

Resolution No. 2004-05-352

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LYNN HAVEN, FLORIDA, AND EX-OFFICIO AS THE LYNN HAVEN COMMUNITY REDEVELOPMENT AGENCY RELATING TO COMMUNITY REDEVELOPMENT WITHIN THE LYNN HAVEN COMMUNITY REDEVELOPMENT AREA (SAID AREA GENERALLY DESCRIBED IN CITY RESOLUTION NO. 2004-05-350); PROVIDING FOR FINDINGS; APPROVING THE "LYNN HAVEN COMMUNITY REDEVELOPMENT PLAN"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 25, 2004, the City Commission of the City Of Lynn Haven, Florida (the "Commission") created the Lynn Haven Community Redevelopment Agency (the "Agency") pursuant to Resolution No. 2004-05-351 and declared that the Commission shall sit ex-officio as the governing body of the Agency; and

WHEREAS, the "Lynn Haven Community Redevelopment Plan" (draft dated October 2003) (the "Plan") has been prepared and timely submitted to the Planning Board of the City of Lynn Haven as required by Chapter 163, Part III, Florida Statutes (the "Act"); and

WHEREAS, the Planning Board on May 4, 2004 reviewed the foregoing Plan relative to its conformity with the comprehensive plan for the development of Lynn Haven and found that the Plan conformed to the City's comprehensive plan without any written comments in accordance with the provisions of the Act.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LYNN HAVEN, FLORIDA, AND EX-OFFICIO AS THE LYNN HAVEN COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:

SECTION 1. FINDINGS. It is ascertained, determined and declared that:

(A) The Agency has submitted the Plan to the City and each taxing authority that levies ad valorem taxes on taxable real property contained within the Redevelopment Area described therein. All such governmental entities and all interested persons affected were afforded an opportunity to present oral and written comments at a duly noticed public hearing conducted by the City, and ex-officio as the Agency, on May 25, 2004. In addition, the Commission held a public workshop on the draft Plan on November 13, 2003 in which the public and taxing authorities were also invited to comment.

(B) As a result of a review of the Plan and consideration of input at the public hearing, the Commission, and ex-officio in its capacity as the Agency, finds that:

- (1) To the extent any person might be displaced by the Plan, the City and the Agency will consider all feasible methods for the relocation of such persons into safe, decent and sanitary dwelling accommodations without undue hardship and within their means;
- (2) the Plan conforms to the general plan of Bay County and the City as a whole;
- (3) the Plan gives due consideration to the utilization of community policing innovations and the provision of adequate park and recreational areas and facilities;
- (4) the Plan will facilitate better pedestrian and traffic circulation, and accordingly provides special consideration for the health, safety and welfare and children residing in the general vicinity, as well as other persons which may use and traverse the Lynn Haven Redevelopment Area (the "Redevelopment Area");
- (5) the Plan will afford a maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation and redevelopment of the Redevelopment Area by private enterprise;
- (6) the Plan and resulting revitalization and redevelopment will reduce evacuation time and serve to better insure protection of property against exposure to natural disasters; and
- (7) the non-residential development and redevelopment proposed in the Plan are appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives.

(C) Within the Redevelopment Area there exists faulty or inadequate street layout; inadequate parking or parking facilities; or roadways or other public transportation facilities incapable of handling the volume of traffic flow into or to the area. The Redevelopment Area suffers from a predominance of defective or inadequate street layout, aging infrastructure and design and deterioration of site or other improvements. Approval and implementation of the Plan will serve to rehabilitate, redevelop and otherwise alleviate or remove such blight within the Redevelopment Area.

SECTION 2. APPROVAL OF THE LYNN HAVEN COMMUNITY REDEVELOPMENT PLAN.

(A) The Lynn Haven Community Redevelopment Plan, which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved and shall be implemented in a manner consistent therewith. Upon adoption hereof, the Plan shall be deemed to be in full force and effect for the Redevelopment Area.

(B) The adoption of this Resolution shall be liberally construed to comply with the content, notice, review, comment and approval requirements required by Part III, Chapter 163, Florida Statutes.

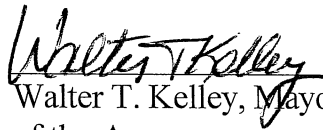
(C) If any one or more of the provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provisions shall be null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

(D) All prior resolutions of the Commission or Agency inconsistent with the provisions of this Resolution are hereby modified, supplemented and amended to conform with the provisions herein contained.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

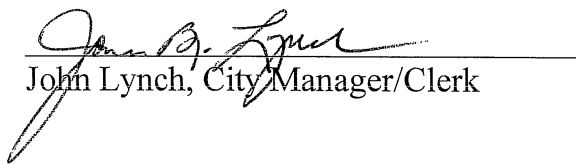
ADOPTED this 25th day of May 2004.

**CITY COMMISSION OF THE CITY OF
LYNN HAVEN, FLORIDA, AND EX-
OFFICIO AS THE GOVERNING BODY OF
THE LYNN HAVEN COMMUNITY
REDEVELOPMENT AGENCY**



Walter T. Kelley, Mayor, and Ex-Officio as Chair
of the Agency

ATTEST:



John Lynch, City Manager/Clerk

EXHIBIT A

LYNN HAVEN COMMUNITY REDEVELOPMENT PLAN