

South BROOKSVILLE





January 2024

FINDING



OF

NECESSITY

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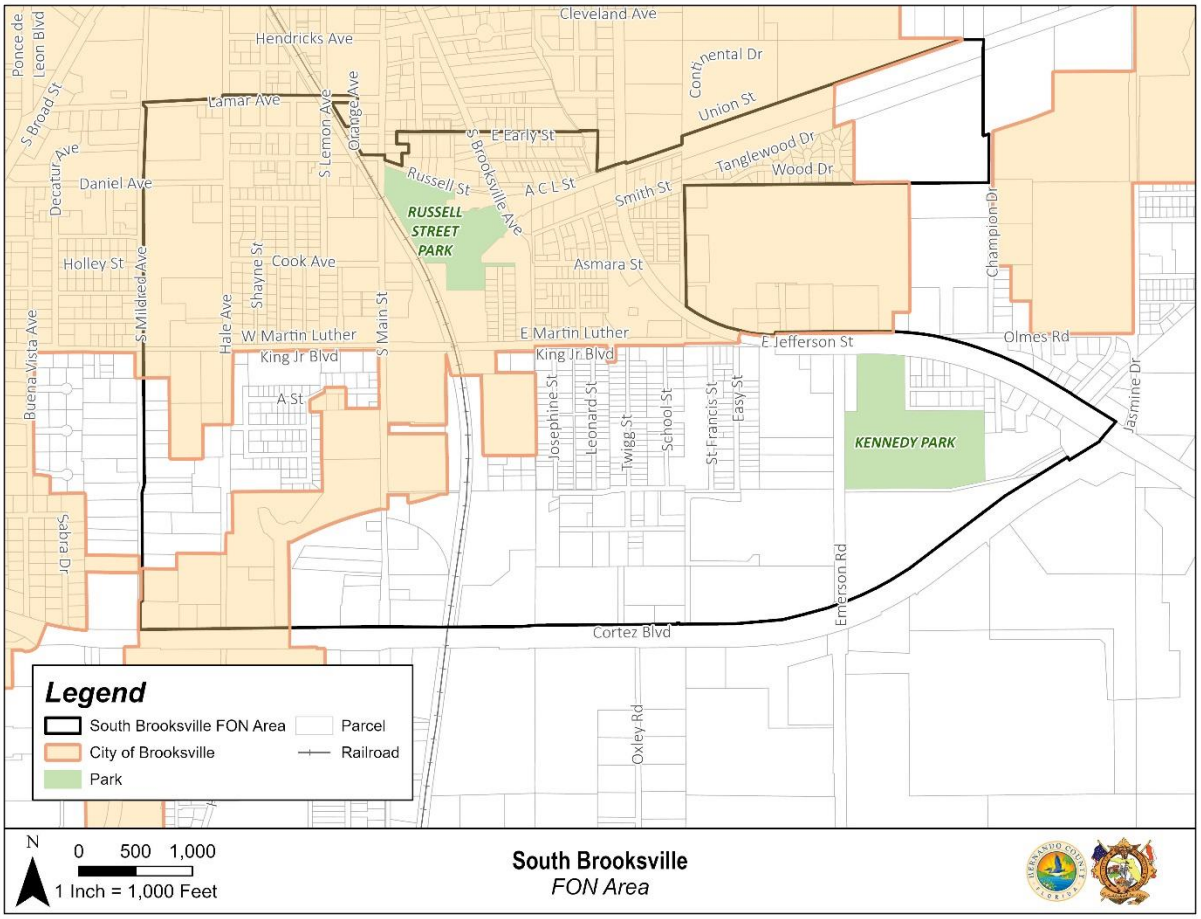
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1.0 Introduction

This Finding of Necessity (FON) Study evaluates the conditions of the proposed establishment of a Community Redevelopment Area (CRA) in South Brooksville as a partnership between Hernando County and the City of Brooksville. The evaluation of the Study Area is to determine if conditions satisfy the definitions of "slum and blight" per Section 163.340(7), Florida Statutes to establish the Study Area as a CRA. The Study Area is depicted in **Figure 1.**

Figure 1. Study Area



Sources: City of Brooksville, Hernando County, Hernando County Property Appraiser, Florida Geographic Data Library (FGDL), 2023

2.0 Study Area Boundaries

The general boundaries of the Study Area are as follows: Lamar Avenue, E Early Street, and Tanglewood Drive to the north, S Mildred Avenue to the west, Cortez Boulevard to the south, and Union Street, E Jefferson Street, and Jasmine Drive to the east. The Study Area is approximately 697 acres and generally split between City parcels to the north and unincorporated Hernando County parcels to the south, as seen in **Figure 1.**

3.0 Historical Context

The Study Area is directly south of Downtown Brooksville and was traditionally a low density residential, industrial, and manufacturing area. An active railway passes through the Study Area north-to-south, which is owned by CSX Transportation. The presence of the railway dating back to 1885 provided opportunities for industrial developments until 1971 when the last Train Depot in Brooksville was closed.

4.0 The Redevelopment Act

The Community Redevelopment Act of 1969 (Chapter 163, Part III, Florida Statutes) gave local governments (city or county) the ability to eliminate and/or prevent blighted conditions that are detrimental to the sustainability of economically and socially vibrant communities through economic development projects. The following sections expand on the administrative processes for creating or expanding a Redevelopment Area, as well as the criteria used to determine whether an area qualifies to become a Redevelopment Area.

4.1 Redevelopment Area Creation or Expansion Procedures

4.1.1 Declaration and Process

The first step in assessing whether the Study Area meets the criteria for the creation of the South Brooksville Community Redevelopment Area is determining the presence of "slum and blight" conditions. The Finding of Necessity (FON) Report will document the analysis of these conditions by describing the physical and economic conditions within the Study Area which are associated with blight or its causes and evaluating whether the Study Area qualifies for the creation of a Redevelopment Area. The Inspire consulting team, working closely with City of Brooksville and Hernando County staff, inspected the Study Area through an on-site field assessment and conducted desktop and GIS assessments of available data relating to the Study Area.

4.1.2 Adoption of Finding of Necessity (FON) Report ("Slum & Blight" Study)

Under the Community Redevelopment Act, if an area is deemed blighted, a resolution must be adopted by the local governing body, or municipal subdivision. The resolution must find that blight conditions are present within the defined Study Area and that the repair, rehabilitation, and/or the redevelopment of said areas are in the interest of public health, safety, and welfare. If an area has such blighted conditions, the governing body is empowered to establish a Community Redevelopment Agency (CRA) or expand an existing Community Redevelopment Area to include the blighted area(s). After the ***(1) adoption of a Resolution*** by the Community Redevelopment Agency acknowledging the documented conditions of blight and creating the Community Redevelopment Area, the Brooksville City Council & Hernando County Board of County Commissioners will ***(2) adopt an Ordinance*** formally acknowledging the new Community Redevelopment Area.

The ordinance will also establish the taxable-value base-year for the calculation of tax-increment financing (TIF) revenue and the operational timeframe duration of the Redevelopment Area. The ordinance will also authorize the contribution of the TIF revenue collected from participating taxing authorities from the newly adopted area's participating parcels for placement in the Community Redevelopment Agency's redevelopment trust fund. The most recent real property certified tax roll, prior to the effective year of the ordinance, shall be used to establish the "base year." These taxable values within the Redevelopment Area will be used to calculate the future tax increment. For the South Brooksville Community Redevelopment

Area, the assumed timetable to add the Study Area to the existing Redevelopment Area implies that the tax increment calculation will utilize the 2023 certified rolls for the proposed Redevelopment Area.

4.1.3 Redevelopment Plan

After the approval of the Finding of Necessity report and subsequent establishment of a Community Redevelopment Area, the City and County may choose to authorize the preparation of a Community Redevelopment Plan to identify potential programs and projects to address the identified conditions of "slum" and "blight."

The Community Redevelopment Act requires that redevelopment plans be subjected to a compliance review conducted by the local Planning Board before it may be submitted to the City Council and County Commission for approval. The Planning Board has sixty (60) days to review the redevelopment plan for its conformity with the City's and County's Comprehensive Plan and Land Development Regulations addressing the development of the City and County and to provide comments to the Community Redevelopment Agency. After receiving comments and recommendations from the Planning Board, the local governing body shall hold a public hearing on the approval of the Community Redevelopment Plan, after appropriate public notice has been provided and appropriate advertisements placed within the accepted general circulation newspaper of the area.

Before the City and County can jointly adopt any resolution or ordinance to establish a community redevelopment plan or redevelopment trust fund, the governing body must provide public notice of the proposed actions to each of the taxing authorities that have the power to levy ad-valorem taxes within the redevelopment area. Such notices serve as an alert to these taxing authorities to any possible changes in their budgets that may occur because of the redevelopment action. As a policy matter, it is assumed that the following entities with ties and relationships to the City of Brooksville and Hernando County governments will receive notice of any actions arising from either the findings of necessity (FON) analysis or subsequent programs or initiatives should they be authorized under the terms of the Redevelopment Act:

- Hernando County Board of County Commissioners
- Hernando County Property Appraisers Office
- Hernando County Tax Collector
- Hernando County Emergency Medical
- Hernando County School District
- Southwest Florida Water Management District

4.2 Slum & Blight Criteria

The Community Redevelopment Act establishes two similar, but discrete, pathways to determine if a Study Area is considered to be a "slum" or "blighted," sufficient to warrant the full application of the redevelopment powers conveyed by such a designation.

- ***Alternative One*** involves the layering of two tests. The first test is broadly conditional, and the second test is criteria specific. Both tests must conclude that the described conditions exist affirmatively.

- ***Alternative Two*** involves a specific agreement among parties subject to a prospective trust fund agreement. Where such an agreement exists, the jurisdiction seeking to designate a redevelopment area will be allowed to pass a less rigorous test. As in the first alternative, this test relates to specific criteria, and it must conclude affirmatively.

4.2.1 *Alternative One*

The first test for Alternative One requires that a Study Area identified as a "slum[1]" or "blighted[2]" area contains 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."

The second test for Alternative One must prove that the area must be one in which "two or more of the following [blight] factors are present" (Section 163.340(8), F.S.):

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.

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

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

[1] Florida Statutes, Section 163.340 (7)
[2] Florida Statutes, Section 163.340 (8)

4.2.2 Alternative Two

The Redevelopment Act also allows that a slum or blighted area may be "any area in which at least one of the factors identified in paragraphs (a) through (o) of Section 163.340 (8), F.S. are present and all taxing authorities (as such term is defined in the Redevelopment Act) subject to Section 163.387 (2)(a), F.S. agree, either by interlocal agreement or agreements with the CRA or by resolution, that the area is blighted."

5.0 Slum & Blight Conditions Observed

5.1 Conditions of Slum Observed

5.1.1 Conditions that endanger life or property by fire or other causes

Throughout the Study Area, there are risks for fire due to overgrown vegetation, especially when near overhead powerlines or other electrical power sources. Without regular maintenance to the vegetation, particularly in right-of-way or greenbelt areas, lightning or downed powerlines could easily cause a fire that could spread to surrounding parcels. There is also a diesel generator located along Main Street, near Dr. Martin Luther King Jr. Boulevard, which could cause a potential fire hazard, as it is located near large trees and overgrown brush. One of the properties, which conducts manufacturing along Dr. Martin Luther King Jr. Boulevard, has an electrified piece of equipment which has overgrown vegetation around its base. The property looks to be maintained on an irregular basis which has potential to cause heightened fire risks. Another property has an abandoned filling station on it which can cause risks of fire as well as environmental risks with remaining fuel tanks.









5.2 Conditions of Blight Observed

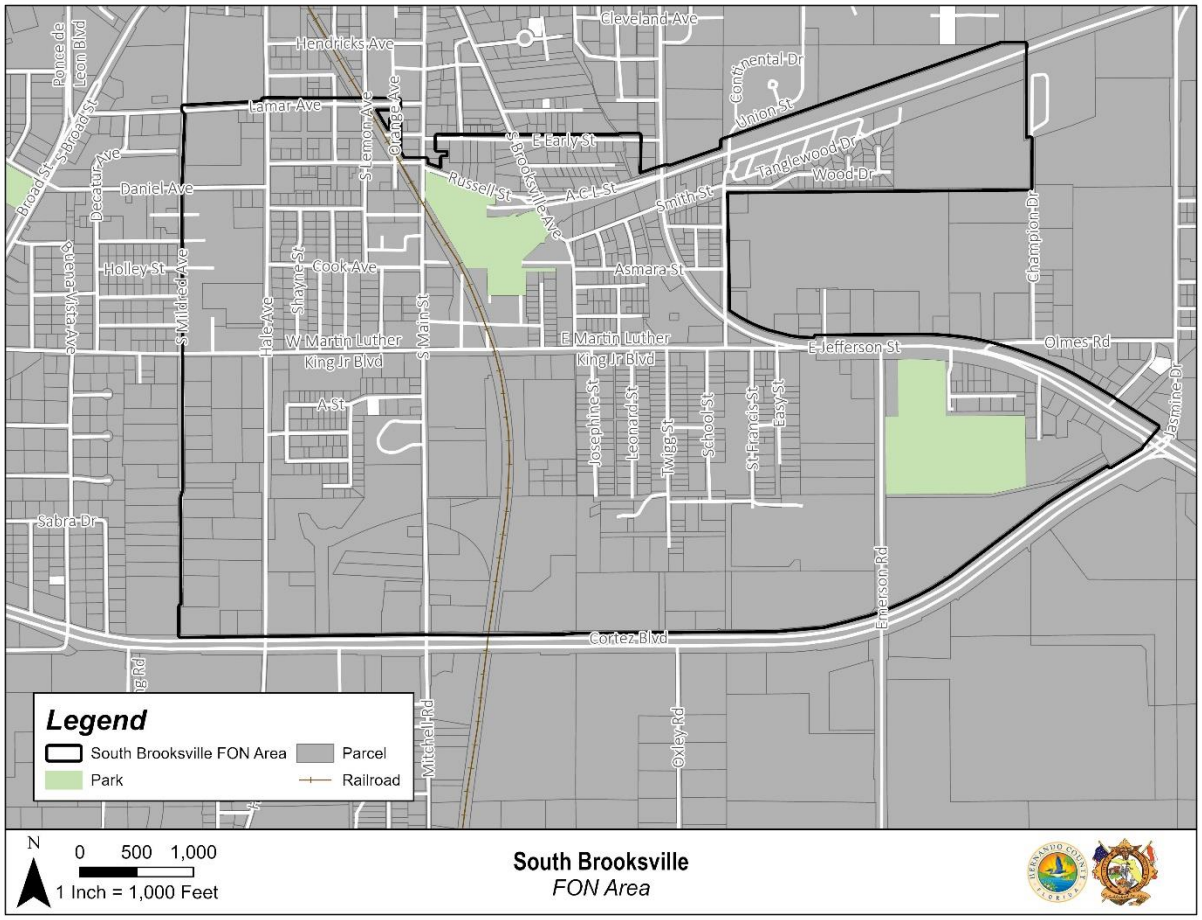
5.2.1 Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities

Defective or inadequate street layout is determined by the size and arrangement of transportation infrastructure and supporting facilities. The street layout in the Study Area does not sufficiently serve the lots as many lots south of Martin Luther King Jr. Boulevard do not have public street access. If these lots were to be redeveloped, there would be significant costs to the developer to provide adequate right-of-way and access points. In addition, the pedestrian infrastructure is lacking. Many roads do not have sidewalks, nor marked crossings, and where sidewalks are present, they tend to be in disrepair, as can be seen below. **Figure 2** shows the road layout within the Study Area. The observed defective street layout and roadways facilities within the Study Area satisfy the definition for a condition of "blight."





Figure 2. Road & Lot Layout



Sources: Hernando County, Hernando County Property Appraiser, FGDL, 2023

5.2.2 Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

Lot layouts are classified as faulty if their sizes, adequacy, accessibility from roadways, or usefulness serve as a deterrent to successful redevelopment activity. Size and accessibility of lots are the primary challenges identified within the Study Area. As discussed above, many lots are inaccessible by public roads. Several of the large lots within the Study Area (over 10 acres) are vacant and unimproved, meaning they are not contributing to the City and County's tax revenue. The lot layout and lot size impact their accessibility and usefulness. **Figure 2** shows the lot layout within the Study Area.





5.2.3 Unsanitary or unsafe conditions

There are several unsafe and unsanitary conditions in the Study Area. Several homes are either abandoned or have been left in a state of disrepair which could be dangerous to the public (trash in the yard, damaged roofs, broken windows, etc.). Some infrastructure in the Study Area also causes unsafe and unsanitary conditions. Roadways are in different states of repair with some roadways not being paved, a lack of shoulders along rights-of-way, and potholes or cracked asphalt. Stormwater infrastructure is also creating unsafe and unsanitary conditions with flooding and standing water which can provide ample breeding grounds for mosquitos and infectious diseases.













5.2.4 Deterioration of site or other improvements

The deterioration of site or other improvements is primarily determined by the physical conditions of buildings or site improvements, including their evaluated useful lives. Deterioration is seen in the roadways, limited pedestrian infrastructure, and residential homes. Many roadways were observed to have potholes and major cracks, and the shoulders of the roads have vegetation growing throughout. Many sidewalks are broken, uneven, and have large holes in them. Residences have overgrown vegetation, damaged roofs, and boarded windows, and some buildings are in complete disrepair with little prospect of renovation. These conditions impact the perception of the Study Area and may prevent business owners or potential residents from choosing to locate in the area. The observed deterioration of sites or other improvements within the Study Area satisfy the definition for a condition of "blight."











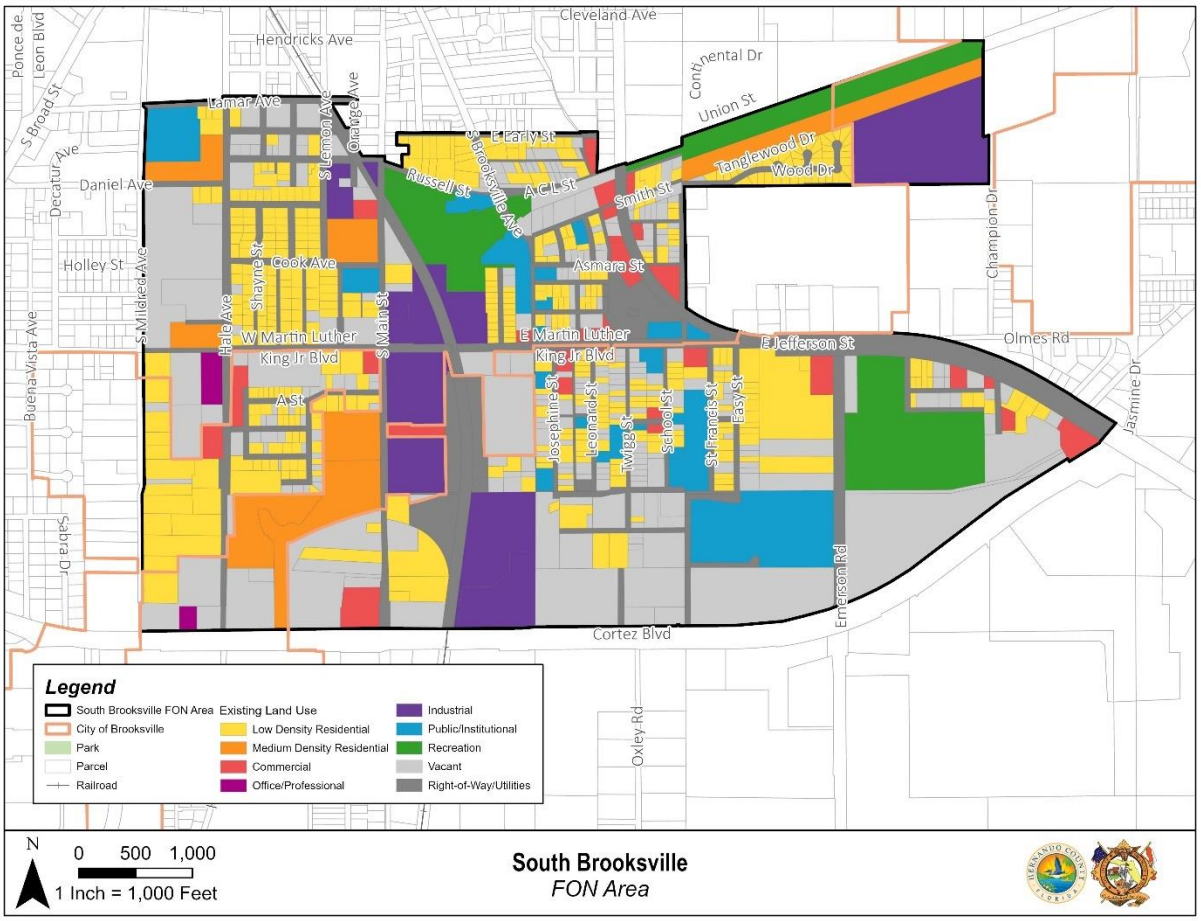


5.2.5 Inadequate and outdated building density patterns

Nearly 30% of the parcels within the Study Area are unimproved/vacant. This high rate of unused parcels indicates that there may be a lack of usefulness of the parcels in the Study Area. These parcels range from small parcels (less than half an acre) to large (more than 10 acres), and many provide prime development opportunities for different types of uses. Less than four percent of the Study Area is currently being used for commercial or office/professional uses, and a quarter of the Study Area is used for residential purposes. This separation of uses prevents residents from being able to accomplish daily activities in their neighborhoods thereby increasing the dependence upon personal vehicle use. The observed inadequate

and outdated building pattern within the Study Area satisfies the definition for a condition of "blight." **Figure 3** shows the current land use within the Study Area and the outdated building pattern.

Figure 3. Current Land Use

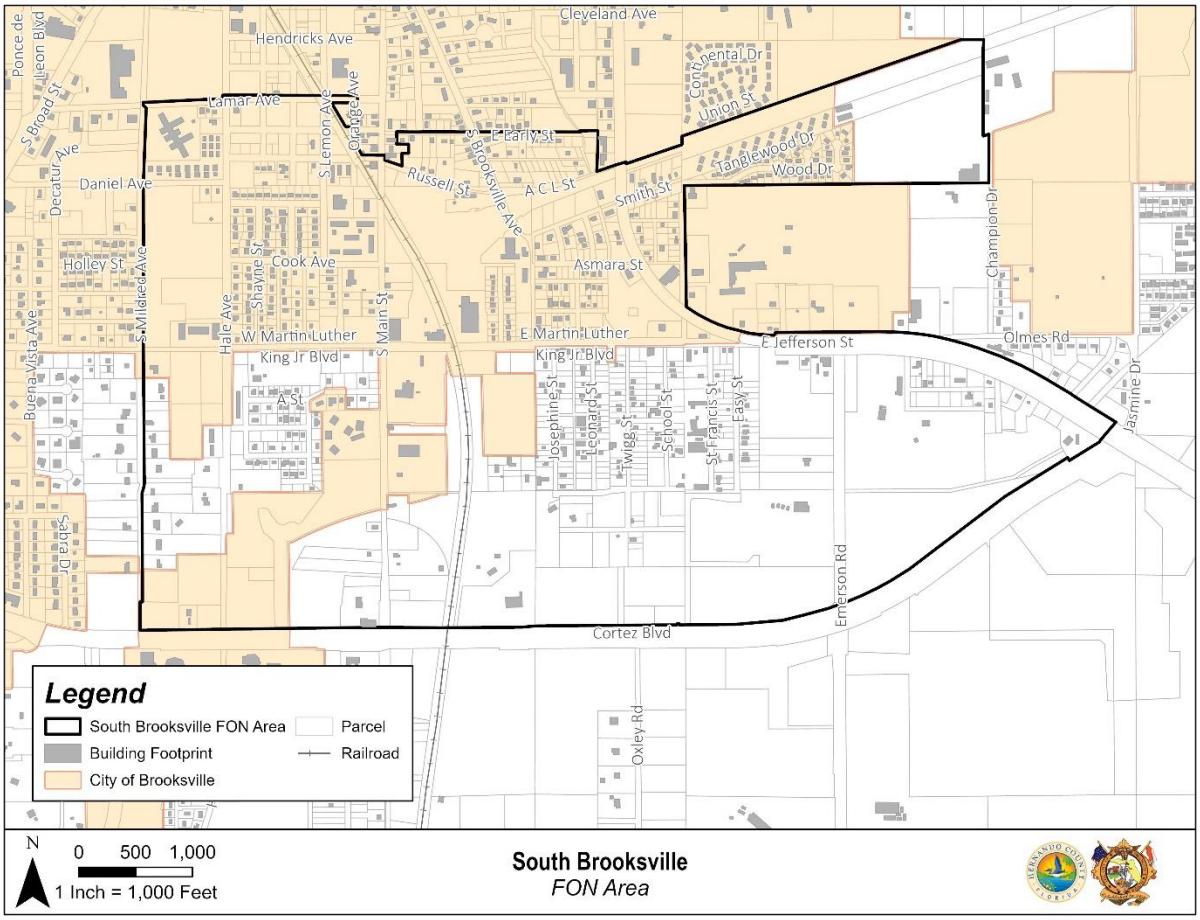


Sources: Hernando County, Hernando County Property Appraiser, FGDL, 2023

5.2.6 *Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.*

Within the Study Area buildings, specifically residential uses, split parcel lines and/or do not conform to setback requirements outlined in local land development regulations. Owners of these properties, whether they plan to renovate, add to their homes, or sell their property, may run into issues with the City or County in the approval process. Property line disputes can cause issues with sales, easements, and lead to nonconforming structures. **Figure 4** shows the potential challenges that are associated with the unusual ownership conditions in the Study Area.

Figure 4. Land Title Conditions



Sources: Hernando County, Hernando County Property Appraiser, FGDL, 2023

6.0 Summary of Conditions (per Florida Statutes)

As stated above, the Study Area is experiencing several conditions of slum and blight. There are dangers or hazards to the community, as well as conditions that prevent economic prosperity and accessibility. A field visit, public records research, and analysis of GIS data of the Study Area revealed the following conditions of slum and blight within the Study Area:

Slum Conditions:

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

Blight Conditions:

(1) The predominance of defective or inadequate street layout, parking Facilities, roadways, bridges, or public transportation facilities.

(2) Fault lot layout in relation to size, adequacy, accessibility, or usefulness.

(3) Unsanitary or unsafe conditions.

(4) Deterioration of site or other improvements

(5) Inadequate and outdated building density patterns

(6) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.

These observed conditions have negatively affected private sector investment and depressed redevelopment efforts and taxable income in the Study Area. The deteriorating properties, lack of accessibility to parcels, and unsanitary conditions, coupled with other observed conditions of blight have harmed economic development activity and redevelopment activity within the Study Area. The presence of these conditions within the Study Area qualifies its creation as a Community Redevelopment Area.

7.0 Conclusion of Alternative Tests

The findings of the evaluation of the Study Area satisfy the two tests of Alternative One to determine if an area is qualified to be a Community Redevelopment Area.

Alternative One - First Test
The evaluation identified the presence of "slum" conditions that endanger life or property by fire or other causes due to fire and safety hazards in the area. These findings satisfy the first test of Alternative One.

Alternative One - Second Test
The evaluation also identified the presence of six (6) conditions of "blight" as defined by Florida Statutes. These include:

(1) The predominance of defective or inadequate street layout, parking Facilities, roadways, bridges, or public transportation facilities.

(2) Fault lot layout in relation to size, adequacy, accessibility, or usefulness.

(3) Unsanitary or unsafe conditions.

(4) Deterioration of site or other improvements

(5) Inadequate and outdated building density patterns.

(6) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.

8.0 Matrix of Slum & Blight Conditions

Florida Statute Reference and Definition	Observation of Conditions		
	Observed	Not Observed	Suspected
"Slum Area"			
Inadequate provision for ventilation, light, air, sanitation, or open spaces		X	
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		X	
The existence of that endanger life or property by fire or other causes	X		
"Blight Area"			
Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities	X		
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			X
Faulty lot layout in relation to size, adequacy, accessibility, or usefulness	X		
Unsanitary or unsafe conditions	X		
Deterioration of site or other improvements	X		
Inadequate and outdated building density patterns	X		
Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality			X
Tax or special assessment delinquency exceeding the fair value of the land		X	
Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality			X
Incidence of crime in the area higher than in the remainder of the county or municipality			X
Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality			X
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			X

Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area	X		
Governmentally owned property with adverse environmental conditions caused by a public or private entity		X	
A substantial number or percentage of properties damaged by sinkhole activity which have not been adequately repaired or stabilized.		X	

9.0 Legal Description

Commence at Northeast Corner of the Northeast ¼ of the Southwest ¼ of Section 27, Township 22 South, Range 19 East, Hernando County Florida, thence run South 00°42'18" East along the easterly boundary of said Northeast ¼ of the Southwest ¼ a distance of 119.34 feet to the westerly right-of-way line of Hale Avenue; Thence run South 00°34'34" West along said westerly right-of-way a distance of 649.91 feet to the POINT OF BEGINNING also being a point on the northerly right-of-way line of Cortez Boulevard (S.R. 50).

Thence run along said right-of-way line South 89°16'36" West a distance of 710.29 feet; Thence North 00°23'12" East, 249.95 feet; Thence South 88°46'11" East, 20.46 feet; Thence North 00°14'17" West, 786.74 feet; Thence North 00°17'34" West, 156.88 feet; Thence North 00°39'46" West, 12.97 feet; Thence North 15°51'57" East, 66.80 feet; Thence North 4°33'57" East, 24.76 feet; Thence North 00°25'53" West, 44.64 feet; Thence North 00°24'39" West, 1,150.74 feet; Thence North 00°04'34" East, 951.94 feet; Thence North 00°08'10" West, 465.34 feet; Thence North 01°07'03" East, 49.93 feet; Thence North 02°02'27" East, 172.48 feet; Thence North 02°12'04" East, 465.40 feet; Thence North 44°27'58" West, 38.87 feet; Thence North 02°00'41" East, 22.95 feet; Thence South 89°17'24" East, 27.97 feet; Thence North 87°10'21" East, 674.10 feet; Thence North 00°22'53" West, 29.70 feet; Thence North 89°08'36" East, 60.10 feet; Thence South 89°46'37" East, 267.60 feet; Thence South 89°47'07" East, 58.24 feet; Thence South 89°46'34" East, 209.37 feet; Thence South 89°46'14" East, 54.98 feet; Thence South 89°46'37" East, 153.13 feet; Thence North 89°40'27" East, 115.66 feet; Thence South 89°30'25" East, 268.87 feet; Thence South 00°53'46" East, 63.78 feet; Thence North 89°39'04" West, 231.44 feet; Thence South 30°29'22" East, 244.35 feet; Thence South 89°55'29" East, 48.95 feet; Thence North 00°23'51" West, 102.91 feet; Thence South 89°34'52" East, 60.02 feet; Thence South 00°08'13" West, 285.11 feet; Thence South 30°16'19" East, 77.32 feet; Thence South 89°40'02" East, 200.15 feet; Thence South 00°35'41" West, 44.14 feet; Thence South 71°15'59" East, 160.70 feet; Thence North 00°21'34" West, 111.57 feet; Thence North 89°54'31" East, 59.58 feet; Thence North 00°24'04" West, 79.84 feet; Thence North 89°51'07" West, 105.43 feet; Thence North 00°03'01" East, 110.51 feet; Thence South 89°06'33" East, 85.11 feet; Thence South 89°06'32" East, 85.00 feet; Thence North 88°18'24" East, 63.55 feet; Thence South 89°56'12" East, 250.00 feet; Thence South 89°56'13" East, 144.00 feet; Thence South 89°56'17" East, 79.60 feet; Thence South 89°55'42" East, 900.37 feet; Thence South 89°56'26" East, 12.04 feet; Thence North 32°18'27" West, 11.85 feet; Thence North 89°27'49" East, 150.00 feet; Thence South 80°54'52" East, 10.15 feet; Thence South 00°45'14" West, 193.56 feet; Thence South 2°38'29" West, 164.29 feet; Thence North 71°05'30" East, 168.90 feet; Thence North 73°31'40" East, 103.53 feet; Thence South 00°53'48" East, 16.38 feet; Thence North 71°09'03" East, 519.51 feet; Thence North 00°14'36" East, 74.43 feet; Thence North 70°54'57" East, 2,597.57 feet; Thence North 89°53'28" East, 204.59 feet; Thence South 03°00'12" West, 100.36 feet; Thence South 00°06'59" East, 747.64 feet; Thence North 72°10'29" East, 52.52 feet; Thence South 00°08'46" West, 427.66 feet; Thence South 89°30'53" West, 713.54 feet; Thence South 89°27'33" West, 1,970.39 feet; Thence South 01°03'14" East, 857.26 feet; Thence South 00°15'34" East, 204.36 feet; Thence South 56°20'08" East, 89.98 feet; Thence South 59°17'49" East,

44.43 feet; Thence South 61°47'55" East, 49.97 feet; Thence South 60°54'28" East, 18.03 feet; Thence South 64°05'47" East, 53.25 feet; Thence South 66°33'49" East, 60.00 feet; Thence South 69°37'53" East, 4.01 feet; Thence South 69°42'47" East, 83.98 feet; Thence South 75°47'16" East, 198.75 feet; Thence South 81°56'23" East, 90.51 feet; Thence South 86°55'48" East, 141.52 feet; Thence North 08°32'01" East, 25.13 feet; Thence North 89°21'55" East, 302.24 feet; Thence North 89°32'30" East, 209.12 feet; Thence North 89°40'55" East, 398.99 feet; Thence South 89°14'43" East, 124.54 feet; Thence South 86°20'12" East, 133.99 feet; Thence South 84°01'16" East, 103.37 feet; Thence South 82°24'40" East, 62.00 feet; Thence South 81°09'44" East, 66.00 feet; Thence South 77°04'25" East, 142.40 feet; Thence South 74°51'59" East, 143.31 feet; Thence South 72°21'32" East, 113.99 feet; Thence South 69°52'32" East, 213.59 feet; Thence South 66°09'14" East, 194.45 feet; Thence South 62°35'48" East, 125.00 feet; Thence South 60°26'51" East, 139.58 feet; Thence South 59°14'44" East, 80.00 feet; Thence South 59°11'15" East, 80.00 feet; Thence South 59°24'52" East, 80.00 feet; Thence South 54°16'31" East, 49.62 feet; Thence South 58°02'07" East, 120.20 feet; Thence South 58°21'37" East, 67.22 feet; Thence South 58°21'40" East, 236.11 feet; Thence South 40°45'26" West, 202.56 feet; Thence South 32°30'51" West, 27.02 feet; Thence South 58°26'38" West, 309.36 feet; Thence North 29°50'41" West, 30.00 feet; Thence South 58°12'49" West, 651.37 feet; Thence South 52°49'16" West, 1,054.03 feet; Thence South 58°00'38" West, 201.76 feet; Thence South 61°24'30" West, 127.99 feet; Thence South 64°15'30" West, 148.69 feet; Thence South 67°25'15" West, 157.98 feet; Thence South 70°43'33" West, 167.36 feet; Thence South 74°50'13" West, 229.93 feet; Thence South 76°11'46" West, 182.57 feet; Thence South 85°05'58" West, 415.66 feet; Thence South 89°33'23" West, 495.15 feet; Thence North 00°26'09" West, 10.00 feet; Thence South 89°33'32" West, 20.00 feet; Thence South 00°26'09" East, 10.00 feet; Thence South 89°33'34" West, 1,248.77 feet; Thence South 84°41'08" West, 117.64 feet; Thence South 89°34'28" West, 718.92 feet; Thence North 89°31'35" West, 550.12 feet; Thence South 89°16'36" West, 1,387.65 feet.

Containing an area of approximately 697.4 acres.