

RESOLUTION #12-004R

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES (THE "COMMUNITY REDEVELOPMENT ACT"); ESTABLISHING THE EAST U.S. 192 COMMUNITY REDEVELOPMENT AREA; MAKING A LEGISLATIVE FINDING THAT CONDITIONS OF BLIGHT EXIST IN THE EAST U.S. 192 COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR APPROVAL AND ADOPTION OF THE EAST U.S. 192 COMMUNITY REDEVELOPMENT AREA FINDING OF NECESSITY; PROVIDING AUTHORIZATION TO PROCEED WITH PREPARATION OF THE EAST U.S. 192 REDEVELOPMENT PLAN; ESTABLISH A NEED FOR AN EAST U.S. 192 COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR FILING WITH THE COUNTY CLERK; PROVIDING FOR SUSPENSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature duly enacted Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act") establishing the conditions and procedures for the establishment of community redevelopment areas and agencies; and finding that areas or portions thereof which are deteriorating or economically distressed could be revitalized and redeveloped in a manner that will vastly improve the economic and social conditions of the community; and

WHEREAS, Osceola County defined a 1,654-acre study area within unincorporated Osceola County, Florida for establishing the East U.S. 192 Community Redevelopment Area, which is described in **Exhibit "A"**; and

WHEREAS, Osceola County Board of County Commissioners, hereinafter the "Board", commissioned the Osceola County Department of Community Development to prepare a Finding of Necessity, attached hereto as **Exhibit "B"**, for the East U.S. 192 Community Redevelopment Area; and

WHEREAS, within the East U.S. 192 Community Redevelopment Area there is a predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities; and

WHEREAS, within the East U.S. 192 Community Redevelopment Area, the aggregate assessed values of real property in the Community Redevelopment Area for ad valorem tax purposes have failed to show any appreciable increase over the five years prior from 2007-2011; and

WHEREAS, within the East U.S. 192 Community Redevelopment Area there exists faulty lot layout in relation to size, adequacy, accessibility, or usefulness; and

WHEREAS, within the East U.S. 192 Community Redevelopment Area there exists unsafe or unsanitary conditions; and

WHEREAS, within the East U.S. 192 Community Redevelopment Area there exists inadequate or outdated building density patterns; and

WHEREAS, within the East U.S. 192 Community Redevelopment Area there exists an incidence of crime that is higher than in the remainder of the County; and

WHEREAS, within the East U.S. 192 Community Redevelopment Area there exists a higher number of fire and emergency medical service calls that are proportionately higher than in the remainder of the County; and

WHEREAS, the East U.S. 192 Community Redevelopment Area can be revitalized and redeveloped in a manner that will improve the economic and social conditions of the community; and

WHEREAS, pursuant to Section 163.346, Florida Statutes, Osceola County has provided public notice of its intent to consider adopting a resolution declaring a Finding of Necessity for the creation of the East U.S. 192 Community Redevelopment Area, as set forth in Section 166.041(3)(a), Florida Statutes; and

WHEREAS, the Board finds that conditions are present within the East U.S. 192 Community Redevelopment Area which are detrimental to the sound growth of Osceola County, and which substantially impair or arrest appropriate growth within the area, and present conditions and uses which are detrimental to the public health, safety, morals and public welfare; and

WHEREAS, the Board concurs with the Finding of Necessity Report and finds that one or more slum or blighted areas, as defined in Chapter 163, Part III, Florida Statutes, exist in the East U.S. 192 Community Redevelopment Area; and

WHEREAS, the Board finds that there is a need for preparation of a Redevelopment Plan for the East U.S. 192 Community Redevelopment Area; and

NOW, THEREFORE, BE IT RESOLVED BY THE OSCEOLA COUNTY BOARD OF COUNTY COMMISSIONERS, THAT:

SECTION 1. RECITALS.

The foregoing recitations are found and determined to be true and correct and are adopted and incorporated as part of this resolution.

SECTION 2. ESTABLISHING THE EAST U.S. 192 COMMUNITY REDEVELOPMENT AREA.

The East U.S. 192 Community Redevelopment Area, which consists of 1,654 acres within unincorporated Osceola County, is hereby established, as illustrated in Exhibit "A":

SECTION 3. LEGISLATIVE FINDING THAT CONDITIONS OF BLIGHT EXIST IN THE EAST U.S. 192 COMMUNITY REDEVELOPMENT AREA.

The Board makes the legislative finding that the conditions in the East U.S. 192 Community Redevelopment Area meet the criteria described in Section 163.340 (7) or (8), Florida Statutes, that warrant the creation of a Community Redevelopment Agency to implement redevelopment activities within the East U.S. 192 Community Redevelopment Area. This Legislative Finding is supported by data and analysis, as established in the East U.S. 192 Community Redevelopment Area Finding of Necessity ("Finding of Necessity"), included herein as Exhibit "B".

The Board finds that 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 Osceola County.

SECTION 4. APPROVAL AND ADOPTION OF THE EAST U.S. 192 COMMUNITY REDEVELOPMENT AREA FINDING OF NECESSITY.

The Board accepts and adopts the results in the Finding of Necessity, Exhibit "B", determining that slum or blight exists in the East U.S. 192 Community Redevelopment Area.

The Board finds that rehabilitation, conservation or redevelopment, or a combination of each, for the East U.S. 192 Community Redevelopment Area is necessary in the interest of the public health, safety, morals, or welfare of the residents and property owners within the East U.S. 192 Community Redevelopment Area, and of the County.

The Board hereby approves and adopts the Finding of Necessity in an effort to redevelop and protect the public health, safety, morals, or welfare of the residents and property owners within the East U.S. 192 Community Redevelopment Area, and of the County.

SECTION 5. AUTHORIZATION TO PROCEED WITH PREPARATION OF THE EAST U.S. 192 REDEVELOPMENT PLAN.

In response to the existence of blight established in the Finding of Necessity, Exhibit "B", the Board finds that there is a need for the preparation of a Redevelopment Plan to evaluate and implement the mechanisms and methods necessary to remedy the slum or blight in the East U.S. 192 Community Redevelopment Area.

The Board authorizes the Osceola County Department of Community Development to prepare a Redevelopment Plan for the East U.S. 192 Community Redevelopment Area in accordance with the Community Redevelopment Act.

SECTION 6. NEED FOR AN EAST U.S. 192 COMMUNITY REDEVELOPMENT AGENCY.

The Board declares a need for the creation of an East U.S. 192 Community Redevelopment Agency to carry out the actions for redevelopment outlined in the Redevelopment Plan.

SECTION 7. RECORDATION.

This Resolution relating to the East U.S. 192 Community Redevelopment Area shall be recorded and filed with the Osceola County Clerk of the Courts.

SECTION 8. SUSPENSION.

The provisions set forth in this Resolution may be suspended or modified by Board action at any time when in the best interest of the County.

SECTION 9. SEVERABILITY.

It is declared to be the intent of the Board of County Commissioners that, if any section, subsection, sentence, clause, phrase, or portion of this Resolution, is for any reason held invalid or unconstitutional, by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 10. CONFLICT.

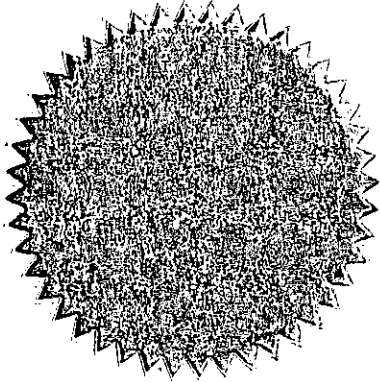
Any other resolution or part thereof in conflict with this Resolution or any part hereof is hereby repealed to the extent of the conflict.

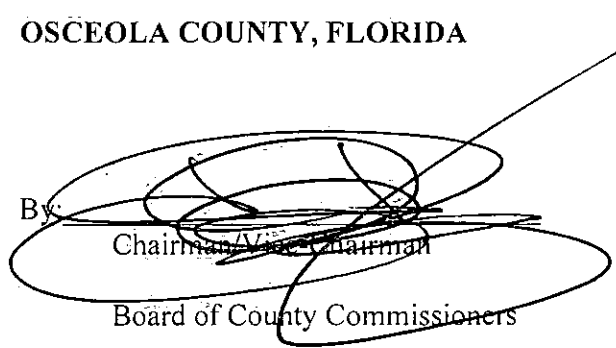
SECTION 11. EFFECTIVE DATE.

This Resolution shall be in force and take effect immediately upon its passage and adoption.

DONE AND ADOPTED this 09 day of January, 2012.

OSCEOLA COUNTY, FLORIDA



By 
~~Chairman/Vice Chairman~~
Board of County Commissioners

ATTEST:

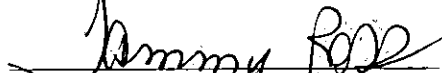

Clerk/Deputy Clerk to the Board
Resolution 12-004R
(SEAL)

EXHIBIT "A"

East U.S. 192 Community Redevelopment Area

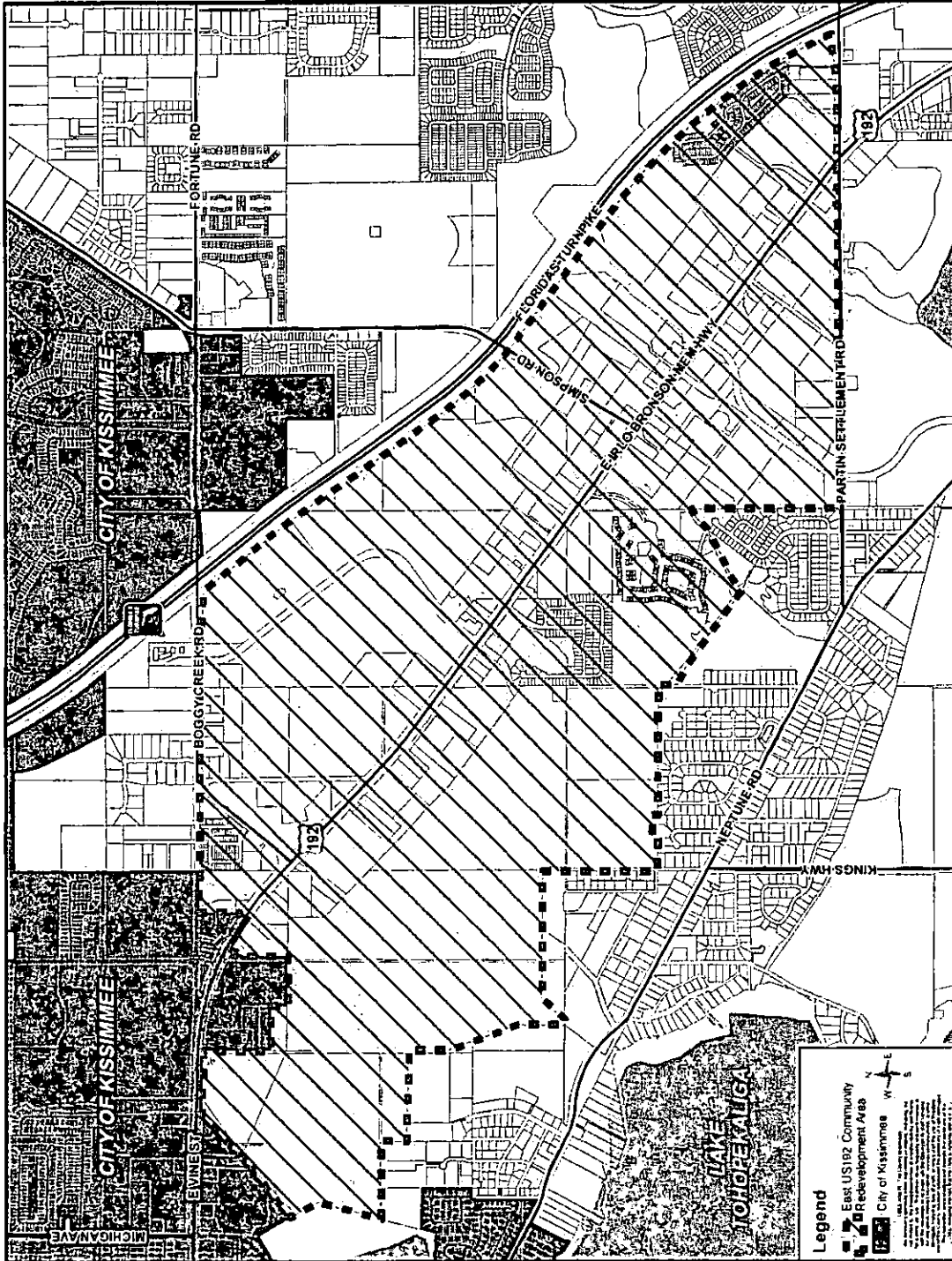


EXHIBIT "B"
Finding of Necessity for the
East U.S. 192 Community Redevelopment Area