

ADOPTED
MAY 4, 2000

RESOLUTION NO. 7893

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF PLANTATION PERTAINING TO THE SUBJECT OF COMMUNITY DEVELOPMENT; APPROVING THE PLANTATION COMMUNITY REDEVELOPMENT PLAN; PROVIDING FINDINGS; REQUESTING THAT SUCH PLAN BE SUBMITTED TO BROWARD COUNTY; REQUESTING BROWARD COUNTY TO APPROVE THE CITY COMMUNITY REDEVELOPMENT PLAN AND TO CONFIRM THAT THE CITY OF PLANTATION AND THE PLANTATION COMMUNITY REDEVELOPMENT AGENCY ARE ABLE TO EXERCISE ALL POWERS PROVIDED BY GENERAL LAW IN IMPLEMENTING, AMENDING, AND OTHERWISE CARRYING OUT TO COMPLETION THE PLANTATION COMMUNITY REDEVELOPMENT PLAN; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the City of Plantation has established a Local Government Safe Neighborhood Improvement District pursuant to Part IV, Chapter 163, Florida Statutes, known as the Gateway 7 Development District (hereafter, the "District"); and,

WHEREAS, the Board of Directors of the District promulgated Resolution No. 7193, which determined that property in the District suffered from debilitating blight and requested Broward County to delegate to the City of Plantation the power to create and implement a Community Redevelopment Agency; and,

WHEREAS, the City of Plantation promulgated Resolution No. 7199, which also determined that property within the District suffered from debilitating blight and also requested Broward County to delegate to the City the power to create and implement a Community Redevelopment Agency; and,

WHEREAS, the District commissioned a Slum and Blight Study from Florida Atlantic University's Center for Urban Redevelopment and Empowerment, in order that property within the District could be evaluated so as to determine the extent to which indicators of debilitating blight are present within the District; and,

WHEREAS, the completed Slum and Blight Study was filed with the City Clerk of the City of Plantation and remains available for public inspection, such study being entitled "City of Plantation, Florida Gateway 7 Development District Gateway 7 Slum and Blight Study"; and,

WHEREAS, the Florida Atlantic University study generally confirms the indicators of slum and blight previously mentioned by the City Governing Body in Resolution No. 7199 and by the District Board of Directors in District Resolution No. 7193;

WHEREAS, pursuant to a duly advertised public hearing, the City governing body considered the Florida Atlantic University Study and promulgated City Resolution No. 7350, determining that there is a necessity to have a Community Redevelopment Agency; and,

WHEREAS, City Resolution No. 7350 defined the boundaries of the Redevelopment Area to be the same boundaries of the Gateway 7 Development District; and,

WHEREAS, the Board of County Commissioners of Broward County, Florida promulgated County Resolution No. 1999-1006, which delegated to and conferred upon the City of Plantation certain interim powers to create a Community Redevelopment Agency, including the power to prepare a Community Redevelopment Plan pursuant to the Community Redevelopment Act of 1969, which powers will remain in effect until the Redevelopment Plan is approved by the Board of County Commissioners; and,

WHEREAS, the governing body of the City enacted City Ordinance 2210, which confirmed and ratified its findings of slum and blight and its determination of the need for a Community Redevelopment Agency, created the Plantation Community Redevelopment Agency, organized the Community Redevelopment Agency Board, delegated to the Community Redevelopment Agency Board certain powers, and directed certain City staff and consultants to complete the preparation of a Community Redevelopment Plan; and,

WHEREAS, the governing body of the City promulgated City Resolution 7846, which appointed the elected officers of Plantation as the Commissioners of the Plantation Community Redevelopment Agency Board; and,

WHEREAS, City staff and consultants prepared a draft Community Redevelopment Plan, which has been considered and approved by the City of Plantation Comprehensive Planning Board (the local planning agency of the City of Plantation) as required by §163.360(4) Fla. Stat. (1999) at its meeting of April 4, 2000 as being in conformity with the Comprehensive Plan of Plantation and in conformity with the development of Plantation as a whole; and,

WHEREAS, the Plantation Comprehensive Planning Board has submitted its written recommendations to the City governing body and the Agency Board of Commissioners in the form of the City Clerk's transcription of the tape of the Planning Board Motion on this item at its meeting and in the form of reports of the Board's action by the city Planning, Zoning, and Economic Development Department; and,

WHEREAS, the Plantation Community Redevelopment Agency has considered and approved the draft Community Redevelopment Plan on April 12, 2000, has recommended approval of the Community Redevelopment Plan to the City's governing body, and has

submitted the draft Plan together with any of its written recommendations to the City governing body and to each taxing authority that levies ad valorem taxes on taxable real property contained within the geographic boundaries of the Redevelopment Area - all in accordance with §163.360 (4) and (5) Fla. Stat. (1999); and,

WHEREAS, the governing body of the City of Plantation now wishes to approve the finalized Community Redevelopment Plan, submit same to Broward County for review, and request Broward County to confirm that Plantation and its Community Redevelopment Agency may exercise all powers provided by general law in order to execute the Community Redevelopment Plan;

NOW, THEREFORE, be it resolved by the City of Plantation that:

SECTION 1: The foregoing recitals are hereby approved and all of the various findings in the Resolutions and Ordinances identified above are hereby ratified and confirmed as still being in effect.

SECTION 2: That certain finalized draft Community Redevelopment Agency Plan prepared by Keith & Schnars, P.A., and on file with the City Clerk's Office, is hereby incorporated by reference as if fully set forth herein, and is hereby approved.

SECTION 3: The legal description of the Redevelopment Area is all of those parcels of real property presently within the City of Plantation Gateway 7 Development District, as defined in City Ordinance No. 1537. Within City Ordinance No. 1537, the Gateway 7 Development District is defined as being bounded on the south and east by the municipal boundary of the City of Plantation, and on the west to the full extent of commercially zoned property (OP-R, B-1P, B-3P, B-4P, B-6P, B-7P, B-7Q, B-8P, B-8Q) as of the effective date of said Ordinance, as shown in attachment "A" to City Ordinance No. 1537 (the aforesaid attachment "A" being also attachment "A" to this City Resolution), as well as being bounded on the north by the north City limits of the City of Plantation [with the exception of two (2) parcels of property identified as being zoned RM-25U and C-P within said attachment "A"]. Attachment "A" is an excerpt of the City zoning map, and many of the parcels of property shown as being shaded in dark gray are co-terminus with their platted boundary, and the Ordinances assigning zoning classifications to such parcels also contain legal descriptions. The municipal boundaries of the City are set forth in its Charter and in past Special Legislative Acts. The descriptions of such parcels as they are platted and as they are defined in the zoning ordinances of the City, as well as the legal description of the City's boundaries as set forth in the City's Charter and Special Acts of the Legislature, are all hereby incorporated by reference for purposes of establishing the legal description of the Redevelopment Area. If a more particular or precise legal description of the Redevelopment Area is either required by Broward County or necessary at any time in the future, then the City governing body authorizes the City Engineering Department to prepare a more precise legal description of the property reflected in attachment "A" as being shaded dark gray, and such more precise legal description may be confirmed and ratified by City Resolution in the future.

SECTION 4: The City governing body makes the following specific findings with respect to its approval of the Plantation Community Redevelopment Plan:

- (A) The Community Redevelopment Plan contains a feasible method for the location of any families who will be displaced from the community redevelopment area in decent, safe, and sanitary dwelling accommodations within their means without undue hardship to such families.
- (B) The Community Redevelopment Plan conforms to the general plan of the City as a whole and to the City of Plantation Comprehensive Plan.
- (C) The Community Redevelopment Plan gives due consideration to the utilization of community policing innovations, and 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 Redevelopment Area.
- (D) The Community Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or the redevelopment of the community redevelopment area by private enterprise.
- (E) The nonresidential uses contemplated in the Plan are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives.
- (F) Acquisition of property for development and redevelopment may require the exercise of governmental action because of:
 - 1. Defective, or unusual conditions of, title or diversity of ownership which prevents the free alienability of such land;
 - 2. Tax delinquency;
 - 3. Improper subdivisions;
 - 4. Outmoded street patterns;
 - 5. Deterioration of site;
 - 6. Economic disuse;
 - 7. Unsuitable topography or faulty lot layouts;
 - 8. Lack of correlation of the area with other areas of the municipality by streets and modern traffic requirements; or
 - 9. Any combination of such factors or other conditions which retard development of the area.
- (G) Conditions of blight in the area contribute to an increase in and spread of crime or constitute a menace to public health, safety, morals, or welfare.

SECTION 5: The City staff and consultants are hereby directed to make any final revisions to the Plan as may be appropriate as a result of the governing body's hearing, and to send the Community Redevelopment Plan hereby recommended for approval to the Board of County Commissioners of Broward County, Florida.

SECTION 6: The City of Plantation requests the Board of County Commissioners of Broward County, Florida to review and approve the Plantation Community Redevelopment Plan, and to confirm that the City of Plantation and the Plantation Community Redevelopment Agency, may exercise all powers provided by general law to municipal corporations or community redevelopment agencies -- all so that the Community Redevelopment Plan can be implemented, amended as necessary, and carried to its completion.

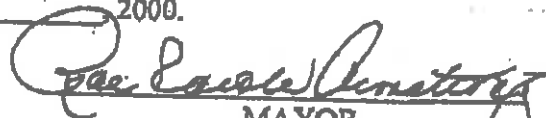
SECTION 7: Should any section, paragraph, sentence, clause, phrase or other part of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Resolution as a whole or any portion or part thereof, other than the part so declared to be invalid.

SECTION 8: This Resolution shall take effect immediately upon passage on second reading by the City Council and signature by the Mayor.

PASSED ON FIRST READING by the City Council this 26th day of April, 2000.

PASSED AND ADOPTED ON SECOND READING by the City Council this 3rd day of May, 2000.

SIGNED by the Mayor this 4th day of May, 2000.


MAYOR

ATTEST


CITY CLERK

APPROVED _____ DATE _____

REQUESTED BY: Planning, Zoning & Economic Development

DEPT. OK: _____

ADMIN. OK: _____

ATTY. OK:  _____

AS TO FORM ONLY

