

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

Agenda Item #: **5E-1**

AGENDA ITEM SUMMARY

Meeting Date: 7/12/2016 Consent Regular
 Workshop Public Hearing

Department: Planning, Zoning and Building
Submitted By: Planning Division
Submitted For: Planning Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

(A) Approve an Interlocal Agreement between Palm Beach County and the Town of Lake Clarke Shores.

(B) Adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, delegating the exercise of powers conferred by Chapter 163, Part III, Florida Statutes, "The Community Redevelopment Act of 1969" to the Town Council of the Town of Lake Clarke Shores, with the conditions that the Board retain authority to expand boundaries of the Community Redevelopment Area (CRA), that the Fire Rescue taxes and any taxes from any special district created before or after the effective date of this resolution be exempted from the tax increment to be paid to the CRA; providing for effective date and duration of existence; and providing for severability.

Summary: The item before the Board of County Commissioners (BCC) is to approve the creation of a new CRA at the request of the Town of Lake Clarke Shores within its municipal limits, generally located between Interstate 95 and Florida Mango Road, on the north and south sides of Forest Hill Boulevard. The Town of Lake Clarke Shores requested that Palm Beach County delegate all redevelopment powers within the proposed redevelopment area to the Town. The Town adopted Resolution No. 15-30 accepting the Finding of Necessity Report which makes the finding that a blighted area exists in the Town and there is a necessity to create a Community Redevelopment Agency to alleviate impacts of the blighted conditions. The BCC, as the governing body of a charter county, has full discretion to approve or deny a request to create a CRA within a municipality as allowed by Chapter 163, Part III, F.S. The Finding of Necessity Report provides the County with a basis for determination that the CRA complies with the Florida Statutes. The Resolution delegates powers to the municipality for the proposed CRA and exempts the County Fire Rescue Municipal Service Taxing Unit from payment of tax increment funds to the CRA. The base property values for calculating the tax increment are as of January 1, 2016 and the duration of the delegated powers is not to exceed 40 years. The Interlocal Agreement establishes the terms under which the CRA is created, establishing the shared revenue process. The Agreement also establishes that the County is exempt from future payments to the Redevelopment Trust Fund once a total payment of tax increment reaches \$3,200,000. District 3 (RPB)

Background and Policy Issues: The item was presented to the BCC on May 17, 2016 with a staff recommendation to deny the Town's request for a CRA. The BCC directed staff to work with the Town to develop an Interlocal Agreement that includes certain conditions beneficial to all parties involved and applicable to the creation of a CRA. The Town provided the Finding of Necessity Report on November 23, 2015 and the County subsequently requested additional documentation on December 17, 2015. The Town then responded with the additional documentation to the County on February 23, 2016. Per Statute requirement, the County has 120 days after the receipt of all required documentation to make a determination. The final deadline for response by the County is June 22, 2016. At the request of staff, the Town agreed (via letter dated June 14, 2016) to a 30-day extension of the deadline to July 22, 2016.

- Attachments:**
1. Interlocal Agreement
 2. County Resolution
 3. Town of Lake Clarke Shores Resolution No. 15-30
 4. Finding of Necessity Report
 5. Copy of Time Extension Letter

Recommended by: *Lois Paul* Department Director Date 6/20/16

Approved By: *Raye Hart* Assistant County Administrator Date 7/1/16

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	*_____	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____

Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact: Fiscal Impact is indeterminable at this time; however, if the CRA is approved the Fiscal Impact would be based on the increase in property values. Once the cumulative payments by the County to the Redevelopment Trust Fund reach \$3.2 million, the County is exempt from future payments to the Redevelopment Trust Fund.

C. Departmental Fiscal Review: Pat O'Connell

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Julia Wil 6/27/16
 23 6/20 OFMB ET 6/20
Dr. J. Jaworski 6/27/16
 Contract Dev. and Control
 6/23/16

B. Legal Sufficiency:

[Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT is made on this ____ day of _____, 2016 between the TOWN OF LAKE CLARKE SHORES, a municipal corporation located in Palm Beach County, Florida, hereinafter referred to as "TOWN," and PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", each entity constituting a "public agency" as defined in Chapter 163, Part I, Florida Statutes (2015).

WHEREAS, Sec. 163.01, Fla. Stat. (2015), known as the "Florida Interlocal Cooperation Act of 1969," as amended, authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and to thereby provide services and facilities which will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, the "Florida Interlocal Cooperation Act of 1969" permits public agencies as defined herein to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, Sec. 163.3171(3), Fla. Stat. (2015) authorizes municipalities and counties to jointly enter into agreements to exercise the powers granted to the county and the municipalities pursuant to Chapter 163, Part II, the Local Government Planning and Land Development Regulation Act; after each government conducts a public hearing with due public notice; and

WHEREAS, the Community Redevelopment Act of 1969 provides for a mechanism for local governments to create a Community Redevelopment Agency to deal with conditions of slums and blight; and

WHEREAS, it is the intent of the County and the Town to have redevelopment strategies including workforce and affordable housing as provided by the County's workforce housing and affordable housing programs, as provided by Sec. 163.345(1), Fla. Stat. (2015), and identified in the Town's Community Redevelopment Plan; and

WHEREAS, the Town of Lake Clarke Shores submitted Resolution No. 15-30 adopting a Findings Of Necessity Report dated November 2015; and

WHEREAS, Resolution No. 15-30 makes the finding that a blighted area exists in the Town of Lake Clarke Shores and there is a necessity to create a Community Redevelopment Agency to alleviate impacts of the blighted conditions; and

WHEREAS, Palm Beach County as a charter County has the discretion pursuant to Sec. 163.410, Fla. Stat. (2015) to delegate by resolution the powers conferred upon the

County by the Community Redevelopment Act of 1969 to a municipality to the extent such powers are specifically enumerated in the delegating resolution; and

WHEREAS, the Town of Lake Clarke Shores has requested that Palm Beach County delegate all redevelopment powers within the proposed redevelopment area to the Town; and

WHEREAS, Sec. 163.387(3)(b), Fla. Stat. (2015) provides that alternate provisions may be established by interlocal agreement between a taxing authority and the governing body establishing the community redevelopment agency; and

WHEREAS, the Board of County Commissioners and the Town Council of the Town of Lake Clarke Shores have determined that revenues in the Lake Clarke Shores Redevelopment Trust Fund shall be shared, as set forth in this interlocal agreement.

NOW, THEREFORE, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

Section 1. Purpose

The purpose of the Agreement is to allow the County and the Town to agree on the sharing of tax increment revenues with respect to the Town's Community Redevelopment Area, as authorized, pursuant to Sec.163.387(3)(b), Fla. Stat. (2015).

Section 2. Definitions

The following definition shall apply to this Agreement:

1. The term "Redevelopment Trust Fund" shall be defined as set forth in Sec. 163.387, Fla. Stat. (2015).
2. "Act" means Chapter 163, Part I, Fla. Stat. (2015).
3. "Agreement" means this Interlocal Agreement, including any amendments or supplements hereto, executed and delivered in accordance with the terms hereof.
4. "Base Year" means as of January 1, 2016.

Section 3. Tax Increment Financing

The County and the Town agree to a shared tax increment financing plan to fund the Town Community Redevelopment Trust Fund, as follows:

- (a) The County will remit one hundred percent of the yearly tax increment to the Redevelopment Trust Fund until the assessed valuation of the Town's Community Redevelopment Area increases by \$15,000,000 above the final taxable property values of the base year, as reported by the Property Appraiser.

(b) The County will remit seventy five percent of the yearly tax increment to the Redevelopment Trust Fund and will retain twenty five percent of the yearly tax increment on that portion of the assessed valuation of the Town's Community Redevelopment Area when its assessed valuation increases by \$15,000,000 to \$30,000,000 above the final taxable property values of the base year.

(c) The County will remit fifty percent of the yearly tax increment to the Redevelopment Trust Fund and will retain fifty percent of the yearly tax increment on that portion of the assessed valuation of the Town's Community Redevelopment Area when its assessed valuation increases more than \$30,000,000 above the final taxable property values of the base year.

(d) Once the total payment of tax increment by the County reaches \$3,200,000 to the Redevelopment Trust Fund, the County is exempt from future payments to the Redevelopment Trust Fund.

Section 4. Duration

The provisions of this Agreement shall continue to be effective for a period not to exceed forty (40) years from the adoption of the initial Community Redevelopment Plan, pursuant to Sec. 163.362(10), Fla. Stat. (2015).

Section 5. Effective Date

This Agreement shall take effect upon execution by both parties and upon approval of Palm Beach County of a resolution delegating Redevelopment powers held by Palm Beach County as a charter County to the Town Council of the Town of Lake Clarke Shores.

Section 6. Filing

Upon execution by both parties, a certified copy of this agreement shall be filed with the Clerk of Circuit Court in and for Palm Beach County.

Section 7. Enforcement

This Agreement shall be construed and governed by the laws of the State of Florida. Any and all legal action necessary to enforce this Agreement shall be filed in Circuit Court in Palm Beach County, Florida and shall be subject to the dispute resolution process outlined in Chapter 164, Fla. Stat. (2015). Each party shall bear their own costs and attorney's fees regarding the enforcement of this Agreement.

Section 8. No Third Party Beneficiaries

No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement.

Section 9. Joint Preparation

This Agreement has been jointly prepared by the Parties hereto, and shall not be construed more strictly against any party.

Section 10. Palm Beach County Office of the Inspector General

Pursuant to Palm Beach County Code, Sections 2-421 through 2-440, as amended, Palm Beach County's Office of Inspector General is authorized to have the power to review past, present and proposed Palm Beach County contracts, transactions, accounts and records. The Inspector General's authority includes, but is not limited to, the power to audit, investigate, monitor, and inspect the activities of entities contracting with Palm Beach County, or anyone acting on their behalf, in order to ensure compliance with contract requirements and to detect corruption and fraud. Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be a violation of Palm Beach County Code, Section 2-421 through 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

Section 11. Amendment and Modification.

This Agreement may only be amended or modified, by an instrument in writing signed by both Parties hereto.

Section 12. Acknowledgement

The Town hereby acknowledges that the Redevelopment Trust Fund will receive no tax increment from the Palm Beach County Fire Rescue Municipal Service Taxing Unit and no tax increment from any existing or future special district. The Town hereby further acknowledges that the Redevelopment Trust Fund will receive no additional tax increment from the County once the total payment of tax increment by the County reaches \$3,200,000.

Section 13. Captions

The captions and section designations herein set forth are for convenience only and shall have no substantive meaning.

Section 14. Severability

In the event any section, paragraph, sentence, clause, or provision hereof is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Agreement, and the same shall remain in full force and effect.

Section 15. Entire Agreement & Counterparts

This Agreement represents the entire understanding between the parties, concerning the subject, and supersedes all other negotiations, representation, or agreements, either written or oral, relating this Agreement. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures on the day and year first above written.

ATTEST:

TOWN OF LAKE CLARKE SHORES
By Town Commission

By: Mary Pinkerman
Mary Pinkerman, Town Clerk

By: Robert M. W. Shalhoub
Robert M. W. Shalhoub, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Charles Schoech
Charles Schoech, Town Attorney

ATTEST:

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock
Clerk & Comptroller

By: _____
Deputy Clerk

By: _____
Mary Lou Berger, Mayor

(SEAL)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: Robert Banks
Robert Banks, Chief Land Use
County Attorney

By: Patrick Rutter
Patrick Rutter, Executive Director
Planning, Zoning & Building

INTERLOCAL AGREEMENT

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WHEREAS, Sec. 163.01, Fla. Stat. (2015), known as the "Florida Interlocal Cooperation Act of 1969," as amended, authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and to thereby provide services and facilities which will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, the "Florida Interlocal Cooperation Act of 1969" permits public agencies as defined herein to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, Sec. 163.3171(3), Fla. Stat. (2015) authorizes municipalities and counties to jointly enter into agreements to exercise the powers granted to the county and the municipalities pursuant to Chapter 163, Part II, the Local Government Planning and Land Development Regulation Act; after each government conducts a public hearing with due public notice; and

WHEREAS, the Community Redevelopment Act of 1969 provides for a mechanism for local governments to create a Community Redevelopment Agency to deal with conditions of slums and blight; and

WHEREAS, it is the intent of the County and the Town to have redevelopment strategies including workforce and affordable housing as provided by the County's workforce housing and affordable housing programs, as provided by Sec. 163.345(1), Fla. Stat. (2015), and identified in the Town's Community Redevelopment Plan; and

WHEREAS, the Town of Lake Clarke Shores submitted Resolution No. 15-30 adopting a Findings Of Necessity Report dated November 2015; and

WHEREAS, Resolution No. 15-30 makes the finding that a blighted area exists in the Town of Lake Clarke Shores and there is a necessity to create a Community Redevelopment Agency to alleviate impacts of the blighted conditions; and

WHEREAS, Palm Beach County as a charter County has the discretion pursuant to Sec. 163.410, Fla. Stat. (2015) to delegate by resolution the powers conferred upon the

County by the Community Redevelopment Act of 1969 to a municipality to the extent such powers are specifically enumerated in the delegating resolution; and

WHEREAS, the Town of Lake Clarke Shores has requested that Palm Beach County delegate all redevelopment powers within the proposed redevelopment area to the Town; and

WHEREAS, Sec. 163.387(3)(b), Fla. Stat. (2015) provides that alternate provisions may be established by interlocal agreement between a taxing authority and the governing body establishing the community redevelopment agency; and

WHEREAS, the Board of County Commissioners and the Town Council of the Town of Lake Clarke Shores have determined that revenues in the Lake Clarke Shores Redevelopment Trust Fund shall be shared, as set forth in this interlocal agreement.

NOW, THEREFORE, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

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This Agreement shall take effect upon execution by both parties and upon approval of Palm Beach County of a resolution delegating Redevelopment powers held by Palm Beach County as a charter County to the Town Council of the Town of Lake Clarke Shores.

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Upon execution by both parties, a certified copy of this agreement shall be filed with the Clerk of Circuit Court in and for Palm Beach County.

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This Agreement shall be construed and governed by the laws of the State of Florida. Any and all legal action necessary to enforce this Agreement shall be filed in Circuit Court in Palm Beach County, Florida and shall be subject to the dispute resolution process outlined in Chapter 164, Fla. Stat. (2015). Each party shall bear their own costs and attorney's fees regarding the enforcement of this Agreement.

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No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement.

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Section 15. Entire Agreement & Counterparts

This Agreement represents the entire understanding between the parties, concerning the subject, and supersedes all other negotiations, representation, or agreements, either written or oral, relating this Agreement. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures on the day and year first above written.

ATTEST:

TOWN OF LAKE CLARKE SHORES
By Town Commission

By: Mary Pinkerman
Mary Pinkerman, Town Clerk

By: Robert M. W. Shalhoub
Robert M. W. Shalhoub, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFIENCY

By: Charles Schoech
Charles Schoech, Town Attorney

ATTEST:

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock
Clerk & Comptroller

By: _____
Deputy Clerk

By: _____
Mary Lou Berger, Mayor

(SEAL)

APPROVED AS TO FORM AND
LEGAL SUFFIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: Robert Banks
Robert Banks, Chief Land Use
County Attorney

By: Patrick Rutter
Patrick Rutter, Executive Director
Planning, Zoning & Building

RESOLUTION NO. R-2016-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DELEGATING THE EXERCISE OF POWERS CONFERRED BY CHAPTER 163, PART III, FLORIDA STATUTES, "THE COMMUNITY REDEVELOPMENT ACT OF 1969" TO THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, WITH THE CONDITIONS THAT THE BOARD RETAIN AUTHORITY TO EXPAND BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AREA (CRA), THAT THE FIRE RESCUE TAXES AND ANY TAXES FROM ANY SPECIAL DISTRICT CREATED BEFORE OR AFTER THE EFFECTIVE DATE OF THIS RESOLUTION BE EXEMPTED FROM THE TAX INCREMENT TO BE PAID TO THE CRA; PROVIDING FOR EFFECTIVE DATE AND DURATION OF EXISTENCE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, Chapter 163, Part III, The Community Redevelopment Act of 1969 provides for a mechanism for local governments to create a Community Redevelopment Agency to deal with conditions of slums and blight; and

WHEREAS, the Town of Lake Clarke Shores submitted Resolution No. 15-30 adopting a Findings Of Necessity Report dated November 2015; and

WHEREAS, Resolution No. 15-30 makes the finding that a blighted area exists in the Town of Lake Clarke Shores and there is a necessity to create a Community Redevelopment Agency (CRA) to alleviate impacts of the blighted conditions; and

WHEREAS, Palm Beach County as a charter County has the discretion pursuant to Sec.163.410, Fla. Stat. (2015) to delegate by resolution the powers conferred upon the county by the Community Redevelopment Act of 1969 to a municipality to the extent such powers are specifically enumerated in the delegating resolution; and

WHEREAS, the Town of Lake Clarke Shores has requested that Palm Beach County delegate all redevelopment powers within the proposed redevelopment area to the Town; and

WHEREAS, the Town of Lake Clarke Shores and the County have entered into an Interlocal Agreement to establish the terms of the CRA and a shared revenue process; and

WHEREAS, the Board of County Commissioners acknowledges that the Findings of Necessity Report complies with the Florida Statutes regarding the creation of a CRA; and

WHEREAS, the Board of County Commissioners has determined that it is appropriate to delegate certain redevelopment powers contained in Chapter 163, Part III to the Town.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

1. The powers, except those specifically identified herein, conferred to Palm Beach County as a Charter County pursuant to Chapter 163, Part III, Florida Statutes (2015) are hereby delegated to the Town of Lake Clarke Shores Town Council regarding the area shown on the Lake Clarke Shores Community Redevelopment Agency Boundary Exhibit attached to this resolution as Exhibit A and described in the Sketch of Description of the Town of Lake Clarke Shores Community Redevelopment Agency attached to this resolution as Exhibit B.

2. This Resolution specifically reserves all redevelopment powers in the remainder of the Town of Lake Clarke Shores to the County. Any expansion of the Community Redevelopment Agency beyond the area shown on the Lake Clarke Shores CRA Boundary Exhibit attached to this resolution as Exhibit A and described in the Sketch of Description of the Town of Lake Clarke Shores CRA attached to this resolution as Exhibit B will require specific consent and delegation of power by the County.

3. The Board of County Commissioners, pursuant to Sections 163.387(2)(d)(1) and 163.410, Fla. Stat. (2015) specifically exempts the Palm Beach County Fire Rescue Municipal Service Taxing Unit (MSTU) from payment of tax increment funds to the CRA, and further exempts any special district created before or after the effective date of this resolution from payment of tax increment funds to the CRA.

4. Any and all redevelopment powers which may be added to Chapter 163, Part III, Florida Statutes after the date of adoption of this resolution are hereby retained by the Board of County Commissioners.

5. Effective Date and Duration. The provisions of this Resolution shall become effective upon adoption by the Board of County Commissioners and shall continue to be effective for a period not to exceed forty (40) years from the adoption of the initial Community Redevelopment Plan. It is specifically the intention of the Board of County Commissioners that such delegation is not intended to extend to any period of time associated with any amendment of the Community Redevelopment Plan. It is the specific intention of the Board of County Commissioners that the base property values for calculating the tax increment shall be the final taxable property values as of January 1, 2016, as reported by the Palm Beach County Property Appraiser.

6. Severability. If any section, paragraph, sentence, clause, phrase or word of this Resolution is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

The foregoing Resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- Commissioner Mary Lou Berger, Mayor -
- Commissioner Hal R. Valeche, Vice Mayor -
- Commissioner Paulette Burdick -
- Commissioner Shelley Vana -
- Commissioner Steven L. Abrams -
- Commissioner Melissa McKinlay -
- Commissioner Priscilla A. Taylor -

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2016.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
Chief Land Use County Attorney

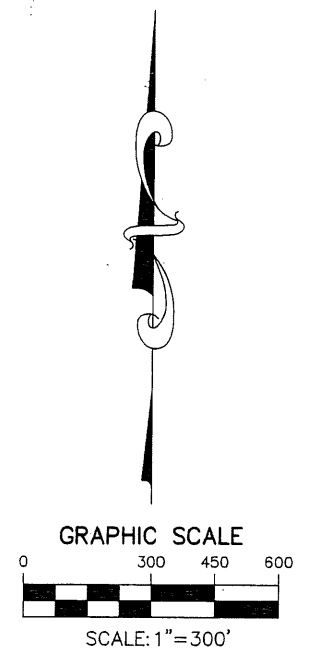
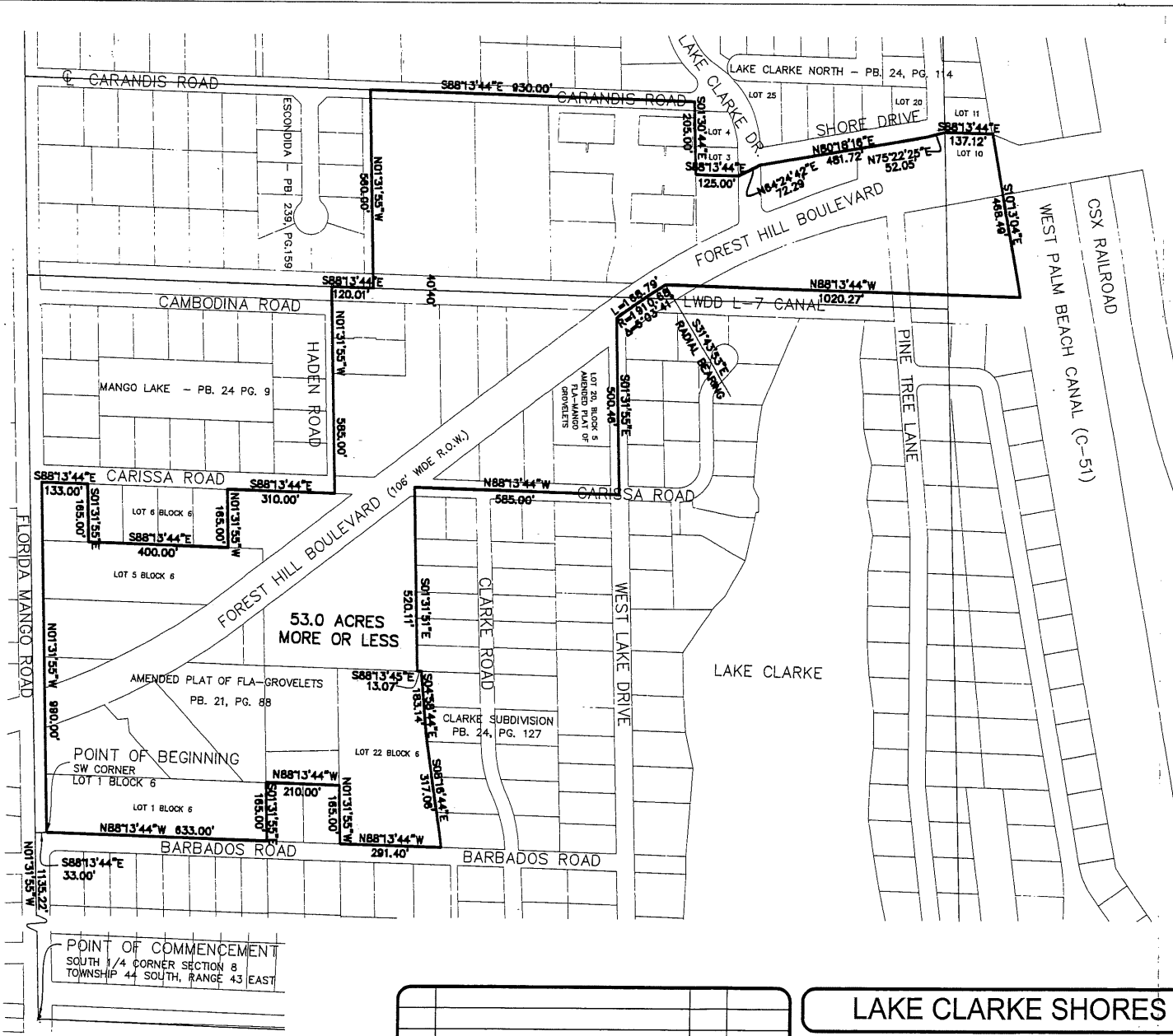


EXHIBIT A

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 THIS DRAWING IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY, UNLESS SIGNED AND SEALED BY A REGISTERED PROFESSIONAL SURVEYOR REPRESENTING ENGENUITY GROUP, INC.

Y:\Land Projects R2\92042.45 CRA Bdy\dwg\92042.45 CRA.dwg.dwg 2/22/2016 5:54:41 PM EST

NO	REVISIONS	BY	DATE

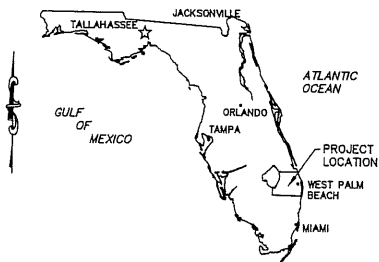
LAKE CLARKE SHORES CRA BOUNDARY EXHIBIT

DWG # 92042.45 CGA.dwg
 FIELD BOOK PAGE
 DRAWN BY: GMR
 CHECKED BY: K. BECK

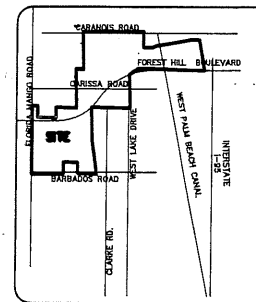
A Higher Standard of Excellence

 ENGINEERS • SURVEYORS • GIS MAPPERS
 1280 N. CONGRESS AVE., WEST PALM BEACH, FLORIDA 33409 (561) 655-1151

DATE: 2-16-2016
 JOB NO: 92042.101
 SCALE: 1"=300'
 SHEET: 2 OF 2



SKETCH OF DESCRIPTION TOWN OF LAKE CLARKE SHORES COMMUNITY REDEVELOPMENT AGENCY PALM BEACH COUNTY, FLORIDA



LOCATION MAP
N.T.S.

TOWN OF LAKE CLARKE SHORES
COMMUNITY REDEVELOPMENT AGENCY

A TRACT OF LAND BEING A PART OF THE TOWN OF LAKE CLARKE SHORES, LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARIES AND BEING PORTIONS OF SECTIONS 8 AND 9 TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; SAID BOUNDARY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 8, RUN THENCE ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8, N01°31'55"W A DISTANCE OF 1135.22 FEET; THENCE S88°13'44"E A DISTANCE OF 33.00 FEET TO THE SOUTHWEST CORNER OF LOT 1 BLOCK 6, OF THE AMENDED PLAT OF FLA-MANGO GROVELETS, AS RECORDED IN PLAT BOOK 21 PAGE 88 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND POINT OF BEGINNING.

RUN THENCE N01°31'55"W ALONG THE ORIGINAL EAST RIGHT OF WAY LINE OF FLORIDA MANGO ROAD A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF LOT 6 BLOCK 6, OF SAID AMENDED PLAT OF FLA-MANGO GROVELETS; THENCE S88°13'44"E ALONG THE SOUTH LINE OF CARISSA ROAD AND NORTH LINE OF SAID LOT 6, A DISTANCE OF 133.00 FEET; THENCE S01°31'55"E A DISTANCE OF 165.00 FEET; THENCE S88°13'44"E ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 400.00 FEET; THENCE N01°31'55"W A DISTANCE OF 165.00 FEET; THENCE S88°13'44"E ALONG THE SOUTH LINE OF CARISSA ROAD A DISTANCE OF 310.00 FEET TO THE EAST LINE OF HADEN ROAD; THENCE N01°31'55"W ALONG THE EAST LINE OF HADEN ROAD A DISTANCE OF 585.00 FEET TO THE CENTERLINE OF THE LAKE WORTH DRAINAGE DISTRICT'S L-7 CANAL (80.0 FEET WIDE); THENCE S88°13'44"E ALONG THE CENTERLINE OF SAID L-7 CANAL A DISTANCE 120.01 FEET; THENCE N01°31'55"W ALONG THE EAST LINE OF THE PLAT OF ESCONDIDA AS RECORDED IN PLAT BOOK 39, PAGE 159, AND ITS NORTHERN AND SOUTHERN EXTENSIONS, A DISTANCE OF 560.00 FEET TO THE CENTERLINE OF CARANDIS ROAD (50.0 FEET WIDE); THENCE S88°13'44"E ALONG THE CENTERLINE OF CARANDIS ROAD A DISTANCE OF 930.00 FEET; THENCE S01°30'44"E ALONG THE WESTERLY LINE OF THE PLAT OF LAKE CLARKE NORTH AS RECORDED IN PLAT BOOK 24 PAGE 114, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND ITS NORTHERLY EXTENSION, A DISTANCE OF 205.00 FEET; THENCE S88°13'44"E A DISTANCE OF 125.00 FEET; THENCE N64°24'42"E A DISTANCE OF 72.29 FEET; THENCE N80°18'16"E ALONG THE SOUTHERLY LINE OF SHORE DRIVE (50.0 FEET WIDE) A DISTANCE OF 481.72 FEET; THENCE N75°22'25"E A DISTANCE OF 52.05 FEET; THENCE S88°13'44"E ALONG THE NORTHERLY LINE OF LOT 10 OF THE PLAT OF LAKE CLARKE NORTH AS RECORDED PLAT BOOK 24 PAGE 114, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 137.12 FEET; THENCE S10°13'04"E ALONG THE WESTERLY RIGHT OF WAY LINE OF THE WEST PALM BEACH CANAL (C-51) A DISTANCE OF 468.49 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID L-7 CANAL (80.0 FEET WIDE);

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE OF LAKE WORTH DRAINAGE DISTRICT'S L-7 CANAL S88°13'44"E A DISTANCE 1020.27 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1910.68 FEET WHOSE CENTER BEARS S31°43'53"E AND BEING THE CENTERLINE OF FOREST HILL BOULEVARD (106.0 FOOT WIDE RIGHT OF WAY); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND CENTERLINE OF FOREST HILL BOULEVARD, THROUGH A CENTRAL ANGLE OF 5°03'41" A DISTANCE OF 168.79 FEET TO A POINT OF NON-TANGENCY; THENCE LEAVING SAID CURVE ALONG A NON-TANGENT LINE S01°31'55"E ALONG THE EASTERLY LINE OF LOT 20 BLOCK 5 OF THE AMENDED PLAT OF FLA-MANGO GROVELETS, AND ALSO BEING THE CENTERLINE OF WEST LAKE DRIVE, A DISTANCE OF 500.46 FEET TO THE CENTERLINE OF CARISSA ROAD (50.0 FEET WIDE); THENCE N88°13'44"W ALONG THE CENTERLINE OF CARISSA ROAD, A DISTANCE OF 585.00 FEET; THENCE S01°31'51"E A DISTANCE OF 520.11 FEET; THENCE S88°13' 44"E ALONG THE NORTH LINE OF LOT 22 BLOCK 6 OF SAID AMENDED PLAT OF FLA-MANGO GROVELETS, DISTANCE OF 13.07 FEET; THENCE S04°58'44"E A DISTANCE OF 183.14 FEET; THENCE S08°16'44"E A DISTANCE OF 317.06 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BARBADOS ROAD (50.0 FEET WIDE); THENCE N88°13'44"W, ALONG SAID NORTH LINE OF BARBADOS ROAD, A DISTANCE 291.40 FEET; THENCE LEAVING SAID NORTH LINE OF BARBADOS ROAD N01°31'55"W A DISTANCE OF 165.00 FEET; THENCE N88°13'44"W A DISTANCE OF 210.00 FEET; THENCE S01°31'55"E ALONG THE EAST LINE OF LOT 1 BLOCK 6 OF SAID AMENDED PLAT OF FLA-MANGO GROVELETS A DISTANCE OF 165.00 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE OF BARBADOS ROAD; THENCE N88°13'44"W ALONG SAID NORTH LINE OF BARBADOS ROAD A DISTANCE OF 633.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 BLOCK 6 AND POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL OF LAND CONTAINING 53.0 ACRES MORE OR LESS.

EXHIBIT B

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NO	REVISIONS	BY	DATE

LAKE CLARKE SHORES CRA BOUNDARY EXHIBIT

DWG # 92042.45.CRA.dwg
FIELD BOOK PAGE
DRAWN BY: GMR
CHECKED BY: K. BECK



DATE: 2-16-2016
JOB NO: 92042.101
SCALE: N/A
SHEET: 1 OF 2

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17

RESOLUTION #15-30

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES (THE "COMMUNITY REDEVELOPMENT ACT"); SAID RESOLUTION BEING SUPPORTED BY DATA AND ANALYSIS DEFINING THE PROPOSED TOWN OF LAKE CLARKE SHORES COMMUNITY REDEVELOPMENT AREA; FINDING THE EXISTENCE OF CONDITIONS IN THE PROPOSED COMMUNITY REDEVELOPMENT AREA THAT WARRANT THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY; MAKING A LEGISLATIVE FINDING THAT CONDITIONS IN THE PROPOSED TOWN OF LAKE CLARKE SHORES COMMUNITY REDEVELOPMENT AREA MEET THE CRITERIA DESCRIBED IN SECTION 163.340(7) OR (8), FLORIDA STATUTES ("FINDING OF NECESSITY"); REQUESTING THE DELEGATION OF COMMUNITY REDEVELOPMENT POWERS AND RESPONSIBILITIES FROM THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Town Council of the Town of Lake Clarke Shores makes the following findings and determinations:

WHEREAS, the Florida Legislature duly enacted Chapter 163, Part III, *Florida Statutes*, (hereinafter the "Community Redevelopment Act") establishing the conditions and procedures for the establishment of community redevelopment areas and community redevelopment agencies and finding that coastal and resort tourist areas, or portions thereof, which are deteriorated or have outdated building density patterns could be revitalized and redeveloped in a manner that will vastly improve the economic and social conditions of the community; and

WHEREAS, the Town of Lake Clarke Shores has commissioned the Treasure Coast Regional Planning Council (hereinafter referred to as "Consultant") to prepare an independent finding of necessity analysis of the proposed Town of Lake Clarke Shores Community Redevelopment Area (hereinafter referred to as "CRA"); and

WHEREAS, the Town of Lake Clarke Shores has reviewed Consultant's Finding of Necessity Report dated November 2015 (hereinafter "Report"), a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Said Report meets the finding of necessity requirements of the Community Redevelopment Act for the establishment of a community redevelopment area and formation of a community redevelopment agency; and

WHEREAS, the Town Council of the Town of Lake Clarke Shores has considered public input, the recommendations of staff, and the standards and guidelines of the Community Redevelopment Act; and

WHEREAS, pursuant to Section 163.346, *Florida Statutes*, the Town has provided public notice of its intent to consider the adoption of a resolution declaring a finding of necessity for creation of a community redevelopment agency at least fifteen (15) days before such proposed action by registered mailed notice to each taxing authority which levies ad valorem taxes or real property contained within the geographic boundaries of the proposed redevelopment area and in compliance with the notice requirements set forth in said Statute; and

WHEREAS, conditions are present within the CRA which are detrimental to sound growth and which substantially impair or arrest appropriate growth and present conditions and uses which are detrimental to the public health, safety, morals and public welfare; and

WHEREAS, the Report confirmed that conditions in the proposed redevelopment area meet the criteria set forth in Section 163.340(7) or (8), *Florida Statutes*, in that blighted areas exist within the CRA, and the rehabilitation, conservation, or redevelopment of the CRA is necessary in the interest of public health, safety, morals or welfare of the residents of the Town of Lake Clarke Shores; and

WHEREAS, one or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in the Town of Lake Clarke Shores; and

WHEREAS, the rehabilitation, conservation or redevelopment, or a combination thereof, of such redevelopment area or areas, including, if appropriate, the development of housing which residents of low or moderate income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals or welfare of the residents of the Town of Lake Clarke Shores; and

WHEREAS, within the CRA there is a predominance of defective or inadequate street layout, parking facilities, roadways, bridges or public transportation facilities; and

WHEREAS, within the CRA aggregate assessed values of real property for ad valorem tax purposes have failed to show any appreciable increase over the past five (5) years; and

WHEREAS, within the CRA there exists faulty lot layout in relation to size, adequacy, accessibility, or usefulness; and

WHEREAS, within the CRA there exists inadequate or outdated building density patterns; and

WHEREAS, lands within the CRA exhibit a diversity of ownership and unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; and

WHEREAS, lands within the CRA can be revitalized or redeveloped in a manner that will vastly improve the economic and social conditions of the community; and

WHEREAS, after considering the recommendations contained within the Report and after providing proper notice to all taxing authorities which levy ad valorem taxes on real property in the proposed redevelopment areas, and providing the public an opportunity to present testimony and evidence, the Town Council, finds as a matter of fact that conditions exists which warrant the creation of a community redevelopment agency within the Town in order to carry out the purposes of the Community Redevelopment Act.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA:

SECTION 1: Recitals. The above recitals are true and correct, are hereby accepted as legislative findings of fact, and incorporated into this Resolution by reference.

SECTION 2: Approval. This Resolution is supported by data and analysis and the Town Council hereby makes a legislative finding of fact that conditions in the proposed Town of Lake Clarke Shores CRA meet the criteria described in Section 163.340(7) or (8), *Florida Statutes*. The Town Council hereby adopts the Town of Lake Clarke Shores Finding of Necessity Report dated November 2015 (Exhibit A) as the Finding of Necessity Report. In accordance with Section 163.356, *Florida Statutes*, the Town Council further finds that there is a need for a community redevelopment agency to function within the Town of Lake Clarke Shores in order to carry out the community redevelopment purposes of the Community Redevelopment Act. The geographic area of the proposed Town of Lake Clarke Shores Community Redevelopment Area is designated as depicted on the map set forth in the Report.

SECTION 3: County delegation. The Board of County Commissioners of Palm Beach County, Florida is hereby requested to, by Resolution, delegate to the Town Council of the Town of Lake Clarke Shores the exercise of all powers and responsibilities conferred on Palm Beach County by the Community Redevelopment Act for the purpose of establishing and operating the Town of Lake Clarke Shores Community Redevelopment Agency.


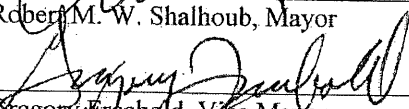
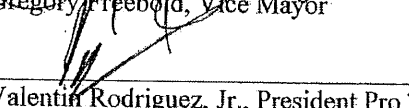
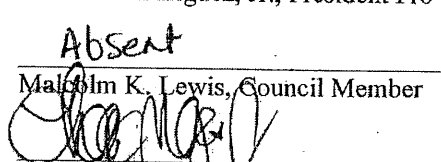
SECTION 4: Conflicts. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 5: Severability. If any section or portion of a section of this Resolution proves to be invalid, unlawful or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution.

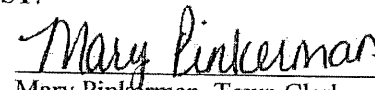
SECTION 6: Effective Date. This Resolution shall be effective upon adoption of a delegation of authority Resolution by the Board of County Commissioners of Palm Beach County, Florida.

PASSED AND ADOPTED this 8th day of December, 2015.

TOWN OF LAKE CLARKE SHORES, FLORIDA

	FOR	AGAINST
BY:  Robert M. W. Shalhoub, Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Gregory Freebold, Vice Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Valentin Rodriguez, Jr., President Pro Tem	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Absent Malcolm K. Lewis, Council Member	<input type="checkbox"/>	<input type="checkbox"/>
 Thomas C. Mayes, Jr., Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ATTEST:

By: 
Mary Pinkerman, Town Clerk

Res #15-30 Sponsored by the Town Council.



Town of Lake Clarke Shores Finding of Necessity November 2015



Prepared by Treasure Coast Regional Planning Council for the
Town of Lake Clarke Shores

**LAKE CLARKE SHORES
FINDING OF NECESSITY**

TABLE OF CONTENTS

Executive SummaryPage 2

Section 1: Purpose of Finding of Necessity.....Page 3

Section 2: General Description of Proposed Community Redevelopment Area.....Page 4

Section 3: Property Identification Documentation for Proposed Area
for Inclusion as Required by Section 163, Part III, F.S.....Page 8

Section 4: Findings and Declarations of Necessity.....Page 12

Section 5: Study Methodology & Applicable Finding of Necessity Criteria.....Page 15

Section 6: Summary of Findings and Recommendations.....Page 29

Research Bibliography.....Page 30

LAKE CLARKE SHORES CRA BOUNDARY



The CRA boundary contains approximately 53.4 acres.

LAKE CLARKE SHORES FINDING OF NECESSITY

EXECUTIVE SUMMARY

Chapter 163, Part III, Florida Statutes enables local governments to establish community redevelopment agencies (CRAs) within their jurisdictions to foster and support redevelopment of targeted areas if certain conditions are found to exist. The statute requires that no fewer than two of the fifteen “blight” criteria be present to enable establishment of a CRA. As requested by the Town Council of the Town of Lake Clarke Shores, the Treasure Coast Regional Planning Council conducted an analysis of the proposed Lake Clarke Shores CRA, for which a boundary map is provided in this section. Within the Lake Clarke Shores proposed CRA, five of the fifteen statutory criteria are present, including:

- Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities (§ 163.340(8)(a), F.S.)
- Aggregate assessed values of real property for ad valorem purposes failing to show appreciable increase over past five years (§ 163.340(8)(b), F.S.)
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness (§ 163.340(8)(c), F.S.)
- Inadequate and outdated building density patterns (§ 163.340(8)(f), F.S.)
- Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area (§ 163.340(8)(m), F.S.)

A detailed analysis of the proposed CRA and evidence of these criteria is provided within the Finding of Necessity report.

FINDING:

The proposed Lake Clarke Shores CRA contains five criteria which constitute blight under Chapter 163, Part III (8), F.S. The area is therefore eligible for CRA designation by the Town Council under Florida Law. A CRA will assist the Town in remedying the conditions of blight and help foster redevelopment in the CRA.

RECOMMENDATION:

The Town of Lake Clarke Shores should adopt this Finding of Necessity by resolution in accordance with the provisions set forth in Chapter 163, Part III, F.S. and proceed with the establishment of a Community Redevelopment Agency and a tax increment financing mechanism as allowed under Florida Law.

SECTION 1:

PURPOSE OF FINDING OF NECESSITY

Working with the Treasure Coast Regional Planning Council, the Town of Lake Clarke Shores commissioned a Finding of Necessity, as required by and in compliance with Florida Statutes, in support of the establishment of a “Lake Clarke Shores Community Redevelopment Area (CRA).” If the Council wishes to establish a CRA and access the corresponding benefits, the adoption of this Finding of Necessity by resolution is the initial step required by Chapter 163, Part III, *Florida Statutes* (F.S.). The purpose of this study is to provide: (1) an overview of the Community Redevelopment Act; (2) overview and description of the proposed Lake Clarke Shores CRA; (3) relevant data, analysis, and evaluation in support of the Finding of Necessity; and (4) findings and recommendations for establishment of a CRA by the Town of Lake Clarke Shores.

The Community Redevelopment Act of 1969, Chapter 163, Part III, F.S., (The Act) authorizes local governments to establish community redevelopment agencies within their jurisdictions suffering from economic distress. The Act sets forth the legal process by which local governments may establish community redevelopment agencies and provides financing and regulatory tools to accomplish the goals of improving slum and blighted areas.

In order to establish a community redevelopment agency, a Finding of Necessity must be prepared and adopted in accordance with the requirements in Chapter 163, Part III, F.S.. The precise portion of the statute that governs the standards of a statutorily compliant Finding of Necessity is provided as follows:

163.355 Finding of necessity by county or municipality.—No county or municipality shall exercise the community redevelopment authority conferred by this part until after the governing body has adopted a resolution, supported by data and analysis, which makes a legislative finding that the conditions in the area meet the criteria described in s. 163.340(7) or (8). The resolution must state that:

(1) One or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in such county or municipality; and

(2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas, including, if appropriate, the development of housing which residents of low or moderate income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals, or welfare of the residents of such county or municipality.

SECTION 2:

GENERAL DESCRIPTION OF PROPOSED REDEVELOPMENT AREA

The Town of Lake Clarke Shores, established in 1957, is a full-service municipality located in central Palm Beach County (PBC). The Town is situated on both sides of Forest Hill Boulevard, which is a primary commercial corridor and contains some of the oldest building stock in the community. The Florida Community Redevelopment Act provides for redevelopment in defined areas that suffer from blight and disinvestment. The Act also allows for coastal and tourist areas to be included if they are, among other things, deteriorated or have outdated building density patterns.



In the Town of Lake Clarke Shores, the proposed CRA is generally located east of I-95 on both sides of Forest Hill Boulevard, extending from roughly Interstate 95 to Florida Mango Road. Highlights in the Area include:

- A total of 53.4 acres, or 8 % of the Town of Lake Clarke Shores total land area of 667.3 acres.

- Approximately 32% of the Town’s multi-family residential property and all of the commercial property is located within the proposed CRA.
- The Town’s geography is highlighted by the presence of Lake Clarke, which is a central component of PBC’s “Chain of Lakes,” a once naturally interconnected freshwater lake system that extends for approximately 30 miles, from West Palm Beach to Delray Beach.
- The Town’s single-family residential neighborhoods are generally characterized by well-maintained homes that are owner-occupied.
- Forest Hill Boulevard represents the Town’s main commercial corridor and is comprised mostly of multi-family rental residential, commercial, and institutional uses.
- The proposed CRA is almost entirely built-out, with no free-standing vacant parcels available for redevelopment.

PBC recently included the Town of Lake Clarke Shores within a “Heart of Palm Beach County” Joint City/County Economic Opportunities Analysis. This study, which focused on the seven municipalities in PBC District 3, including Lake Clarke Shores along with Atlantis, Boynton Beach, Greenacres, Lake Worth, Lantana, and Palm Springs, was initiated by concerns regarding economic development impediments in this central area of the county. The process included participation by the eight local governments along with economic, business, residential and institutional organizations and the Palm Beach County School District. Following months of analysis and facilitated discussions, the study identified a significant lack of investment and declining property values throughout the area, including dilapidated commercial corridors like Forest Hill Boulevard. The process concluded with the identification of several consensus priorities, including the facilitation of redevelopment, corridor beautification, and creation of community redevelopment agencies to help create positive investment and redevelopment. The creation of a Lake Clarke Shores CRA is consistent with the priorities identified in this County-led study and implements the study’s recommendations.

Forest Hill Boulevard, which is the major commercial arterial through the proposed CRA, is a significant east/west commercial corridor in Palm Beach County, carrying approximately 44,000 cars daily per 2015 roadway count estimates. The roadway, which divides the Town, is a six-lane divided commercial arterial with minimal pedestrian infrastructure and no bicycle facilities, limiting its utility for the Town’s residents and patrons. Forest Hill Boulevard is also a Palm-Tran transit route, containing four transit stops for routes 45 and 46, all of which lack basic transit amenities.



Typical outdated strip commercial along Forest Hill Boulevard in the proposed CRA. Many commercial sites have vacancies and are seeking tenants.

Housing stock along the Forest Hill Boulevard corridor is almost exclusively rental multi-family, with outdated building patterns that include low-slung, single-story buildings directly fronting the commercial corridor. Properties are disconnected, requiring drivers to re-engage the roadway to access adjacent parcels and multiple driveways that dump drivers into six lanes of fast moving traffic. Residential uses in the proposed CRA are older, poorly maintained, and have seen declining values over the past five years.

The general land use pattern in the proposed CRA is comprised of smaller, disconnected parcels with multiple property owners. The district is entirely built-out, with no remaining free-standing vacant parcels. This complicates redevelopment, and given the fragmented property ownership, land assemblage appears to be necessary for redevelopment to occur. Linear drainage canals further complicate land development patterns, which have produced several triangular, inefficient parcels.

Outside the proposed CRA, the Town has experienced reinvestment and appreciating property values. The Town's housing stock is predominately single-family and owner occupied. While



The Town of Lake Clarke Shores has an active residential population with young families as well as active retirees. Improved connectivity to the Town's commercial core would enhance the sustainability of the community, both economically and regarding quality of life.

residential properties interior to the Town have received continued improvements and expansions over the past decade, the vast majority of properties along the Forest Hill Boulevard corridor and throughout the proposed CRA have deteriorated and remained without investment. The mobility constraints of Forest Hill Boulevard further impede access for Town residents to commercial uses along the roadway, limiting the ability for Town residents to conveniently and safely access commercial uses that would otherwise be within comfortable walking or cycling distance. These conditions prevent the Town from accomplishing corresponding goals in its Comprehensive Plan.

The Town of Lake Clarke Shores has made significant investment in its public spaces, creating a public park and plaza along Forest Hill Boulevard, with benches, lighting, and landscaping that celebrates the waterfront character of the community. Formal entry signage is located at the eastern edge of the Town and along Forest Hill Boulevard. Median landscaping has been installed in the center of Forest Hill Boulevard to further enhance the area and stimulate investment. These physical improvements, combined with the improving national economy, present a timely opportunity to focus on the broader economic health of the area.



ABOVE-LEFT: Commercial single-story uses, such as the convenience store at the western edge of the proposed CRA, front Forest Hill Boulevard, have liimited economic potential due to poor access, faulty lot layouts, and inefficient building placement.

ABOVE-RIGHT: Typical dilapidated multi-family development along Forest Hill Boulevard corridor with driveways exiting onto the fast-moving commercial arterial.



ABOVE-LEFT: Multiple parcels contain vacancies throughout the proposed CRA, which commercial brokers indicate rent for up to 20% less than comparable retail and office space on similar arterial corridors in Palm Beach County.

ABOVE-RIGHT: The proposed CRA contains the majority of the Town's rental property, which is poorly maintained and creates a blight within residential neighborhoods.

Many commercial parcels along the Forest Hill Boulevard corridor, including both retail and office space, contain vacancies. In some parcels, up to 25% of the available square footage is currently without occupants, indicating economic disuse within the proposed redevelopment district. Commercial brokers indicate rents for commercial and office spaces in the proposed CRA are substantially below other commercial districts with comparable rental space. This low-rent pattern is reflected in the declining property values in the district.

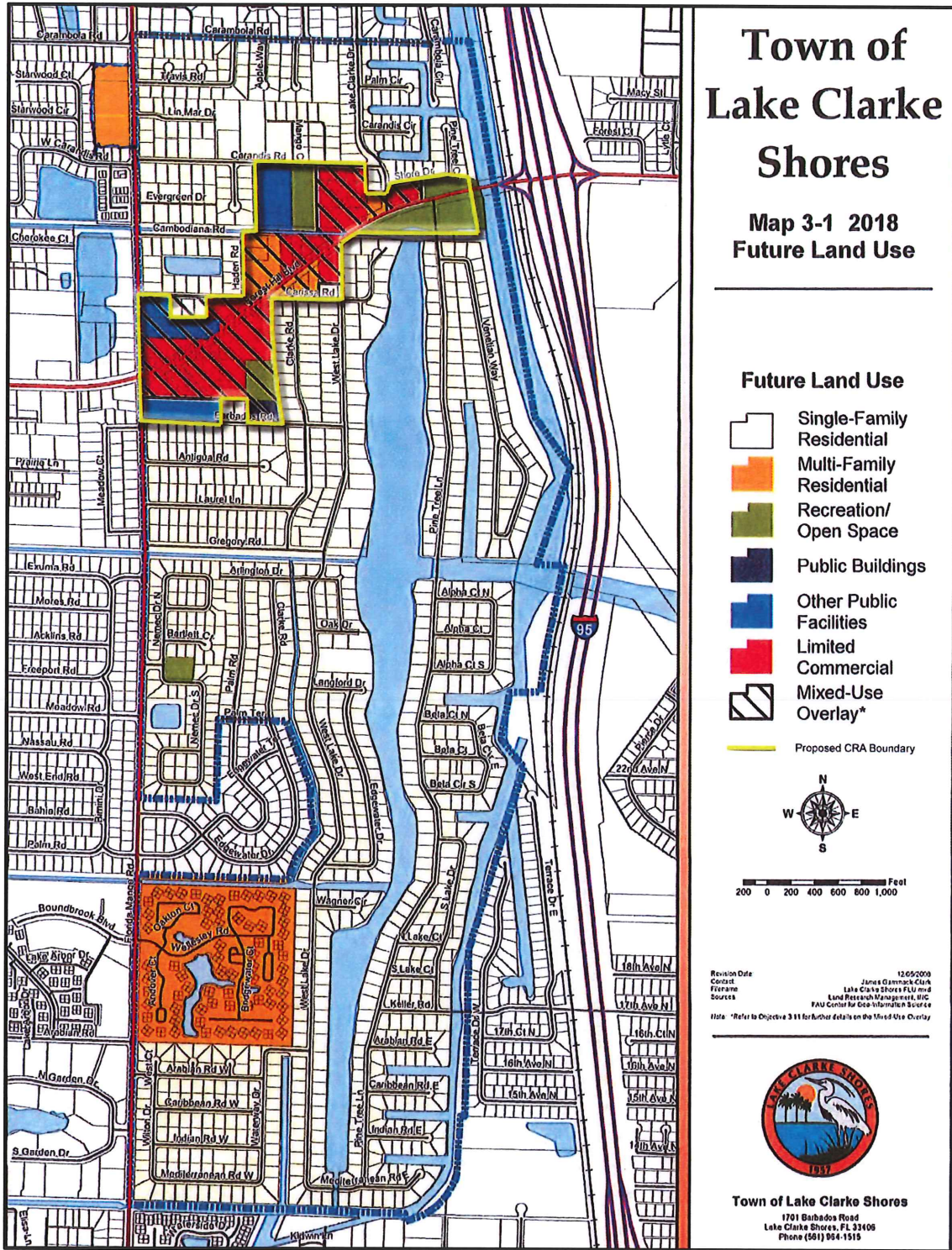
SECTION 3:

PROPERTY IDENTIFICATION DOCUMENTATION FOR PROPOSED AREA FOR INCLUSION AS REQUIRED BY SECTION 163, Part III, F.S.

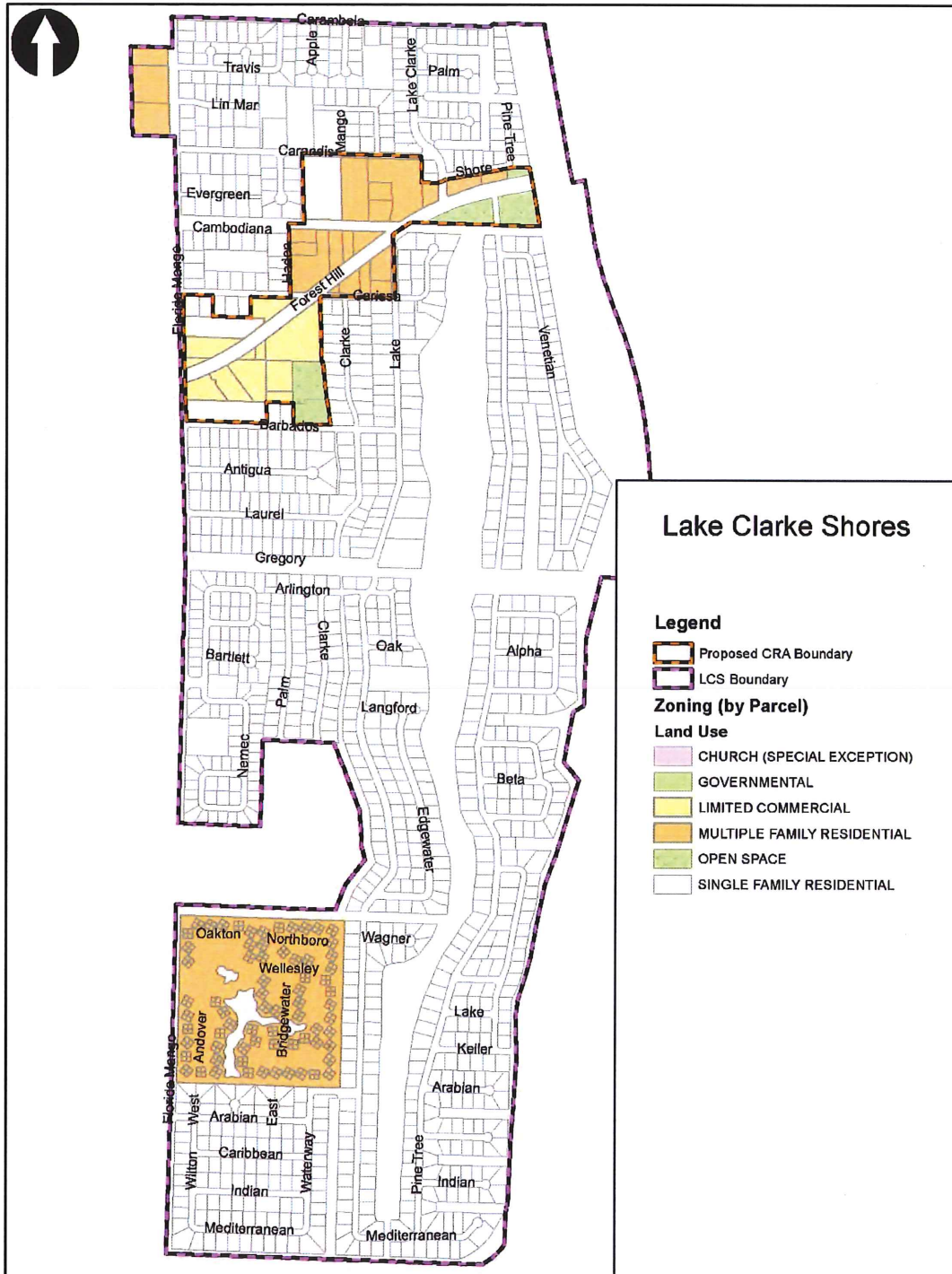
The following maps are provided as part of this Finding of Necessity:

1. Boundary Map of Proposed Community Redevelopment Area
2. Future Land Use Map
3. Zoning Map

2. FUTURE LAND USE MAP



3. ZONING MAP



SECTION 4:

FINDINGS AND DECLARATIONS OF NECESSITY

The following statutory excerpt is provided as part of this Finding of Necessity for reference purposes only:

Chapter 163, Part III, Section 335, Florida Statutes

163.335 Findings and declarations of necessity.—

(1) It is hereby found and declared that there exist in counties and municipalities of the state slum 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.

(2) It is further found and declared that certain slum or 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.

(3) It is further found and declared that 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.

(4) It is further found that coastal resort and tourist areas or portions thereof which are deteriorating and economically distressed due to building density patterns, inadequate transportation and parking facilities, faulty lot layout, or inadequate street layout, could, through the means provided in this part, be revitalized and redeveloped in a manner that will vastly improve the economic and social conditions of the community.

(5) It is further found and declared that 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. This subsection does not apply in any jurisdiction where the community redevelopment agency validated bonds as of April 30, 1984.

(6) It is further found and declared that there exists in counties and municipalities of the state a severe shortage of housing affordable to residents of low or moderate income, including the elderly; that the existence of such condition affects the health, safety, and welfare of the residents of such counties and municipalities and retards their growth and economic and social development; and that the elimination or improvement of such condition is a proper matter of state policy and state concern and is for a valid and desirable public purpose.

(7) It is further found and declared that the prevention or elimination of a slum area or blighted area as defined in this part and the preservation or enhancement of the tax base are not public uses or purposes for which private property may be taken by eminent domain and do not satisfy the public purpose requirement of s. 6(a), Art. X of the State Constitution.

(a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;

(b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or

(c) The existence of conditions that endanger life or property by fire or other causes.

(8) "Blighted area" means an area in which there are 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, and in which two or more of the following factors are present:

(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; or

(n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

However, the term "blighted area" also means any area in which at least one of the factors identified in paragraphs (a) through (n) are present and all taxing authorities subject to s. 163.387(2)(a) agree, either by interlocal agreement or agreements with the agency or by resolution, that the area is blighted. Such agreement or resolution shall only determine that the area is blighted. For purposes of qualifying for the tax credits authorized in chapter 220, "blighted area" means an area as defined in this subsection.

SECTION 5:

STUDY METHODOLOGY & APPLICABLE FINDING OF NECESSITY CRITERIA

The methodology for data collection, evaluation and analysis was developed utilizing a breakdown of the specific criteria used to determine the existence of conditions as required in the Florida Statutes. This Finding of Necessity utilizes the requirements of the amended chapter (Sections 163.340 and 163.335) with regard to the threshold requirements that are effective December 2014.

Each of the statutory criteria was examined to determine the presence or absence and extent of a specific condition. For those conditions considered to be applicable to the proposed CRA area, a more detailed analysis was undertaken. After preliminary data collection and analysis, the Finding of Necessity study ultimately focused upon the following conditions which meet the criteria in Chapter 163, Part III, F.S.. The statutory threshold that must be met to declare an area eligible for the benefits and incentives in the Community Redevelopment Act requires that at least two conditions be identified and documented to exist. The following blight criteria apply to the proposed Lake Clarke Shores CRA:

- Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities (§ 163.340(8)(a), F.S.)
- Aggregate assessed values of real property for ad valorem purposes failing to show appreciable increase over past five years (§ 163.340(8)(b), F.S.)
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness (§ 163.340(8)(c), F.S.)
- Inadequate and outdated building density patterns (§ 163.340(8)(f), F.S.)
- Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area (§ 163.340(8)(m), F.S.)

INDICATOR #1	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 (§ 163.340(8)(b), F.S.)
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HISTORIC ASSESSED VALUES

5-Year Analysis (Statutory Requirement)

Assessment of Ad Valorem Impact

Economic data covering a five-year period was collected in order to assess both the historic and likely future of ad valorem values of the proposed community redevelopment area. A five-year historic evaluation is vital in that it adheres to the statutory requirements identified in Chapter 163, Part III, F.S. regarding community redevelopment areas.

Working with data provided by the Palm Beach County Property Appraiser’s Office, a regression analysis was conducted showing a five-year ad valorem history of the proposed Lake Clarke Shores CRA, the entire Town of Lake Clarke Shores, and PBC. Further, the best available comparable data for the same five-year period for the state and nation was evaluated to allow a comparison with the specific local trends. This data is presented in Tables 1 and 2. This analysis demonstrated the historic ad valorem of the redevelopment study area fell considerably in comparison to the town-wide and county values. While all were affected similarly by the decline in property values associated with the “Great Recession” that began in 2007, values in the proposed CRA area continued to fall at a considerable rate in 2010 versus the values of the Town of Lake Clarke Shores or PBC. The redevelopment study area continues to represent depressed values versus these other geographies.

TABLE 1: TOTAL ASSESSED VALUES					
<i>FIVE-YEAR HISTORY</i>					
	PROPOSED CRA	TOWN OF LAKE CLARKE SHORES	PALM BEACH COUNTY	STATE OF FLORIDA <i>(in Billions)</i>	AVERAGE U.S. HOME PRICE
2010	\$26,604,614	\$226,928,672	\$146,129,919,809	\$9.62	\$184,100
2011	\$25,941,826	\$220,037,282	\$143,660,180,227	\$8.94	\$170,599
2012	\$24,875,128	\$219,744,292	\$143,434,665,483	\$8.44	\$171,858
2013	\$25,328,069	\$222,584,117	\$162,108,902,080	\$8.45	\$187,507
2014	\$26,418,493	\$233,027,974	\$183,004,752,249	\$8.80	\$207,725

**TABLE 2: TOTAL AVERAGE YEAR-OVER-YEAR % CHANGE
FIVE-YEAR HISTORY**

	PROPOSED CRA	TOWN OF LAKE CLARKE SHORES	PALM BEACH COUNTY	STATE OF FLORIDA <i>(in Billions)</i>	AVERAGE U.S. HOME PRICE
2009	BASE	BASE	BASE	BASE	BASE
2010	-15.84%	-2.47%	-9.69%	-10.34%	-1.45%
2011	-2.49%	-3.04%	-1.69%	-7.07%	-7.33%
2012	-4.11%	-0.13%	-0.16%	-5.59%	0.74%
2013	1.82%	1.29%	13.02%	0.12%	9.11%
2014	4.31%	4.69%	12.89%	4.14%	10.78%
AVERAGE % CHANGE (5-YEAR TREND)	-3.26%	0.07%	2.87%	-3.75%	2.37%

Assessed Value Trend Analysis

- The five-year trend of assessed values for the proposed Lake Clarke Shores CRA Study Area indicates economic distress and stagnant values as compared to the Town of Lake Clarke Shores overall. The CRA shows an overall -3.26% negative year-over-year valuation when compared to the Town's overall slight increase (0.07%) in assessed value over the same five-year period.
- The value of the proposed CRA fell as a percentage of the overall Town value ~ from 10.5% to 10.2% ~ in the five-year trend regression analysis, indicating the CRA has devalued as compared to the municipality.
- Town's assessed values outside the study area indicate a five-year, year-over-year rate of growth that is three times the rate of growth in the CRA.

These historic trends support the finding that the proposed Lake Clarke Shores CRA continues to underperform despite economic efforts and trends that have benefitted the Town of Lake Clarke Shores overall. There is no evidence this underperformance trend will change if the conditions analyzed are not improved.



Poor property maintenance and deficient property conditions are a reflection of the declining assessed values in the CRA.

FINDINGS: *As demonstrated in the data presented, a negative five-year trend in assessed values is indicative of the economic strain the proposed CRA has experienced. The Lake Clarke Shores CRA has averaged a -3.26% year-over-year decline during the five-year period while values in the balance of the Town have stabilized following the recession and represent an aggregated increasing trend. Total assessed values in the CRA have fallen approximately \$200,000 over the five-year statutory review period.*

**INDICATOR
#2**

Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities (§ 163.340(8)(a), F.S.)

A clear indication of blight is the predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities. The proposed CRA in the Town of Lake Clarke Shores is bisected by Forest Hill Boulevard, which runs at a diagonal through the center of the district. Forest Hill Boulevard is a six-lane divided roadway controlled by Palm Beach County that carries average daily traffic volumes of 43,813 cars per day, an increase of 7% since 2010. The roadway includes a landscaped median with six-foot sidewalks and is without any bicycle facilities. There are only two traffic lights along Forest Hill Boulevard that are more than a half-mile apart, at Pine Tree Lane and Florida Mango Road, which creates a roadway that is hostile to pedestrians and cyclists traveling along the roadway or desiring to cross it to access the core of the Town's commercial uses. Given the roadway configuration, there is no available right-of-way for the installation of bicycle lanes. Cyclists must traverse the corridor on the sidewalk, which contains numerous encroachments that impact safety and impede effective access to corridor uses by Town residents and patrons.



ABOVE-LEFT: Forest Hill Boulevard is a six-lane arterial carrying more than 43,000 cars daily. The roadway was constructed with minimal sidewalks and no bicycle facilities, and its configuration leaves no room for these amenities to be added or modernized to meet current market trends for improved multi-modal function or a Complete Streets network.

ABOVE-RIGHT: Due to the lack of bicycle facilities, cyclists travel on the sidewalk, which is impeded with utility infrastructure, creating unsafe conditions.

Due to the lack of bicycle facilities through the heart of the proposed CRA, the Palm Beach Metropolitan Planning Organization has rated the Forest Hill Boulevard corridor with “Caution,” its lowest safety rating, in its bicycle suitability mapping.



As indicated in the Palm Beach MPO's bicycle suitability map, Forest Hill Boulevard is rated as a roadway requiring caution for cyclists due to its lack of infrastructure and incomplete design.

Connectivity in the study area is further reduced by a series of dead-end streets, which abruptly terminate before connecting to Forest Hill Boulevard. The block pattern is interrupted by the diagonal alignment of Forest Hill Boulevard, leaving minimal access from interior parcels to the arterial network. This deficient circulation pattern reduces the market potential and redevelopment opportunities for the proposed CRA. Interior streets are without sidewalks, consistent lighting, and curb and gutter infrastructure, creating unsafe conditions for pedestrians and cyclists.



ABOVE-LEFT: Interior roadways throughout the proposed CRA are without sidewalks, lighting, and curb and gutter infrastructure, which reduces access and creates safety hazards for pedestrians and cyclists.

ABOVE-RIGHT: Internal roadways in the study area are not properly connected to the arterial roadway network, and instead, they are terminated by “Dead End” signs. This reduces access and economic potential within the proposed CRA.



ABOVE LEFT & RIGHT: The lack of roadways with proper amenities creates barren conditions within the proposed CRA. Shallow, triangular parcels further burden the condition with parking areas that exit directly into the roadway, such as the multi-family parcel pictured above.

Due to the lack of a roadway grid in the study area, commercial parcels located along Forest Hill Boulevard include driveways that unload directly onto the corridor. Lining the roadway with minimal spacing, the proliferation of shallow, surface parking lots, each connected individually to Forest Hill Boulevard, creates safety conflicts for both vehicles and non-motorized travelers. There is a lack of cross-access between adjacent parcels, requiring motorists to re-engage Forest Hill Boulevard to access adjacent parcels, further reducing the safety of the corridor for all transportation modes.



Traffic circulation and access in the proposed CRA are compromised by the presence of shallow surface parking lots that exit directly onto Forest Hill Boulevard, such as the multi-family parking lots documented in the image above.

As a major commercial corridor, Forest Hill Boulevard includes two bus stops for Route 45 (West Palm Beach to Lake Clarke Shores via Florida Mango and Forest Hill Boulevard) and two bus stops for Route 46 (West Palm Beach to Wellington via Forest Hill Boulevard). There is no transit infrastructure at any of the bus stops in the proposed CRA, and they are without transit shelters or benches. Further, given the roadway dimensions of Forest Hill Boulevard, there is no available right-of-way for the installation of transit infrastructure, which could only be provided upon redevelopment of private properties.



As depicted in the images to the left, although the proposed CRA is in the Heart of Palm Beach County, bus stops along Forest Hill Boulevard are without appropriate minimal transit infrastructure. The six-lane roadway configuration leaves essentially no room for the installation of transit shelters, benches or bus turn-outs, the lack of which compromises the safety, efficiency and utility of public transportation in the proposed CRA.

FINDINGS: The proposed CRA contains a defective street layout and public transportation infrastructure, limiting its redevelopment potential. The proposed CRA has a disconnected street network that limits access and results in inefficient land use patterns. Many roadways lack sidewalks, bicycle infrastructure, and lighting, which creates unsafe conditions for pedestrians and cyclists. The proposed CRA is lacking public transit infrastructure or the ability for it to be provided within the public right-of-way.

**INDICATOR
#3**

Faulty lot layout in relation to size, adequacy, accessibility, or usefulness (§ 163.340(8)(c), F.S.)

Lot location, size and ability to support redevelopment are key determining factors when considering the likelihood of redevelopment. If lots are irregular in shape or size (not square or rectangular), it is difficult to meet current building, fire, land development and zoning code requirements. Irregular parcel configurations also make it necessary to acquire additional lands to accommodate a modest redevelopment plan or project. If ownership is fragmented as well, property acquisition is difficult and serves to hinder redevelopment activity(s).

When determining a parcel's ability to support redevelopment, location, size and configuration are critical determining factors. Existing lots may be too small to be redeveloped under current codes for parking, landscaping, setbacks and storm water. Lots may also have diverse property ownership, which does not readily support property aggregation. Existing Town standards for off-street parking and building setbacks vary based on the respective zoning district and or adjacent uses. Depending on the location and the adjacent use(s), the current setback requirements may be unresponsive of redevelopment efforts and/or limit the Town's potential for mixed-use developments. This can create varying development patterns along a single block.

Due to the diagonal alignment of Forest Hill Boulevard, the proposed CRA contains a considerable number of inefficient, triangularly shaped lots. The resulting land development pattern is low-density, predominately single-story buildings served by shallow parking lots that front Forest Hill Boulevard. The lot configuration limits interconnectivity among and between parcels, further reducing development potential and the ability for shared parking arrangements and other shared infrastructure. This faulty lot layout is further complicated by the presence of east/west drainage canals and storm water retention areas that exacerbate the shallowness of these commercial parcels and further constrain their redevelopment potential.



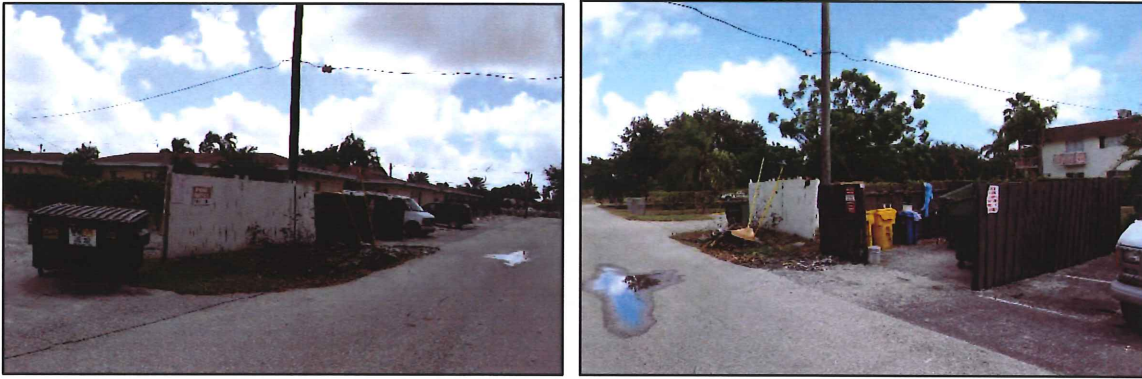
Due to the diagonal alignment of Forest Hill Boulevard and a proximate drainage canal, parcels such as the one pictured above are compromised the inefficiency of triangular shapes. The result is outdated, single-story buildings with surface parking and wasted land area that cannot be readily redeveloped for higher market-rate uses.



As indicated in the image above, instead of an efficient arrangement of streets and blocks, the diagonal alignment of Forest Hill Boulevard has produced a series of shallow triangular lots, further complicated by the presence of a drainage canal. This has produced an inefficient land development pattern with low-yield properties that are disconnected from adjacent parcels. The triangular pattern limits the ability for cross-access, thereby requiring each parcel to address parking and storm water independently, which further reduces the economic yield and redevelopment potential.

The lack of efficiency of the lot layout limits the economic yield of parcels and indicates the need for property assemblage and common infrastructure to enable their redevelopment.

For residential uses in the proposed CRA, the lot layout requires roadways, both along Forest Hill Boulevard and interior roadways, to be lined with surface parking lots and garbage receptacles. For interior roadways, this creates an unattractive, inappropriate transition directly across from single-family homes that depresses the value of adjacent properties. The resulting street frontage includes uses such as garbage collection and utilities in the front of properties due to the lot layout constraints, as the properties do not include rear yards or access.



ABOVE LEFT and RIGHT: The shallow lot configuration of parcels in the proposed CRA, compounded by their triangular dimensions, requires the location of garbage collection and utilities fronting internal roadways, creating a damaging aesthetic for neighboring parcels and reducing their value and economic attractiveness for investment.

The development pattern throughout most of the proposed CRA is comprised of single-story commercial buildings and a mix of one- and two-story rental residential buildings served by surface parking lots. Due to the inefficient, disconnected lot configuration, redevelopment of these parcels will not occur without a focused effort wherein the Town can avail itself of the enhanced regulatory tools and mechanisms available for local governments for community redevelopment.

FINDINGS: The proposed CRA contains a number of faulty lots that are shallow and triangular, yielding inefficient land development patterns that are unlikely to redevelop without specialized assistance. Individual surface parking lots and storm water treatment facilities further reduces economic potential, limiting current and projected parcel development yields.

**INDICATOR
#4**

**Inadequate and outdated building density patterns
(§ 163.340(8)(f), F.S.)**

The character of development in the proposed CRA is comprised of suburban, low-density older building stock surrounded by surface parking. Many multi-family residential buildings immediately front commercial roadways, with driveways that exit directly into the high-volume roadway network. Landscaping is minimal, and sites are designed with poorly maintained asphalt parking areas running from property line to building, leaving limited areas for landscaping, buffering, or site improvements. Low-slung, single-story apartment buildings with surface parking are not consistent with current redevelopment trends in other commercial districts.



The images above illustrate typical low-density, outdated housing patterns in the proposed CRA, with single-story, poorly maintained residential rental properties, minimal landscaping and buffering, and parking areas running from roadway edge to building face, leaving no available room for site improvements.

Commercial uses in the redevelopment study also contain a number of low-density, sprawling sites with excessive parking areas fronting the roadway network. Building footprints are minimal given awkward lots; therefore, the economic yield of these properties is limited. There are extensive vacancies throughout the redevelopment study area, which brokers indicate rent for upwards of 20% less than comparable commercial corridors with similar demographics.





As indicated by the photos above, the single-story building stock in the redevelopment study area is surrounded by parking areas that extend from building face to the roadway edge, providing minimal area for storm water treatment, buffering, or site improvements. Images below provide evidence of the vast amounts of surface parking that predominate parcel frontage along roadways, indicating the inefficiency of building footprints and their lack of visibility, which limits market potential.



FINDINGS: *The proposed CRA contains an extensive inventory of outdated, suburban, inefficient building types that are not competitive with comparable districts, evidenced by the high vacancies, low rental rates, and lack of investment and upkeep. The low-slung, older building inventory compromises redevelopment potential and limits re-use given low ceiling heights, flat roofs, and minimal site intensity.*

**INDICATOR
#5**

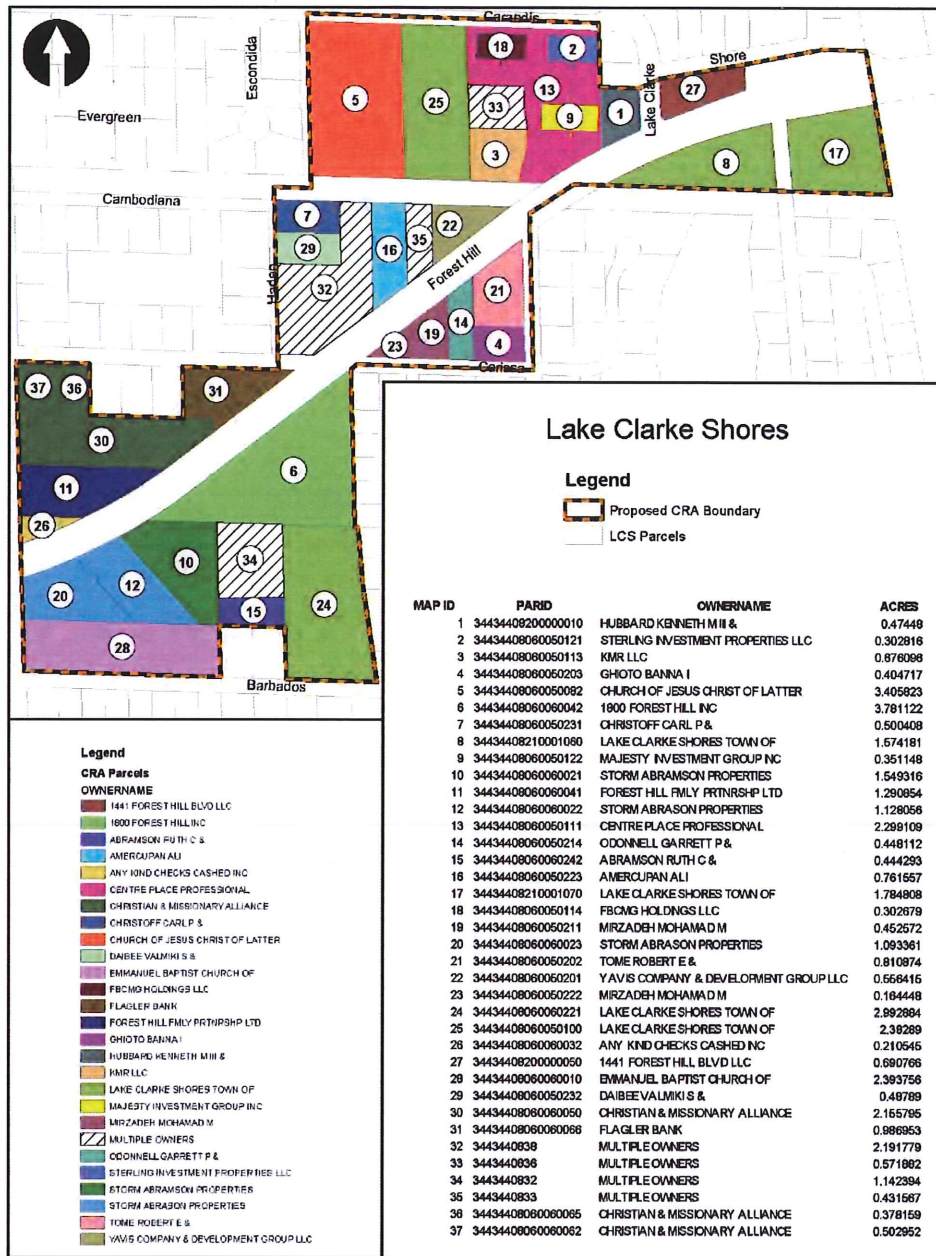
Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area (§ 163.340(8)(m), F.S.)

Parcels within the CRA are fragmented, irregularly shaped, and highly diverse in ownership, creating economic conditions that are unlikely to remedy without the assistance provided by a formalized redevelopment effort guided by the Town. As illustrated in the map below, there are 37 parcels in the CRA, with an average size of only 1.1 acres. When the tax-exempt parcels are removed, including those parcels owned by the Town of Lake Clarke Shores (totaling 8.7 acres) and the non-profit religious institutions (totaling 8.8 acres), the remaining developable parcels include four sites with multiple ownership, totaling 4.4 acres. The balance of the CRA contains 20 parcels that average less than an acre apiece. These conditions are illustrated on the CRA Property Ownership Map on the following page. This excessively diverse land ownership, combined with the irregularly shaped, triangular lots, creates a land development condition that is not projected to improve without significant redevelopment assistance. To accommodate modern parking and storm water requirements, parcels must be assembled for suitable land area and efficient design. The current diversity of ownership will prevent that assemblage without a focused community redevelopment effort by the Town of Lake Clarke Shores.



Fragmented property ownership has prevented adequate transitions between like uses within the CRA, as evidenced by the duplicative driveways and barrier between the multifamily uses (above-left) and the poorly maintained landscaping barrier between commercial parking lots (above-right). This ownership deficiency limited mobility, creates unnecessary traffic generation onto the roadway network, and an undue burden for redevelopment.

CRA Property Ownership Map



FINDINGS: *The proposed CRA contains an excessively diverse property ownership pattern, with numerous parcels owned by multiple entities. Small average parcels sizes of roughly one acre for developable parcels further complicates redevelopment opportunities. Combined with irregularly shaped lots, the diversity of property ownership negatively impacts the ability for property assemblage to enable redevelopment in compliance with modern parking, storm water and site design abilities that is economically viable.*

SECTION 6:

SUMMARY OF FINDINGS AND RECOMMENDATIONS

This Finding of Necessity determines that several specific statutory conditions are present in the proposed Lake Clarke Shores CRA area. These include the following key criteria, as described in Florida Statutes:

- Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities (§ 163.340(8)(a), F.S.)
- 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 (§ 163.340(8)(b), F.S.)
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness (§ 163.340(8)(c), F.S.)
- Inadequate and outdated building density patterns (§ 163.340(8)(f), F.S.)
- Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area (§ 163.340(8)(m), F.S.)

This study examined the qualifying conditions evident in the proposed CRA and clearly established the need for adopting these Findings of Necessity and creating a strategic plan to capture a vision and address opportunities for public and private reinvestment, redevelopment, and overall revitalization. The presence of these statutory conditions is documented via data, photographic evidence, and map documents as provided and referenced herein. These conditions limit the ability for the proposed Lake Clarke Shores CRA to redevelop to market potential. Therefore, it is recommended the Town of Lake Clarke Shores establish a community redevelopment area and tax increment financing (TIF) district to capture TIF revenue from the area for redevelopment purposes.

The recommended boundaries for the proposed CRA area are based on an evaluation of vacant lands, the mix of land use/zoning opportunities, infrastructure conditions, proximity to major roadways, and deteriorating conditions. The Town and community recognize that sound infrastructure investments, access management, appropriate development codes and incentives for private investment—actions that stem from creating a CRA and adopting a Community Redevelopment Plan—will help remedy blighting influences in this area, improve the economic climate, and enable the Town to address the economic distress evidenced in this Finding.

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Town of Lake Clarke Shores

Palm Beach County's Premier Lakeside Community Since 1957

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Gregory Freebold
Council Member

Daniel P. Clark, P.E.
Town Administrator

Mary Pinkerman
Town Clerk

William Smith, III
Chief of Police

Mr. Lorenzo Aghemo, Planning Director
Department of Planning Zoning and Building
2300 North Jog Road
West Palm Beach, FL 33411-2741

June 14, 2016

RE: Lake Clarke Shores CRA

Dear Mr. Aghemo:

This letter is in response to your letter dated May 20, 2016 concerning the Town's CRA. The Town understands that Florida Statutes provides a time period of 120 days after receipt of all documents for a charter county to consider granting the delegation of powers for a Community Redevelopment Agency.

The Town also recognizes that the Board of County Commission, on May 17th, approved in concept the delegation of those powers to the Town and directed staff to prepare a Resolution granting the delegation of powers and to negotiate an interlocal agreement with certain terms for the CRA.

The Town understands the Board of County Commission will consider the Resolution and the ILA at their board meeting on July 12, 2016.

The Town Council recognizes the efforts being made on the County's part to approve the Town's CRA and in the spirit of cooperation has agreed by motion made and approved at the June 14, 2016 Town Council meeting to grant your request to provide a thirty day extension to the Statutory requirement to a date certain of July 22, 2016.

The Town Council wishes to thank you and your staff for your cooperation.

Sincerely,

Daniel P. Clark, P.E.
Town Administrator

Cc: Verdenia Baker, County Administrator
Bob Banks, PBC Land Use Attorney