373.069, a special district which levies ad valorem taxes on taxable real property in more than one county, or a special district the sole available source of revenue of which is ad valorem taxes at the time an ordinance is adopted pursuant to s. 163.387. The exclusion of a library district from the definition of "public body" or "taxing authority" does not apply in any jurisdiction where the community redevelopment agency validated bonds as of April 30, 1984.

(3) "Governing body" means the council or other legislative body charged with governing the county or municipality.

(4) "Mayor" means the mayor of a municipality or, for a county, the chairman of the board of county commissioners or such other officer as may be constituted by law to act as the executive head of such municipality or county.

(5) "Clerk" means the clerk or other official of the county or municipality who is the custodian of the official records of such county or municipality.

(6) "Federal Government" includes the United States or any agency or instrumentality, corporate or otherwise, of the United States.

(7) "Slum area" means an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age, or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open spaces; high density of population and overcrowding; the existence of conditions which endanger life or property by fire or other causes; or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or welfare.

(8) "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 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. Tax or special assessment delinquency exceeding the fair 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.

However, for purposes of qualifying for the tax credits authorized in chapter 220, "blighted area" means an area described in paragraph (a).

(9) "Community redevelopment" or "redevelopment" means undertakings, activities, or projects of a county, municipality, or community redevelopment agency in a community redevelopment area for the elimination and prevention of the development or spread of slums and 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 slum clearance and redevelopment in a community redevelopment area or rehabilitation or conservation in a community redevelopment area, or any combination or part thereof, in accordance with a community redevelopment plan and may include the preparation of such a plan.

(10) "Community redevelopment area" means a slum area, a blighted area, or an area in which there is a shortage of housing that is affordable to residents of low or moderate income, including the elderly, or a combination thereof which the governing body designates as appropriate for community redevelopment.

(11) "Community redevelopment plan" means a plan, as it exists from time to time, for a community redevelopment area.

(12) "Related activities" means:

(a) Planning work for the preparation of a general neighborhood redevelopment plan or for the preparation or completion of a communitywide plan or program pursuant to s. 163.365; and

(b) The functions related to the acquisition and disposal of real property pursuant to s. 163.370(3).

(13) "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.

(14) "Bonds" means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, or other obligations.

(15) "Obligee" means and includes any bondholder, agents or trustees for any bondholders, or lessor demising to the county or municipality property used in connection with community redevelopment, or any assignee or assignees of such lessor's interest or any part thereof, and the Federal Government when it is a party to any contract with the county or municipality.

(16) "Person" means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes any trustee, receiver, assignee, or other person acting in a similar representative capacity.

(17) "Area of operation" means, for a county, the area within the boundaries of the county, and for a municipality, the area within the corporate limits of the municipality.

(18) "Housing authority" means a housing authority created by and established pursuant to chapter 421.

(19) "Board" or "commission" means a board, commission, department, division, office, body or other unit of the county or municipality.

(20) "Public officer" means any officer who is in charge of any department or branch of the government of the county or municipality relating to health, fire, building regulations, or other activities concerning dwellings in the county or municipality.

(21) "Debt service millage" means any millage levied pursuant to s. 12, Art. VII of the State Constitution.

(22) "Increment revenue" means the amount calculated pursuant to s. 163.387(1).

History.—s. 3, ch. 69-305; s. 1, ch. 77-391; s. 1, ch. 81-44; s. 3, ch. 83-231; ss. 2, 22, ch. 84-356; s. 83, ch. 85-180; s. 72, ch. 87-243; s. 33, ch. 91-45.

163.345 Encouragement of private enterprise.—

(1) Any county or municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this part, shall afford maximum opportunity, consistent with the sound needs of the county or municipality as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprise. Any county or municipality shall give consideration to this objective in exercising its powers under this part, including the formulation of a workable program; the approval of community redevelopment plans, communitywide plans or programs for community redevelopment, and general neighborhood redevelopment plans (consistent with the general plan of the county or municipality); the exercise of its zoning powers; the enforcement of other laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements; the disposition of any property acquired; and the provision of necessary public improvements.

(2) In giving consideration to the objectives outlined in subsection (1), the county or municipality shall consider making available the incentives provided under the Florida Enterprise Zone Act of 1982.

History.—s. 4, ch. 69-305; s. 4, ch. 83-231.

163.346 Notice to taxing authorities.—Before the governing body adopts any resolution or enacts any ordinance required under s. 163.355, s. 163.356, s. 163.357, or s. 163.387; creates a community redevelopment agency; or approves, adopts, or amends a community redevelopment plan, the governing body must provide public notice of such proposed action pursuant to s. 125.66(2) and (4) or s. 166.041(3) and, at least 15 days before such proposed action, mail by registered mail a notice to each taxing authority which levies ad valorem taxes on taxable real property contained within the geographic boundaries of the redevelopment area.

History.—s. 8, ch. 84-356.

163.350 Workable program.—Any county or municipality for the purposes of this part may formulate for the county or municipality a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight, to encourage needed community rehabilitation, to provide for the redevelopment of slum and blighted areas, to provide housing affordable to residents of low or moderate income, including the elderly, or to undertake such of the aforesaid activities or other feasible county or municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include provision for the prevention of the spread of blight into areas of the county or municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of slum and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements, encouraging voluntary rehabilitation, and compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of slum and blighted areas or portions thereof.

History.—s. 5, ch. 69-305; s. 3, ch. 84-356.

163.353 Power of taxing authority to tax or appropriate funds to a redevelopment trust fund in order to preserve and enhance the tax base of the authority.—Notwithstanding any other provision of general or special law, the purposes for which a taxing authority may levy taxes or appropriate funds to a redevelopment trust fund include the preservation and enhancement of the tax base of such taxing authority and the furthering of the purposes of such taxing authority as provided by law.

History.—s. 21, ch. 84-356.

163.355 Finding of necessity by county or municipality.—No county or municipality shall exercise the authority conferred by this part until after the governing body has adopted a resolution finding that:

(1) One or more slum or blighted areas, or one or more areas in which there is a shortage of housing

affordable to residents of low or moderate income, including the elderly, exist in such county or municipality; and,

(2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of such county or municipality.

History.—s. 6, ch. 69-305; s. 4, ch. 84-356.

163.356 Creation of community redevelopment agency.—

(1) Upon a finding of necessity as set forth in s. 163.355, and upon a further finding that there is a need for a community redevelopment agency to function in the county or municipality to carry out the community redevelopment purposes of this part, any county or municipality may create a public body corporate and politic to be known as a "community redevelopment agency." Each such agency shall be constituted as a public instrumentality, and the exercise by a community redevelopment agency of the powers conferred by this part shall be deemed and held to be the performance of an essential public function. The community redevelopment agency of a county has the power to function within the corporate limits of a municipality only as, if, and when the governing body of the municipality has by resolution concurred in the community redevelopment plan proposed by the governing body of the county.

(2) When the governing body adopts a resolution declaring the need for a community redevelopment agency, that body shall, by ordinance, appoint a board of commissioners of the community redevelopment agency, which shall consist of not fewer than five or more than seven commissioners. The terms of office of the commissioners shall be for 4 years, except that three of the members first appointed shall be designated to serve terms of 1, 2, and 3 years, respectively, from the date of their appointments, and all other members shall be designated to serve for terms of 4 years from the date of their appointments. A vacancy occurring during a term shall be filled for the unexpired term.

(3)(a) A commissioner shall receive no compensation for his services, but is entitled to the necessary expenses, including travel expenses, incurred in the discharge of his duties. Each commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the county or municipality, and such certificate is conclusive evidence of the due and proper appointment of such commissioner.

(b) The powers of a community redevelopment agency shall be exercised by the commissioners thereof. A majority of the commissioners constitutes a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. Action may be taken by the agency upon a vote of a majority of the commissioners present, unless in any case the bylaws require a larger number. Any person may be appointed as commissioner if he resides or is engaged in business, which 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, within the area of operation of the agency, which shall be coterminous with the area of operation of the county or municipality, and is otherwise eligible for such appointment under this part.

(c) The governing body of the county or municipality shall designate a chairman and vice chairman from among the commissioners. An agency may employ an executive director, technical experts, and such other agents and employees, permanent and temporary, as it requires, and determine their qualifications, duties, and compensation. For such legal service as it requires, an agency may employ or retain its own counsel and legal staff. An agency authorized to transact business and exercise powers under this part shall file with the governing body and with the Auditor General, on or before March 31 of each year, a report of its activities for the preceding fiscal year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such fiscal year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the county or municipality and that the report is available for inspection during business hours in the office of the clerk of the city or county commission and in the office of the agency.

(d) At any time after the creation of a community redevelopment agency, the governing body of the county or municipality may appropriate to the agency such amounts as the governing body deems necessary for the administrative expenses and overhead of the agency.

(4) The governing body may remove a commissioner for inefficiency, neglect of duty, or misconduct in office only after a hearing and only if he has been given a copy of the charges at least 10 days prior to such hearing and has had an opportunity to be heard in person or by counsel.

History.—s. 2, ch. 77-391; s. 1, ch. 83-231; s. 6, ch. 84-356.

163.357 Governing body as the community redevelopment agency.—

(1)(a) As an alternative to the appointment of not fewer than five or more than seven members of the agency, the governing body may, at the time of the adoption of a resolution under s. 163.355, or at any time thereafter by adoption of a resolution, declare itself to be an agency, in which case all the rights, powers, duties, privileges, and immunities vested by this part in an agency will be vested in the governing body of the county or municipality, subject to all responsibilities and liabilities imposed or incurred.

(b) The members of the governing body shall be the members of the agency, but such members constitute the head of a legal entity, separate, distinct, and independent from the governing body of the county or municipality. If the governing body declares itself to be an agency which already exists, the new agency is subject to all of the responsibilities and liabilities imposed or incurred by the existing agency.

(c) A governing body which consists of five members may appoint two additional persons to act as members of the community redevelopment agency. The terms of office of the additional members shall be for 4 years, except that the first person appointed shall initially serve a term of 2 years. Persons appointed under this section are subject to all provisions of this part relating to appointed members of a community redevelopment agency.

(2) Nothing in this part prevents the governing body from conferring the rights, powers, privileges, duties, and immunities of a community redevelopment agency upon any entity in existence on July 1, 1977, which has been authorized by law to function as a downtown development board or authority or as any other body the purpose of which is to prevent and eliminate slums and blight through community redevelopment plans. Any entity in existence on July 1, 1977, which has been vested with the rights, powers, privileges, duties, and immunities of a community redevelopment agency is subject to all provisions and responsibilities imposed by this part, notwithstanding any provisions to the contrary in any law or amendment thereto which established the entity. Nothing in this act shall be construed to impair or diminish any powers of any redevelopment agency or other entity as referred to herein in existence on the effective date of this act or to repeal, modify, or amend any law establishing such entity, except as specifically set forth herein.

History.—s. 2, ch. 77-391; s. 75, ch. 79-400; s. 2, ch. 83-231; s. 5, ch. 84-356.

163.358 Exercise of powers in carrying out community redevelopment and related activities.—The community redevelopment powers assigned to a community redevelopment agency created under s. 163.356 include all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, except the following, which continue to vest in the governing body of the county or municipality:

(1) The power to determine an area to be a slum or blighted area, or combination thereof; to designate such area as appropriate for community redevelopment; and to hold any public hearings required with respect thereto.

(2) The power to grant final approval to community redevelopment plans and modifications thereof.

(3) The power to authorize the issuance of revenue bonds as set forth in s. 163.385.

(4) The power to approve the acquisition, demolition, removal, or disposal of property as provided in s. 163.370(3) and the power to assume the responsibility to bear loss as provided in s. 163.370(3).

History.—s. 2, ch. 77-391; s. 70, ch. 81-259, s. 7, ch. 84-356; s. 34, ch. 91-45.

163.360 Community redevelopment plans.—

(1) Community redevelopment in a community redevelopment area shall not be planned or initiated unless the governing body has, by resolution, determined such area to be a slum area, a blighted area, or an area in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, or a combination thereof, and designated such area as appropriate for community redevelopment.

(2) The community redevelopment plan shall:

(a) Conform to the comprehensive plan for the county or municipality as prepared by the local planning agency under the Local Government Comprehensive Planning and Land Development Regulation Act.

(b) Be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the community redevelopment area; zoning and planning changes, if any; land uses; maximum densities; and building requirements.

(3) The county, municipality, or community redevelopment agency may itself prepare or cause to be prepared a community redevelopment plan, or any person or agency, public or private, may submit such a plan to a community redevelopment agency. Prior to its consideration of a community redevelopment plan, the community redevelopment agency shall submit such plan to the local planning agency of the county or municipality for review and recommendations as to its conformity with the comprehensive plan for the development of the county or municipality as a whole. The local planning agency shall submit its written recommendations with respect to the conformity of the proposed community redevelopment plan to the community redevelopment agency within 60 days after receipt of the plan for review. Upon receipt of the recommendations of the local planning agency, or, if no recommendations are received within such 60 days, then without such recommendations, the community redevelopment agency may proceed with its consideration of the proposed community redevelopment plan.

(4) The community redevelopment agency shall submit any community redevelopment plan it recommends for approval, together with its written recommendations, to the governing body. The governing body shall then proceed with the hearing on the proposed community redevelopment plan as prescribed by subsection (5).

(5) The governing body shall hold a public hearing on a community redevelopment plan after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the county or municipality. The notice shall describe the time, date, place, and purpose of the hearing, identify generally the community redevelopment area covered by the plan, and outline the general scope of the community redevelopment plan under consideration.

(6) Following such hearing, the governing body may approve the community redevelopment and the plan therefor if it finds that:

(a) A feasible method exists for the location of families who will be displaced from the community redevelopment area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families;

(b) The community redevelopment plan conforms to the general plan of the county or municipality as a whole;

(c) The community redevelopment 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 plans; and

(d) The community redevelopment plan will afford maximum opportunity, consistent with the sound needs of the county or municipality as a whole, for the rehabilitation or redevelopment of the community redevelopment area by private enterprise.

(7) If the community redevelopment area consists of an area of open land to be acquired by the county or the municipality, such area may not be so acquired unless:

(a) In the event the area is to be developed for residential uses, the governing body determines:

1. That a shortage of housing of sound standards and design which is decent, safe, affordable to residents of low or moderate income, including the elderly, and sanitary exists in the county or municipality;

2. That the need for housing accommodations has increased in the area;

3. That the conditions of blight in the area or the shortage of decent, safe, affordable, and sanitary housing cause or contribute to an increase in and spread of disease and crime or constitute a menace to the public health, safety, morals, or welfare; and

4. That the acquisition of the area for residential uses is an integral part of and is essential to the program of the county or municipality.

(b) In the event the area is to be developed for nonresidential uses, the governing body determines that:

1. Such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives; and

2. Acquisition may require the exercise of governmental action, as provided in this part, because of:

a. Defective, or unusual conditions of, title or diversity of ownership which prevents the free alienability of such land;

b. Tax delinquency;

c. Improper subdivisions;

d. Outmoded street patterns;

e. Deterioration of site;

f. Economic disuse;

g. Unsuitable topography or faulty lot layouts;

h. Lack of correlation of the area with other areas of a county or municipality by streets and modern traffic requirements; or

i. Any combination of such factors or other conditions which retard development of the area.

(8) Upon the approval by the governing body of a community redevelopment plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective community redevelopment area, and the county or municipality may then cause the community redevelopment agency to carry out such plan or modification in accordance with its terms.

(9) Notwithstanding any other provisions of this part, when the governing body certifies that an area is in need of redevelopment or rehabilitation as a result of an emergency under s. 252.34(2), with respect to which the Governor has certified the need for emergency assistance under federal law, that area may be certified as a "blighted area," and the governing body may approve a community redevelopment plan and community redevelopment with respect to such area without regard to the provisions of this section requiring a general plan for the county or municipality and a public hearing on the community redevelopment.

History.—s. 7, ch. 69-305; s. 3, ch. 77-391; s. 5, ch. 83-231; s. 6, ch. 83-334; s. 9, ch. 84-356; s. 26, ch. 85-55.

163.361 Modification of community redevelopment plans.—

(1) If at any time after the approval of a community redevelopment plan by the governing body it becomes necessary or desirable to amend or modify such plan, the governing body may amend such plan upon the recommendation of the agency. The agency recommendation to amend or modify a redevelopment plan may include a change in the boundaries of the redevelopment area to add land to or exclude land from the redevelopment area.

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

(3) If a community redevelopment plan is modified by the county or municipality after the lease or sale of real property in the community redevelopment area, such modification may be conditioned upon such approval of the owner, lessee, or successor in interest as the county or municipality may deem advisable and, in any event, shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert.

History.—s. 4, ch. 77-391; s. 6, ch. 83-231.

163.362 Contents of community redevelopment plan.—Every community redevelopment plan shall:

(1) Contain a legal description of the boundaries of the community redevelopment area and the reasons for establishing such boundaries shown in the plan.

(2) Show by diagram and in general terms:

(a) The approximate amount of open space to be provided and the street layout.

(b) Limitations on the type, size, height, number, and proposed use of buildings.

(c) The approximate number of dwelling units.

(d) Such property as is intended for use as public parks, recreation areas, streets, public utilities, and public improvements of any nature.

(3) If the redevelopment area contains low or moderate income housing, contain a neighborhood impact element which describes in detail the impact of the redevelopment upon the residents of the redevelopment area and the surrounding areas in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population, and other matters affecting the physical and social quality of the neighborhood.

(4) Identify specifically any publicly funded capital projects to be undertaken within the community redevelopment area.

(5) Contain adequate safeguards that the work of redevelopment will be carried out pursuant to the plan.

(6) Provide for the retention of controls and the establishment of any restrictions or covenants running with land sold or leased for private use for such periods of time and under such conditions as the governing body deems necessary to effectuate the purposes of this part.

(7) Provide assurances that there will be replacement housing for the relocation of persons temporarily or permanently displaced from housing facilities within the community redevelopment area.

(8) Provide an element of residential use in the redevelopment area if such use exists in the area prior to the adoption of the plan or if the plan is intended to remedy a shortage of housing affordable to residents of low or moderate income, including the elderly.

(9) Contain a detailed statement of the projected costs of the redevelopment, including the amount to be expended on publicly funded capital projects in the community redevelopment area and any indebtedness of the community redevelopment agency, the county, or the municipality proposed to be incurred for such redevelopment if such indebtedness is to be repaid with increment revenues.

(10) Provide a time certain for completing all redevelopment financed by increment revenues. Such time certain shall occur no later than 30 years after the fiscal year in which the plan is approved or adopted.

(11) Subsections (1), (3), (4), and (8), as amended by s. 10, chapter 84-356, Laws of Florida, and subsections (9) and (10) do not apply to any governing body of a county or municipality or to a community redevelopment agency if such governing body has approved and adopted a community redevelopment plan pursuant to s. 163.360 before chapter 84-356 became a law; nor do they apply to any governing body of a county or municipality or to a community redevelopment agency if such governing body or agency has adopted an ordinance or resolution authorizing the issuance of any bonds, notes, or other forms of indebtedness to which is pledged increment revenues pursuant only to a community redevelopment plan as approved and adopted before chapter 84-356 became a law.

History.—s. 5, ch. 77-391; s. 7, ch. 83-231; ss. 10, 22, ch. 84-356.

163.365 Neighborhood and communitywide plans.

(1) Any municipality or county or any public body authorized to perform planning work may prepare a general neighborhood redevelopment plan for a community redevelopment area or areas, together with any adjoining areas having specially related problems, which may be of such scope that redevelopment activities may have to be carried out in stages. Such plans may include, but not be limited to, a preliminary plan which:

(a) Outlines the community redevelopment activities proposed for the area involved;

(b) Provides a framework for the preparation of community redevelopment plans; and

(c) Indicates generally the land uses, population density, building coverage, prospective requirements for rehabilitation and improvement of property and portions of the area contemplated for clearance and redevelopment.

A general neighborhood redevelopment plan shall, in the determination of the governing body, conform to the general plan of the locality as a whole and the workable program of the county or municipality.

(2) Any county or municipality or any public body authorized to perform planning work may prepare or complete a communitywide plan or program for community redevelopment which shall conform to the general plan for the development of the county or municipality as a whole and may include, but not be limited to, identification of slum or blighted areas, measurement of blight, determination of resources needed and available to renew such areas, identification of potential project areas and types of action contemplated, and scheduling of community redevelopment activities.

(3) Authority is hereby vested in every county and municipality to prepare, adopt, and revise from time to time a general plan for the physical development of the county or municipality as a whole (giving due regard to the environs and metropolitan surroundings), to establish and maintain a planning commission for such purpose and related county or municipal planning activities, and to make available and to appropriate necessary funds therefor.

History.—s. 8, ch. 69-305.

163.367 Public officials, commissioners, and employees subject to code of ethics.—

(1) The officers, commissioners, and employees of a community redevelopment agency created by, or designated pursuant to, s. 163.356 or s. 163.357 shall be subject to the provisions and requirements of part III of chapter 112.

(2) If any such official, commissioner, or employee presently owns or controls, or owned or controlled within the preceding 2 years, any interest, direct or indirect, in any property which he knows is included or planned to be included in a community redevelopment area, he shall immediately disclose this fact in the manner provided in part III of chapter 112. Any disclosure required to be made by this section shall be made prior to taking any official action pursuant to this section.

(3) No commissioner or other officer of any community redevelopment agency, board, or commission exercising powers pursuant to this part shall hold any other public office under the county or municipality other than his commissionership or office with respect to such community redevelopment agency, board, or commission.

History.—s. 6, ch. 77-391; s. 76, ch. 79-400; s. 8, ch. 83-231.

163.370 Powers; counties and municipalities; community redevelopment agencies.—

(1) Every county and municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers in addition to others herein granted:

(a) To make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this part;

(b) To disseminate slum clearance and community redevelopment information;

(c) To undertake and carry out community redevelopment and related activities within the community redevelopment area, which redevelopment may include:

1. Acquisition of a slum area or a blighted area or portion thereof.

2. Demolition and removal of buildings and improvements.

3. Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the community redevelopment area the community redevelopment objectives of this part in accordance with the community redevelopment plan.

4. Disposition of any property acquired in the community redevelopment area at its fair value for uses in accordance with the community redevelopment plan.

5. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the community redevelopment plan.

6. Acquisition of real property in the community redevelopment area which, under the community redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property.

7. Acquisition of any other real property in the community redevelopment area when necessary to eliminate unhealthful, unsanitary, or unsafe conditions; lessen density; eliminate obsolete or other uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities.

8. Acquisition, without regard to any requirement that the area be a slum or blighted area, of air rights in an area consisting principally of land in highways, railway or subway tracks, bridge or tunnel entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing (and related facilities and uses) designed specifically for, and limited to, families and individuals of low or moderate income.

9. Construction of foundations and platforms necessary for the provision of air rights sites of housing (and related facilities and uses) designed specifically for, and limited to, families and individuals of low or moderate income.

(d) To provide, or to arrange or contract for, the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities, or other facilities for or in connection with a community redevelopment; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements; 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 a community redevelopment and related activities, and to include in any contract let in connection with such redevelopment and related activities provisions to fulfill such of the conditions as it deems reasonable and appropriate.

(e) Within the community redevelopment area:

1. To enter into any building or property in any community redevelopment area 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.

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), togetner with any improvements thereon; except that a community redevelopment agency may not exercise any power of eminent domain unless the exercise has been specifically approved by the governing body of the county or municipality which established the agency.

3. To hold, improve, clear, or prepare for redevelopment 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 of the county or municipality against any risks or hazards, including the power to pay premiums on any such insurance.

6. To enter into any contracts necessary to effectuate the purposes of this part.

(f) To invest any community redevelopment funds held in reserves or 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 have been issued pursuant to s. 163.385 at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed or purchased to be canceled.

(g) 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 this part and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; and to include in any contract for financial assistance with the Federal Government for or with respect to community redevelopment and related activities such conditions imposed pursuant to federal laws as the county or municipality deems reasonable and appropriate which are not inconsistent with the purposes of this part.

(h) Within its area of operation, 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, which plans may include, but are not limited to:

1. Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements.

2. Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and

to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

3. Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of community redevelopment and related activities.

(i) To develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight and developing and demonstrating new or improved means of providing housing for families and persons of low income.

(j) To apply for, accept, and utilize grants of funds from the Federal Government for such purposes.

(k) To prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, nonprofit organizations, and others) displaced from a 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.

(l) To appropriate such funds and make such expenditures as are necessary to carry out the purposes of this part; to zone or rezone any part of the county or municipality or make exceptions from building regulations; and to enter into agreements with a housing authority, which agreements may extend over any period, notwithstanding any provision or rule of law to the contrary, respecting action to be taken by such county or municipality pursuant to any of the powers granted by this part.

(m) To close, vacate, plan, or replan streets, roads, sidewalks, ways, or other places and to plan or replan any part of the county or municipality.

(n) Within its area of operation, to organize, coordinate, and direct the administration of the provisions of this part, as they may apply to such county or municipality, in order that the objective of remedying slum and blighted areas and preventing the causes thereof within such county or municipality may be most effectively promoted and achieved and to establish such new office or offices of the county or municipality or to reorganize existing offices in order to carry out such purpose most effectively.

(o) To exercise all or any part or combination of powers herein granted or to elect to have such powers exercised by a community redevelopment agency.

(2) The following projects may not be paid for or financed by increment revenues:

(a) Construction or expansion of administrative buildings for public bodies or police and fire buildings, unless each taxing authority agrees to such method of financing for the construction or expansion.

(b) Installation, construction, reconstruction, repair, or alteration of any publicly owned capital improvements or projects which are not an integral part of or necessary for carrying out the community redevelopment plan if such projects or improvements are normally financed by the governing body with user fees or if such projects or improvements would be installed, constructed, reconstructed, repaired, or altered within 3 years of the approval of the community redevelopment plan by the governing body pursuant to a previously approved public capital improvement or project schedule or plan of the governing body which approved the community redevelopment plan.

(c) General government operating expenses unrelated to the planning and carrying out of a community redevelopment plan.

(3) With the approval of the governing body, a community redevelopment agency may:

(a) Prior to approval of a community redevelopment plan or approval of any modifications of the plan, acquire real property in a community redevelopment area, demolish and remove any structures on the property, and pay all costs related to the acquisition, demolition, or removal, including any administrative or relocation expenses.

(b) Assume the responsibility to bear any loss that may arise as the result of the exercise of authority under this subsection, in the event that the real property is not made part of the community redevelopment area.

History.—s. 9, ch. 69-305; s. 7, ch. 77-391; s. 11, ch. 84-356.

163.375 Eminent domain.—

(1) Any county or municipality, or any community redevelopment agency pursuant to specific approval of the governing body of the county or municipality which established the agency, as provided by any county or municipal ordinance has the right to acquire by condemnation any interest in real property, including a fee simple title thereto, which it deems necessary for, or in connection with, community redevelopment and related activities under this part. Any county or municipality, or any community redevelopment agency pursuant to specific approval by the governing body of the county or municipality which established the agency, as provided by any county or municipal ordinance may exercise the power of eminent domain in the manner provided in chapters 73 and 74 and acts amendatory thereof or supplementary thereto, or it may exercise the power of eminent domain in the manner now or which may be hereafter provided by any other statutory provision for the exercise of the power of eminent domain. Property already devoted to a public use may be acquired in like manner. However, no real property belonging to the United States, the state, or any political subdivision of the state may be acquired without its consent.

(2) In any proceeding to fix or assess compensation for damages for the taking of property, or any interest therein, through the exercise of the power of eminent domain or condemnation, evidence or testimony bearing upon the following matters shall be admissible and shall be considered in fixing such compensation or damages in addition to evidence or testimony otherwise admissible:

(a) Any use, condition, occupancy, or operation of such property, which is unlawful or violative of, or subject to elimination, abatement, prohibition, or correction under, any law, ordinance, or regulatory measure of the state, county, municipality, or other political subdivision, or any agency thereof, in which such property is located, as being unsafe, substandard, unsanitary, or otherwise contrary to the public health, safety, morals, or welfare.

(b) The effect on the value of such property of any such use, condition, occupancy, or operation or of the elimination, abatement, prohibition, or correction of any such use, condition, occupancy, or operation.

(3) The foregoing testimony and evidence shall be admissible notwithstanding that no action has been taken by any public body or public officer toward the abatement, prohibition, elimination, or correction of any such use, condition, occupancy, or operation. Testimony or evidence that any public body or public officer charged with the duty or authority so to do has rendered, made, or issued any judgment, decree, determination, or order for the abatement, prohibition, elimination, or correction of any such use, condition, occupancy, or operation shall be admissible and shall be prima facie evidence of the existence and character of such use, condition, or operation.

History.—s. 10, ch. 69-305; s. 8, ch. 77-391; s. 12, ch. 84-356.

163.380 Disposal of property in community redevelopment area.—

(1) Any county, municipality, or community redevelopment agency may sell, lease, dispose of, or otherwise transfer real property or any interest therein acquired by it for community redevelopment in a community redevelopment area to any private person, or may retain such property for public use, and may enter into contracts with respect thereto for residential, recreational, commercial, industrial, educational, or other uses, in accordance with the community redevelopment plan, subject to such covenants, conditions, and restrictions, including covenants running with the land, as it deems necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to otherwise carry out the purposes of this part. However, such sale, lease, other transfer, or retention, and any agreement relating thereto, may be made only after the approval of the community redevelopment plan by the governing body. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the community redevelopment plan and may be obligated to comply with such other requirements as the county, municipality, or community redevelopment agency may determine to be in the public interest, including the obligation to begin any improvements on such real property required by the community redevelopment plan within a reasonable time.

(2) Such real property or interest shall be sold, leased, otherwise transferred, or retained at not less than its fair value for uses in accordance with the community redevelopment plan and in accordance with such reasonable competitive bidding procedures as any county, municipality, or community redevelopment agency may prescribe. In determining the fair value of real property for uses in accordance with the community redevelopment plan, the county, municipality, or community redevelopment agency shall take into account and give consideration to the uses provided in such plan; the restrictions upon, and the covenants, conditions, and obligations assumed by, the purchaser or lessee or by the county, municipality, or community redevelopment agency retaining the property; and the objectives of such plan for the prevention of the recurrence of slum or blighted areas. The county, municipality, or community redevelopment agency may provide in any instrument of conveyance to a private purchaser or lessee that such purchaser or lessee is without power to sell, lease, or otherwise transfer the real property without the prior written consent of the county, municipality, or community redevelopment agency until he has completed the construction of any or all improvements which he has obligated himself to construct thereon. Real property acquired by the county, municipality, or community redevelopment agency which, in accordance with the provisions of the community redevelopment plan, is to be transferred shall be transferred as rapidly as feasible in the public interest, consistent with the carrying out of the provisions of the community redevelopment plan. Any contract for such transfer and the community redevelopment plan, or such part or parts of such contract or plan as the county, municipality, or community redevelopment agency may determine, may be recorded in the land records of the clerk of the circuit court in such manner as to afford actual or constructive notice thereof.

(3) Prior to disposition of any real property or interest therein in a community redevelopment area, any county, municipality, or community redevelopment agency shall give public notice of such disposition by publication in a newspaper having a general circulation in the community, at least 30 days prior to the execution of any contract to sell, lease, or otherwise transfer real property and, prior to the delivery of any instrument of conveyance with respect thereto under the provisions of this section, invite proposals from, and make all pertinent information available to, private redevelopers or any persons interested in undertaking to redevelop or rehabilitate a community redevelopment area or any part thereof. Such notice shall identify the area or portion thereof and shall state that proposals must be made by those interested within 30 days after the date of publication of the notice and that such further information as is available may be obtained at such office as is designated in the notice. The county, municipality, or community redevelopment agency shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out; and the county, municipality, or community redevelopment agency may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by it in the community redevelopment area. The county, municipality, or community redevelopment agency may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this part; however, a notification of intention to accept such proposal must be filed with the governing body not less than 30 days prior to any such acceptance. Thereafter, the county, municipality, or community redevelopment agency may execute such contract in accordance with the provisions of subsection (1) and deliver deeds, leases, and other instruments and take all steps necessary to effectuate such contract.

(4) Any county, municipality, or community redevelopment agency may temporarily operate and maintain

real property acquired by it in a community redevelopment area for or in connection with a community redevelopment plan pending the disposition of the property as authorized in this part, without regard to the provisions of subsection (1), for such uses and purposes as may be deemed desirable, even though not in conformity with the community redevelopment plan.

(5) If any conflict exists between the provisions of this section and s. 159.61, the provisions of this section govern and supersede those of s. 159.61.

History.—s. 11, ch. 69-305, s. 9, ch. 77-391; s. 13, ch. 84-356.

163.385 Issuance of revenue bonds.—

(1) When authorized or approved by resolution or ordinance of the governing body, a county, municipality, or community redevelopment agency has power in its corporate capacity, in its discretion, to issue redevelopment revenue bonds from time to time to finance the undertaking of any community redevelopment under this part, including, without limiting the generality thereof, the payment of principal and interest upon any advances for surveys and plans or preliminary loans, and has power to issue refunding bonds for the payment or retirement of bonds or other obligations previously issued. The security for such bonds may be based upon the anticipated assessed valuation of the completed community redevelopment and such other revenues as are legally available. In anticipation of the sale of such revenue bonds, the county, municipality, or community redevelopment agency may issue bond anticipation notes and may renew such notes from time to time, but the maximum maturity of any such note, including renewals thereof, may not exceed 5 years from the date of issue of the original note. Such notes shall be paid from any revenues of the county, municipality, or agency available therefor and not otherwise pledged or from the proceeds of sale of the revenue bonds in anticipation of which they were issued. Any bond, note, or other form of indebtedness pledging increment revenues to the repayment thereof shall mature no later than the end of the 30th fiscal year after the fiscal year in which increment revenues are first deposited into the redevelopment trust fund.

(2) Bonds issued under this section do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, and are not subject to the provisions of any other law or charter relating to the authorization, issuance, or sale of bonds. Bonds issued under the provisions of this part are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, are exempted from all taxes, except those taxes imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations.

(3) Bonds issued under this section shall be authorized by resolution or ordinance of the governing body; may be issued in one or more series; and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form either with or without coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment at such place or places, be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics as may be provided by such resolution or ordinance or by a trust indenture or mortgage issued pursuant thereto. Bonds issued under this section may be sold in such manner, either at public or private sale, and for such price as the governing body may determine will effectuate the purpose of this part.

(4) In case any of the public officials of the county, municipality, or community redevelopment agency whose signatures appear on any bonds or coupons issued under this part cease to be such officials before the delivery of such bonds, such signatures are, nevertheless, valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery.

(5) In any suit, action, or proceeding involving the validity or enforceability of any bond issued under this part, or the security therefor, any such bond reciting in substance that it has been issued by the county, municipality, or community redevelopment agency in connection with community redevelopment, as herein defined, shall be conclusively deemed to have been issued for such purpose, and such project shall be conclusively deemed to have been planned, located, and carried out in accordance with the provisions of this part.

(6) Subsections (1), (4), and (5), as amended by s. 14, chapter 84-356, Laws of Florida, do not apply to any governing body of a county or municipality or to a community redevelopment agency if such governing body or agency has adopted an ordinance or resolution authorizing the issuance of any bonds, notes, or other forms of indebtedness to which is pledged increment revenues pursuant only to a community redevelopment plan as approved and adopted before chapter 84-356 became a law.

History.—s. 12, ch. 69-305; s. 12, ch. 73-302; s. 2, ch. 76-147; s. 10, ch. 77-391; s. 77, ch. 79-400; ss. 14, 22, ch. 84-356.

163.387 Redevelopment trust fund.—

(1) There shall be established for each community redevelopment agency created under s. 163.356 a redevelopment trust fund. Funds allocated to and deposited into this fund shall be used by the agency to finance or refinance any community redevelopment it undertakes pursuant to the approved community redevelopment plan. No community redevelopment agency may receive or spend any increment revenues pursuant to this section unless and until the governing body has, by ordinance, provided for the funding of the redevelopment trust fund for the duration of a community redevelopment plan. Such ordinance may be adopted only after the governing body has approved a community redevelopment plan. The annual funding of the redevelopment trust fund shall be in an amount not less than that increment in the income, proceeds, revenues, and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of community redevelopment under this part. Such increment shall be determined annually and shall be that amount equal to 95 percent of the difference between:

(a) 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 a community redevelopment area; and

(b) 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 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 the effective date of the ordinance providing for the funding of the trust fund.

(2)(a) Except for the purpose of funding the trust fund pursuant to subsection (3), upon the adoption of an ordinance providing for funding of the redevelopment trust fund as herein provided, each taxing authority shall, by January 1 of each year, appropriate to such fund for so long as any indebtedness pledging increment revenues to the payment thereof is outstanding (but not to exceed 30 years) a sum which is no less than the increment as defined and determined in subsection (1) accruing to such taxing authority. If the community redevelopment plan is amended or modified pursuant to s. 163.361(1), each such taxing authority shall make such annual appropriation for a period not to exceed 30 years after the date the governing body amends the plan. No taxing authority is exempt from the provisions of this section.

(b) Any taxing authority which does not pay the increment to the trust fund by January 1 shall pay to the trust fund an amount equal to 5 percent of the amount of the increment and shall pay interest on the amount of the increment equal to 1 percent for each month the increment is outstanding.

(3) Notwithstanding the provisions of subsection (2), the obligation of the governing body which established the community redevelopment agency to fund the redevelopment trust fund annually shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of a community redevelopment agency incurred as a result of redevelopment in a community redevelopment area have been paid.

(4) The revenue bonds and notes of every issue under this part are payable solely out of revenues pledged to and received by a community redevelopment agency and deposited to its redevelopment trust fund. The lien created by such bonds or notes shall not attach until the revenues referred to herein are deposited in the redevelopment trust fund at the times, and to the extent that, such revenues accrue. The holders of such bonds or notes have no right to require the imposition of any tax or the establishment of any rate of taxation in order to obtain the amounts necessary to pay and retire such bonds or notes.

(5) Revenue bonds issued under the provisions of this part shall not be deemed to constitute a debt, liability, or obligation of the local governing body or the state or any political subdivision thereof, or a pledge of the faith and credit of the local governing body or the state or any political subdivision thereof, but shall be payable solely from the revenues provided therefor. All such revenue bonds shall contain on the face thereof a statement to the effect that the agency shall not be obligated to pay the same or the interest thereon except from the revenues of the community redevelopment agency held for that purpose and that neither the faith and credit nor the taxing power of the local governing body or of the state or of any political subdivision thereof is pledged to the payment of the principal of, or the interest on, such bonds.

(6) Moneys in the redevelopment trust fund may be expended from time to time for the following purposes, when directly related to financing or refinancing of redevelopment in a community redevelopment area pursuant to an approved community redevelopment plan:

(a) Administrative and overhead expenses necessary or incidental to the implementation of a community redevelopment plan adopted by the agency.

(b) Expenses of redevelopment planning, surveys, and financial analysis, including the reimbursement of the governing body or the community redevelopment agency for such expenses incurred before the redevelopment plan was approved and adopted.

(c) The acquisition of real property in the redevelopment area.

(d) The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in s. 163.370.

(e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness.

(f) All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of agency bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other form of indebtedness.

(7) On the last day of the fiscal year of the community redevelopment agency, any money which remains in the trust fund after the payment of expenses pursuant to subsection (6) for such year shall be:

(a) Returned to each taxing authority which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the trust fund by all taxing authorities within the redevelopment area for that year;

(b) Used to reduce the amount of any indebtedness to which increment revenues are pledged; or

(c) Deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged.

(8) Each community redevelopment agency shall provide for an independent financial audit of the trust fund each fiscal year and a report of such audit. Such report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the trust fund during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which is pledged increment revenues and the remaining amount of such indebtedness. The

agency shall provide a copy of the report to each taxing authority.

History.—s. 11, ch. 77-391; s. 78, ch. 79-400; s. 9, ch. 83-231; s. 15, ch. 84-356; s. 27, ch. 87-224; s. 35, ch. 91-45.

163.390 Bonds as legal investments.—All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued by a county or municipality pursuant to this part or by any community redevelopment agency vested with community redevelopment powers. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize all persons, political subdivisions, and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

History.—s. 13, ch. 69-305; s. 12, ch. 77-391; s. 16, ch. 84-356.

163.395 Property exempt from taxes and from levy and sale by virtue of an execution.—

(1) All property of any county, municipality, or community redevelopment agency, including funds, owned or held by it for the purposes of this part are exempt from levy and sale by virtue of an execution; and no execution or other judicial process may issue against the same, nor shall judgment against the county, municipality, or community redevelopment agency be a charge or lien upon such property. However, the provisions of this section do not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given pursuant to this part by the county or municipality on its rents, fees, grants, or revenues from community redevelopment.

(2) The property of the county, municipality, or community redevelopment agency acquired or held for the purposes of this part is declared to be public property used for essential public and governmental purposes, and such property is exempt from all taxes of the municipality, the county, or the state or any political subdivision thereof. However, such tax exemption will terminate when the county, municipality, or community redevelopment agency sells, leases, or otherwise disposes of such property in a community redevelopment area to a purchaser or lessee which is not a public body entitled to tax exemption with respect to such property.

History.—s. 14, ch. 69-305; s. 13, ch. 77-391; s. 17, ch. 84-356.

163.400 Cooperation by public bodies.—

(1) For the purpose of aiding in the planning, undertaking, or carrying out of community redevelopment and related activities authorized by this part, any public body may, upon such terms, with or without consideration, as it may determine:

(a) Dedicate, sell, convey, or lease any of its interest in any property or grant easements, licenses, or other rights or privileges therein to a county or municipality.

(b) Incur the entire expense of any public improvements made by such public body in exercising the powers granted in this section.

(c) Do any and all things necessary to aid or cooperate in the planning or carrying out of a community redevelopment plan and related activities.

(d) Lend, grant, or contribute funds to a county or municipality; borrow money; and apply for and accept advances, loans, grants, contributions, or any other form of financial assistance from the Federal Government, the state, the county, another public body, or any other source.

(e) Enter into agreements, which may extend over any period, notwithstanding any provision or rule of law to the contrary, with the Federal Government, a county, a municipality, or another public body respecting action to be taken pursuant to any of the powers granted by this part, including the furnishing of funds or other assistance in connection with community redevelopment and related activities.

(f) Cause public buildings and public facilities, including parks, playgrounds, recreational, community, educational, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake to be furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places; plan or replan or zone or rezone any part of the public body or make exceptions from building regulations; and cause administrative and other services to be furnished to the county or municipality.

If at any time title to or possession of any property in a community redevelopment area is held by any public body or governmental agency, other than the county or municipality, but including any agency or instrumentality of the United States, which is authorized by law to engage in the undertaking, carrying out, or administration of community redevelopment and related activities, the provisions of the agreements referred to in this section shall inure to the benefit of and may be enforced by such public body or governmental agency. As used in this subsection, the term "county or municipality" also includes a community redevelopment agency.

(2) Any sale, conveyance, lease, or agreement provided for in this section may be made by a public body without appraisal, public notice, advertisement, or public bidding.

(3) For the purpose of aiding in the planning, undertaking, or carrying out of any community redevelopment and related activities of a community redevelopment agency or a housing authority hereunder, any county or municipality may, in addition to its other powers and upon such terms, with or without consideration, as it determines, do and perform any or all of the actions or things which, by the provisions of subsection (1), a public body is authorized to do or perform, including the furnishing of financial and other assistance.

(4) For the purposes of this section, or for the purpose of aiding in the planning, undertaking, or carrying

out of community redevelopment and related activities of a county or municipality, such county or municipality may, in addition to any authority to issue bonds pursuant to s. 163.385, issue and sell its general obligation bonds. Any bonds issued by the county or municipality pursuant to this section shall be issued in the manner and within the limitations prescribed by the applicable laws of this state for the issuance and authorization of general obligation bonds by such county or municipality. Nothing in this section shall limit or otherwise adversely affect any other section of this part.
History.—s. 15, ch. 69-305; s. 14, ch. 77-391; s. 79, ch. 79-400; s. 18, ch. 84-356.

163.405 Title of purchaser.—Any instrument executed by any county, municipality, or community redevelopment agency and purporting to convey any right, title, or interest in any property under this part shall be conclusively presumed to have been executed in compliance with the provisions of this part insofar as title or other interest of any bona fide purchasers, lessees, or transferees of such property is concerned.
History.—s. 16, ch. 69-305; s. 15, ch. 77-391.

163.410 Exercise of powers 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 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 to a municipality 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. This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter.
History.—s. 17, ch. 69-305; s. 1, ch. 83-29.

163.415 Exercise of powers in counties without home rule charters.—The powers conferred by this part upon counties not having adopted a home rule charter shall not be exercised within the boundaries of a municipality within said county unless the governing body of the municipality expresses its consent by resolution. Such a resolution consenting to the exercise of the powers conferred upon counties by this part shall specifically enumerate the powers to be exercised by the county within the boundaries of the municipality. Any power not specifically enumerated in such a resolution of consent shall be exercised exclusively by the municipality within its boundaries.
History.—s. 18, ch. 69-305.

163.430 Powers supplemental to existing community redevelopment powers.—The powers conferred upon counties or municipalities by this part shall be supplemental to any community redevelopment powers now being exercised by any county or municipality in accordance with the provisions of any population act, special act, or under the provisions of the home rule charter for Dade County, or under the provision of the charter of the consolidated City of Jacksonville.
History.—s. 21, ch. 69-305.

163.445 Assistance to community redevelopment by state agencies.—State agencies may provide technical and advisory assistance, upon request, to municipalities, counties, and community redevelopment agencies for community redevelopment as defined in this part. Such assistance may include, but need not be limited to, preparation of workable programs, relocation planning, special statistical and other studies and compilations, technical evaluations and information, training activities, professional services, surveys, reports, documents, and any other similar service functions. If sufficient funds and personnel are available, these services shall be provided without charge.
History.—s. 25, ch. 69-305; s. 16, ch. 77-391; s. 19, ch. 84-356.

163.450 Municipal and county participation in neighborhood development programs under Pub. L. No. 90-448.—Nothing contained herein shall be construed to prevent a county or municipality which is engaging in community redevelopment activities hereunder from participating in the neighborhood development program under the Housing and Urban Development Act of 1968 (Pub. L. No. 90-448) or in any amendments subsequent thereto.
History.—s. 26, ch. 69-305; s. 19, ch. 85-80.

APPENDIX D

RESOLUTION NO._____

A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; DEFINING THE COMMUNITY REDEVELOPMENT AREA AND COMMUNITY REDEVELOPMENT RESERVE AREA; FINDING THE EXISTENCE OF SLUM AND BLIGHTED CONDITIONS IN THE AREA; MAKING CERTAIN FINDINGS AND DETERMINATIONS, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Garden, Florida finds the existence of certain slum or blighted areas within the boundary of the Winter Garden Community Redevelopment Area (the "Area") and Community Redevelopment Reserve Area (the "Reserve"), and determines that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Area and Reserve Area by a redevelopment agency is necessary in the best interests of the public health, safety, morals, or welfare of the residents and citizens of the City of Winter Garden; and

WHEREAS, the City of Commission and the Community Redevelopment Committee have commissioned a study which as confirmed the findings of slum and blight; and

WHEREAS, conditions are present in the Area and Reserve Area which are detrimental to the sound growth of the municipality and which substantially impair or arrest the growth within the Area and adjacent territory, and present conditions and uses in the Area and Reserve Area are detrimental to the public health, safety, morals and public welfare; and

WHEREAS, there is a predominance of inadequate or defective street layout; and

WHEREAS, there is faulty and inadequate lot layout in relation to size, adequacy, accessibility, or usefulness; and

WHEREAS, there is unsanitary conditions as it relates to the age and conditions of the municipal water and sanitary systems; and

WHEREAS, there has been a deterioration of site or other improvements; and

WHEREAS, there is a diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land; and

WHEREAS, a feasible method exists for the relocation of those displaced due to redevelopment activities; and

WHEREAS, action must be taken immediately to prevent further blight and deterioration and to protect and enhance public expenditures previously made in the Area and Reserve Area; and

WHEREAS, the City desires to proceed under Part III, Chapter 163, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished in the Area. NOW THEREFORE,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA.

1. The City Commission, based upon evidence presented to it and in the public record does hereby expressly find that slum or blighted areas as defined in Section 163.340 (8), Florida Statutes, exist within the community redevelopment area and adjacent reserve area as defined in Section 163.340 (10), Florida Statutes , as described in Exhibit A, attached hereto.

2. For the purpose of this resolution and any community redevelopment project undertaken pursuant hereto, the Community Redevelopment Area and Reserve Area shall be that area more particularly described in Exhibit A, attached hereto.

3. The City Commission does hereby expressly find that the rehabilitation, conservation or redevelopment, or a combination thereof, of the area described in Section Two is necessary in the interest of the public health, safety, morals or welfare of the residents of the City of Winter Garden.

4. The City Commission does hereby expressly find that it is necessary, appropriate, proper and timely that a Community Redevelopment Agency be created to carry out the community redevelopment purposes of the provisions of Part III, Chapter 163, Florida Statutes and other resolutions, ordinances and laws that may be utilized to further redevelopment within the area described in Exhibit A.

5. This resolution shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE THIS_____ DAY OF_____, 19__

_____
Mayor of the City of Winter Garden, Florida

ATTEST:

_____
City Clerk

Approved as to form and legality

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; CREATING A COMMUNITY REDEVELOPMENT AGENCY, PURSUANT TO SECTION 163.356, FLORIDA STATUTES; AUTHORIZING THE AGENCY TO EXERCISE POWERS WITHIN THE COMMUNITY REDEVELOPMENT AREA; APPOINTING A BOARD OF COMMISSIONERS OF THE COMMUNITY REDEVELOPMENT AGENCY; DESIGNATING A CHAIRMAN AND VICE CHAIRMAN OF THE BOARD; PROVIDING FOR TERMS OF OFFICE OF THE COMMISSIONERS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Garden, Florida has adopted Resolution No._____ finding the existence of certain slum or blighted areas within the boundary of the Winter Garden Community Redevelopment area ("the Area") and Community Redevelopment Reserve Area (the "Reserve Area") determining that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Area by a redevelopment agency is necessary in the best interests of the public health, safety, morals, or welfare of the residents and citizens of the City of Winter Garden; and

WHEREAS, the City Commission and the Community Redevelopment Committee have commissioned a study which as confirmed the findings of slum and blight; and

WHEREAS, the City Commission and Community Redevelopment Committee of Winter Garden have commissioned a study which as confirmed the findings of blight.

WHEREAS, action must be taken immediately to prevent further blight and deterioration and to protect and enhance public expenditures previously made by in the Area and the Reserve Area; and

WHEREAS, the City has determined that there is a need for a community redevelopment agency to function within the City in order to carry out community redevelopment; and

WHEREAS, under Section 173.410, Florida Statutes, in any county which as adopted a home rule charter, the powers conferred by the Community Redevelopment Act 1969 are to be exercised exclusively by the governing body of such county unless the governing body of such county, by resolution, specifically delegates the exercise of such powers within the corporate boundaries of a municipality to the governing body of such municipality; and

WHEREAS, Orange County has adopted a home rule charter, it was necessary for the City Commission of the City of Winter Garden, Florida, to obtain

delegation of the powers thru resolution, conferred upon Orange County by the Community Redevelopment Act of 1969 so that the City may exercise the authority and privileges conferred by such act within the Community Redevelopment Area and Community Redevelopment Reserve Area boundaries; and

WHEREAS, Section 163.410, Florida Statutes (1989), permits such a delegation to be made subject to such conditions and limitations as Orange County may impose; and

WHEREAS, the Orange County Board of County Commissioners has, by resolution, delegated the right and authorization to exercise powers as described and provided in Chapter 163, Part III, Florida Statutes, such powers to include the authorization of a Community Redevelopment Agency; as part of the Municipal public body or taxing authority; and

WHEREAS, the City desires to proceed under Part III, Chapter 163, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished in the Area; and

WHEREAS, all prerequisites having been accomplished, it is now appropriate and necessary in order to proceed further that a Community Redevelopment Agency be created. NOW THEREFORE,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA;

1. The City Commission does hereby expressly authorize the Community Redevelopment Agency, pursuant to Section 163.356, Florida Statutes, which shall be a public body corporate and politic and constitute a public instrumentality.

2. The City Commission does hereby expressly authorize the Community Redevelopment Agency to exercise all the powers conferred, and as limited, by Part III, Chapter 163, Florida Statutes, necessary or convenient to carry out and effectuate the purposes of community redevelopment within the boundaries of the Community Redevelopment Area, more particularly described in Exhibit "A", attached hereto.

3. The City Commission does hereby expressly appoint a Board of Commissioners of the Community Redevelopment Agency, which shall consist of seven members, of which a majority shall either reside, own property or operate a business located within the area of operation of the Community Redevelopment Agency. The Chairman and Vice Chairman are designated by majority vote of the City Commission from and upon recommendation of, the Community Redevelopment Agency.

4. The terms of office of the members of the Community Redevelopment Agency shall be 4 years, except that three of the members of the first appointed Board shall serve terms 1,2, and 3 years, respectively, from the date of their appointments. The names of these three members shall be randomly selected by the City Commission. Thereafter, all members shall serve terms of 4 years. A vacancy occuring during the term shall be filled for the unexpired term by the Commission appointment in the same fashion as the original appointment.

5. This ordinance shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1992

_____
Mayor of the City of Winter Garden, Florida

ATTEST:

_____
City Clerk

ORDINANCE NO._____

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA,PURSUANT TO FLORIDA STATUTE 163.360, APPROVING A COMMUNITY REDEVELOPMENT PLAN FOR THE WINTER GARDEN COMMUNITY REDEVELOPMENT AREA AS SET FORTH IN RESOLUTION NO. ___ OF THE CITY COMMISSION; MAKING CERTAIN FINDINGS AND DETERMINATIONS; FINDING THAT THE PLAN CONFORMS TO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Commission of the City of Winter Garden, Florida has adopted Resolution No._____, finding the existence of certain slum and blighted areas within the boundary of the Winter Garden Community Redevelopment Area ("the Area) and, Community Redevelopment Reserve Area ("the Reserve Area"), and determining that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Area and Reserve Area by the Community Redevelopment Agency is necessary in the best interests of the public health, safety, morals, or welfare of the residents and citizens of the City of Winter Garden; and

WHEREAS, the City Commission of the City of Winter Garden, Florida has adopted Ordinance No._____, creating a Community Redevelopment Agency to carry out and effectuate the purposes of community redevelopment within the boundaries of the Area; and

WHEREAS, the City Commission and the Community Redevelopment Committee has commissioned a study which has confirmed the findings of blight; and

WHEREAS, action must be taken immediately to prevent further blight and deterioration and to protect and enhance public expenditures previously made by the City in the Area; and

WHEREAS, the Orange County Board of County Commissioners has, by resolution, delegated to the City the right and authorization to exercise powers as described and provided in Chapter 163, Part III, Florida Statutes, such powers to include the power to prepare (or to have prepared) a Community Redevelopment Plan ("the Plan") in accordance with Section 163.360, Florida Statutes; and

WHEREAS, the Orange County Board of County Commissioners has adopted a resolution approving the Community Redevelopment Plan; and

WHEREAS, the Winter Gardeen Planning and Zoning Commission, acting as the City's designated Local Planning Agency, has determined that the Community Redevelopment Plan is consistant with the City's adopted Comprehensive PLan; and

WHEREAS, the City desires to proceed under Part III, Chapter 163, Florida Statutes (the "Act"), to establish the necessary means by which redevelopment can be accomplished in the Area; and

WHEREAS, after due consideration and public hearings as required by law, the City Commission of the City of Winter Garden, Florida, deems it appropriate to approve the Community Redevelopment Plan for the Area. NOW THEREFORE,

BE IT ENACTED BY THE COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA:

1. The Community Redevelopment Plan for the Community Redevelopment Area and Reserve Area, having been duly received and considered as provided by law, is hereby approved and adopted as attached hereto as Exhibit "A", more specifically referred to as Winter Garden Community Redevelopment Plan, and made a part of this Ordinance by reference. Said Plan is hereby designated as the official Community Redevelopment Plan for the Community Redevelopment Area, the boundaries of which are described in the Plan. It is the purpose and intent of the City Commission that the Community Redevelopment Plan be implemented in the Area.

2. The City Commission expressly finds that the Community Redevelopment Plan satisfies the requirements of Florida Statute 163.360, because:

a. Even though no families are anticipated to be displaced as a result of the project, a feasible method exists for the location of any such families in decent, safe and sanitary dwelling accommodations within their means and without undue hardship;

b. The Community Redevelopment Plan conforms to the City of Winter Garden Comprehensive Plan as a whole;

c. The Plan gives due consideration to providing adequate park and recreation areas and facilities that may be desirable;

d. The Plan affords the maximum opportunity, consistent with the sound needs of the City as-a-whole, for the rehabilitation or redevelopment of the Community Redevelopment Area by private enterprise;

e. The Plan is necessary and in the interests of public health, safety, morals and welfare of the residents of the City of Winter Garden, and will effectuate the purpose of the Act by revitalizing the area economically and socially, thereby increasing the tax base, promoting sound growth, improving housing conditions, and eliminating the conditions which the Florida Legislature has found in the Act to constitute a menace which is injurious to the public health, safety, welfare and morals of the residents; and

f. The Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation as may be proposed to be carried out in the Community Redevelopment Area; zoning and planning changes, if any; land uses; maximum densities; and building requirements.

3. In accordance with Florida Statute 163.360 (7) (b), the City Commission does hereby determine that:

a. Non-residential uses in the Community Redevelopment Area are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives; and

b. Acquisition of property within the Community Redevelopment Area may require the exercise of governmental action, as authorized by Part III of Chapter 163, Florida Statutes, or other applicable constitutional, statutory, or ordinance provisions, because of:

1. defective, or unusual conditions of, title or diversity of ownership which prevents the free alienation of such land;
2. tax delinquency;
3. improper subdivisions;
4. outmoded street patterns;
5. deterioration of site;
6. economic disuse;
7. unsuitable topography of faulty lot layouts
8. lack of correlation of the area with other areas of the county or city by streets and modern traffic requirements;
9. inadequate parking facilities;
10. roadway, bridges or public transportation facilities incapable of handling the volume of traffic flow; or
11. any combination of the above or other conditions which retard development of the area.

4. SEVERABILITY. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

5. This Ordinance shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1992

FIRST READING: _____

ADVERTISED: _____

_____

Mayor of the City of Winter Garden, Florida

ATTEST:

_____

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA,PURSUANT TO FLORIDA STATUTE 163.387, PROVIDING FOR CREATION AND ADMINISTRATION OF A COMMUNITY REDEVELOPMENT TRUST FUND FOR THE WINTER GARDEN COMMUNITY REDEVELOPMENT AREA AS SET FORTH IN RESOLUTION NO.____BY THE CITY COMMISSION; OF THE CITY OF WINTER GARDEN, FLORIDA, FOR THE DURATION OF THE COMMUNITY REDEVELOPMENT PLAN; DESIGNATING THE COMMUNITY REDEVELOPMENT TRUST FUND AS THE RECIPIENT OF FUNDS PURSUANT TO CHAPTER 163.387 (1), FLORIDA STATUTES, TO BE ADMINISTERED BY THE WINTER. GARDEN COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Commission of the City of Winter Garden, Florida has hereto adopted Resolution No._____, on which certain findings of fact were made relating to the existence of slum and blighted areas within the boundaries of certain areas of the City of Winter Garden; and

WHEREAS, said Resolution describes the areas in which there exists blight; and

WHEREAS, the City Commission of the City of Winter Garden, Florida has adopted Ordinance No._____, creating a Community Redevlopment Agency to carry out and effectuate the purposes of community redevelopment within the boundaries of the Area; and

WHEREAS, the Orange County Board of County Commissioners has, by resolution, delegated to the City the right and authorization to exercise powers as described and provided in Chapter 163, Part III, Florida Statutes, such powers to included the power to establish a Community Redevlopment Trust Fund (the "Fund") in accordance with Section 163.387, Florida Statutes; and

WHEREAS, the City Commission of the City of Winter Garden has adopted an oOrdinance No._____, approving the Community Redevlopment Plan; and

WHEREAS, the City Commission of the City of Winter Garden desires to provide for the removal of such blighted areas and redevelop such areas, pursuant to the Community Redevelopment Act (the "Act"), as contained in Florida Statutes, Chapter 163, Part III; NOW THEREFORE,

BE IT ENACTED BY THE COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA:

1. There is hereby established and created in accordance with the provisions of Florida Statute 163.387, a Community Redevelopment Trust Fund hereafter referred to as the "Fund".

2. The funds allocated to and deposited into the Fund are hereby appropriated to the Winter Garden Community Redevelopment Agency, hereafter referred to the "Agency", to finance projects within the Winter Garden Community Redevelopment Area, hereafter referred to as the "Area", as authorized by Resolution _____, said Resolution being adopted and made a part of this Ordinance by reference. The Agency shall utilize the funds and revenues paid into and earned by the Fund for all and every Community Redevelopment purpose delegated to it in the aforementioned Resolution, and as contained in the Community Redevelopment Plan and as provided by law, said Fund to exist for the duration of the Plan.

3. There shall be paid into the Fund each year by all taxing authorities, except school district and the St. John's Water Management District, within the Community Redevelopment Area, the incremental increase in ad valorem taxes levied each year by the above taxing authorities on taxable 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 the effective date of the Ordinance approving the Community Redevelopment Plan.

4. The most recent tax roll used in connection with the taxation of such property shall be the Tax Roll of 1992 of Orange County, and all deposits into the fund shall begin with incremental increases in ad valorem tax revenues received subsequent to November 1, 1992.

5. Said tax increment shall be determined and appropriated annually, and shall be an amount equal to the difference between:

a. The amount of ad valorem taxes levied each year by all taxing authorities except the school district and the St. Johns Water Management

District on taxable real property contained within the geographic boundaries in the Community Redevelopment Area; and

b. 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 all taxing authorities, except the school district and the St. John's Water Management District, last equalized prior to the effective date of the Ordinance approving the Community Redevelopment Plan.

6. All taxing authorities, except the school district and the St. John's Water Management District, will annually appropriate to the Fund the aforestated sum at the beginning of their fiscal year. The Fund shall receive tax increment above described only as, if and when such taxes may be collected by the taxing authorities. The taxing authorities' obligation to annually appropriate to the Fund shall commence immediately upon the effective date of this Ordinance and continue until all projects, loans, advances and indebtednesses, if any, and interest thereon, undertaken or incurred by the Agency as a result of the Plan have been paid and only to the extent that such tax increment recited above accrues.

7. The Agency is directed to establish and set up the Fund and to develop and promulgate rules, regulations, and criteria whereby the fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the Agency may, expeditiously and without undue delay, utilize said funds for their allocated statutory purpose.

8. The tax increment shall be computed by using the assessed value of taxable property in the Community Redevelopment Area for the year 1991 as the base, and in subsequent year using the assessed value of property in the Community Redevelopment Area for that years as the second factor in determining the amount of tax increment in that year.

9. The Agency accepts full responsibility for the receipt, custody, disbursement, accountability, management and proper application of all monies paid into the Fund, subject to the provisions of Section Two of this Ordinance.

10. Pursuant to Orange County Resolution No._____the Fund shall contain seperate accounts segregating County and all other deposits.

11. Any and all Ordinances or parts of Ordinances in conflict herewith be and the same hereby repealed.

12. If any part of this Ordinance is held to the invalid or unenforceble for any reason, such holding shall not affect the validity or enforceability of the remainder, which shall remain in full force and effect.

13. This Ordinance shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1992

_____
Mayor of the City of Winter Garden, Florida

ATTEST:

_____
City Clerk

RESOLUTION NO. _____

COMMUNITY REDEVELOPMENT RESOLUTION
FOR THE CITY OF WINTER GARDEN

A RESOLUTION PERTAINING TO REDEVELOPMENT OF A SPECIFIED PART OF ORANGE COUNTY, FLORIDA; DELEGATING CERTAIN COMMUNITY REDEVELOPMENT POWERS FROM THE BOARD OF COUNTY COMMISSIONERS TO THE CITY OF WINTER GARDEN AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Community Redevelopment Act of 1969, as codified in Part III of Chapter 163, Florida Statutes, empowers counties and municipalities to undertake community redevelopment in order to eliminate, remedy or prevent slum and blighted areas and to provide affordable housing; and

WHEREAS, the City of Winter Garden (the "City") has determined that a portion of the municipality comprising its "downtown" area and adjacent areas would benefit from community redevelopment in that one or more slum or blighted areas, in which there is a shortage of housing affordable to residents of low or moderate income, exist within such portions of the City; and

WHEREAS, the City has determined that there is a need for a community redevelopment agency to function within the City in order to carry out community redevelopment; and

WHEREAS, under Section 163.410, Florida Statutes, in any county which has adopted a home rule charter, the powers conferred by the Community Redevelopment Act of 1969 are to be exercised exclusively by the governing body of such county unless the governing body of such county, by resolution, specifically delegates the exercise of such powers within the corporate boundaries of a municipality to the governing body of such municipality; and

WHEREAS, since Orange County has adopted a home rule charter, it is necessary for the City Commission of the City of Winter Garden, Florida, to obtain a delegation of the powers conferred upon Orange County by the Community Redevelopment Act of 1969 so that the City may exercise the authority and privileges conferred by such act within the community redevelopment area boundaries of the City; and

WHEREAS, Section 163.410, Florida Statutes (1989), permits such a delegation to be made subject to such conditions and limitations as Orange County may impose; and

WHEREAS, the City has requested that Orange County delegate to the City the right and authority to exercise certain powers, such powers to specifically include the power to create a Community Redevelopment Agency as part of the municipal public body or taxing authority, under part III, chapter 163, Florida Statutes (1989); and

WHEREAS, the Board of County Commissioners (the "Board") is interested in delegating community redevelopment powers to the City of Winter Garden because there are problems of blight within its designated district and reserve area. NOW THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA,

1. Creation of Community Redevelopment Agency; Boundaries of Community Redevelopment Area.

a. The City is hereby delegated the power to create, or in the alternative the governing body of the City may declare itself to be, a Community Redevelopment Agency relating only to that portion of the City of Winter Garden described in the attached Exhibit "A", and hereafter referred to as the "Community Redevelopment Area" and "Community Redevelopment Reserve Area".

b. The boundaries of the Community Redevelopment Area may be expanded, from time to time, to include all or portions of, the area designated as a "community redevelopment reserve area' and described in Exhibit "A". The board shall be notified, in writing and addressed to the Chairman of Board of County Commissioners,. of the Community Redvelopment Agency's intent to include all or portions of the Community Redevelopment Reserve Area within the Community Redevelopment Area. Expansion of boundaries beyond those identified in Exhibit "A", must have the express consent of the board, as evidenced by the adoption of a resolution authorizing an ammendment to Exhibit "A" for either the Community Redevelopment Area of Reserve Area. The Community Redevelopment Agency may contract the boundaries of the community redevelopment area, removing up to but not exceeding ten (10%) percent of the area, without the Board's consent.

2. Community Redevelopment Plan. The City is hereby delegated the power to adopt a resolution in accordance with Section 163.355, Florida Statutes, and to prepare (or to have prepared) a community redevelopment plan (the "Plan") in accordance with Section 163.360, Florida Statutes, provided that the Board expressly retains the power to review and approve such Plan, either as prepared by the City or Community Redvelopment Agency. The Plan shall not take effect until such time as the Board has approved it, as evidenced by an approving resolution of the Board.

3. Delegation of Powers. Upon approval of the Plan by the Board, the City shall be deemed to have been delegated all other powers necessary or convenient to carry out and effectuate the purposes and provisions of Part III of Chapter 163 of Florida Statutes, including the powers set forth in Section 163.370 of Florida Statutes.

4. Liability. Nothing contained herein shall impose any liability upon Orange County for any acts of the City or the Community Redevelopment Agency.

5. Financing.

a. The Community Redvelopment Agency (CRA) may issue revenue bonds pursuant to Section 163.385, Florida Statutes, provided that the CRA first obtains Board approval of (i) the projects to be funded by the bonds, (ii) the principal amount of the bonds to be issued, and (iii) the maturity schedule and interest rates for the bonds to be issued.

b. The issuance of revenue bonds shall not create a pledge of the faith and credit of Orange County, but shall be payable solely from the tax increment revenues generated from the community redevelopment area plus any other non-ad valorem revenues expressly approved by the Board.

c. Any extension of the maturity of the bonds and any increase in the interest rates for the bonds, whether as part of an issuance of refunding bonds or otherwise, shall be prohibited without the express consent of the Board.

6. Sunset Provision. Unless the Board expressly approves otherwise, this resolution and any amendments or supplements hereto, as well as the Plan and the existence of a separate Community Redevelopment Agency, if any, shall expire and terminate on January 1, 2023. Furthermore, this resolution shall be deemed repealed and of no further effect if the Board has not received and approved the Plan on or before October 1, 1993.

7. Severability. The provisions of this resolution are not severable. If any part of this instrument is held invalid by a court of law or is superseded by any existing or future statute, this resolution shall be deemed void and of no further effect.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY UPON ITS ADOPTION

Adopted by the Board of County Commissioners of Orange County, Florida, This _____ day of _____, 1992.

Orange County, Florida

_____

Chairman, Board of City Commissioners

ATTEST:

Clerk to Board of County Commissioners

RESOLUTION No. _____

COMMUNITY REDEVELOPMENT PLAN RESOLUTION
FOR THE CITY OF WINTER GARDEN

A RESOLUTION PERTAINING TO REDEVELOPMENT OF A SPECIFIED PART OF WINTER GARDEN, ORANGE COUNTY, FLORIDA; APPROVING A COMMUNITY REDEVELOPMENT PLAN FOR THE WINTER GARDEN REDEVELOPMENT AREAS AS SET FORTH IN ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION NO._____; MAKING CERTAIN FINDINGS AND DETERMINATIONS; FINDING THAT THE PLAN CONFORMS TO THE COUNTY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of County Commissioners of Orange County, Florida has adopted Resolution No._____ delegating community redevelopment powers to the City of Winter Garden because there are problems of blight within its designated district and reserve area.

WHEREAS, the City Commission and Community Redevelopment Committee of Winter Garden have commissioned a study which has confirmed the findings of blight.

WHEREAS, the City Commission of Winter Garden has adopted an ordinance creating a Community Redevelopment Agency to carry out and officiate the purpose of community redevelopment within the boundaries of the area.

WHEREAS, the City of Winter Garden desires to proceed under Part III, Chapter 163, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished in the Area; and

WHEREAS, after due consideration of public hearings as required by law, the Board of County Commissioners of Orange County, Florida deems it appropriate to approve the Winter Garden Community Redevelopment Plan. NOW THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA,

1. Approval of Community Redevelopment Plan.

a. The Community Redevelopment Plan for the Community Redevelopment Area, having been duly received and considered as provided by law, is hereby approved and adopted as descibed in Exhibit "A", more specifically referred

to as the Winter Garden Community Redevelopment Plan (the "Plan"), and made a part of this Resolution by reference. Said Plan is hereby designated as the official Community Redevelopment Plan for the Community Redevelopment Area (the "Area") and Community Redevelopment Reserve Area (the "Reserve Area"), the boundaries of which are described in the Plan. It is the purpose and intent of the Board of County Commissioners that the Community Redevelopment Plan be implemented in the Area and Reserve Area.

b. The boundaries of the Community Redevelopment Area may be expanded, from time to time, to include all or portions of, the area designated as a "Community Redevelopment Reserve Area" and described in Exhibit "A". The board shall be notified, in writing and addressed to the Chairman of Board of County Commissioners, of the Community Redvelopment Agency's intent to include all or portions of the Community Redevelopment Reserve Area within the Community Redevelopment Area. Expansion of boundaries beyond those identified in Exhibit "A", must have the express consent of the board, as evidenced by the adoption of a resolution authorizing an amendment to Exhibit "A" for either the Community Redevelopment Area of Reserve Area. The Community Redevelopment Agency may contract the boundaries of the community redevelopment area, removing up to but not exceeding ten (10%) percent of the area, without the Board's consent.

c. The Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation as may be proposed to be carried out in the Community Redevelopment Area; zoning and planning changes, if any; land uses; maximum densities; and building requirements.

d. The Board of County Commissioners approves, thru this resolution, the Winter Garden Community Redevelopment Plan; however, the Community Redvelopment Agency may not expend any tax increment revenues

deposited by the County in the Community Redevelopment Trust Fund until a subsequent Implementation Program has been approved by the Board, and for that purpose the fund shall contain separate accounts segregating County deposits from all other deposits.

e. The Plan shall not be amended without the express consent of the Board, as evidenced by an approving resolution, and the Community Redvelopment Agency shall not deviate substantially from the projects set forth in the Implementation Program (including their nature, size, design, location, schedule, and estimated cost) without an amendment to the Plan.

2. The Board of County Commissioners expressly finds that the Community Redevelopment Plan Satisfies the requirements of Florida Statute 163.360, because:

a. Even though no families are anticipated to be displaced as a result of the project, a feasible method exists for the location of any such families in decent, safe and sanitary dwelling accommodations within their means and without undue hardship;

b. The Community Redevelopment Plan conforms to the general plan of the City as a whole;

c. The Plan gives due consideration to providing adequate park and recreation areas and facilities that may be desirable;

d. The Plan affords the maximum opportunity, consistent with the sound needs of the City as-a-whole, for the rehabilitation or redevelopment of the Community Redevelopment Area by private enterprise;

e. The Plan conforms to the Orange County Comprehensive Plan.

3. Delegation of Powers. With the execution of this resolution the City and Community Redevelopment Agency shall be deemed to have been

delegated all other powers necessary or convenient to carry out and effectuate the purposes and provisions of Part III of Chapter 163 of Florida Statutes, including the powers set forth in Section 163.370 of Florida Statutes.

4. Liability. Nothing contained herein shall impose any liability upon Orange County for any acts of the City or the Community Redevelopment Agency.

5. Sunset Provision. Unless the Board expressly approves otherwise, this resolution and any amendments or supplements hereto, as well as the Plan and the existence of a seperate Community Redevelopment Agency, if any, shall expire and terminate on January 1, 2023.

6. Severability. The provisions of this resolution are not severable. If any part of this instrument is held invalid by a court of law or is superseded by any existing or future statute, this resolution shall be deemed void and of no further effect.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY UPON ITS ADOPTION

Adopted by the Board of County Commissioners of Orange County, Florida,

This _____day of _____, 1992.

Orange County, Florida

_____

Chairman, Board of County Commissioners

ATTEST:

Clerk to Board of County Commissioners