

ORDINANCE 2024-23

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, ADOPTING THE LAKE WALES COMMUNITY REDEVELOPMENT PLAN; PROVIDING FOR AN EXPANSION OF THE COMMUNITY REDEVELOPMENT AREA BOUNDARIES, PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969, CHAPTER 163, PART III, FLORIDA STATUTES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida legislature enacted the Community Redevelopment Act of 1969 (Chapter 163), in order to provide certain redevelopment powers to eligible municipalities and counties; and

WHEREAS, by Ordinance No. 85-10 enacted by the City Commission on December 3, 1985, the City Commission created the Community Redevelopment Agency of the City of Lake Wales, Florida; finding that specific conditions of slum and blight existed in the Downtown Business District of the City of Lake Wales, and that the rehabilitation, conservation or redevelopment of such area would serve and protect public health, safety, morals and the welfare of its residents; and

WHEREAS, the City Commission declared itself to be the Community Redevelopment Agency to carry out the redevelopment of the area determined to be a slum or blighted area; and

WHEREAS, by Ordinance No. 87-08 enacted by the City Commission on June 30, 1987, the City Commission provided for the funding of a Redevelopment Trust Fund for community redevelopment within the Community Redevelopment Area in accordance with the Community Redevelopment Plan (the "Plan"), including any amendments or modifications thereto, as provided in Section 163.387, Florida Statutes; and

WHEREAS, by Ordinance No. 88-08 enacted on June 29, 1988, Ordinance No. 90-05 enacted on June 19, 1990, Ordinance No. 93-07 enacted on June 15, 1993, Ordinance No. 99-03 enacted on June 15, 1999, and Ordinance No. 2011-12 enacted on July 19, 2011, the City Commission amended the Plan and modified the boundaries of the Community Redevelopment Area; and

WHEREAS, by Resolution No. 2018-12 enacted on May 15, 2018, the City Commission of the City of Lake Wales at a duly noticed public hearing adopted the 2018 Lake Wales CRA Plan Update; and

WHEREAS, by Ordinance No. 2021-24 enacted on October 22, 2021, the City Commission approved the continued existence of the Lake Wales Community Redevelopment Agency through September 30, 2051; and

WHEREAS, in 2022, the City of Lake Wales sought to further address documented conditions of slum and blight present in the City and to expand the boundaries of the Community Redevelopment Area within the municipal boundaries of Lake Wales, outside of the boundaries of the current

Community Redevelopment Area and on August 11, 2022, retained Inspire Placemaking Collective to prepare a Findings of Necessity Study (Exhibit “A”); and

WHEREAS, the Finding of Necessity Study determined that within the study area there exists an inadequate provision for ventilation, light, air, sanitation, or open spaces, the existence of conditions that endanger life or property by fire or other causes, the predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, inadequate and outdated building density patterns, and this satisfied Florida Statute Chapter 163.340 requirements to expand the Lake Wales Community Redevelopment Areas boundaries; and

WHEREAS, on January 17, 2023, the Lake Wales City Commission adopted Resolution 2023-01 to expand the Lake Wales Community Redevelopment Area boundaries to include the parcels identified in the approved Finding of Necessity Study; and

WHEREAS, on April 14, 2023, the Lake Wales Community Redevelopment Agency authorized an update to the 2018 Community Redevelopment Plan to reflect the modified Community Redevelopment Area boundaries, existing CRA conditions, and additional capital projects and redevelopment programming through the CRA’s operational timeframe through 2051; and

WHEREAS, the Lake Wales Community Redevelopment Agency hosted a day long Open House Public Workshop on June 14, 2023 to solicit public input and present the Lake Wales Community Redevelopment Plan update process to the residents, business owners and operators, and general public; and

WHEREAS, the community input received at the Open House informed the capital projects and redevelopment programming included in the 2023 Community Redevelopment Plan update; and

WHEREAS, the Lake Wales Community Redevelopment Agency has developed the *2023 Lake Wales Community Redevelopment Plan* (Exhibit “B”) that identifies catalytic public investments, public improvements and strategies to address the aforementioned conditions of blight; and

WHEREAS, the *2023 Lake Wales Community Redevelopment Plan* was presented to the Lake Wales Community Redevelopment Agency at its August 8, 2023, meeting to solicit input and comment from the Community Redevelopment Agency and the residents and business owners of Lake Wales; and

WHEREAS, the *2023 Lake Wales Community Redevelopment Plan* was presented to the Lake Wales Planning and Zoning Board, that acts as the City' s Local Planning Agency (LPA), at its August 22, 2023, meeting for review and a determination of consistency with the City' s adopted Comprehensive Plan; and

WHEREAS, the Lake Wales Planning and Zoning Board determined that the proposed *2023 Lake Wales Community Redevelopment Plan* is consistent with the Goals, Objectives and Policies of the City' s adopted Comprehensive Plan; and

WHEREAS, the Lake Wales Community Redevelopment Agency has adopted Resolution 2024-20 (Exhibit C) affirming the finding of the existence of blighted area in the city: memorializing the expansion of the Community Redevelopment Area boundaries; and providing for notification to taxing authorities; and

WHEREAS, Lake Wales has coordinated with Polk County Government representatives during the Community Redevelopment Plan update process; and

WHEREAS, the Lake Wales City Commission has caused a public notice to be published and a notice mailed to each taxing authority as required by Section 163.346, Florida Statutes, and a public hearing to be noticed, scheduled, and held as required by Section 163.361 (2), Florida Statutes; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. Finding of Necessity. That there still exists a blighted area or areas in the Lake Wales Community Redevelopment Area, and that the rehabilitation, conservation, or redevelopment, or a combination thereof of the area so defined is necessary in the interest of the public safety, morals, or welfare of the residents of the City of Lake Wales.

SECTION 2. Plan Update. The *2023 Lake Wales Community Redevelopment Plan* update has been completed in accordance with Chapter(s) 163.361 & 163.362, Florida Statutes.

SECTION 3. Plan Components. The *2023 Lake Wales Community Redevelopment Plan* update identifies catalytic public investments, public improvements, and strategies to address the aforementioned conditions of blight and provides guidance and direction for the Lake Wales Community Redevelopment Agency activities and programs.

SECTION 4. Finding of Conformance with Comprehensive Plan. The City Commission hereby finds, determines and declares that the proposed updated Community Redevelopment Plan for the Lake Wales Community Redevelopment Area conforms to the adopted Comprehensive Plan of the City of Lake Wales as a whole.

SECTION 5. Finding of Adequacy of Housing. The City Commission hereby finds, determines and declares that the proposed updated Community Redevelopment Plan for the Lake Wales Community Redevelopment Area gives due consideration to the provision of adequate and affordable housing in the general vicinity of the area covered by the updated Community Redevelopment Plan.

SECTION 6. Finding of Relocation. The City Commission hereby finds, determines and declares that within the proposed updated Community Redevelopment Plan for the Lake Wales Community Redevelopment Area that a feasible method exists for the potential relocation of families who may be temporarily displaced from the Community Redevelopment Area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship.

SECTION 7. Adoption of the updated Community Redevelopment Plan. The City Commission does hereby adopt the Lake Wales Community Redevelopment Agency’s updated Community Redevelopment Plan for the Community Redevelopment Area and authorizes and directs the Community Redevelopment Agency to proceed with the implementation of the Plan. A copy of the 2023 Lake Wales Community Redevelopment Plan Update is attached as Exhibit “B.”

SECTION 8. Voluntary Limitation of Tax Increment on Area IV. As indicated on page 36 of the 2023 Lake Wales Community Redevelopment Plan Update, the City Commission voluntarily agrees to limit its tax increment rebate on Area IV of its CRA to fifty percent (50%) of the tax increment generated in that area.

SECTION 9. Effective Date. This Ordinance shall take effect immediately upon approval by the City Commission.

PASSED AND ADOPTED this 1st day of October, 2024.

CITY OF LAKE WALES, FLORIDA



Mayor/Commissioner

ATTEST:

JENNIFER NANEK

CITY CLERK

Exhibit A

Lake Wales Finding of Necessity

Exhibit B

Updated (2023) Lake Wales Community Redevelopment Plan

Exhibit C

Lake Wales CRA Resolution 2024-20