

ORDINANCE NO. 2014-44

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE DOWNTOWN MELBOURNE REDEVELOPMENT PLAN; MAKING FINDINGS; AMENDING CHAPTER 10 OF THE CITY CODE ENTITLED COMMUNITY PLANNING AND DEVELOPMENT; AMENDING SECTION 10-101, DOWNTOWN REDEVELOPMENT PLAN, TO PROVIDE FOR THE INCLUSION OF THE DOWNTOWN MELBOURNE PUBLIC-PRIVATE DEVELOPMENT PROGRAM IN THE PLAN; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, the City operates a Florida Statutes, Chapter 163, Community Redevelopment Agency (CRA) known as the Downtown Melbourne Community Redevelopment Agency within the area established by the City Council and described in Section 10-15 of the City Code; and

WHEREAS, Florida Statutes, Section 163.361, provides that if it becomes necessary or desirable to amend or modify a redevelopment plan, a governing body may amend such plan upon the recommendation of the agency; and

WHEREAS, private investment of real property in the Downtown Community Redevelopment Area is a redevelopment strategy within the Downtown Redevelopment Plan; and

WHEREAS, Florida Statute 163.345 of the Community Redevelopment Act of 1969 encourages opportunities for private enterprise to facilitate redevelopment within community redevelopment areas; and

WHEREAS, attached as "Exhibit A" and incorporated herein by this reference is a proposed amendment to the redevelopment plan to include a two-year program that may be extended by approval of the CRA board, for incentivizing certain private developments that are beneficial toward the redevelopment goals of the CRA; and

WHEREAS, the Melbourne City Council and the Local Planning Agency reviewed the plan and found the proposed amendment to the redevelopment plan to be consistent with Section 163.360, Florida Statutes, and the Comprehensive Plan; and

WHEREAS, the Melbourne City Council desires to amend the Downtown Melbourne Redevelopment Plan to include the Downtown Melbourne Public-Private Development Program.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That Section 10-101 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 10-101. Downtown redevelopment plan, generally.

* * * *

(b) *Adoption.* The Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area consists of the document entitled "Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area," adopted by Ordinance No. 82-58 on December 28, 1982, together with amendments entitled:

* * * *

(10) "August 2014 Amendment to Community Redevelopment Plan," adopted by Ordinance No. 2014-44 on August 12, 2014.

A copy of the plan and the amendments are on file in the city clerk's office.

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SECTION 2. That attached hereto as "Exhibit A" and incorporated herein by this reference is the amendment to the Community Redevelopment Plan dated August 2014.

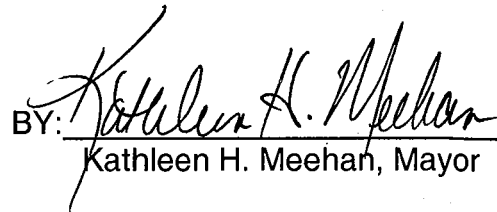
SECTION 3. That it is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality

shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

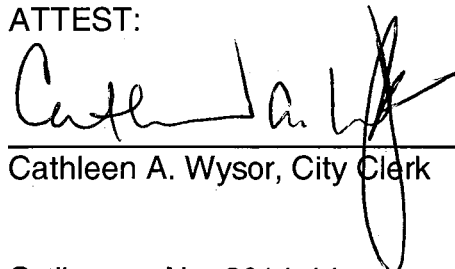
That in interpreting this ordinance, underlined words indicate additions to existing text. It is intended that the text in the Code of Ordinances denoted by the asterisks and not set forth in this ordinance shall remain unchanged from the language existing prior to the adoption of this ordinance.

SECTION 4. That this ordinance shall become effective in accordance with the City Charter.

SECTION 5. That this ordinance was passed on the first reading at a regular meeting of the City Council on the 22nd day of July, 2014, and adopted on the second and final reading at a regular meeting of the City Council on the 12th day of August, 2014.

BY: 
Kathleen H. Meehan, Mayor

ATTEST:


Cathleen A. Wysor, City Clerk

Ordinance No. 2014-44

Attachment: "Exhibit A" – Amendment to the Community Redevelopment Plan

Downtown Melbourne CRA

Downtown Melbourne Public-Private Development Program

August 2014

Program Description

In fulfillment of the goals of the Downtown Melbourne CRA Redevelopment Plan, the Downtown Melbourne CRA Board is establishing a program that will enable the Agency to enter into public-private partnerships for facilitation of desired real estate development projects. The Downtown Community Redevelopment Agency (CRA) will utilize tax increment finance (TIF) or other CRA assets, to leverage private real estate investment opportunities to develop markets that are deficient or that do not currently exist in Downtown Melbourne.

Program Duration and Funding

The program will be approved for use over a two-year period for projects on a case-by-case basis. The program is contingent upon the availability of funding. At the discretion of the CRA Board, the program may be terminated at any time before the two-year program period. The CRA Board may also vote to continue the program beyond the two-year sunset period, or have other limitations imposed, such as geographic target area eligibility.

Eligibility Requirements

It is intended that incentivized projects will be large scale developments that will be transforming and will serve as a catalyst to attract additional private investment within the CRA. Therefore, the program has a minimum qualifying real property capital investment floor of \$5 million.

Types of projects that will be considered are vertical mixed-use developments having any combinations of retail, office, hotel, market rate residential, and restaurant elements. Additionally, single-use dense vertical development of market rate residential or hotel uses may qualify.

Incentive Flexibility

The program provides flexibility in determining the type of incentive(s) and the amount of incentive necessary to achieve the development goals of the CRA.

Types of assistance may include, but are not limited to: land costs, impact fees, infrastructure, parking, demolition, environmental remediation and right-of-way enhancements.

Incentive sources may include CRA, General Fund, or other funding sources. Consideration for the type of financial partnership may include, but are not limited to, any or a combination of the following: various grants, TIF reimbursements, debt service, loan loss reserve enhancements, CRA and revenue bond financing, land subsidy, flexible leases, sale lease back agreements, and installation of public infrastructure upgrades.

The addition of the program shall be included on Page 36 of the "Downtown Melbourne CRA Redevelopment Plan", under the Capital Projects Program as follows:

<u>Capital Improvements</u> <i>Districtwide</i>	<u>Cost</u>	<u>Source</u>	<u>Years</u>
Downtown Melbourne Public-Private Development Program	TBD	TIF & Other	2014-16