

## Chapter 39 - COMMUNITY REDEVELOPMENT AGENCY<sup>[1]</sup>

Footnotes:

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**Cross reference**— Administration, ch. 1; local housing assistance, § 21.271 et seq.; Housing Finance Authority, § 71.131 et seq.

**State Law reference**— Community Redevelopment Act of 1969, F.S. § 163.330 et seq.

Sec. 39.1. - General provisions and definitions.

39.1.A. *Short title and applicability; creation of the Community Redevelopment Agency.* This chapter shall be known as, and may be cited as, the "Martin County Community Redevelopment Agency Ordinance." This chapter shall apply to the unincorporated areas of Martin County. The Martin County Community Redevelopment Agency is hereby created, pursuant to F.S. §§ 163.330—163.450, as the same may be amended from time to time.

39.1.B. *Intent and purpose.* This chapter is intended to be consistent with the Martin County Comprehensive Growth Management Plan. This chapter shall afford maximum opportunity, consistent with the sound needs of the County as a whole, to the rehabilitation or redevelopment of the community redevelopment areas by private enterprise.

39.1.C. *Definitions.* The following definitions shall apply to this chapter:

*Agency* shall mean the Martin County Community Redevelopment Agency.

*Blighted area* means either:

1. An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions that lead to economic distress or endanger life or property by fire or other causes or one or more of the following factors 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:
  - a. Predominance of defective or inadequate street layout;
  - b. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
  - c. Unsanitary or unsafe conditions;
  - d. Deterioration of site or other improvements;
  - e. Inadequate and outdated building density patterns;
  - f. Tax or special assessment delinquency exceeding the fair value of the land;
  - g. Inadequate transportation and parking facilities; and
  - h. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
2. An area in which there exists faulty or inadequate street layout, inadequate parking facilities, or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction.

However, for purposes of qualifying for the tax credits authorized in F.S. ch. 220, "blighted area" means an area described in paragraph 1.

*Board* shall mean the Martin County Board of County Commissioners.

*Capital Improvement Element* shall mean the element of the Martin County Comprehensive Growth Management Plan that is intended to identify public facilities, having a useful life expectancy of three or more years, that will be required to meet the needs of the County's future population, including the cost of the facilities and the sources of revenues that will be used to fund the facilities. These facilities shall include, but not be limited to: land, improvements to land, structures (including design, permitting, and construction), initial furnishings and selected equipment.

*Community redevelopment* or *redevelopment* means undertakings, activities, or projects of the County 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 reduction or prevention of crime, 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 and revitalization of coastal resort and tourist areas that are deteriorating and economically distressed, 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.

*Community redevelopment agency (agency)*. See Martin County Community Redevelopment Agency.

*Community redevelopment area* means an area, located within the Primary Urban Service District, which is one or a combination of the following: 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 coastal and tourist area that is deteriorating and economically distressed due to outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layout, which the governing body designates as appropriate for community redevelopment. Community Redevelopment Areas shall be designated on the Future Land Use Map.

*Community redevelopment plan* shall mean a plan, as it exists from time to time, for a designated community redevelopment area.

*Comprehensive Plan* shall mean the Martin County Comprehensive Growth Management Plan, as such plan may be amended from time to time.

*Martin County Community Redevelopment Agency* or *agency* means the public agency designated pursuant to F.S. § 163.356. The Martin County Community Redevelopment Agency area shall have the coterminous boundaries of the designated Community Redevelopment Areas.

*Neighborhood Advisory Committee* or *NAC* shall mean a committee appointed by the Board of County Commissioners to act in an advisory capacity to the Community Redevelopment Agency for a particular community redevelopment area.

*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.

*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.

*Related activities* means:

1. Planning work for the preparation of a general neighborhood redevelopment plan or for the preparation or completion of a community-wide plan or program pursuant to F.S. § 163.365.
2. The functions related to the acquisition and disposal of real property pursuant to F.S. § 163.370.
3. The development of affordable housing for residents of the area.

4. The development of community policing innovations.

*Sustainable Vision Plan* shall mean the adopted 2020 Vision for a Sustainable Martin County.

*Taxing authority* or *public body* means the State or any county, municipality, authority, special district as defined in F.S. § 165.031, or other public body of the State, except a school district. The term "taxing authority" or "public body" shall not include any of the foregoing that are exempt from the provisions of F.S. ch. 163, pt. III, by special act of the Florida Legislature, or that are otherwise exempt.

(Code 1974, § 7 1/3 -1; Ord. No. 517, pt. 1, § 7 1/3 -1, 6-24-1997; Ord. No. 536, pt. 1(A), 12-8-1998; Ord. No. 615, pt. 1(7 1/3 -1), 5-28-2002; Ord. No. 860, pt. 1, 3-30-2010; Ord. No. 923, pt. 1, 12-18-2012; Ord. No. 932, pt. 1, 8-6-2013; Ord. No. 1015, pt. 1, 12-13-2016)

Sec. 39.2. - Appointment to Agency.

39.2.A. The Board of County Commissioners of Martin County, shall appoint a Community Redevelopment Agency (Agency) in accordance with F.S. § 163.356. The appointment of members to the Agency, eligibility and their length of term shall be as provided in this Section.

39.2.B. The Community Redevelopment Agency shall constitute a legal entity, separate, distinct, and independent from the Board of County Commissioners.

39.2.C. The Community Redevelopment Agency shall consist of seven members. The Agency shall be made up of one member representing each of the following community redevelopment areas; Golden Gate, Hobe Sound, Jensen Beach, Old Palm City, Rio and Port Salerno and one member "at large" from within a community redevelopment area.

39.2.D. In order for a person to qualify for membership in the Agency, the person must either:

1. Reside in the community redevelopment area; or
2. Be a resident of Martin County and engage in a business within the area of operation of the community redevelopment area, which means:
  - a. Owning a business; or
  - b. Practicing a profession; or
  - c. Performing a service for compensation; or
  - d. Serving as an officer or director of a corporation or other business entity so engaged; or
3. Be a resident of Martin County and own real property within a mile of the community redevelopment area; and
4. Have served as Chair of the Neighborhood Advisory Committee in the community redevelopment area they are to represent as a member of the Agency. The "at large" member shall have served as a member of the Neighborhood Advisory Committee, but is not required to have served as Chair.

39.2.E. The term of each member shall be determined at the time of their appointment. At the initial appointment to the Agency the terms of office of the members shall be for four years, except that three of the members first appointed shall be designated to serve terms of one, two, and three years, respectively, from the date of their appointments. Following the initial appointment, members shall be designated to serve for terms of four years from the date of their appointments, except the "at large" member position which is a term of two years. A vacancy occurring during a term shall be filled for the unexpired term. Each member shall hold office until his or her successor has been appointed and has qualified.

39.2.F. The Board of County Commissioners shall designate a chair and vice-chair of the Community Redevelopment Agency from among the members of the Agency, who shall serve as the officers of the Agency, at the direction of the entire Agency.

39.2.G. The Community Redevelopment Agency may employ or retain its own legal counsel for such legal services as it requires within the approved budget.

39.2.H. The Community Redevelopment Agency shall be governed by the applicable sections of F.S. ch. 163, pt. III, Community Redevelopment.

(Code 1974, § 7 1/3 -2; Ord. No. 517, pt. 1, § 7 1/3 -3, 6-24-1997; Ord. No. 860, pt. 1, 3-30-2010; Ord. No. 923, pt. 1, 12-18-2012; Ord. No. 932, pt. 1, 8-6-2013; Ord. No. 1015, pt. 1, 12-13-2016; Ord. No. 1076, pt. 1, 8-14-2018)

Sec. 39.3. - Powers and duties.

39.3.A. *Authorized actions.*

1. The Community Redevelopment Agency is authorized to carry out all community redevelopment and related activities specified in F.S. § 163.370, with the exception of the powers specifically enumerated in F.S. § 163.358, which shall be retained by the Board of County Commissioners.
2. The Community Redevelopment Agency is authorized to identify community redevelopment areas within the unincorporated area and within the Primary Urban Service District, of the County, and such areas shall be the focus of redevelopment activities by the agency. The identification of community redevelopment areas shall not prevent other neighborhoods within the County, who do not wish to be a part of the community redevelopment area, from soliciting redevelopment funds from sources other than the redevelopment trust fund of the Board of County Commissioners.
  - a. Community redevelopment areas shall not become official target areas for redevelopment activities unless and until the Board of County Commissioners adopts the community redevelopment plan of a particular community redevelopment area, according to the requirements of F.S. § 163.360.
  - b. The community redevelopment plan for every community redevelopment area shall be prepared in conformance with Martin County's adopted small area planning process (adopted by the Board of County Commissioners, May 1996), or other similar process that provides for public participation in the formulation of said community redevelopment plan.
3. Development of a countywide community redevelopment plan.
  - a. The Agency shall review and recommend modifications of the countywide community redevelopment plan to be approved by the Board. The countywide community redevelopment plan shall guide creation of component community redevelopment plans. The countywide community redevelopment plan shall be consistent with:
    - (1) F.S. §163.365(2);
    - (2) The Martin County Comprehensive Growth Management Plan.
    - (3) The 2020 Sustainable Vision Plan.
    - (4) The Martin County Septic to Sewer Plan.
    - (5) The Martin County Capital Improvements Plan for Roads.
    - (6) The Martin County Stormwater/Water Quality Needs Assessment.
  - b. The countywide community redevelopment plan may include, but is not limited to:
    - (1) An outline of community redevelopment activities anticipated;
    - (2) A general framework for preparation of community redevelopment plans;
    - (3) The programs and activities for rehabilitation and improvement of property;

- (4) A determination of resources needed and available to renew slum or blighted areas, and types of actions contemplated, including development of affordable housing, if needed and appropriate for the slum or blighted area; and
- (5) Guidelines for creating additional neighborhood planning areas and community redevelopment areas.

39.3.B. *Funding.*

1. *Provision of funding.* The Community Redevelopment Agency may provide funding, as revenue allows, to carry out redevelopment activities within designated community redevelopment areas. Funding of identified redevelopment activities shall be included in the County's Capital Improvements Plan upon approval by the Board of County Commissioners.

2. *Redevelopment trust fund.*

- a. A redevelopment trust fund shall be established, in accordance with F.S. § 163.387. 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. The agency may not receive or spend any increment revenues pursuant to this section unless and until the board has, by ordinance, provided for the funding of the redevelopment trust fund for the duration of the community redevelopment plan. Such ordinance may be adopted only after the board 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: (i) that amount equal to 95 percent of the difference between paragraphs 39.3.B.2.a(1) and 39.3.B.2.a(2) below or (ii) an amount between 95 percent and 50 percent of the difference between paragraphs 39.3.B.2.a(1) and 39.3.B.2.a(2) below, but in no event shall such amount be less than 50 percent of such difference:

- (1) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the community redevelopment area; and
- (2) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any 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.

- b. 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:

- (1) Administrative, legal and overhead expenses necessary or incidental to the implementation of a community redevelopment plan adopted by the agency.
- (2) Expenses of redevelopment planning, surveys, and financial analysis, including the reimbursement of the board or the agency for such expenses incurred before the community redevelopment plan was approved and adopted.
- (3) The acquisition of real property in the community redevelopment area.
- (4) The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in F.S. § 163.370.
- (5) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness.

- (6) 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) The development of affordable housing within the community redevelopment area.
    - (8) The development of community policing innovations.
  - c. On the last day of the fiscal year of the agency, any money which remains in the trust fund after the payment of expenses pursuant to this chapter for such year shall be:
    - (1) 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 community redevelopment area for that year;
    - (2) Used to reduce the amount of any indebtedness to which increment revenues are pledged;
    - (3) Deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or
    - (4) Appropriated to a specific redevelopment project pursuant to an approved community redevelopment plan which project will be completed within three years from the date of such appropriation.
- 3. *Fiscal year and budget.*
  - a. The agency shall adopt a fiscal year which will coincide with the fiscal year of the County.
  - b. The agency shall prepare and submit its annual budget to the board for approval in accordance with the policies and deadlines set for departments of the County in the preparation of the County's annual budget. Such agency budget shall also specify all anticipated sources of revenues and estimated amounts. The agency shall not appropriate, encumber or spend any funds unless provided for in its budget as approved by the board, nor shall it modify its budget, beyond those modifications allowed other departments, without approval of the board.
- 4. *Other incentives to private investment.* The agency shall investigate other funding or financing mechanisms that will provide incentives to private investment. Such mechanisms shall require adoption, by resolution, by the Board of County Commissioners. These categorical mechanisms shall include, but not be limited to:
  - a. Land/site development, development assistance.
  - b. Permitting incentives.
  - c. Business development assistance.
- 5. *Report of agency's activities; publication of notice.* Pursuant to F.S. § 163.356, the agency shall file with the board 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 and that the report is available for inspection during business hours in the office of the County Clerk, Board of County Commissioners, and in the office of the agency.
- 6. *Employment of agents and employees.* The board may establish an office or department, to be called the Community Development Office or Department, which may employ a manager or director, technical experts, and such other agents and employees, permanent and temporary, as it requires, and determine their qualifications, duties, and compensation. Employees of the

agency shall serve under the direction of the County Administrator and compensation therefor shall be in accordance with the County's established pay and classification plan.

7. *Regular meetings.* The agency shall hold a regular meeting at least four times each fiscal year on a day, at a time and place to be designated from time to time by the agency.
8. *Workshop and special meetings.* Workshop and special meetings of the agency may be called at any time and place as determined by the Chair and staff.
9. *Notice and procedures of meetings.* Notice of all regular, workshop and special meetings shall be provided to the public, appropriate County officials and the news media. Such notice shall be provided in accordance with the Rules of Procedure as adopted by the Board of County Commissioners and as amended from time to time. Meetings shall be organized and conducted in accordance with the Rules of Procedure as adopted by the Board of County Commissioners and as amended from time to time.

(Code 1974, § 7 1/3 -3; Ord. No. 517, pt. 1, § 7 1/3 -4, 6-24-1997; Ord. No. 571, pt. I, § 7 1/3 -3, 6-13-2000; Ord. No. 615, pt. 1(7 1/3 -3), 5-28-2002; Ord. No. 860, pt. 1, 3-30-2010; Ord. No. 923, pt. 1, 12-18-2012; Ord. No. 932, pt. 1, 8-6-2013; Ord. No. 1015, pt. 1, 12-13-2016)

**Cross reference**— Finance and taxation, ch. 71.

Sec. 39.4. - Neighborhood planning.

39.4.A. *Neighborhood advisory committees.*

1. *Creation and appointment.*

- a. The Board of County Commissioners (board) will establish a Neighborhood Advisory Committee based upon availability of applicants to serve on such committee, to act in an advisory capacity to the agency, for each of the Community Redevelopment Areas, as follows:

Golden Gate Neighborhood Advisory Committee

Hobe Sound Neighborhood Advisory Committee

Jensen Beach Neighborhood Advisory Committee

Old Palm City Neighborhood Advisory Committee

Port Salerno Neighborhood Advisory Committee

Rio Neighborhood Advisory Committee

- b. The Board of County Commissioners shall have final appointment authority and will appoint, by resolution, members of the Neighborhood Advisory Committees, after solicitation of resumes. Each Neighborhood Advisory Committee shall be composed of a minimum of five and a maximum of nine individuals who are either:
  - i. a resident of the respective Community Redevelopment Area, as evidenced by being a registered voter in the respective Community Redevelopment Area for at least one year; or
  - ii. a resident of Martin County, as evidenced by being a registered voter in Martin County for at least one year, who is also a business owner of a business located within the respective Community Redevelopment Area; or

- iii. a resident of Martin County, as evidenced by being a registered voter in Martin County for at least two years, who is also a senior manager of a business located within the respective Community Redevelopment Area; or
- iv. a resident of Martin County, as evidenced by being a registered voter in Martin County for at least one year, who also owns real property within a mile of the respective Community Redevelopment Area.

No more than two members of any respective Neighborhood Advisory Committee will be appointed from category iv. above.

- c. A majority of the membership of a Neighborhood Advisory Committee shall constitute a quorum.

2. *Terms and duties.*

- a. The terms of office of the committee members shall be for four years, except that three of the members first appointed shall be designated to serve terms of one, two, and three years, respectively, from the date of their appointments, and all other members shall be designated to serve for terms of four years from the date of their appointments. A vacancy occurring during a term shall be filled for the unexpired term.
- b. All members appointed by the board to serve on neighborhood advisory committees are expected to attend each and every meeting of the committee. If a member is absent from three meetings of the committee within a 12-month period, said member is automatically removed from the neighborhood advisory committee, but may apply for re-appointment by the Board of County Commissioners. There will be no excused absences and special meetings count.
- c. Each committee shall assist in the preparation and modification of the required community redevelopment plan for its particular designated community redevelopment area. The completed community redevelopment plan shall be presented to the Community Redevelopment Agency for review and approval prior to presentation to the board. The final community redevelopment plan shall be adopted by the board.
- d. In addition to providing advice and recommendations to the Community Redevelopment Agency on the implementation of an adopted Community Redevelopment plan, each committee shall work towards consensus to provide advice and recommendations to the Community Redevelopment Agency, to the extent permitted by the development review process, grant deadlines or other similar time constraints, regarding the following:
  - 1. Proposed amendments and modifications to a Community Redevelopment Plan.
  - 2. Development applications within its Community Redevelopment Area that are classified as major applications under the provisions of the Martin County Land Development Regulations.
  - 3. The prioritization of community redevelopment capital projects.
  - 4. Any other matters as directed by the Board of County Commissioners or the Agency.

39.4.B. *Community redevelopment plans.*

- 1. All community redevelopment plans shall be subject to implementation under conditions set forth in F.S. ch. 163, and the remainder of this section.
- 2. The community redevelopment plan for each community redevelopment area may be implemented by the adoption of an overlay zoning district, or other appropriate zoning code, which will set forth the zoning standards necessary to accomplish the redevelopment goals and objectives of the community redevelopment plan.
- 3. The community redevelopment plan for each community redevelopment area shall:
  - a. Conform to F.S. § 163.360;



- b. Conform to the Comprehensive Growth Management Plan for the County; and
- c. Conform to the 2020 Sustainable Vision Plan.
- d. 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; building requirements; and provide for the development of affordable housing, or state the reasons for not addressing in the plan the development of affordable housing in the area.
- e. Prior to submitting a proposed new community redevelopment plan for a community redevelopment area to the board for final approval, the agency shall submit such plan to the local planning agency of the county for review and recommendation as to its conformity with the Comprehensive Plan for the development of the County 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 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 in such 60 days, then without such recommendations, the agency may proceed with its consideration of the proposed community redevelopment plan.
- f. The agency shall submit any community redevelopment plan it recommends for approval, together with its written recommendations, to the board and to each taxing authority that levies ad valorem taxes on taxable real property contained within the geographic boundaries of the redevelopment area. The board shall then proceed with the public hearing on the proposed community redevelopment plan as prescribed herein.
- g. The board 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.
- h. Following such hearing, the board may approve the community redevelopment plan if it finds that:
  - (1) The community redevelopment plan conforms to the Comprehensive Plan for the County as a whole;
  - (2) The community redevelopment plan gives due consideration to the utilization of community policing innovations, and to the provisions 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 the children residing in the general vicinity of the site covered by the plans;
  - (3) The community redevelopment plan will afford maximum opportunity, consistent with the sound needs of the county as a whole, for the rehabilitation or redevelopment of the area by private enterprise;
  - (4) 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; and
  - (5) The community redevelopment plan and resulting revitalization and redevelopment for a coastal tourist area that is deteriorating and economically distressed will reduce or maintain evacuation time, as appropriate, and ensure protection for property against exposure to natural disasters.
- i. Upon approval by the board of a community redevelopment plan for a community redevelopment area 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 board may then cause the agency to carry out such plan or modification in accordance with its terms.

- j. Notwithstanding any other provisions of this section, when the board certifies that an area is in need of redevelopment or rehabilitation as a result of an emergency, under F.S. § 252.34(3), 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 board 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 and a public hearing on the community redevelopment.
  - k. Modifications to the community redevelopment plan shall meet the criteria of F.S. § 163.361.
4. Contents of the community redevelopment plan for each community redevelopment area shall:
- a. Contain a legal description of the boundaries of the community redevelopment area and the reasons for establishing such boundaries shown in the plan.
  - b. Show by diagram and in general terms:
    - (1) The approximate amount of open space to be provided and the street layout.
    - (2) Limitations on the type, size, height, number, and proposed use of buildings.
    - (3) The approximate number of dwelling units.
    - (4) Such property as is intended for use as public parks, recreation areas, streets, public utilities, and public improvements of any nature.
  - c. If the community 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.
  - d. Identify specifically any publicly funded capital projects to be undertaken within the community redevelopment area.
  - e. Contain adequate safeguards that the work of redevelopment will be carried out pursuant to the plan.
  - f. 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 board deems necessary to effectuate the purposes of this ordinance.
  - g. 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.
  - h. 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 or if the plan is not intended to remedy such shortage, the reasons therefor.
  - i. 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 agency or the county proposed to be incurred for such redevelopment if such indebtedness is to be repaid with increment revenues.

- j. 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 or amended pursuant to F.S. §163.361(1).

(Code 1974, § 7 1/3 -4; Ord. No. 517, pt. 1, § 7 1/3 -5, 6-24-1997; Ord. No. 536, pt. 1(B), 12-8-1998; Ord. No. 615, pt. 1(7 1/3 -4), 5-28-2002; Ord. No. 860, pt. 1, 3-30-2010; Ord. No. 923, pt. 1, 12-18-2012; Ord. No. 932, pt. 1, 8-6-2013; Ord. No. 1015, pt. 1, 12-13-2016; Ord. No. 1076, pt. 1, 8-14-2018)

Sec. 39.5. - Redevelopment trust fund.

39.5.A. *Redevelopment trust fund established.* Pursuant to the provisions of F.S. § 163.387, a redevelopment trust fund is hereby established. Separate accounts shall be established within the redevelopment trust fund for each approved community redevelopment area.

39.5.B. *Funding of the redevelopment trust fund.*

1. The redevelopment trust fund shall be funded annually for the duration of all approved community redevelopment plans through increment revenues in an amount established annually by resolution of the Board of County Commissioners pursuant to the provisions of F.S. § 163.387 and section 39.3 of this chapter.
2. A base year of 1999 taxable values shall be used for calculation of increment revenues for the Jensen Beach and Port Salerno community redevelopment areas. A base year of 2000 taxable values shall be used for calculation of increment revenues for the Rio and Hobe Sound community redevelopment areas. A base year of 2002 taxable values shall be used for calculation of increment revenues for the Golden Gate and Old Palm City community redevelopment areas. Base years shall be established by resolution of the Board of County Commissioners for all community redevelopment areas approved after the effective date of this section 39.5.

(Ord. No. 571, pt. I, § 7 1/3 -5, 6-13-2000; Ord. No. 1015, pt. 1, 12-13-2016; Ord. No. 1076, pt. 1, 8-14-2018)