

ORDINANCE NO. 2016-52

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE MELBOURNE DOWNTOWN REDEVELOPMENT PLAN AND THE REDEVELOPMENT TRUST FUND; MAKING FINDINGS; AMENDING CHAPTER 20 OF THE CITY CODE, ENTITLED "COMMUNITY PLANNING AND DEVELOPMENT;" AMENDING SECTION 20-44, REDEVELOPMENT TRUST FUND; REVISING THE TERMINATION DATE AND ELIMINATING THRESHOLD LIMITATIONS TO TAX INCREMENT REVENUE; AMENDING SECTION 20-64, ADOPTION, TO PROVIDE PRIORITIZATION AND CHANGES TO PROJECTS AND PROGRAMS WITHIN THE REDEVELOPMENT 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 Melbourne Downtown Community Redevelopment Agency within the area established by the City Council and described in Section 20-40 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, the Melbourne Downtown CRA Board has prioritized new and existing programs, projects and initiatives to be constructed and implemented in the Downtown community redevelopment area, as an amendment to the CRA redevelopment plan; and

WHEREAS, the Melbourne Downtown CRA Plan Amendment includes an extension of the time certain of the agency and trust fund to accomplish the projects and programs listed in the amendment; and

WHEREAS, revenue thresholds enacted against the redevelopment trust fund affect the disbursement of resources to carry out the plan amendment goals of City Council; and

WHEREAS, attached as "Exhibit A" and incorporated herein by this reference is the amendment to the redevelopment plan describing prioritized projects and programs, for implementation by 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 an amendment to the Melbourne Downtown CRA redevelopment plan, to prioritize projects and programs, to add or revise existing projects and programs, to extend the term of existence of the CRA, and to eliminate revenue thresholds to the redevelopment trust fund.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That Section 20-44 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 20-44. Redevelopment trust fund.

* * * *

(b) Term of existence. The city community redevelopment trust fund shall be self-perpetuating and sustaining from year to year, unless specifically terminated by the city council; provided, however, that the downtown, northern expansion, and southern expansion areas of the Downtown Melbourne Community Redevelopment District, as described in section 20-40, shall terminate as the Downtown Melbourne Community Redevelopment Area and the Downtown Melbourne Community Redevelopment Agency at 11:59 p.m. on December 31, ~~2032~~ 2042.

* * * *

(e) Disbursal of assets. ~~(4)~~ No funds shall be disbursed from the city community redevelopment trust fund unless approved by the city council. The funds of the city community redevelopment trust fund shall be utilized in accordance with the provisions of the Community Redevelopment Act of 1969, as amended and embodied in F.S. ch. 163, pt. III (F.S. § 163.330 et seq.), and in accordance with community redevelopment plans as approved by the city council.

~~(2) At such time that the downtown area of the Downtown Melbourne Community Redevelopment District, as described in section 20-40 (1), reaches an assessed valuation, as determined by the county property appraiser, of ten~~

~~times its original base year valuation, 50 percent of the revenue for a year produced by the assessed valuation exceeding that threshold will be returned to the taxing authorities contributing said funds.~~

~~(3) At such time that the northern expansion area of the Downtown Melbourne Community Redevelopment District, as described in section 20-40 (2), reaches an assessed valuation, as determined by the county property appraiser, of ten times its original base year valuation, 50 percent of the revenue for a year produced by the assessed valuation exceeding that threshold will be returned to the taxing authorities contributing said funds.~~

~~(4) At such time that the southern expansion area of the Downtown Melbourne Community Redevelopment District, as described in section 20-40 (3), reaches an assessed valuation, as determined by the county property appraiser, of ten times its original base year valuation, 50 percent of the revenue for a year produced by the assessed valuation exceeding that threshold will be returned to the taxing authorities contributing said funds.~~

SECTION 2. That Section 20-64 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 20-64. 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:

* * * *

(11) "August 2016 Amendment to Community Redevelopment Plan," adopted by Ordinance No. 2016-52 on August 9, 2016.

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

SECTION 3. That attached hereto as "Exhibit A" and incorporated herein by this reference is the amendment to the Community Redevelopment Plan dated August 2016.

SECTION 4. Severability/Interpretation Clause.

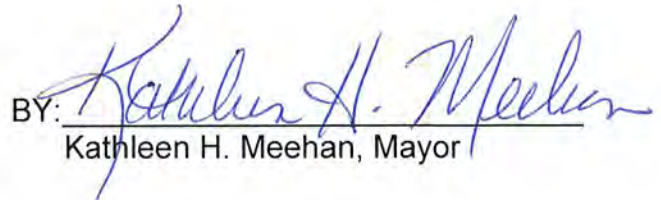
(a) That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, illegal or otherwise void by the valid judgment or decree of a court of competent jurisdiction, such

unconstitutionality, illegality, or other declaration shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

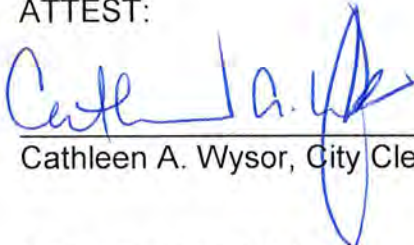
(b) That in interpreting this ordinance, underlined words indicate additions to existing text and ~~stricken words~~ indicate deletions from existing text. Asterisks (* * *) indicate an omission from the ordinance of text, which exists in the Code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and not set forth in this ordinance shall remain unchanged from the language existing prior to adoption of this ordinance.

SECTION 5. That this ordinance shall become effective immediately upon its adoption in accordance with the Charter.

SECTION 6. That this ordinance was passed on the first reading at a regular meeting of the City Council on the 26th day of July, 2016, and adopted on the second and final reading at a regular meeting of the City Council on the 9th day of August, 2016.

BY: 
Kathleen H. Meehan, Mayor

ATTEST:


Cathleen A. Wysor, City Clerk

Ordinance No. 2016-52

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

Melbourne Downtown Redevelopment Plan –Prioritization Program

Exhibit A-Ordinance 2016-52

Extend Sunset Date:

Extension of the CRA sunset an additional ten years to 2042 allowing the CRA to help finance desirable development projects through the Public Private Development Program and continue to achieve Redevelopment Plan capital projects identified by the CRA. Eliminate valuation thresholds imposed on the redevelopment trust fund.

Extend Public Private Development Program:

Extension of the Public Private Development Program through December 31, 2017, at which time the CRA will reevaluate the program in terms of location and sunset

CRA Capital Projects and Programs Priorities:

CRA Capital Projects	
Five Year Focus	Riverview Park
	South Expansion Streetscape
	Crane Creek Pedestrian Bridge
	Parking Management
	Public Restrooms
Ten+ Year Focus	Riverview Park
	South Expansion Streetscape
	Crane Creek Pedestrian Bridge
	Riverview Village Streetscape
	New Haven Avenue Sidewalk Widening/Ped Mall
	Gateway Signage
	Parking Supply
	Multi-use Ped Way (Melbourne Avenue)

CRA Programs		
Program Name	Length	Strategy
Façade Improvement	Ongoing	Continue renovation of existing commercial/mixed-use building stock, elimination of blight, business attraction and retention
Retail Core Lighting Assistance	1 year	Enhance pedestrian visibility and safety in right-of-way and on private property through partnerships with property owners and MMS
Public Private Development	Extend to December 2017	Continue incentives for residential, hotel, office or retail catalyst developments with a real estate investment over \$5,000,000
Parking Management	Ongoing	Implement a parking management plan as an economic development tool to benefit both businesses and the public by creating a short- and long-term parking strategy to financially sustain current and future parking demand
Community Policing	Ongoing	Crime prevention and business relations
Nighttime Economy	Ongoing	Achieve a clean and safe nighttime environment with policies that promote a proper balance of uses
Opportunity Development Sites	Ongoing	Market opportunity sites for redevelopment, promoting office, retail, residential and hotel projects