

1 RESOLUTION 2016-095

2  
3 A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA  
4 COUNTY, FLORIDA, FINDING NECESSITY FOR THE EXERCISE  
5 OF COMMUNITY REDEVELOPMENT AUTHORITY FOR  
6 PARCELS ADJOINING THE SPRING HILL COMMUNITY  
7 REDEVELOPMENT AREA; MODIFYING THE SPRING HILL  
8 REDEVELOPMENT PLAN BY INCLUSION OF THOSE PARCELS;  
9 PROVIDING AN EFFECTIVE DATE.

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11  
12 WHEREAS, Resolution 2004-176 found necessity for the exercise of community  
13 redevelopment authority in an area known as Spring Hill comprised of lands both in the City of  
14 DeLand and the unincorporated county; and

15 WHEREAS, Ordinance 2004-13, the provisions of which subsequently were codified at  
16 chapter 41, article III, Code of Ordinances, County of Volusia, established the Spring Hill  
17 Community Redevelopment Agency and the redevelopment trust fund, and legally described  
18 the boundaries of the redevelopment area; and

19 WHEREAS, Resolution 2005-125 adopted the community redevelopment plan for the  
20 Spring Hill Community Redevelopment Area, Exhibit I, likewise legally describing the  
21 boundaries; and

22 WHEREAS, the Spring Hill Community Redevelopment Agency desires to enlarge the  
23 boundaries of the redevelopment area to include two additional parcels; and

24 WHEREAS, the Blight Study for the Addition of Properties to the Spring Hill Community  
25 Redevelopment Area prepared by the Volusia County Department of Growth and Resource  
26 Management, Exhibit II, finds that the subject two parcels, collectively referred to as the  
27 "Additional Area," meet one of the slum criteria under section 163.340(7), Florida Statutes, and  
28 six of the blight criteria under section 163.340(8), Florida Statutes; and

1           WHEREAS, inclusion of the Additional Area in the community redevelopment area is  
2 complementary to the purposes for which it was established and necessary for its financial  
3 viability; and

4           WHEREAS, the size of the Additional Area is minimal in relation to that of the previously  
5 established Spring Hill Community Redevelopment Area and therefore requires no change to  
6 the previously adopted community redevelopment plan except the revised legal description  
7 incorporating the Additional Area attached as Exhibit III; and

8           WHEREAS, amendment of the Spring Hill Community Redevelopment Plan to include  
9 the Additional Area is consistent with the Volusia County Comprehensive Plan; and

10           WHEREAS, notice of the proposed amendment to Spring Hill Community  
11 Redevelopment Plan to include the Additional Area has been given the West Volusia Hospital  
12 Authority pursuant to section 163.346, Florida Statutes.

13  
14           NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF THE  
15 COUNTY OF VOLUSIA, FLORIDA, IN OPEN MEETING AT COUNCIL CHAMBERS IN THE  
16 CITY OF DELAND, FLORIDA, THIS 4<sup>TH</sup> DAY OF AUGUST, 2016, AS FOLLOWS:

17  
18           SECTION 1. *Finding of conditions.* Based upon the evidence data and analysis and  
19 facts, and adopting the conclusions identified in the preamble and incorporating them herein,  
20 the county council does hereby find that there are conditions present in the Additional Area  
21 which are detrimental to the sound growth of both unincorporated Volusia County and the City  
22 of DeLand, which substantially impair or arrest the growth both within the Additional Area and  
23 adjacent territory, and which present conditions and uses in the Additional Area that are  
24 detrimental to the public health, safety, morals, and welfare; that the Additional Area has  
25 physical or economic conditions conducive to disease, poverty, or crime because of a  
26 predominance of improvements impaired by reason of dilapidation, deterioration, age, or

1   obsolescence and inadequate provision for sanitation; that there are a substantial number of  
2   deteriorated or deteriorating structures in the Additional Area which are leading to economic  
3   distress; and that there are a predominance of defective or inadequate street layout and  
4   roadways, aggregate assessed values that have decreased over the past five years, faulty lot  
5   layout, unsanitary or unsafe conditions, a deterioration of site or other improvements, and a  
6   higher incidence of crime than in the remainder of the county.

7           SECTION 2. *Finding of necessity.* The county council does hereby find expressly that  
8   the Additional Area is a slum and blighted; and that the rehabilitation, conservation, or  
9   redevelopment, or a combination thereof, of such Additional Area is necessary for the public  
10   health, safety, morals, or welfare of the county.

11           SECTION 3. *Amendment of Spring Hill Community Redevelopment Plan.* The county  
12   council does hereby amend the Spring Hill Community Redevelopment Plan adopted by  
13   Resolution 2005-125 to modify the boundaries to add the Additional Area; and to legally  
14   describe the revised boundaries of the Spring Hill Community Redevelopment Area as stated  
15   in Exhibit III.

16           SECTION 4. *Effective date.* This Resolution shall become effective immediately upon  
17   adoption.

18           DONE AND ORDERED IN OPEN MEETING.

19  
20   COUNTY COUNCIL  
21   VOLUSIA COUNTY, FLORIDA

22  
23   By: \_\_\_\_\_  
24   Jason P. Davis  
25   County Chair

26           ATTEST:

27  
28           By: \_\_\_\_\_  
29   James T. Dinneen  
30   County Manager

# Blight Study for Addition of Properties to the Spring Hill Community Redevelopment Area

## Background/History of the Spring Hill Community Redevelopment Area

In April 2004, the Volusia County Council and the DeLand City Commission held a joint workshop to discuss the creation of a Community Redevelopment Area (CRA) for the area identified as the Spring Hill community. This area is generally located south of Beresford Avenue, east of S.R. 15A, north of Taylor Road, and west of Woodland Boulevard. The attached map depicts the specific boundaries of the CRA.

The conditions and challenges facing the Spring Hill community were identified in the Spring Hill Blight Study completed in 2004. The study clearly identified the prevalence of blighted conditions, which, if left unaddressed, would further deteriorate the community at large. Based on the findings of the study, the City of DeLand and Volusia County determined that an appropriate mechanism to further address the conditions of blight would be the establishment of a Community Redevelopment Agency to function within the limits of the identified area. To that end, the City and the County enacted Resolutions 2004-55 and 2004-13, respectively, to acknowledge the findings of blight, and establish the Spring Hill Community Redevelopment Agency. The Spring Hill Community Redevelopment Area (CRA) was created September 9, 2004, by adoption of Resolution 2004-176. It was determined that the area was appropriate for community redevelopment projects pursuant to Chapter 163, Part III, Florida Statutes.

Since its inception, several projects have been undertaken within the CRA including the Spring Hill Weed and Seed Neighborhood Redevelopment Action Plan, establishment of the Community Resource Center on Adelle Avenue, affordable housing programs and home ownership assistance programs, the installation of sanitary sewer lines and other public infrastructure leveraging Community Development Block Grant funding, sanitary sewer connection assistance programs, and exterior building improvement grants.

However, the economic challenges occurring post 2008 have affected the ability of the CRA to secure a dedicated funding through the tax increment financing (TIF) mechanism. The taxable value of the properties within the area has been stagnant, at best, during the past 6 years. TIF revenues were last recorded in fiscal year 2009-10. Since then TIF revenues have been zero. The table below displays the TIF revenues per fiscal year to date. Future funding of the CRA is jeopardized due to the difficulty of the area to increase in taxable value.

Tax Increment Revenues by Fiscal Year

05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14
\$135,975	\$261,772	\$347,482	\$295,626	\$196,571	\$0	\$0	\$0	\$0

To shore up the tax base of the CRA, additional properties are being considered for inclusion in the area. Two parcels associated with a pending development have been identified for immediate consideration. The properties are Tax Parcel numbers 7021-00-00-0601 (hereinafter referred to as Parcel A) and 7021-00-00-0490 (hereinafter referred to as Parcel B). The Property Appraiser's Office identifies Parcel A as Property Class 10 - Vacant Commercial. It had a taxable value of \$70,071.00 in tax year 2015. Parcel B is identified as Property Class 48 - Warehousing, Distribution Terminals, Trucking Terminals, Van and Storage Warehousing, and Property Class 96 - Sewage Disposal, Solid Waste, Borrow Pit, Drainage Reservoir, Waste Land, Marsh, Sand Dune, and Swamp. It had a taxable value of \$36,050.00 (Land), \$57,911.00 (Building), and \$13,693.00 (Miscellaneous) for a total of \$102,742.00 in tax year 2015. Both of these parcels are under contract with a developer who intends to combine them with two parcels already within the CRA and develop them into a commercial shopping center consisting of a 41,000 square-foot grocery store, 12-pump gas station, and 14,000 square feet of additional retail commercial uses.

In order to include these additional parcels in the CRA, a Finding of Necessity must be made, based on data and analyses that confirms these parcels meet the criteria set forth in section 163.340(7) or (8) of Chapter 163, Florida Statute. To that end, a blight study of these parcels has been conducted. The findings indicate that these additional parcels meet the definition of blight and are appropriate for inclusion in the CRA. A map with the development parcels highlighted is attached for reference. The Blight Study and Finding of Necessity is presented below.

**FINDING OF NECESSITY**  
**FOR THE ADDITION OF TWO PARCELS TO THE EXISTING SPRING HILL CRA**

**Florida Statute 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 section 163.340(7) or (8), Florida Statutes. 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.

**Criteria enumerated in Chapter 163.340 (7) "Slum Area" and (8) "Blighted Area"**

**(7) "Slum area"** means an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason of dilapidation, deterioration, age, or obsolescence, and exhibiting one or more of the following factors:

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

**Finding:** Parcel A is a vacant 3.8-acre parcel that is heavily overgrown with trees and underbrush. The site is littered with garbage, discarded furniture, construction debris and shopping carts. It is adjacent to the DeLand Flea Market site, which operates on weekends. There are indications that the property is used as a vagrant camp. Conditions are clearly unsafe and unsanitary for the people that may be camping on the property, as well as for the adjacent neighborhood. The potential for crime is elevated due to the vagrant component. The overgrown condition of the property and the volume of garbage strewn throughout the woods attracts vermin and other undesirable pests. (See picture below.)





Parcel B is a five (5)-acre site containing the DeLand U-Pull-It junk yard. This junk yard is very unsightly. It appears to contain dilapidated trailers, deteriorated metal buildings, junk vehicles, and construction debris. There is a haphazard fence, partially chain-link with barbed wire at the top, partially wooden board on board, and partially corrugated metal, that fronts on Amelia Avenue. From the most current aerial data, the junk yard is mainly situated on the east half of the property, along Amelia Avenue. The remainder of the property is barren and strewn with several old boats and other debris. (See picture below.)



**(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**

**Finding:** This criteria does not apply to the subject properties.

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

**Finding:** This criteria does not apply to the subject properties.

**(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;**

**Finding:** The grid network of streets that is prevalent throughout the City of DeLand, and which provides for efficient traffic dispersal from congested roadway segments, deteriorates in this area. This leaves only three primary roads providing accessibility to these parcels; U.S. 17-92 (Woodland Boulevard), Beresford Avenue and Amelia Avenue

South. U.S. 17-92 and Beresford Avenue are designated as thoroughfare roadways, and Amelia Avenue is designated as a local road. U.S. 17-92 is functioning over capacity at level of service F. The most recent traffic count is 16,380 average daily trips out of maximum capacity of 16,400 trips. Driveway entrances do not meet code and pedestrian safety is a concern. The intersection at U.S. 17-92 and Beresford Avenue will not support anticipated development and will require future improvements. Beresford Avenue is deficient in right-of-way width and lacks sidewalk segments and connectivity. Amelia Avenue serves a mix of residential, commercial and industrial traffic, and absorbs overflow traffic from U.S. 17-92 during peak travel periods. This roadway lacks shoulders, curb and gutter and sidewalks. All of these roadways are in need of varying degrees of improvement if they are to serve future anticipated growth.



View of Amelia Avenue, looking northward toward Beresford Avenue. Parcel B, is on the left side of road.

Depicts lack of curbing or shoulders. No stormwater retention. No sidewalk on east side of road.



View of Beresford Avenue looking westward to the intersection with U.S. 17-92.

Depicts lack of sidewalk on left side of road, lack of right-of-way, and unprotected sidewalk immediately adjacent to right side of road.



View of U.S. 17-92, heading north toward intersection with Beresford Avenue.

Depicts parking lots entering directly onto roadway, unsafe driveway separations, and unprotected sidewalks.

**(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;**

**Finding:** Table 1, below, shows that the subject parcels have declined in value since the CRA base year of 2004. The combined properties were valued at \$210,059.00 in 2004 and at \$172,813.00 in tax year 2015. This is a difference in value of -17.73%. The properties have also declined in value over the last five (5) years. The combined properties were valued at \$182,088.00 in 2010. They were valued \$9,275.00 less in 2015, a difference in value of -5.1%.

Table 1

Subject Properties	Taxable Value		
	2004	2010	2015
	Base year of existing CRA	5 years prior to current tax year	Current tax year
Parcel A 7021-0000-0601	\$ 64,071	\$ 80,081	\$ 70,071
Parcel B 7021-0000-0490	\$ 145,988	\$ 102,807	\$ 102,742
Total	\$ 210,059	\$ 182,088	\$ 172,813
Value change from CRA base year, 2004.		-13.32%	-17.73%
Value change from 5 years prior, 2010.			-5.1%

In comparison, Table 2 shows that the existing CRA has declined value at a slightly less rate than the subject properties. The 2015 decline from the base year is measured at

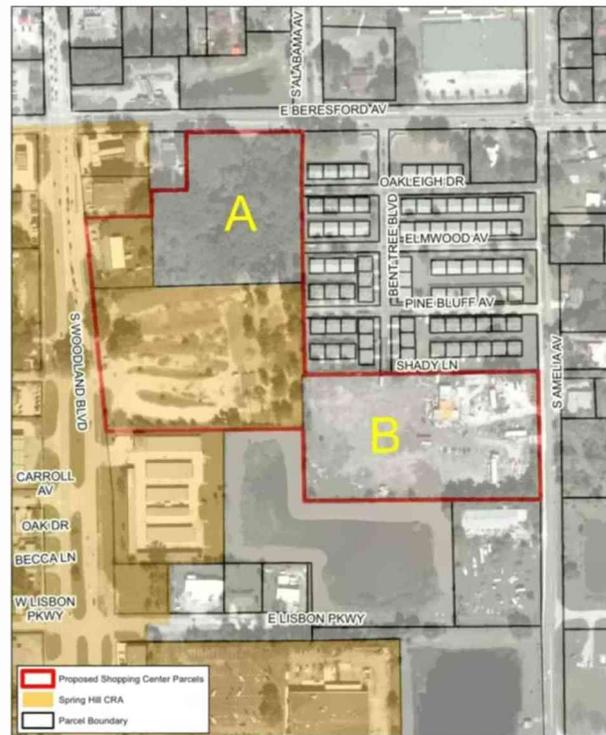
-7.98% as compared to -17.73% for the subject properties. Furthermore, although the 2015 value is -7.98% less than the base value, it appears to be recovering and has increased in value 4.92% in the last five years.

Table 2

Spring Hill CRA	Taxable Value		
	2004	2010	2015
	Base year of existing CRA	5 years prior to current tax year	Current tax year
County and City Combined	\$ 71,527,047	\$ 62,721,492	\$ 65,825,960
Value Change from CRA base year, 2004.		-12.32%	-7.98%
Value change from 5 years prior, 2010.			+4.92%

**(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;**

**Finding:** The lot pattern in this section of the CRA is an historic mix of small lots and large parcels. The small parcels are developed with single-use commercial development along Beresford Avenue and U.S. 17-92. These lots would not be permitted under current code requirements as they are too small to meet driveway, parking, buffer, retention and setback requirements for commercial development. There are 3 primary large parcels that are undeveloped or underdeveloped, including parcels A and B. The parcel configuration resembles a jigsaw puzzle, making meaningful development of the properties a challenge. The picture below depicts Parcel A and B, with the outline of the proposed shopping center overlaid on the parcel map. Four (4) properties are being combined to provide the land area needed for the shopping center. The properties include parcels A and B, as well as the DeLand Flea Market parcel and the small parcel to the north of it, fronting on U.S. 17-92. This parcel is currently developed with a small discount furniture store and was built prior to current site design standards. This property is to be razed and redeveloped into the gas station portion of the new development.



**(d) Unsanitary or unsafe conditions;**

**Finding:** Parcel A is a vacant 3.8-acre parcel that is heavily overgrown with trees and underbrush. The site is littered with garbage, discarded furniture, construction debris and shopping carts. There are indications that the property is used as a vagrant camp. Conditions are clearly unsafe and unsanitary for the people that may be camping on the property, as well as for the adjacent neighborhood. The site is adjacent to Beresford Manor, a senior residential living facility. This facility is fenced, although it is not gated. The vagrant community living in the adjacent woods is of concern to the residents. Further, the volume of trash, junk and debris on the property creates unsightly and unsanitary conditions.



Parcel B is a five (5)-acre site containing the DeLand U-Pull-It junk yard. This junk yard is very unkempt and unsightly. It contains dilapidated buildings, junk recreational vehicles, cars, trucks, boats, and piles of their component parts. The piles of waste tires create a breeding ground for mosquitos. The junk vehicles create nesting areas for vermin.

Environmental concerns with auto salvage yards in general include the potential for ground and surface water contamination due to mishandling of vehicular fluids, such as gasoline, oil,



transmission, power steering and brake fluids, and mineral spirits. Other wastes include mercury from light switch assemblies and brake sensors; lead from batteries and wheel weights; chlorofluorocarbons (CFCs) and other refrigerants from air-conditioning units; asbestos from brake shoes and clutches, to name a few. Mishandling of any of these wastes can result in serious adverse health and environmental impacts.

**(e) Deterioration of site or other improvements;**

**Finding:** Please see response to criteria (d) above.

**(f) Inadequate and outdated building density patterns;**

**Finding:** This criteria does not apply to the subject properties.

**(g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;**

**Finding:** This criteria does not apply to the subject properties.

**(h) Tax or special assessment delinquency exceeding the fair value of the land;**

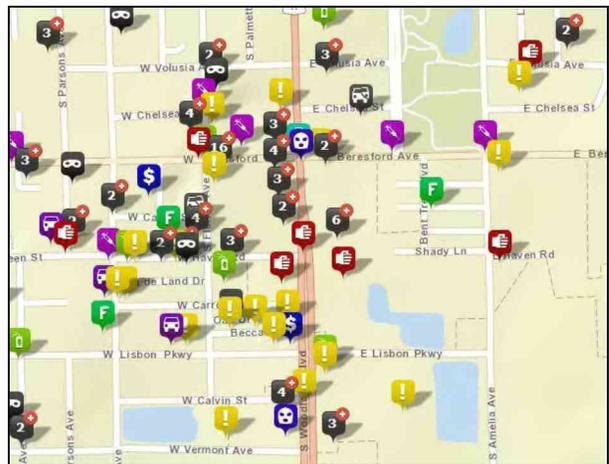
**Finding:** This criteria does not apply to the subject properties.

**(i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;**

**Finding:** This criteria does not apply to the subject properties.

**(j) Incidence of crime in the area higher than in the remainder of the county or municipality;**

**Finding:** A snap shot of the Sherriff's office CRIMEMAPPING application indicates that over 250 crimes have been reported in the immediate vicinity of the subject parcels over the last six (6) months. The concentration of these crimes is heaviest along the U.S. 17-92 corridor, and several incidents have occurred within the block associated with the subject parcels. Crime statistics applicable to the CRA area, in general, appear to be higher than either the county or city at large.



**(k) Fire and emergency medical service calls to the area are proportionately higher than in the remainder of the county or municipality;**

**Finding:** This criteria does not apply to the subject properties.

**(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;**

**Finding:** This criteria does not apply to the subject properties.

**(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**

**Finding:** This criteria does not apply to the subject properties.

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

**Finding:** This criteria does not apply to the subject properties.

**(o) A substantial number or percentage of properties damaged by sinkhole activity which have not been adequately repaired or stabilized.**

**Finding:** This criteria does not apply to the subject properties.

**SUMMARY FINDINGS:** A Finding of **Necessity** for the inclusion of Parcel A and Parcel B in the Spring Hill CRA is supported by the data and analysis above, which demonstrates that the subject parcels meet the conditions for “slum area” and “blighted area” as defined in section 163.340(7) and (8), Florida Statutes. Specifically, the subject parcels meet the following criteria enumerated below:

- (7)(a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;
- (8)(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; and
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality.

These parcels can be found to constitute an economic and social liability imposing onerous burdens which decrease the tax base and reduce tax revenues. The inclusion of these parcels in the Spring Hill CRA, and their subsequent anticipated development, will preserve and enhance the CRA tax base and enable the Community Redevelopment Agency to enact the Spring Hill Redevelopment Plan as originally intended.

