APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING
JUN 22 1993

CA/OTT

RESOLUTION NO. 93-M-39

COMMUNITY REDEVELOPMENT RESOLUTION
FOR THE CITY OF APOPKA

A RESOLUTION PERTAINING TO REDEVELOPMENT OF A SPECIFIED PART OF APOPKA, ORANGE COUNTY, FLORIDA; APPROVING A COMMUNITY REDEVELOPMENT PLAN FOR THE APOPKA REDEVELOPMENT AREAS AS SET FORTH IN ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION NO. 93-M-38 MAKING CERTAIN FINDINGS AND DETERMINATIONS; FINDING THAT THE PLAN CONFORMS TO THE COUNTY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Orange County, Florida, has adopted Resolution No. 93-M-38 delegating community redevelopment powers to the City of Apopka because there are problems of blight within its designated district;

WHEREAS, the City Commission of Apopka has commissioned a study which has confirmed the findings of blight;

WHEREAS, the City Commission of Apopka has adopted an ordinance creating a Community Redevelopment Agency to carry out and officiate the purpose of community redevelopment within the boundaries of the community development area (the "Area");

WHEREAS, the City of Apopka desires to proceed under Part III, Chapter 163, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished in the Area; and

WHEREAS, after due consideration of public hearings as required by law, the Board of County Commissioners of Orange County, Florida, deems it appropriate to approve the Apopka Community Redevelopment Plan.

NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

1. Approval of Community Redevelopment Plan.

a. The Community Redevelopment Plan for the Community Redevelopment Area, having been duly received and considered as provided by law, is hereby approved and adopted as described in Exhibit "A", more specifically referred to as the Apopka Community Redevelopment Plan (the "Plan"), and made a part of this Resolution by reference. Said Plan is hereby designated as the official Community Redevelopment Plan for the Community Redevelopment Area (the "Area"), the boundaries of which are described in the Plan. It is the purpose and intent of the Board of County Commissioners that the Community Redevelopment Plan be implemented in the Area.

b. The boundaries of the Community Redevelopment Area may not be expanded without the further expressed consent of the Board as set forth and described in Resolution No. 93-M-__. The Community Redevelopment Agency may contract the boundaries of the Area, removing up to but not exceeding ten (10%) percent of the total original Area, without the Board's consent.

c. The Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation as may be proposed to be carried out in the Community Redevelopment Area; zoning and planning changes, if any; land uses; maximum densities; and building requirements.

d. The Board of County Commissioners approves, through this resolution, the Apopka Community Redevelopment Plan; however, the Community Redevelopment Agency may not expend any tax increment revenues deposited by the County in the Community Redevelopment Trust Fund until a subsequent Implementation Program has been approved by the Board, and for that purpose the fund shall contain separate accounts segregating County deposits from all other deposits.

e. The Plan shall not be amended without the express consent of the Board, as evidenced by an approving resolution, and the Community Redevelopment Agency shall not deviate substantially from the projects set forth in the Implementation Program (including their nature, size, design, location, schedule, and estimated cost) without an amendment to the Plan.

2. Findings. The Board of County Commissioners expressly finds that the Community Redevelopment Plan satisfies the requirements of Florida Statute 163.360, because:

a. Even though no families are anticipated to be displaced as a result of the project, a feasible method exists for the location of any such families in decent, safe and sanitary dwelling accommodations within their means and without undue hardship;

b. The Community Redevelopment Plan conforms to the general plan of the City as a whole;

c. The Plan gives due consideration to providing adequate park and recreation areas and facilities that may be desirable;

d. The Plan affords the maximum opportunity, consistent with the sound needs of the City as-a-whole, for the rehabilitation or redevelopment of the Community Redevelopment Area by private enterprise;

e. The Plan conforms to the Orange County Comprehensive Plan.

3. Delegation of Powers. With the execution of this resolution, the City and Community Redevelopment Agency shall be deemed to have been delegated all other powers necessary or convenient to carry out and effectuate the purposes and provisions of Part III of Chapter 163 of Florida Statutes, including the powers set forth in Section 163.370 of Florida Statutes.

4. Liability. Nothing contained herein shall impose any liability upon Orange County for any acts of the City or the Community Redevelopment Agency.

5. Sunset Provision. Unless the Board expressly approves otherwise, this resolution and any amendments or supplements hereto, as well as the Plan and the existence of a separate Community Redevelopment Agency, if any, shall expire and terminate on January 1, 2024.

7. Severability. The provisions of this Resolution are not severable. If any part of this instrument is held invalid by a court of law or is superseded by any existing or future statute, this Resolution shall be deemed void and of no further effect.

8. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, THIS 22nd DAY OF June, 1993.

ORANGE COUNTY, FLORIDA

BY: Bill Donegan
Orange County Chairman

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

BY: Rolynda Stupt
Deputy Clerk