

By Senator Geller

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A bill to be entitled
An act relating to community redevelopment;
amending s. 163.340, F.S.; redefining the terms
"slum area," "blighted area," "community
redevelopment," and "community redevelopment
area"; amending s. 163.356, F.S.; requiring a
community redevelopment agency to report on
progress in redevelopment activities; amending
s. 163.361, F.S.; requiring approval of the
governing body for specific modifications to an
approved plan; amending s. 163.362, F.S.;
requiring a community redevelopment plan to
contain a residential component with affordable
housing; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (7), (8), (9), and (10) of
section 163.340, Florida Statutes, 1998 Supplement, are
amended to read:

163.340 Definitions.--The following terms, wherever
used or referred to in this part, have the following meanings:

(7) "Slum area" means an area that is detrimental to
the public health, safety, morals, or welfare in which 80
percent in which there is a predominance of the buildings or
improvements, whether residential or nonresidential, are
conducive to ill health, transmission of disease, infant
mortality, juvenile delinquency, or crime ~~which~~ by reason of
dilapidation, deterioration, age, or obsolescence; inadequate
provision for ventilation, light, air, sanitation, or open
spaces; a higher ~~high~~ density of population than that of

1 adjacent areas within the county or municipality and
2 overcrowding as measured by 1.01 or more persons per room; the
3 existence of conditions which endanger life or property by
4 fire or other causes; or any combination of such factors is
5 ~~conducive to ill health, transmission of disease, infant~~
6 ~~mortality, juvenile delinquency, or crime and is detrimental~~
7 ~~to the public health, safety, morals, or welfare.~~

8 (8) "Blighted area" means ~~either~~

9 ~~(a)~~ an area in which there are a substantial number of
10 slum, deteriorated, or deteriorating structures and in which:

11 (a) There exists conditions that lead to economic
12 distress manifested by one or more of the following:

13 1. An unemployment rate higher than and rising faster
14 than the county average over a 5-year period;

15 2. A tax base that is flat or falling over a 5-year
16 period;

17 3. An increase in the number of tax exempt properties;

18 4. Falling lease rates per square foot of office,
19 commercial, and industrial space; and

20 5. High and rising residential and commercial vacancy
21 rates; and

22 (b) There exists either:

23 1. Conditions that ~~or~~ endanger life or property by
24 fire or other causes; or

25 2. One or more of the following factors that
26 substantially impairs or arrests the sound growth of a county
27 or municipality and is a menace to the public health, safety,
28 morals, or welfare in its present condition and use:

29 a.1. Predominance of defective or inadequate street
30 layout;

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1 b.2. Faulty lot layout in relation to size, adequacy,
2 accessibility, or usefulness;

3 c.3. Unsanitary or unsafe conditions;

4 d.4. Deterioration of site or other improvements;

5 e.5. Inadequate and outdated building density

6 patterns;

7 f.6. Tax or special assessment delinquency exceeding
8 the fair value of the land;

9 g.7. Inadequate transportation and parking facilities;
10 and

11 h.8. Diversity of ownership or defective or unusual
12 conditions of title which prevent the free alienability of
13 land within the deteriorated or hazardous area; or

14 ~~(b) An area in which there exists faulty or inadequate~~
15 ~~street layout; inadequate parking facilities; or roadways,~~
16 ~~bridges, or public transportation facilities incapable of~~
17 ~~handling the volume of traffic flow into or through the area,~~
18 ~~either at present or following proposed construction.~~

19
20 ~~However, for purposes of qualifying for the tax credits~~
21 ~~authorized in chapter 220, "blighted area" means an area~~
22 ~~described in paragraph (a).~~

23 (9) "Community redevelopment" or "redevelopment" means
24 undertakings, activities, or projects of a county,
25 municipality, or community redevelopment agency in a community
26 redevelopment area for the elimination and prevention of the
27 development or spread of slums and blight, or for the
28 reduction or prevention of crime, or for the provision of
29 affordable housing, whether for rent or for sale, to residents
30 of very-low, low, or moderate income, including the elderly,
31 and may include slum clearance and redevelopment in a

1 community redevelopment area or rehabilitation and
2 revitalization of coastal resort and tourist areas that are
3 deteriorating and economically distressed, or rehabilitation
4 or conservation in a community redevelopment area, or any
5 combination or part thereof, in accordance with a community
6 redevelopment plan and may include the preparation of such a
7 plan.

8 (10) "Community redevelopment area" means a slum area,
9 a blighted area, or an area in which there is a shortage of
10 housing that is affordable to residents of very-low, low, or
11 moderate income, including the elderly, or a coastal and
12 tourist area that is deteriorating and economically distressed
13 due to outdated building density patterns, inadequate
14 transportation and parking facilities, faulty lot layout or
15 inadequate street layout, or a combination thereof which the
16 governing body designates as appropriate for community
17 redevelopment.

18 Section 2. Paragraph (c) of subsection (3) of section
19 163.356, Florida Statutes, 1998 Supplement, is amended to
20 read:

21 163.356 Creation of community redevelopment agency.--

22 (3)

23 (c) The governing body of the county or municipality
24 shall designate a chair and vice chair from among the
25 commissioners. An agency may employ an executive director,
26 technical experts, and such other agents and employees,
27 permanent and temporary, as it requires, and determine their
28 qualifications, duties, and compensation. For such legal
29 service as it requires, an agency may employ or retain its own
30 counsel and legal staff. An agency authorized to transact
31 business and exercise powers under this part shall file with

1 the governing body and with the Auditor General, on or before
2 March 31 of each year, a report of its activities for the
3 preceding fiscal year, which report shall include a complete
4 financial statement setting forth its assets, liabilities,
5 income, and operating expenses as of the end of such fiscal
6 year. At the time of filing the report, the agency shall
7 publish in a newspaper of general circulation in the community
8 a notice to the effect that such report has been filed with
9 the county or municipality and that the report is available
10 for inspection during business hours in the office of the
11 clerk of the city or county commission and in the office of
12 the agency. At the time of filing the report with the Auditor
13 General, a second report is to be submitted to the governing
14 body of the county which provides detailed information on
15 progress in redevelopment activities with respect to
16 timeframes and benchmarks, including, but not limited to,
17 changes in tax increment payments, enhancements to the tax
18 base, leverage of private or non-ad valorem funds, costs and
19 revenues, growth in new business, reduction of incompatible
20 land uses or code violations, improvements to infrastructure,
21 and benefits to the larger community.

22 Section 3. Subsection (4) is added to section 163.361,
23 Florida Statutes, 1998 Supplement, to read:

24 163.361 Modification of community redevelopment
25 plans.--

26 (4) Any modification of an approved plan that extends
27 the duration of a community redevelopment agency, impacts
28 tax-increment financing, or changes the boundaries of the
29 community redevelopment area must be approved by the governing
30 body.

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1 Section 4. Subsection (3) of section 163.362, Florida
2 Statutes, is amended and subsection (12) is added to that
3 section to read:

4 163.362 Contents of community redevelopment
5 plan.--Every community redevelopment plan shall:

6 (3) If the redevelopment area contains very-low,low,
7 or moderate income housing, contain a neighborhood impact
8 element which describes in detail the impact of the
9 redevelopment upon the residents of the redevelopment area and
10 the surrounding areas in terms of relocation, traffic
11 circulation, environmental quality, availability of community
12 facilities and services, effect on school population, and
13 other matters affecting the physical and social quality of the
14 neighborhood.

15 (12) Contain a residential component that includes
16 provisions for affordable housing.

17 Section 5. This act shall take effect upon becoming a
18 law.

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21 SENATE SUMMARY

22 Redefines the terms "slum area," "blighted area,"
23 "community redevelopment," and "community redevelopment
24 area" for purposes of part III of chapter 163, F.S.
25 Requires that a progress report be submitted to the
26 governing body by a community redevelopment agency.
27 Requires that specific modifications to an approved
28 community redevelopment plan be approved by the governing
29 body. Requires that a community redevelopment plan
30 contain a residential component with provisions for
31 affordable housing.