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RESOLUTION  
NUMBER 2010 - 082

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, DESIGNATING THE AREA CURRENTLY KNOWN AS THE CHARLOTTE COUNTY MEDICAL DISTRICT AS A COMMUNITY REDEVELOPMENT AREA; FINDING THAT SAID REDEVELOPMENT AREA CONSTITUTES A "BLIGHTED AREA" AS PROVIDED FOR IN SECTION 163.340, FLORIDA STATUTES; FINDING A NEED FOR AND ESTABLISHING A COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act" or the "Act") provides that there exist in counties and municipalities in the State of Florida slum and blighted areas and that the prevention and elimination of such slum and blighted areas is a matter of state policy and state concern; and

WHEREAS, the Act further provides that certain slum or blighted areas may require acquisition, clearance and disposition and that certain areas may be susceptible of conservation or rehabilitation such that the slum and blighted areas may be eliminated, remedied or prevented; and

WHEREAS, the Act provides a mechanism by which counties may accomplish the redevelopment of slum and blighted areas and declares that such redevelopment serves a public purpose; and

WHEREAS, the Board of County Commissioners of Charlotte County, Florida ("Board") has determined the existence of blight within the boundaries of what is

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presently identified as the Charlotte County Medical District ("Redevelopment Area"), and has determined that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Redevelopment Area by a redevelopment agency is necessary and in the best interest of the public health, safety, morals, or welfare of the citizens of Charlotte County; and

WHEREAS, this Redevelopment Area is more particularly described in Exhibit "A" attached hereto and by this reference provided herein; and

WHEREAS, the Board has considered, in addition to staff and expert opinion and public comment and input, the data and analysis contained in the Findings of Necessity Report, dated August 21, 2010, prepared and presented by County staff regarding the Redevelopment Area; and

WHEREAS, the Board has determined that conditions are present in the Redevelopment Area which are detrimental to the sound growth of Charlotte County and which substantially impair or arrest the growth within the area and adjacent territory, and present conditions and uses in the area which are detrimental to the public health, safety, morals and welfare of the citizens of Charlotte County; and

WHEREAS, there exists a predominance of defective or inadequate street layout within the Redevelopment Area; and

WHEREAS, there exists a faulty lot layout in relation to size, adequacy, accessibility and usefulness in the Redevelopment Area; and

WHEREAS, there exists unsanitary or unsafe conditions in the Redevelopment Area; and

WHEREAS, there exists deterioration of site or other improvements in the Redevelopment Area; and

WHEREAS, there exists inadequate and outdated building patterns in the Redevelopment Area; and

WHEREAS, there exists incidents of crime in the Redevelopment Area higher than in the remainder of Charlotte County; and

WHEREAS, there exists fire and emergency medical calls to the Redevelopment Area proportionately higher than the remainder of Charlotte County; and

WHEREAS, there exists a greater number of violations of the Florida Building Code in the Redevelopment Area than the number of violations recorded in the remainder of Charlotte County; and

WHEREAS, the Board hereby finds there is a need to identify and designate the Redevelopment Area as a Community Redevelopment Area (as such term is defined in the Act) to effect and carry out community redevelopment purposes and projects within the Redevelopment Area; and

WHEREAS, the Board further finds that there is a need for a Community Redevelopment Agency to function in Charlotte County to carry out the community redevelopment provisions of the Act and to initiate redevelopment within the Redevelopment Area.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Charlotte County, Florida ("Board") , as follows:

1. That all of the previous findings set forth above are incorporated herein.
2. The Board, based upon evidence presented to it and in the public record, does hereby expressly find the Redevelopment Area, as depicted in Exhibit "A" attached hereto and by this reference provided herein, to be a "blighted area" within the meaning of Section 163.340, Florida Statutes (the "Community Redevelopment Act" or "Act") and designates such area as appropriate for community redevelopment.
3. The Board does hereby expressly find that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Redevelopment Area is necessary in the interest of the public health, safety, morals or welfare of the citizens of Charlotte County.
4. The Board does hereby designate the Redevelopment Area as described in the attached Exhibit "A" as the "Charlotte County Medical District Community Redevelopment Area" pursuant to the Act.
5. The Board does hereby create and establish the "Charlotte County Medical District Community Redevelopment Agency" (the "CRA") pursuant to Section 163.356 of the Act, and is authorized to exercise all of the powers conferred by the Act which are necessary and convenient to carry out and effectuate the purposes of community redevelopment and related activities within Charlotte County.
6. The adoption of this Resolution shall be liberally construed to (1) comply with the adoption of findings of necessity required by Section 163.355, Florida Statutes, (2) create a community redevelopment agency pursuant to Sections 163.356 and 163.357, Florida Statutes, and (3) specifically document by resolution that the Board has agreed and determined the Redevelopment Area to be a "blighted area" within the meaning of the Act, and designate such area as appropriate for community redevelopment.

7. If any one or more of the provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this Resolution.

8. All prior resolutions of Charlotte County inconsistent with the provisions of this Resolution are hereby modified, supplemented, and amended to conform with the provisions herein contained.

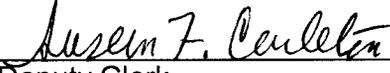
9. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND DULY ADOPTED this 21st day of September, 2010.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By:   
Robert J. Starr, Chairman

ATTEST:  
Barbara T. Scott, Clerk of  
Circuit Court and Ex-Officio Clerk  
to the Board of County Commissioners

By:   
Deputy Clerk

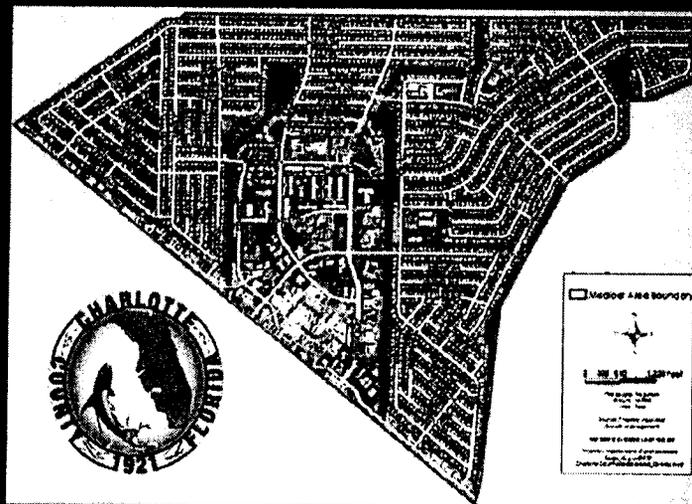
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By:   
Janette S. Knowlton, County Attorney

**CHARLOTTE COUNTY  
BUILDING AND GROWTH MANAGEMENT**

**FINDINGS OF NECESSITY**

**Medical District Revitalization Proposal**



**PREPARED BY JIM FENDRICK**

**8/21/2010**

**EXHIBIT A**

8/21/2010

# Findings of Necessity

*Evaluation of the Appropriateness of the Formation of a  
Community Redevelopment Agency for Area Currently Known as  
the Charlotte County Medical Area*

Building and Growth Management

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All Maps are the product of Charlotte County Building and Growth Management Department, 2010.

## Executive Summary

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As its first major initiative towards implementation of the County's Smart Charlotte 2050 Comprehensive Plan, Charlotte County's Board of County Commissioners is considering its options for the revitalization of its unnamed study area, currently identified as the "Charlotte County Medical District." For purposes of this report the area will be known as the "Study Area" or the "Area."

To date, the Board has discussed a range of planning options for the improvement of the Study Area, from the formation of a general Neighborhood Plan to the creation of a Community Redevelopment Agency (CRA) and Tax Incremental Finance (TIF) financing, pursuant to Chapter 163, Part III, Florida Statutes, (known as the "Community Redevelopment Act of 1969." The range of issues (i.e., blight, crime, job development, business development, and revitalization), across such a diverse and expansive area (approximately 880 acres, more or less), make it appropriate to involve multiple agencies in a coordinated effort to reconstitute the area, working towards the elimination of negative aspects of the current conditions and accentuating the natural benefits the Area possesses. The CRA/TIF option appears to give the greatest flexibility and resources to accomplish the task. Help from area citizens and businesses is also critical to ensure that the best solutions are offered and implemented. The CRA/TIF allows not only a planning framework, but also a larger range of funding options than available through a general planning area designation.

This report provides the data and analysis necessary for the Board of County Commissioners to act in determining if the Study Area is a "Blighted Area" as defined in §163.340(8) and §163.355, Florida Statutes. If the County Commission determines that the area is blighted, they may adopt a Finding of Necessity Resolution, acknowledging that blight exists and that the repair, rehabilitation, and/or redevelopment of the Study Area is in the interest of public health, safety, and welfare. The Commission may then create a Community Redevelopment Agency (CRA).

The CRA would then prepare a redevelopment plan which must be reviewed by the County Planning and Zoning Board for compliance with the County Comprehensive Plan. If it is compliant with the Comprehensive Plan, the Board of County Commissioners may adopt it following a public hearing. After that, a redevelopment trust fund is created to fund redevelopment activities and implement the plan. The fund may use Tax Incremental Financing or a combination of this and other funding options.

This report identifies and evaluates the existing physical characteristics and support infrastructure of the Study Area and its current long term ability to generate economic return and local tax revenues. As a general matter, this Area and its resources are predominately in a state of physical decline, underutilized, and its infrastructure is outmoded, limiting the County's ability to maximize its economic potential.

This report documents at least eight conditions of blight that exist in the Study Area, which may be considered a detriment to the area's longer-term vitality and sustainability and, as such, allow for the formation of a CRA and allow for the redevelopment process as outlined in the Redevelopment Act to move forward. Conditions identified warranting consideration include:

1. Predominance of defective or inadequate street layout.
2. Faulty lot layout in relation to size, adequacy, accessibility and usefulness.
3. Unsanitary or unsafe conditions.
4. Deterioration of site or other improvements.
5. Inadequate and outdated building patterns.
6. Incidence of crime in the area higher than in the remainder of the county.
7. Fire and emergency medical calls to the area proportionately higher than the remainder of the County.
8. A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the County.

In addition to the eight presented, a strong case could be made for the inclusion of four more conditions contributing to blight in the area [i.e., 163.340(8)(b), (g), (i), and (m)]; however, since only two criteria are required to demonstrate blight and Florida Statutes contemplate that only two criteria are necessary to satisfy the statute, eight is sufficient to show that in totality, there are a substantial number of deteriorated or deteriorating structures, leading to distress. In effect, the district is in a "chicken and egg" situation. Residents and business owners are currently uncertain whether to invest in their property or divest themselves from the area.

## 1 Overview and Purpose

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The purpose of this analysis is to provide data that documents blight as defined in Chapter 163, Part III, Florida Statutes (F.S.), "Redevelopment Act," within areas generally known as Charlotte County Medical District, Charlotte County, Florida (the "Study Area") as defined herein.

### 1.1 Introduction

This analysis will focus on the existing physical characteristics and support infrastructure of the Study Area and its ability to generate economic return and local tax revenues. As a general matter, areas and their resources that are in a state of physical decline are underutilized, thus limiting a local jurisdiction's ability to remain competitive in a larger economic context, and ultimately affecting local financial conditions and levels of services. Local governments that are highly dependent upon ad valorem revenues are the most vulnerable to blighted conditions and areas. Real property assets, and the infrastructure which supports these assets, that are physically or functionally deteriorated or that do not

meet contemporary development requirements are constrained in their ability to generate tax revenues adequate to improve the infrastructure that serves these real property assets. As such, their physical character and utility, along with the services required to sustain them, are key factors in determining a community's economic health. Additionally, as the lack of real property value in these areas results in inadequate ad valorem revenue to improve them, any necessary improvements are "subsidized" by other areas of the County that generate greater ad valorem revenues. This inequity and shift in the tax burden requires the County to consider levying additional tax revenues to improve redevelopment areas. The Redevelopment Act provides for a more equitable distribution of tax revenues that allows the area requiring improvements to be the area that pays for those improvements.

This analysis relies substantially on tax roll data acquired from various County offices, interpretations of County-supplied data, interviews with citizens and business owners, visual inspections of properties, and maps prepared by the County. While the County's tax roll data is assumed to be reliable, this report cannot guarantee its accuracy. Because of the data's purpose and official application, any errors that may exist should be considered relatively inconsequential.

This report also relies upon other studies that support the purpose of this analysis. These reports include:

- AECOM's Medical District Revitalization Report, dated April, 2010.
- Charlotte County's Smart Charlotte 2050 Plan and Framework, Adopted July 2010.

## 1.2 Objectives and Purposes of the Redevelopment Act

The purpose of the Redevelopment Act is to assist local governments in preventing and/or eliminating blighted conditions detrimental to the sustainability of economically and socially vibrant communities or areas. The following excerpts from Florida Statutes describe those blighting conditions, their specific effects, and the intentions of the community redevelopment regime as a tool for implementing policy and programs as they apply to the Study Area.

- **Section 163.335(1), F.S. (2010)** ...[blighted areas] which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests sound growth, retards the provision of housing accommodations, aggravates traffic problems, and substantially hampers the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums and blight is a matter of state policy and state concern in order that the state and its counties and municipalities shall not continue to be endangered by areas which are focal centers of disease, promote

juvenile delinquency, and consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization, and other forms of public protection, services, and facilities.

- **Section 163.335(2), F.S. (2010)** ...blighted areas or portions thereof, may require acquisition, clearance, and disposition subject to use restrictions, as provided in this part, since the prevailing condition of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that other areas or portions thereof may, through the means provided in this part, be susceptible of conservation or rehabilitation in such a manner that the conditions and evils enumerated may be eliminated, remedied, or prevented; and that salvageable slum and blighted areas can be conserved and rehabilitated through appropriate public action as herein authorized and the cooperation and voluntary action of the owners and tenants of property in such areas.
- **Section 163.335(3), F.S. (2010)** ...the powers conferred by this part are for public uses and purposes for which public money may be expended and police power exercised, and the necessity in the public interest for the provisions herein enacted is declared as a matter of legislative determination.
- **Section 163.335(5), F.S. (2010)** ...the preservation or enhancement of the tax base from which a taxing authority realizes tax revenues is essential to its existence and financial health; that the preservation and enhancement of such tax base is implicit in the purposes for which a taxing authority is established; that tax increment financing is an effective method of achieving such preservation and enhancement in areas in which such tax base is declining; that community redevelopment in such areas, when complete, will enhance such tax base and provide increased tax revenues to all affected taxing authorities, increasing their ability to accomplish their other respective purposes; and that the preservation and enhancement of the tax base in such areas through tax increment financing and the levying of taxes by such taxing authorities therefor and the appropriation of funds to a redevelopment trust fund bears a substantial relation to the purposes of such taxing authorities and is for their respective purposes and concerns.

### 1.3 Procedures Required for Creation of a Community Redevelopment Agency

#### 1.3.1 Formation of Community Redevelopment Agency/Blighting

Charlotte County is governed by a home rule charter and in accordance with §163.410, Florida Statutes, the powers conferred by the Redevelopment Act shall be exercised exclusively by the governing body of the County. Approval must be by a supermajority of the Commission.

Under the Redevelopment Act, if an area is deemed blighted, a resolution must be adopted by the County Commission finding that there are indeed such conditions within the defined Study Area, and that the repair, rehabilitation, and/or redevelopment of such areas is in the interest of public health, safety, and welfare. This step is known as the "Finding of Necessity Resolution".

If the County Commission accepts this report and adopts the "Finding of Necessity Resolution", the County Commission may then establish a Community Redevelopment Area and may establish itself as the Area Community Redevelopment Agency<sup>1</sup>.

### 1.3.2 Development and Approval of Community Redevelopment Plan

Following its creation, the CRA, as the legal unit acting for Charlotte County, would direct the preparation of the community redevelopment plan for that Area. The community redevelopment plan will necessarily provide physical information on the redevelopment area and identify potential project types that can diminish or eradicate the specified blighted conditions.

Under the Redevelopment Act, a redevelopment plan is submitted to the Local Planning Agency (LPA) for review of the plan's conformity with the County Comprehensive Plan. The LPA review may take up to 60 days. Then the County Commission shall hold a public hearing on the approval of a community redevelopment plan.

### 1.3.3 Establishment of a Redevelopment Trust Fund

The next step under the Redevelopment Act is the creation of a redevelopment trust fund, established by ordinance and adopted by the County Commission. The most recent certified real property tax roll prior to the effective date of the ordinance will be used to establish the tax base (the "Base Year") within the redevelopment area in order to calculate the tax increment. In the present case, the assumed timetable under which the project would move forward suggests that the calculation of the tax increment will rely upon the 2010/2011 certified rolls.

After putting in place the redevelopment plan described above, the trust fund becomes funded upon the availability of Tax Increment Finance (TIF) revenues or other sources such

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<sup>1</sup> The County Commission may act as the CRA pursuant to §163.357, Florida Statutes (2010).

as County Contribution (e.g., Native Tree funds) and funding from other sources (e.g., grants). TIF revenues sources are anticipated to include use of increments from the General Fund and Safety Fund. TIF revenues become available as the result of increased property assessments associated with new development and redevelopment within the redevelopment area beyond those of the base year. Principally, because of Area decline, increased ad valorem funds would not be available without the TIF and other contributed revenues (i.e., the area cannot correct itself without intervention). Funds allocated to and deposited into the trust account are used by the CRA to finance any community redevelopment it undertakes pursuant to the approved community redevelopment plan.

#### 1.3.4 Public Agency Notice

Before the County Commission can adopt any resolution or enact any ordinance to approve a community redevelopment plan, or establish a redevelopment trust fund, the Commission must provide public notice of proposed actions to each taxing authority which has the power to levy ad valorem taxes within the redevelopment area boundaries. Such notice alerts these taxing authorities to any possible changes in their budgets as a result of a redevelopment action. As a policy matter, it is assumed that the following entities with ties to the activities of Charlotte County government, all of which have now received notice of possible action stemming from either this analysis or subsequent initiatives, will not have their ad valorem revenues impacted. These agencies include:

- Charlotte County - Lighting District, and Environmentally Sensitive Lands
- Charlotte County Public Schools
- Water Management Districts – SWFWMD/Peace River
- Charlotte County Public Schools
- West Coast Inland Navigation District

Non-county agencies, as a matter of law or policy of the County, will not experience any diminution in their ad valorem revenues stemming from a resolution that defines or finds blight during the redevelopment process. However, these entities are, in fact, likely to experience an increase in their revenues over time as the result of such action. Presented in Table 1.0 are the taxing authorities which rely on ad valorem property tax in the Area.

**Table 1: Taxing Authorities and Latest Ad Valorem Assessments**

<b>Taxing Authority</b>	<b>2009/2010 Millage Rate</b>	<b>Percentages</b>
<b>General Fund</b>	5.7096	35.8
<b>Public Safety</b>	1.8277	11.5
<b>Lighting</b>	0.2387	1.5
<b>Schools, By State Law</b>	4.8590	30.5
<b>Schools, Local Board</b>	2.4980	15.7
<b>Water Management, SWFWMD</b>	0.3866	2.4
<b>Water Management, Peace River</b>	0.1827	1.1
<b>West Coast Inland Navigation District</b>	0.0394	0.2
<b>Environmentally Sensitive Lands</b>	0.2000	1.3
<b>Total Tax Millage</b>	<b>15.9417</b>	<b>100.00</b>

Source: Building and Growth Management Department, 2010

### 1.4 Declarations and Process

Determining if blight conditions exist within the Study Area is an initial step in ascertaining an area's appropriateness as a community redevelopment area. This analysis documenting the extent of blight conditions and analysis in support of that documentation is referred to herein as the "Report."

This Report describes the physical, economic, and regulatory conditions within the community redevelopment Study Area that are associated with blight or its causes, and discusses the need for a community redevelopment area. County staff inspected the Study Area and prepared this Report and the analysis contained herein.

The Study Area is relatively unified and homogenous, consisting of three general areas (i.e., a commercial corridor along US 41, a core commercial district, and a large single-family residential area that surrounds the core commercial district area. Due consideration was given to the specifics of the area and the conditions that constitute blight as listed in the Redevelopment Act. The following conditions are identified by the Florida Legislature in the Redevelopment Act as being indicative of blight (§163.340(8), Florida Statutes):

- (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities.
- (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions.
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
- (d) Unsanitary or unsafe conditions.
- (e) Deterioration of site or other improvements.
- (f) Inadequate and outdated building density patterns.

- (g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality.
- (h) Tax or special assessment delinquency exceeding the fair value of the land.
- (i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality.
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality.
- (k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality.
- (l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality.
- (m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.
- (n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

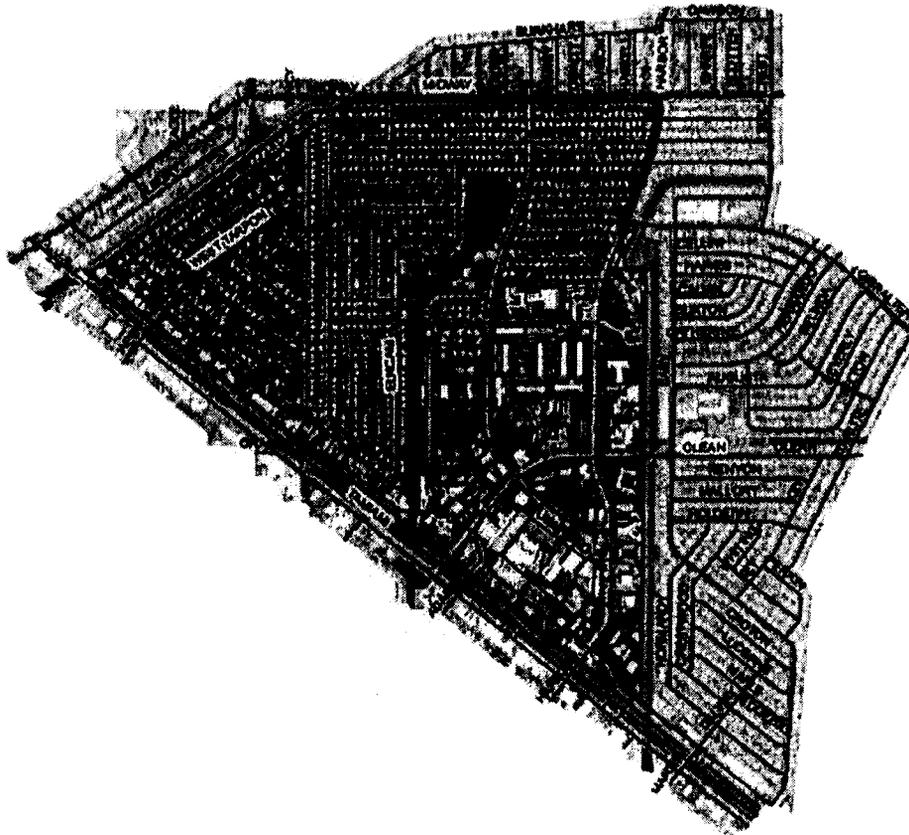
By Statute, only two conditions need to be documented; however this Report will document that at least eight of the fourteen conditions of blight exist in the Study Area, and are a detriment to its longer-term vitality and sustainability.

### 1.5 Integrity of the Redevelopment Study Area

The analysis in this Report consists of the proposed redevelopment area generally known as the Study Area. The area is entirely within Charlotte County's jurisdiction and control.

As part of the Smart Charlotte 2050 Plan development AECOM performed an initial evaluation of a somewhat smaller portion of the Study Area (see Map 1). The limitation in study boundaries had to do with developing a report from a statistically significant sample size, without overextending the Smart Charlotte 2050 budget allowance. The findings of that report included a recommendation that the Commission consider formation of a CRA and utilize TIF funding for the area.

**Map 1: AECOM Initial Study Area**



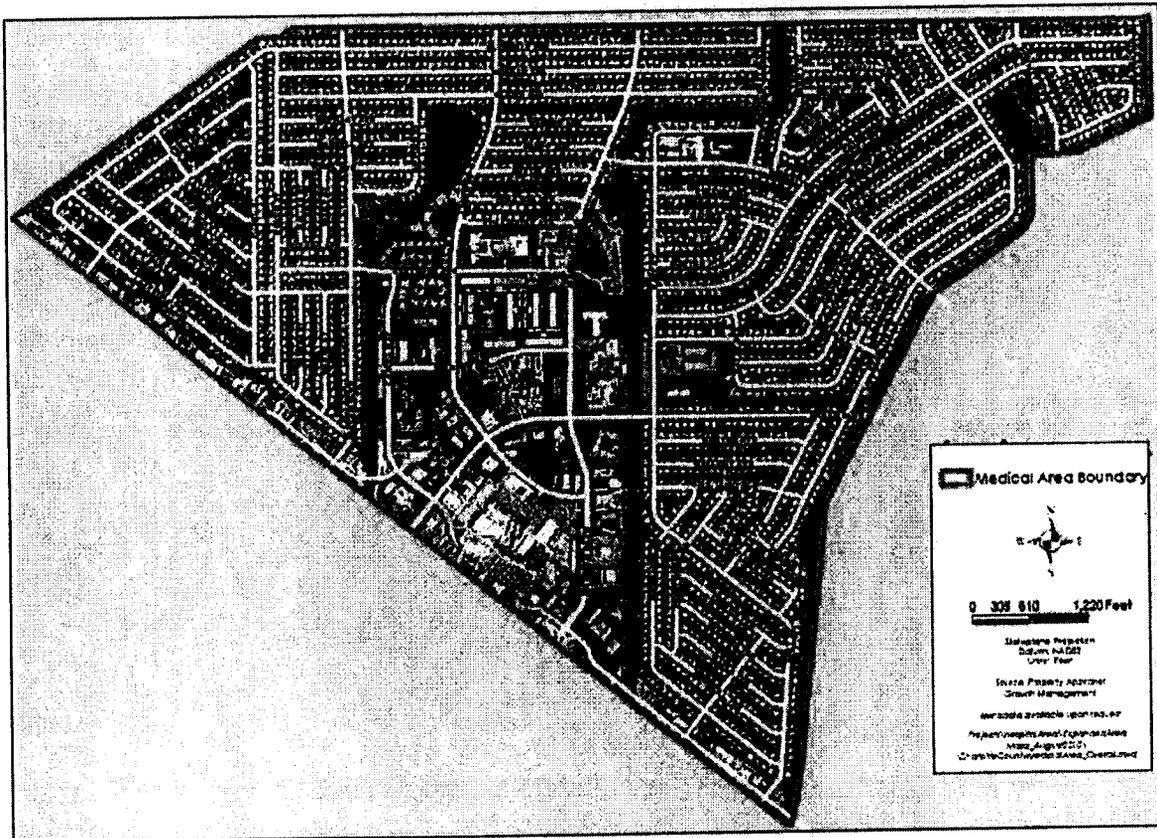
<small>Author: Project One Date: 04/10/03 Scale: 1:10,000</small>	<b>LEGEND</b>	
<small>Source: 170485, Growth Management</small>	 Charlotte County Medical Area	<small>Scale: 1" = 1/4" Mile</small>
<small>Map scale is not to scale</small>		

The area is proposed to be expanded and the Study Area, identified on Map 2, is the lands bounded by Midway Boulevard on the North, excluding that portion of land separated from the district by the Morningstar Waterway (south of Midway Boulevard). On the East, the

Study Area is bounded by the Fordham Waterway/Lake Betty and the southern border is US 41.

One main North South connector (Conway Boulevard) just outside the Study Area boundary on the east may be considered for improvement to some extent, because of its importance to area travel, but in order to appropriately delineate the boundary of the neighborhood, to promote a sense of place and community identity, this roadway and the rows of houses that abut it are not included as part of the Study Area.

**Map 2: Study Area Boundaries**

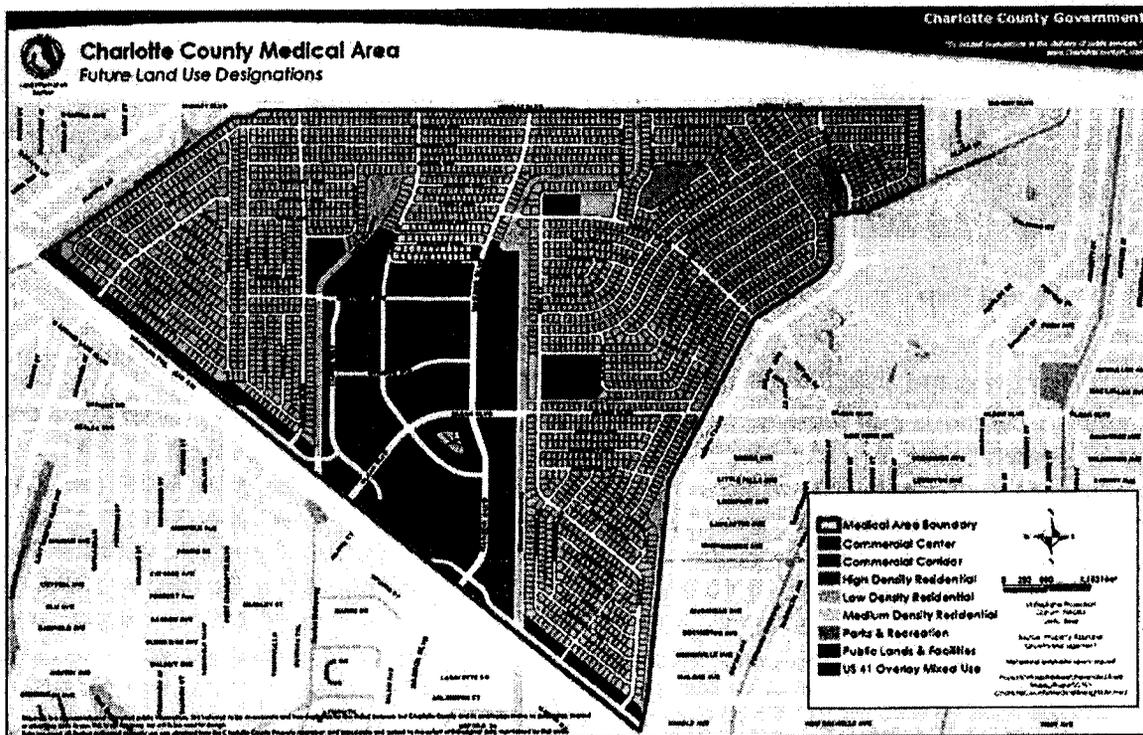


## 2 Existing Conditions: General Conditions and Physical Environment Inventory

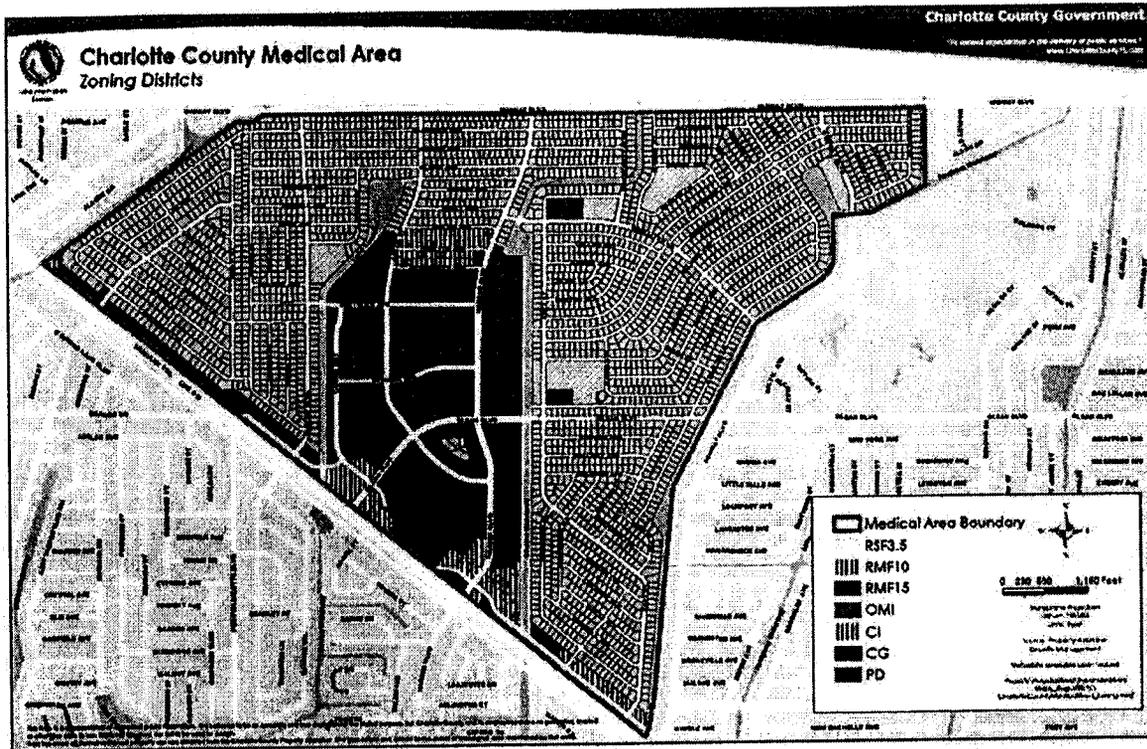
This section of the Report documents the Study Area's existing land uses, transportation systems, utilities infrastructure, and visual character of buildings and sites that could influence development or utilization of land-based assets.

### 2.1 Study Area

Presently, three areas generally exist. Along US 41, there is Commercial Corridor. Central to the Study Area is a commercial business district focused on serving the County's medical needs. This area includes medium to high density residential dwellings. The third area is a ring of low density residential uses. A summary of various land use types is listed in Map 3 and Map 4. Residential Density is identified on Map 5.



Map 3: Future Land Use Designation



**Map 4: Zoning Map**

**2.1.1 Future Land Use, Zoning and Housing Density**

Charlotte County is currently waiting for final approval of its adopted Smart Charlotte 2050 Comprehensive Plan and transitioning from its 2010 Plan; therefore, reporting on both, the Study Area contains seven Future Land Use categories on the 2010 Future Land Use Map (FLUM) and six categories on the 2030 FLUM. Reporting more particularly from the 2030 FLUM, residential areas include Low Density Residential (LDR) in the area surrounding the commercial district and Medium Density Residential (MDR) and High Density Residential (HDR) in the core business area. The commercial areas consist of Office, Medical and Institutional (OMI), Commercial Center (Commercial, COM), Commercial Corridor (Commercial, COM), Public Lands and Facilities (PL), and US 41 Overlay Mixed Use (41MU).

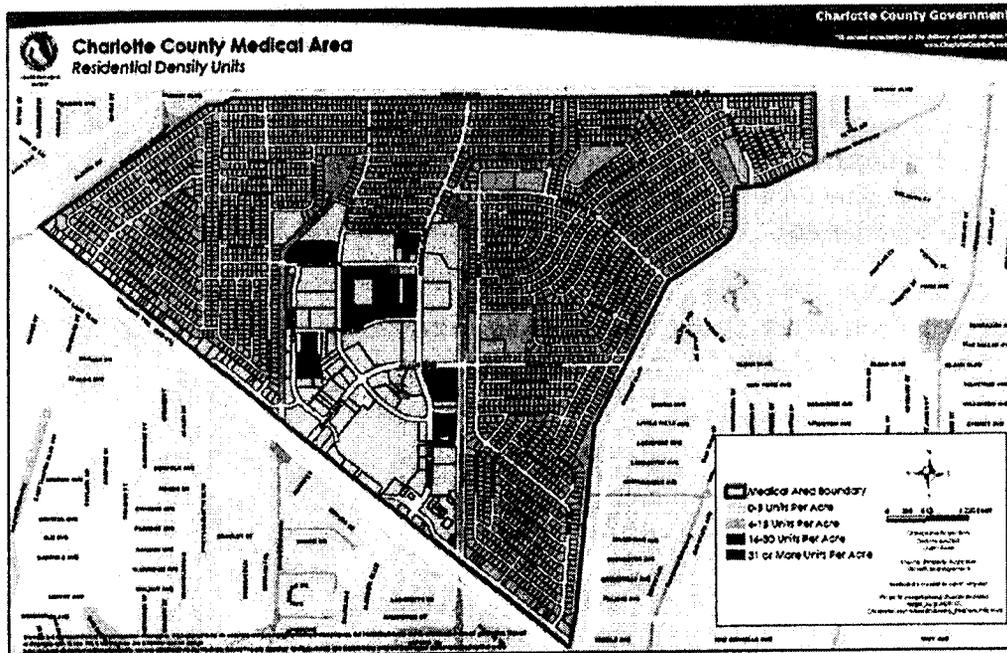
There are seven zoning districts types within the study area:

Residential Single-family 3.5 (RSF-3.5), Residential Multi-family 10 (RMF-10), Residential Multi-family 15 (RMF-15), Office, Medical, and Institutional (OMI), Commercial Intensive (CI), Commercial General (CG), and Planned Development (PD).

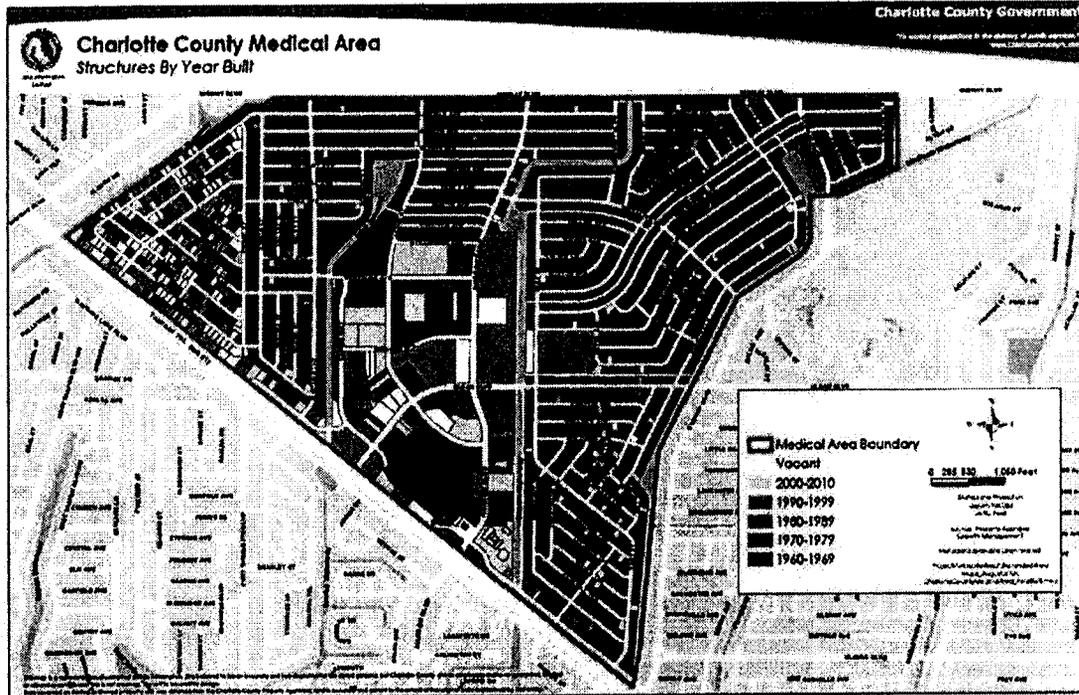
Within the core business district:

- Half of the properties located along US 41 are designated as Commercial Corridor with CG zoning. Some of these properties are also located within the boundary of the US 41 Zoning District Overlay, which is a more restrictive designation, intended to enhance the appearance of the buildings along the US 41 corridor. These properties have a potential for higher density and intensity for future development or redevelopment.
- Peace River Hospital is designated as Public Lands and Facilities with OMI zoning.
- Fawcett Memorial Hospital is designated as Commercial Corridor and Public Lands and Facilities with OMI and CG zoning.
- Properties located in the northern portion of this area are designated as High Density Residential with RMF-15 zoning, which allows for either single-family homes or multi-family development with a maximum density of up to 15 units per acres.
- Further north, platted lots are designated as Medium Density Residential with RMF-10 zoning, which allows for either single-family homes or multi-family development with a maximum density of up to ten units per acre.

Outside this core area, the majority of the area contains platted lots designated as Low Density Residential with RSF-3.5 zoning district, allowing single-family homes with a maximum density of up to 3.5 units per acre.



Map 5: Residential Density



**Map 6: Building Age**

**2.1.2 Building Age**

The average age of commercial structures in this area is approximately 30 years, with a majority of the commercial structures having been constructed in the 1970s and 1980s. The average age of the residential structures in this area is approximately 40 years, with a majority of the residential structures having been constructed in the 1960's.

**2.1.3 Population and Other Statistics**

Just over half of the homes and businesses are owner occupied (see Table 2). Map 8 shows a snapshot of the number of units for rent in the Area.

**Table 2: Occupancy Type and Number**

	Rented	Owned	Totals	Owner Occupied
Businesses	368	431	799	54%
Residences	1,844	2,342	4,186	56%
Totals	2,212	2,773	4,985	NA

Source: Building and Growth Management Department, 2010

According to County population estimates, five percent of the County's residents live in the Study Area.

**Table 3: Population Estimates, 2010**

<u>Population</u>	<u>Totals</u>
Study Area	7,317
County (Minus-Study Area)	153,056
<b>Total Population</b>	<b>160,373</b>
Percent of Total	5%

Source: Building and Growth Management Department, 2010

**Table 4: Comparison of Crime In/Out of Study Area**

<u>10/15/2009 to 4/15/2010</u>	<u>Study Area</u>	<u>Countywide</u>	<u>% in Area</u>
Robbery	7	23	30%
Theft From Building	7	25	28%
Arson	1	5	20%
Aggravated Assault	25	131	19%
Drugs/Narcotics	33	227	15%
Theft from Motor Vehicle	42	328	13%
Simple Assault	62	510	12%
Burglary	58	516	11%
Motor Vehicle Theft	8	82	10%
Theft - Other	73	890	8%
Non-Forcible Sex Offenses	4	52	8%
Shoplifting	17	290	6%
Forcible Rape	1	34	3%
Aggravated Stalking	0	1	0%
Theft - Coin Operated Device	0	3	0%
<b>Grand Total</b>	<b>338</b>	<b>3,117</b>	<b>-</b>

Source: Charlotte County Sheriff, 2010

**Table 5: Emergency Calls for Law Enforcement and Fire/EMS**

<u>Sheriff Callouts</u>	<u>2009/2010</u>	<u>Fire/EMS Callouts</u>	<u>2009/2010</u>
Study Area	155	Study Area	1809
County	1108	County	9012
Percent in Study Area	14%	Percent in Study Area	15%

Source: Charlotte County Sheriff, 2010

**Table 6: Code Compliance Complaint/Violations**

Building Code	Study Area	County	% in Area
Complaints	154	2015	8%
Violations	98	942	10%

Source: Building and Growth Management Department, 2010

### 3 Criteria for Determining Blight

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The Redevelopment Act establishes two separate avenues to determine if a study area should be categorized as a blighted area in accordance with the Act, allowing the Board of County Commissioners to establish a CRA. Avenue one, herein called, "Test One," solely involves County designation of the CRA. Avenue two, herein called, "Test Two," is an option involving other agencies in the blight determination. Though both options are available through this study, it is the goal of this study to satisfy the requirements of Test One.

#### 3.1 Test One

Test one, involving the County only in blight determination, employs a two pronged approach. The first is that a study area is required to contain "a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property."

The second prong of this test is that "two or more of the factors found in §163.340(8)(a) through (n), Florida Statutes" must be present. The complete list of blighted condition factors is given in Section 1.4 of this Report.

#### 3.2 Test Two

Currently, Test two is not contemplated, but it requires that "at least one of the factors identified in paragraphs §163.340(8)(a) through (n) [be] present" and that "all taxing authorities subject to §163.387(2)(a) agree, either by interlocal agreement or agreements with the agency or by resolution, that the area is blighted."

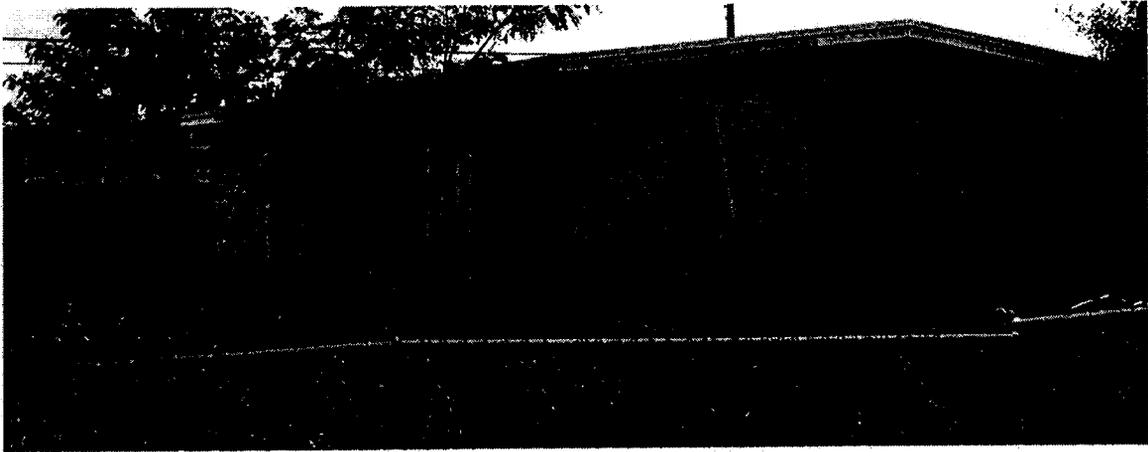
#### 3.3 Assessment of "Substantial Deterioration"

The Redevelopment Act provides little specific criteria or guidance regarding the definition or attributes of "a substantial number of deteriorated or deteriorating structures" other than those implied in the Redevelopment Act, which focuses on a series of indicators that, in the aggregate, are assumed to lead to economic, physical, or social distress. According to Statute, only two such indicators are required to affirmatively find that the Area is a blighted area.

In the case of the Study Area, eight statutory indicators are present and the physical state and the nature of existing structures clearly indicate a "substantial number of deteriorated

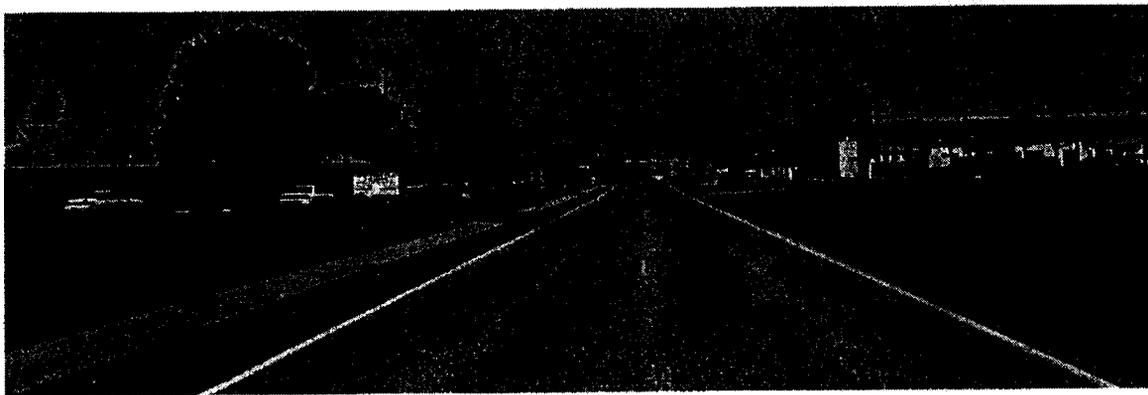
or deteriorating structures” in the Study Area affecting the physical, economic, and social environment within the Area.

Many residential and non-residential buildings, by virtue of their age and faulty lot layout as to size, adequacy, accessibility and usefulness are in an unacceptable physical condition or physically obsolete, requiring major repair or reinvestment to compete with modern building inventories. In some cases demolition of facilities may be in order.



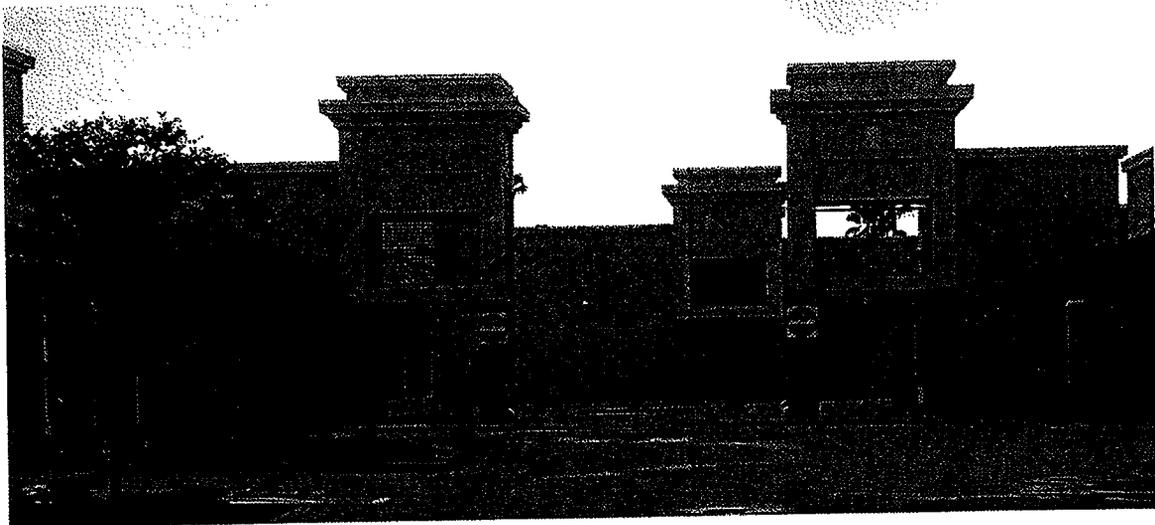
Distressed home in Study Area.

Map 6 (Structures by Building Age) indicates that most of the housing stock was built in the 1960s. The analysis performed as a part of AECOM’s Medical District Revitalization Report, dated April, 2010, as well as a large number of code enforcement violations (see Table 6), all speak to the need for substantial facility reinvestment within the next few years. At some time a complete building structures survey may be desired, but much of the housing and commercial building stock are clearly in need of reinvestment.



Public sidewalk missing on the right side of street adjacent to multi-family residence.

Problems with building placement (such as the configuration of Promenades Mall), restricted site access, the need for more sidewalks, and limited on-site parking for facilities such as the hospitals are significant signs of substantial detriments to redevelopment.



Promenades Mall, rear (northern side of facility) difficult to access from the front because this avenue was closed as part of a remodel.

Problems of significant levels of crime are also demonstrable: 5 percent of the County's population lives in the Study Area (see Table 3), but 30 percent of the robberies, 28 percent of the County's theft from buildings, 20 percent of the aggravated assaults (see Table 4), and 10 percent of the County's code enforcement violations occur in the Study Area (see Table 6).

Furthermore, the outmoded infrastructure, with rural roadway cross sections and rural lighting standards, minimal investment in sidewalks and multi-use trails, limited onsite parking, limited bridge facilities to cross canals dividing the Study Area, the lack of urban street cross sections serving the core business and high density residential dwellings all indicate a predominance of defective or inadequate facilities, limiting redevelopment of the area. Taken as a whole, these factors indicate a substantial number of deteriorated or deteriorating structures.

### 3.4 Presence of Blight Factors in Study Area

Of the fourteen conditions indicative of blight listed in the Redevelopment Act and summarized in Section 1.4, analysis indicates that at least eight such conditions exist in the Study Area, impeding its immediate and longer term social, economic, and physical development. These conditions are constraints that may affect significant development or redevelopment within the Study Area.

Test One requires that at least two criteria be satisfied. Test Two requires that only one criterion be satisfied.

Below is a summary of the criteria that apply to the Study Area.

1. Predominance of defective or inadequate street layout (§163.340(8)(a), F.S.). While adequate traffic capacity exists for motorized vehicles under the existing development pattern in the Study Area, that capacity may be insufficient with any major redevelopment efforts. As it relates to urban form and function, however, the street layout is defective and inadequate.

Street layout is inadequate in that: 1) the core commercial district contains rural roadway cross sections (i.e., wide swales, rural lighting standards, and incomplete sidewalk and trail facilities); 2) Limited linkage between commercial and residential neighborhoods severely limits the area's potential as a healthy, walkable community; 3) The lack of appropriate trail and bridge linkages creates a wall between neighborhood areas; 4) The lack of tree canopy limits Area cooling and the use of sidewalks and trail.



Examples of core business district streetscapes.

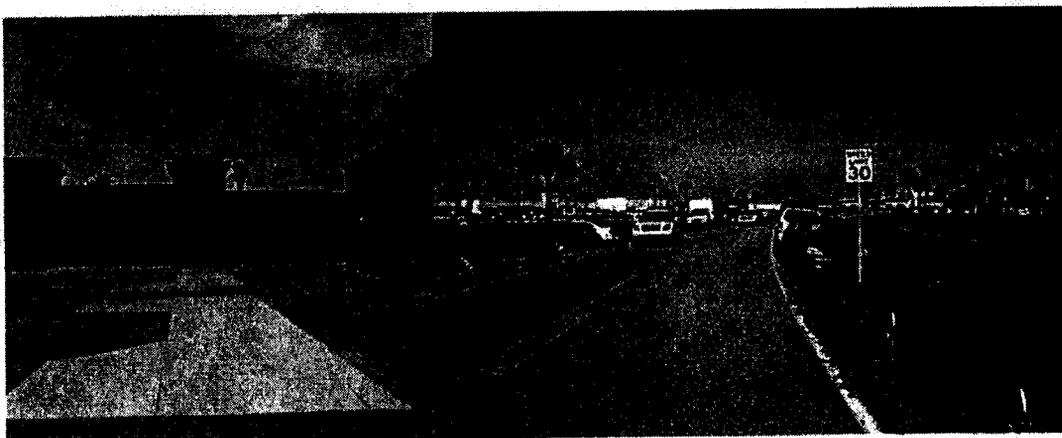
2. Faulty layout in relation to size, adequacy, accessibility and usefulness (§163.340(8)(c) F.S.). The Study Area does not contain much vacant, undeveloped land easily reconfigurable to other purposes or activities. In the residential portions of the neighborhoods, small lot configurations abound, hampering site usefulness and adequacy. The small lot size and the character or condition of existing structures imparts a distinctly deficient pattern of development that precludes sound standards, design, and overall sanitary and safe conditions. The gross number of lots is likely disproportionate to the number of users that would consider acquiring such lots for their intended purposes. In

today's competitive real estate market environment, contemporary development practices favor larger sites to vary and mix uses and activities.

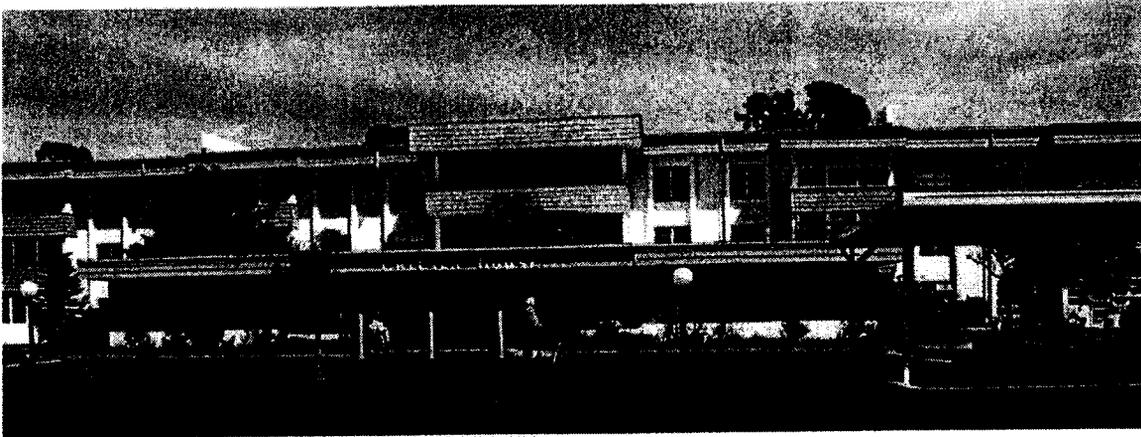


Typical home/lots within the Study Area.

Core commercial area layout is faulty in that size and accessibility is inadequate for large scale redevelopment. The Promenades Mall is a typical example of a property with many layout problems such as lack of access to interior shops and poor site access. It should be noted that this property has excellent potential for reconfiguration and revitalization. Several key properties lack adequate parking.



Examples of faulty layout of commercial sites.

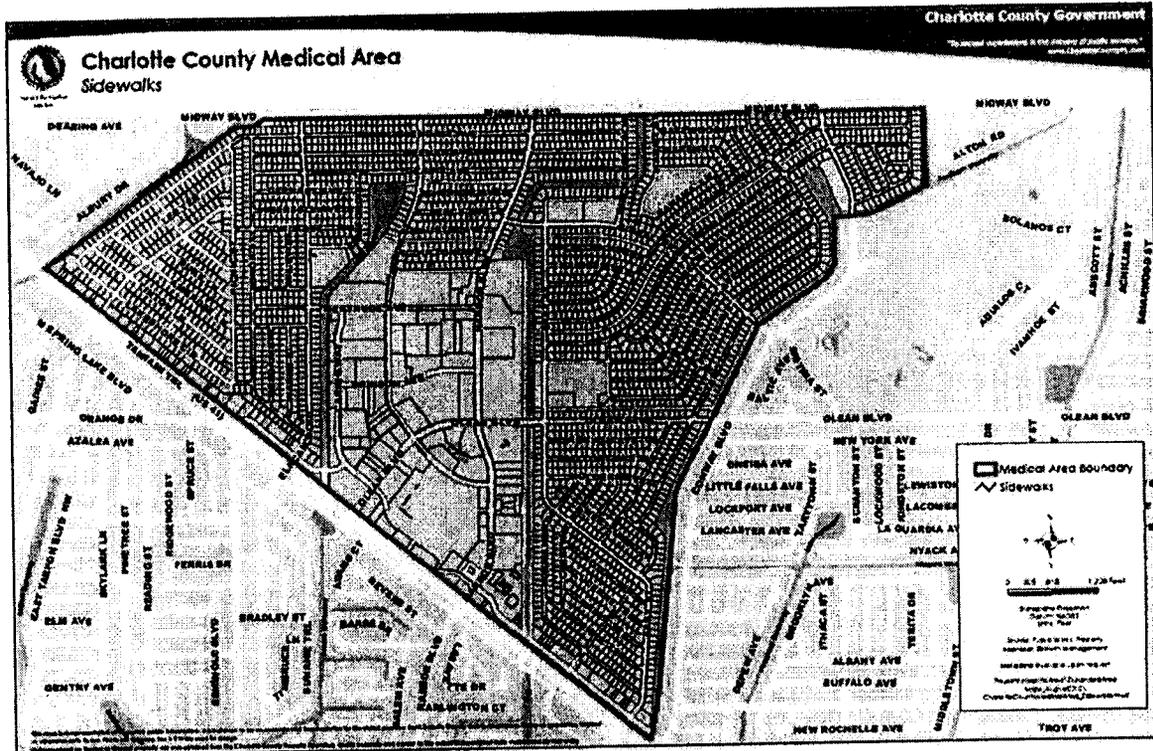


Example of well maintained, older high density residential facility.

3. **Unsanitary or unsafe conditions (§163.340(8)(d), F.S.).** Since 2006, the Study Area has been an area of interest for the County's Code Compliance, Social Services, and Law Enforcement agencies. Unsanitary and unsafe conditions warranted instituting "Clean Sweep," "Paint Your Heart Out" and other interventions in the Area. These programs provided significant improvement to the Area; however, County Code Compliance, Law Enforcement and Social Service agencies still consider the area one of special interest. As tables 4, 5 and 6 indicate, there is a disproportionate amount of government resources (law enforcement, code enforcement and social service activities) being all allocated to this area. Other safety issues also exist in the Study Area. Limited bike/pedestrian facilities reduce the safety of these citizens.



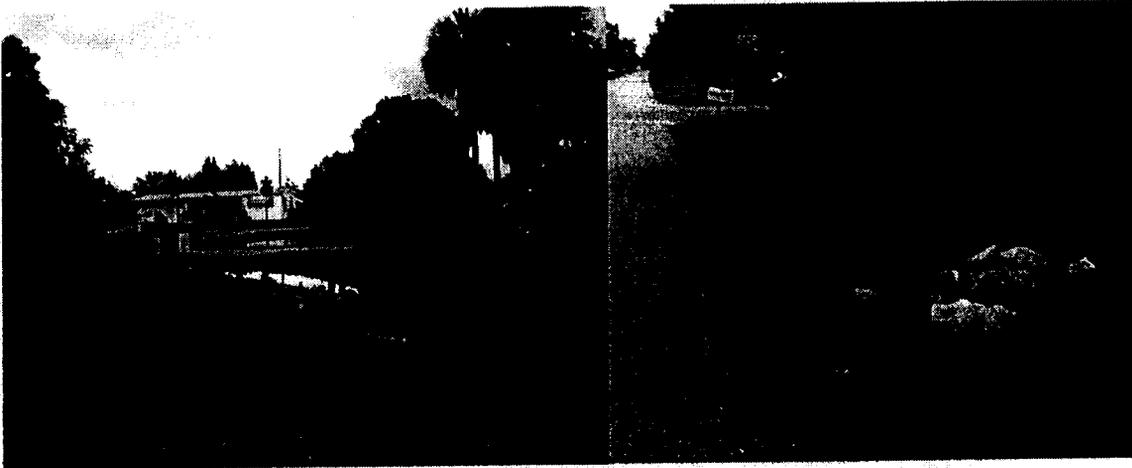
There are many bicyclists, pedestrians, wheelchair bound and golf cart users seeking safe ways to move about. Safe routes are critical.



**Map 7: Study Area Sidewalks**

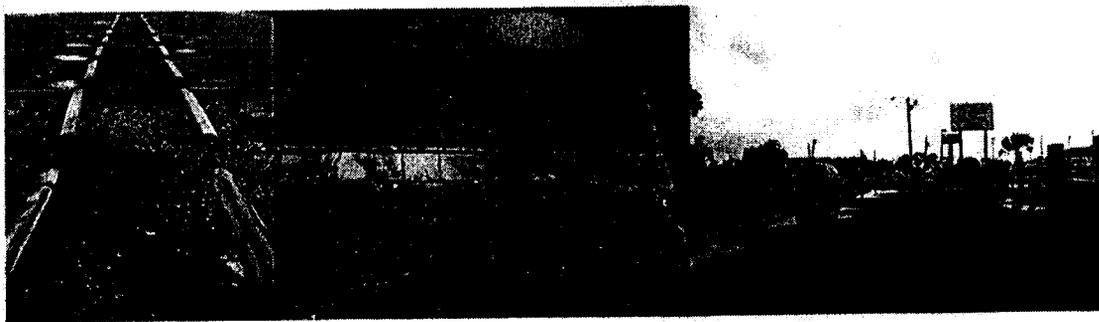
Sidewalks in the Study Area are incomplete (see Map 7) and onsite parking is substandard for many facilities, particularly the hospitals, leading to unsafe conditions for pedestrians, wheel chair operators, bicyclists and golf carts (currently in use in the core business district).

The configuration of McGuire Park also contributes to the unsafe condition of the Area. This site is configured in a manner that does not allow adequate monitoring of the site. During interviews with local citizens in preparing the AECOM report and in public meetings, citizens and business owners alike often expressed concern about physical safety due to perceptions about criminal and gang activity in the Park and throughout the Study Area.



Unsanitary conditions in the Study Area.

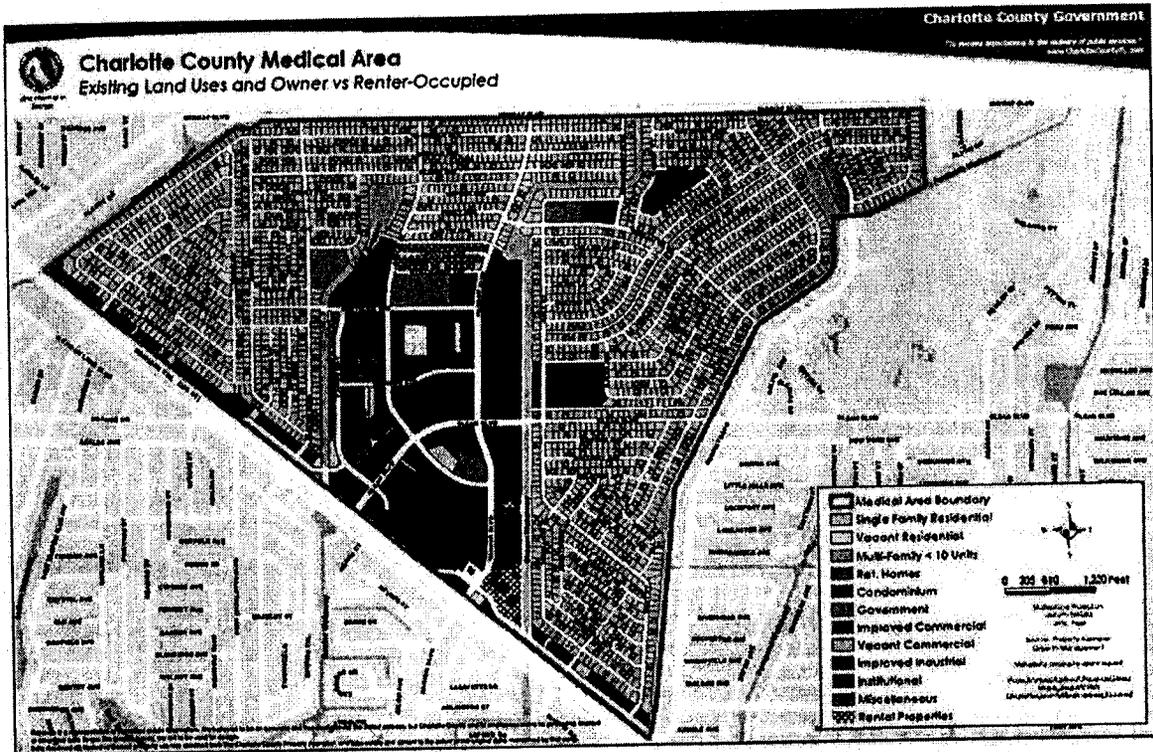
4. Deterioration of site or other improvements (§163.340(8)(e), F.S.). The age of structures and lack of adequate parking and other modern improvements causes an increased deterioration and slows reinvestment in older sites in the Study Area (see Map 6).



Examples of private and public infrastructure deterioration within Area.

5. Inadequate and outdated building patterns (§163.340(8)(f), F.S.). Conditions of inadequate and outdated building patterns are self-evident based on the most casual inspection of the Study Area. Much of the predominantly 40-50 year old housing in the Area is outdated and the sprawling suburban pattern is out-of-step with current housing market demands. The single family units are experiencing some disinvestment, which is evidenced by increased vacancies and conversion to rental and a reported increase in crime/police calls (see Map 8 and Table 4). Map 8 shows rental properties with a red hatch.

Because of this high percentage of rental properties, this area is a prime candidate for redevelopment over the next 20 years.



Map 8: Rental and Leased Properties

During meetings held by AECOM and County representatives, residents and business owners requested the County consider increasing housing density allowances, especially within the core commercial area. Evaluation of hospitals and Promenades Mall properties revealed a need to address current limitations on height (and residential density in the case of the Promenades). For instance, in a report prepared by AECOM/Elberbe Becket, their study pointed out that modern hospital wings require construction of buildings of at least 90 feet in height. Current restrictions limit height to 60 feet for the hospitals and that height is gained only by special exception.

6. Incidence of crime in the area higher than in the remainder of the county or municipality (§163.340(8)(j), F.S.). With only five percent of the County's population, Area criminal activity accounts for over ten percent of the activity for most categories (see Table 4). Nineteen percent of the aggravated assaults occurred in the Area during the assessed period.

7. Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality (§163.340(8)(k), F.S.). Table 5 demonstrates that over 10 percent of Sheriff and Fire/EMS calls come from the Study Area.

8. A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the municipality (§163.340(8)l, F.S.). Table 6 demonstrates that a disproportionate number of complaints and citations come from within the Study Area.

#### 4 Conclusion

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This Report has analyzed both prongs of the most stringent method of evaluating an area for blight conditions (i.e., Test One) and substantial deterioration. The Report finds that conditions in the Study Area support each question affirmatively. While only two of fourteen indicators of blight are required to be identified in a Findings study, the area examined in this Report contains at least eight conditions. As the Report documents, blighted conditions which occur within the Study Area include, but are not be limited to, building deterioration, site deterioration, unsafe conditions, significantly aged structures, drainage deficiencies, inadequate transportation or mobility facilities, inadequate street layout, inadequate parking, and higher than average criminal activity, code violations and emergency service calls.

Therefore, this Report provides the necessary data and analysis for adoption of a Finding of Necessity Resolution which finds that conditions in the Study Area meet the criteria of the Redevelopment Act, that the area is considered blighted, and the rehabilitation, conservation, or redevelopment of the Study Area is necessary in the interest of the public health, safety, morals, or welfare of the residents of Charlotte County.