

CITY OF CLERMONT

RESOLUTION

No. 950

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, FINDING THE DOWNTOWN AREA TO BE A BLIGHTED AREA; FINDING THAT THE REHABILITATION, CONSERVATION, OR REDEVELOPMENT OF THE DOWNTOWN AREA IS NECESSARY IN THE INTEREST OF PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE OF THE RESIDENTS OF THE CITY; FINDING THAT THERE IS NEED FOR A COMMUNITY REDEVELOPMENT AGENCY TO FUNCTION IN THE CITY, AND CREATING THE AGENCY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes, empowers counties and municipalities to undertake community redevelopment in order to eliminate, remedy, or prevent slum and blighted areas; and

WHEREAS, the City of Clermont, Department of Planning, did conduct a "Finding of Necessity" study attached hereto as Exhibit "A", finding the downtown area to meet the definition of blighted and that redevelopment is necessary in accordance with 163.355, Part III, Florida Statutes; and

WHEREAS, the downtown redevelopment area is defined as:

Beginning at a point on the northeast corner of block 145, Johnson's Replat, Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run east to the shoreline of Lake Minneola; thence run easterly along the southern shoreline of Lake Minneola to a point that would intersect with a line extending the southern right-of-way of Carroll Street west; thence run east along the southern right-of-way of Carroll Street to its intersection with the eastern right-of-way of Fifth Street; thence run south along the eastern right-of-way line of Fifth Street 150 feet; thence run east 140 feet; thence run south to the southern right-of-way of Osceola Street; thence run east along the southern right-of-way of Osceola Street to a point at the Northeast corner of Lot 13, Block 50, City of Clermont, Public Records of Lake County, Florida; thence run south to the southern right-of-way of Minneola Avenue; thence run west along southern right-of-way of Minneola Avenue to the eastern right-of-way of Fifth Street; thence run south along eastern right-of-way of Fifth Street to the southern right-of-way of Juniata Street; thence run west along southern right-of-way of Juniata Street to intersection of a line

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extending the boundary between Lots 11 and 12, Block 60, City of Clermont, north; thence run south along said line to the southern right-of-way of State Road 50; thence run west to the northeast corner of Lot 1, Block 125, Sunset Park, Plat Book 8, Page 19, Public Records of Lake County, Florida; thence run north to the centerline of vacated Broome Street; thence run east to a point that would intersect a line extending the west right-of-way of Eleventh Street south; thence run north along west right-of-way of Eleventh Street to the northern right-of-way of DeSoto Street; thence run east along right-of-way to the western right-of-way of Tenth Street; thence run north along western right-of-way to the southern right-of-way of Montrose Street; then run west along southern right-of-way of Montrose Street to the western right-of-way of Twelfth Street; then run north along western right-of-way to a point on the northeast corner of Lot 4, Block 142, Johnson's Replat, Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run east to the northeast corner of Lot 26, Block 120, Johnson's Replat, Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run south 50 feet; thence east 125 feet to western right-of-way of West Lake Drive (aka Eleventh Street); thence run south to northern right-of-way of Minneola Avenue; then run east along northern right-of-way of Minneola Avenue to the East line of Section 23; thence run north along said East line to a point 200 feet south of the southern boundary of abandoned railroad right-of-way; thence run northeasterly to a point on the abandoned railroad right-of-way that is 100 feet East of the East line of Section 23; thence run west along abandoned railroad right-of-way to the northwest corner of Lot 13, Block 115, Johnson's Replat, Plat Book 8, Page 71, Public Records of Lake County, Florida; thence south to the northern right-of-way of Carroll Street; thence south to a point on the northeast corner of Lot 7, Block 119, Johnson's Replat, Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run west 150 feet; thence run south 150 feet; thence run east 75 feet; thence run south to the centerline of vacated Osceola Street; then west to western right-of-way of Twelfth Street; thence run north along said right-of-way to the Point of Beginning.

WHEREAS, the City Council of the City of Clermont finds and declares that the above described area, known as the Downtown Redevelopment Area, contains areas which are hereby found to be slum or blighted; and

WHEREAS, the rehabilitation, conservation, redevelopment, or a combination thereof, of the Downtown Redevelopment Area is necessary in the interest of the public health, safety, morals, and welfare of the residents of the City of Clermont; and

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WHEREAS, the City Council of the City of Clermont is the duly elected governmental body of the City of Clermont and may be designated as the Redevelopment Agency pursuant to 163.357, Part III, Florida Statutes; and

WHEREAS, the City Council which consists of five members may appoint two additional persons to act as members of the community redevelopment agency; and

WHEREAS, notice to each taxing authority and public notice of the city's intention to adopt a resolution adopting the Finding of Necessity study, creating a Community Redevelopment Agency and declaring the City Council as the Community Redevelopment Agency, has been given, as provided for in Sections 163.346 and 166.041(3), Florida Statutes.

NOW THEREFORE, be it resolved by the City Council of the City of Clermont, Florida:

Section 1. Findings.

A. The Downtown Redevelopment Area as described above is hereby declared to be a blighted area pursuant to the criteria established in Chapter 163, Part III, Florida Statutes. The report entitled "Finding of Necessity" and attached hereto as Exhibit "A" is hereby accepted as evidence of the presence of blight and the need for rehabilitation, conservation, and/or redevelopment in the described area.

B. There is a need for a Community Redevelopment Agency to function in the City to carry out the community redevelopment purposes provided for in Chapter 163, Part III, Florida Statutes, in the Downtown Redevelopment Area of the City of Clermont.

Section 2. Creation of Community Redevelopment Agency.

A. The Clermont City Council hereby creates a community redevelopment agency known as the "Downtown Clermont Redevelopment Agency", to carry out redevelopment functions within the Downtown Redevelopment Area of the City.

B. In accordance with Chapter 163.357, Part III, Florida Statutes, The Clermont City Council declares itself together with two citizen members, to be appointed by the Council, to be the Downtown Clermont Redevelopment Agency for the City of Clermont and is empowered with those

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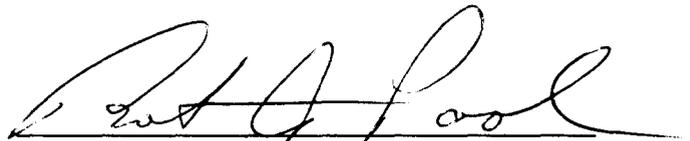
authorities, powers, and obligations conveyed upon a redevelopment agency pursuant to authority granted in Chapter 163, Part III, Florida Statutes.

C. The members of the City Council together with the appointed citizen members shall be the members of the redevelopment agency, but such members constitute the head of a legal entity, separate, distinct, and independent from the governing body of the City Council of the City of Clermont.

Section 3. Notice. That proper notice in accordance with Chapter 163.346, Part III, Florida Statutes has been given to affected taxing authorities.

Section 4. Effective Date. This resolution shall take effect immediately upon its approval and adoption by the Clermont City Council.

ADOPTED at a regular meeting of the City Council of the City of Clermont, Florida, this 27th day of May, 1997.


ROBERT A. POOL, Mayor

ATTEST:


JOSEPH E. VAN ZILE, City Clerk

CITY OF CLERMONT

Finding Of Necessity

March 1997

Prepared by:

The Clermont Planning Department

Exhibit "A"

I. INTRODUCTION

In the years following WWII, the automobile and the mobility that it afforded the average American redefined development patterns and business location decisions. As new highways and interstates were constructed to meet the demands of an increasingly auto oriented society, many businesses abandoned downtowns for the increased visibility and accessibility of highway commercial centers. As a consequence many traditional downtown areas became less economically vital and attracted less private and public investment. Buildings and infrastructure were allowed to deteriorate, contributing to the decline of downtown viability and property values. The result was that many downtowns were abandoned and their value to the community forgotten.

The history of downtown Clermont mirrored that of many cities, following a path of decline that continued until recently. Although recent years have seen an increase in investment and activity, downtown continues to suffer deficiencies in parking, roadways, and stormwater drainage. Vacant lots and unoccupied buildings are common while a substantial number of buildings are under utilized or show signs of deterioration. Housing in the area also shows signs of deterioration. These deficiencies must be addressed if downtown is to continue along the road to recovery.

Fortunately, the leadership of Clermont has been laying the groundwork for downtown's recovery for many years. Efforts to keep the post office and police station downtown and the purchase of property for a future city hall have ensured that government services, which are the cornerstone of vital community, will remain downtown. Also, the redevelopment of Waterfront Park and the South Lake Trail will add value and life to the downtown area.

The Florida Legislature has also recognized the importance of a healthy downtown to a community. Florida Statutes provide for the creation of Community Redevelopment Agencies (CRA) and the use of various funding sources to help communities with their revitalization efforts. A Community Redevelopment Agency (CRA) is a public entity created by a local government to implement redevelopment activities. Creation of a CRA allows cities to use tax increment financing and other funding mechanisms to carry out their redevelopment plans. In order to be eligible for CRA status, the redevelopment area must meet the criteria of slum or blight as stated in Chapter 163.340, Part III, Florida Statutes. It is the purpose of this study to establish the existence of blight in downtown Clermont therefore the need for redevelopment.

II. DEFINITION OF BLIGHT

Florida Statutes require that the proposed redevelopment area meet the definition of a "blighted area" in order to create a CRA. The following is the definition of "blighted area" as stated in Chapter 163.340, Part III, Florida Statutes:

A "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 condition;
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.

This definition has been interpreted to include the following conditions: stormwater drainage deficiencies, inadequate roadways and parking, site and building deterioration, vacant lots, unoccupied or closed commercial buildings, depressed property values, and non-conforming uses among others. According to Florida Statutes, the presence of only one of these conditions is a basis for a "Finding of Necessity" and the need to create a Community Redevelopment Agency.

III. STUDY AREA

The proposed redevelopment area is the historic commercial and residential downtown area as shown in Exhibit "A". It is generally that part of town south of Lake Minneola and north of State Road 50 between Fifth Street on the east and Twelfth Street on the west.

IV. ANALYSIS OF CONDITIONS OF BLIGHT

In varying degrees, most of the conditions of blight as listed in the Florida Statutes exist in downtown Clermont. This analysis will concentrate on deficiencies in stormwater drainage, inadequate parking facilities and aspects of site deterioration.

Stormwater drainage

The current stormwater drainage system is outdated and creates compliance problems with meeting current state water quality standards. Stormwater inlets and conveyances are in place and stormwater abatement facilities have been provided in certain areas, however, other parts of the central business area do not have pre-treatment facilities and stormwater runs directly into the lakes. This is of particular concern since Lake Minneola and the Palatlahaha chain of lakes are designated as Outstanding Florida Waters. Although the City is not required to retro fit for existing development, all new development will have to retain stormwater on site. Due to the small size of downtown lots, on-site water retention is not feasible in most cases. Until stormwater treatment and abatement facilities are constructed for the downtown area, redevelopment efforts will be severely hampered.

Inadequate Parking Facilities

Parking in downtown is inadequate to meet the demands of new development. Historically on-site parking was not required and as a result most existing downtown businesses do not meet the current code for the number of required parking spaces. New businesses, however, are required to provide adequate on-site parking or buy into a city parking space reserve fund. Because downtown lots are small, the provision of on-site parking is not feasible in most cases. And parking spaces to be provided through the reserve fund have not yet been constructed. Until more parking is made available, downtown redevelopment efforts will be limited.

Deterioration of Site and Other Improvements

A windshield survey revealed vacant commercial and residential lots interspersed throughout the downtown area. Several buildings are unoccupied or closed and even more are in need of repair. Beyond visual indicators, site and building deterioration is also expressed in terms of depressed property valuation. Assessed property values over the last ten years have increased at the same rate as inflation, but no more. This indicates minimal investment and redevelopment between 1986 and 1996. Vacant lots, under utilized buildings, and depressed property values are all indicators of deterioration and the need for reinvestment and redevelopment.

CONCLUSION

According to the Florida Statutes an area proposed for redevelopment must meet the definition of a "slum or blighted area" in order to be eligible for a CRA. An area qualifies as slum or blighted if only one condition of the definition is met. As presented in this study, Downtown Clermont clearly exhibits conditions of blight and is therefore eligible to create a Community Redevelopment Agency. This study should be considered as support for a finding that blighted areas exist, that redevelopment is necessary in the interest of public health, safety, or welfare of the residents of Clermont, and that there is a need for a community redevelopment agency to function in the City.

Downtown Redevelopment Area

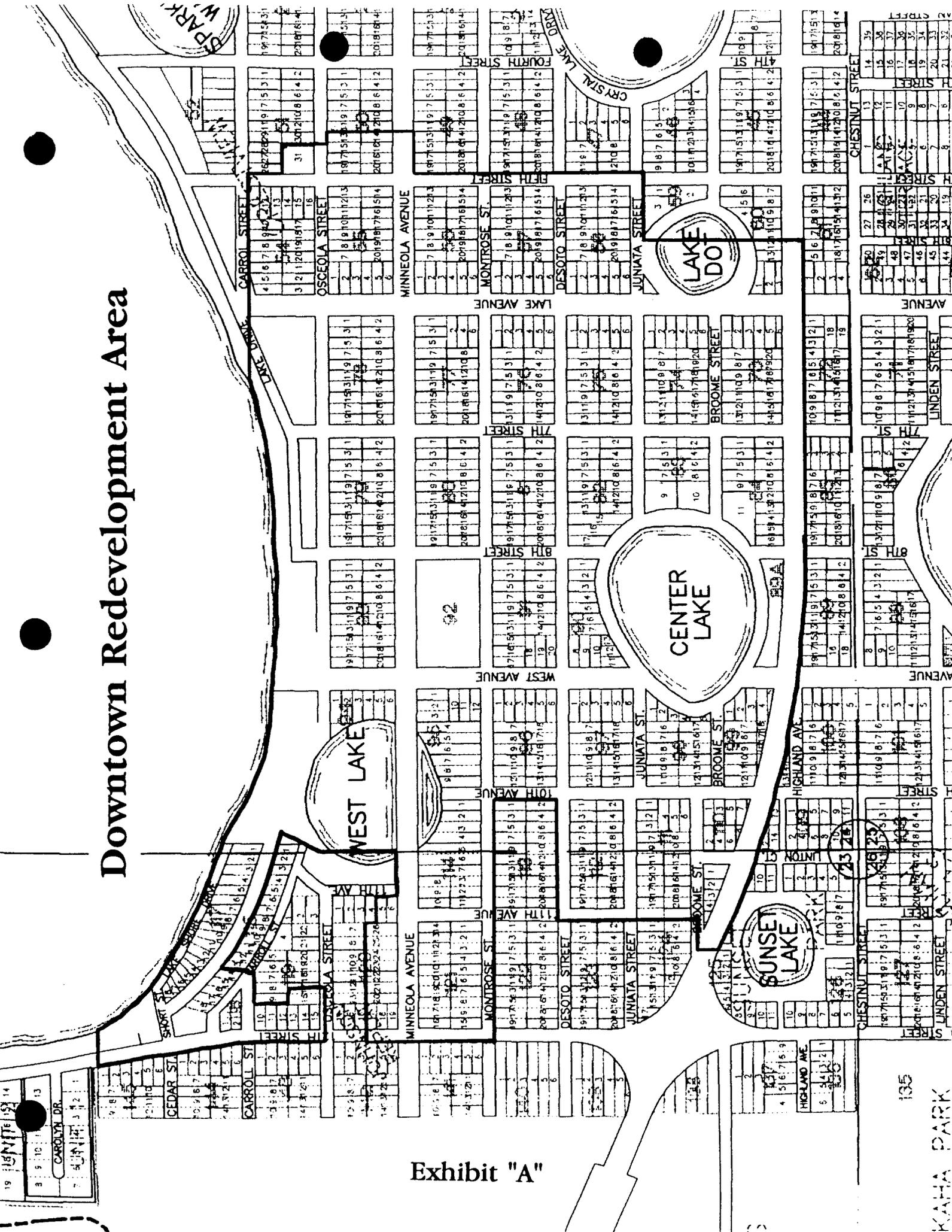


Exhibit "A"