

RESOLUTION NO. 95-170

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A COMMUNITY REDEVELOPMENT PLAN PURSUANT TO SECTION 163.360, FLORIDA STATUTES, FOR THE COMMUNITY REDEVELOPMENT AREA LYING BETWEEN SUNRISE BOULEVARD ON THE NORTH, BROWARD BOULEVARD ON THE SOUTH, THE CITY CORPORATE LIMIT LINE ON THE WEST AND FEDERAL HIGHWAY ON THE EAST; EXCEPT FOR AND LESS THAT PORTION LYING SOUTH OF N.E. 4TH STREET AND EAST OF ANDREWS AVENUE BETWEEN BROWARD BOULEVARD AND FEDERAL HIGHWAY IN FORT LAUDERDALE, FLORIDA; REAFFIRMING THE FINDING OF THE EXISTENCE OF ONE OR MORE SLUM OR BLIGHTED AREAS IN THE CITY; DEFINING THE COMMUNITY REDEVELOPMENT AREA; MAKING CERTAIN FINDINGS AND DETERMINATIONS; FINDING CONFORMITY TO THE COMPREHENSIVE PLAN; AUTHORIZING AND DIRECTING THE COMMUNITY REDEVELOPMENT AGENCY TO IMPLEMENT THE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Part III of the Community Redevelopment Act of 1969, Florida Statutes, as amended (the "Act"), and the Special Act of the Florida Legislature adopted in 1961, which Special Act is known as the "Fort Lauderdale Urban Renewal Law" (the "Special Act"), the City of Fort Lauderdale may be empowered to formulate a workable program for utilizing appropriate private and public resources to eliminate and prevent the spread of slums and urban blight, to encourage needed community rehabilitation and to provide for the redevelopment of slum and blighted areas in accordance with such provisions; and

WHEREAS, pursuant to Resolution No. 89-1132 adopted by the Broward County Commission on April 11, 1989, Broward County delegated to the City Commission of the City of Fort Lauderdale, Florida, the authority to create a Community Redevelopment Agency to operate within the jurisdiction of the City, and the authority to exercise all powers conferred upon local governments by the Community Redevelopment Act of 1969, Florida Statutes, as amended within the municipal boundaries of the City of Fort Lauderdale subject to the review and approval by the Board of County Commissioners of Broward County, Florida, of a community redevelopment plan; and

WHEREAS, pursuant to Resolution No. 95-86 adopted by the City Commission of the City of Fort Lauderdale at its meeting of June 20, 1995, the City declared an area existing within the City as blighted, which area is lying between Sunrise Boulevard on the north, Broward Boulevard on the south, the City corporate limit line on the

west, and Federal Highway on the east, except for and less that portion lying south of N.E. 4th Street and east of Andrews Avenue between Broward Boulevard and Federal Highway, in Fort Lauderdale, Florida (hereinafter referred to as the "Northwest-Progresso-Flagler Heights Community Redevelopment Area" or "NPFORA"); and

WHEREAS, pursuant to Resolution No. 95-86, the City Commission of the City of Fort Lauderdale, Florida as the Fort Lauderdale Community Redevelopment Agency declared itself to be the Community Redevelopment Agency for the NPFORA ("Agency") and established and designated the NPFORA as the area of operation of the Agency; and

WHEREAS, a study of the NPFORA and a plan for the redevelopment of the NPFORA in accordance with the Act has been undertaken and completed; and

WHEREAS, the Agency received the proposed community redevelopment plan and submitted it to the Planning and Economic Development Department ("Department"), the local planning agency of the City of Fort Lauderdale under the Local Governmental Comprehensive Planning and Land Development Regulation Act, in accordance with Section 163.360(3), Florida Statutes, and the Department, after reviewing the proposed plan, has determined that the plan is consistent with the City's Comprehensive Plan and returned the proposed community redevelopment plan to the Agency with its recommendations; and

WHEREAS, the Agency considered the proposed redevelopment plan and, at its meeting of November 7, 1995, approved the community redevelopment plan and recommended its adoption by the City Commission of the City of Fort Lauderdale; and

WHEREAS, notice of the City Commission's intention to adopt a resolution adopting the proposed community redevelopment plan has been given to all taxing authorities as provided in Section 163.346, Florida Statutes; and

WHEREAS, a public hearing regarding the proposed community redevelopment plan was duly noticed and held in accordance with Section 163.346, Florida Statutes; and

WHEREAS, all prerequisites under the Act having been accomplished, it is now appropriate and necessary in order to proceed further with the redevelopment of the NPFORA in accordance with the Act that a community redevelopment plan for the NPFORA be approved; and

WHEREAS, all prerequisites under the Special Act having been accomplished, the proposed community redevelopment plan may be approved for the NPFCA in accordance with the Special Act;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

* SECTION 1. That the above recitals are true, correct and incorporated into this Resolution by reference.

SECTION 2. That the finding in its Resolution No. 95-86 adopted on June 20, 1995, that one or more slum or blighted areas, as those terms are defined in Section 163.340, Florida Statutes, exist within the City of Fort Lauderdale is hereby reaffirmed.

SECTION 3. That the area designated in Resolution No. 95-86, finding one or more slum or blighted areas to exist in the City, as described in that resolution, creating the Agency, which area is more particularly described in Exhibit "A" attached hereto, is the Community Redevelopment Area for the purpose of this Resolution and the Community Redevelopment Plan approved hereby.

SECTION 4. That the following findings are hereby made:

(a) There has been prepared a community redevelopment plan for redevelopment of the NPFCA in accordance with the Act (such plan being hereinafter defined and referred to herein as the "Plan"); and

(b) The Planning and Economic Development Department of the City of Fort Lauderdale, as the local planning agency of the City under the Local Government Comprehensive Planning and Land Development Regulation Act, has reviewed the Plan in accordance with the Act and has found it to be consistent with the comprehensive plan of the City; and

(c) The Agency reviewed and approved the Plan on November 7, 1995 and recommended its approval to the City Commission; and

(d) A notice of public hearing was timely published in a newspaper of general circulation and notice to taxing authorities was timely mailed as provided in Section 163.346, Florida Statutes, and a public hearing has been held as required by Section 163.360(5), Florida Statutes.

SECTION 5. That the Plan satisfies the requirements of Section 163.360(6), Florida Statutes, and it is hereby further found that:

(a) Even though no families are anticipated to be displaced as a result of community redevelopment as proposed in the Plan, a feasible method exists for the location of such families in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; and

(b) The Plan conforms to the general plan of the City as a whole; and

(c) The Plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement; and

(d) The Plan will afford maximum opportunity consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the NPFCRA by private enterprise.

SECTION 6. That the Plan is hereby found to be consistent with and conforms to the provisions of the City's comprehensive plan in effect on the date hereof.

SECTION 7. That it is hereby expressly determined that it is appropriate, proper and timely that a community redevelopment plan be approved at this time so that the provisions of the Act, and other resolutions, ordinances and laws may be utilized to further redevelopment within the NPFCRA. Therefore, the City Commission does hereby approve as the community redevelopment plan for the NPFCRA pursuant to Section 163.360(6), Florida Statutes, the document entitled "Community Redevelopment Plan: Northwest-Progresso-Flagler Heights Area", prepared by the Department of Planning and Economic Development for the City of Fort Lauderdale and approved by the Agency on November 7, 1995, a copy of which is attached hereto as Exhibit "B" and made a part hereof (the "Plan").

SECTION 8. That it is hereby expressly found that the Plan is a sufficient and adequate plan for carrying out community redevelopment in accordance with the Act, and does approve same as the community redevelopment plan for the NPFCRA.

SECTION 9. That immediately upon the date this Resolution takes effect, the Plan is deemed to be in full force and effect for the NPFCRA and the Agency is authorized and directed to carry out

such Plan and exercise those powers granted by the Act, or such other powers as may be granted by law or ordinance, including the solicitation of proposals from persons for the redevelopment of all or any part of the NPFCA in accordance with the Plan.

SECTION 10. That the Plan has been prepared in accordance with the Special Act and approves the Plan in accordance with the provisions of the Special Act.

SECTION 11. That this resolution shall take effect immediately upon action taken by the Board of County Commissioners of Broward County, Florida as contemplated by Resolution No. 89-1132 adopted by the Broward County Commission on April 11, 1989.

ADOPTED this the 7th day of November, 1995.

Mayor
JIM NAUGLE

ATTEST:

City Clerk
LUCY MASLIAH