RESOLUTION NO. 2012-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE CANAVERAL, BREVARD COUNTY, FLORIDA, FINDING THAT THE CONDITIONS WITHIN A SPECIFIC AREA OF THE CITY OF CAPE CANAVERAL, GENERALLY DESCRIBED AS BEING BOUNDED BY THE PORT OF CANAVERAL ON THE NORTH, TO ONE BLOCK WEST OF STATE ROAD A1A, SOUTH FOLLOWING THE EXISTING CITY LIMITS AND EAST TO RIDGEWOOD AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, MEET THE CRITERIA OF SECTION 163.340(8), FLORIDA STATUTES, AS A BLIGHTED AREA; DECLARING THAT ONE OR MORE BLIGHTED AREAS EXISTS; DECLARING THAT THE REHABILITATION, CONSERVATION AND REDEVELOPMENT OF SUCH BLIGHTED AREAS IS NECESSARY IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF CAPE CANAVERAL; DETERMINING THAT THERE IS A NEED FOR THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT THE REDEVELOPMENT PURPOSES OF CHAPTER 163, PART III, FLORIDA STATUTES, WITHIN THE IDENTIFIED BLIGHTED AREA; NAMING THE AGENCY FOR SAID DISTRICT THE CAPE CANAVERAL COMMUNITY REDEVELOPMENT AGENCY; DECLARING THE BOARD OF COMMISSIONERS OF SAID COMMUNITY REDEVELOPMENT DISTRICT SHALL CONSIST OF THE MEMBERS OF THE CITY OF CAPE CANAVERAL CITY COUNCIL; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT RESOLUTIONS; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.410, Florida Statutes, on June 19, 2012, the City Council adopted Resolution 2012-10, requesting the County Commission of Brevard County, delegate to the City Council the powers conferred upon the County by Part III of Chapter 163, Florida Statutes, within the boundaries of Cape Canaveral; and

WHEREAS, on August 21, 2012, the Board of County Commissioners of Brevard County, Florida adopted Resolution 2012-174, delegating all powers under Part III, Chapter 163, Florida Statutes, to the City Council of the City of Cape Canaveral, Florida, to create, operate and maintain a Chapter 163, Florida Statutes, Community Redevelopment Agency within the area described on
Exhibit “A,” a copy of which is attached hereto and by this reference expressly incorporated herein; and

WHEREAS, pursuant to section 163.340(8), Florida Statutes, a “blighted area” is defined to mean:

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;

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(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.

WHEREAS, a Finding of Necessity Report was prepared by Kimley-Horn and Associates, Inc. dated June 2012 ("Report"), attached hereto, which identifies that, as a general finding that there exists a blighted area, as that term is defined in section 163.340(8), Florida Statutes, within the City of Cape Canaveral, said blighted area being more particularly described in this Resolution and known as the City of Cape Canaveral Community Redevelopment Area; and

WHEREAS, the Report also generally provides that the proposed community redevelopment area identified therein is an appropriate candidate for a Community Redevelopment Agency; and

WHEREAS, specifically, the Report indicates that the proposed community redevelopment area contains a predominance of buildings or improvements that are impaired by reason of dilapidation, deterioration, age, or obsolescence and a substantial number of deteriorated or deteriorating structures which are leading to economic distress or endangerment of life; and

WHEREAS, the Report also identifies the proposed community redevelopment area as a coastal and tourist area that is deteriorating and economically distressed due to outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layout; and

WHEREAS, the Report also provides that with the downturn in the economy and restructuring of the space industry, the City must be proactive in facilitating and encouraging private reinvestment and employment opportunities within the City to improve the economic and social conditions of the community; and

WHEREAS, based on the Report and other evidence and testimony presented by the City’s Community Development Department, the City Council finds that there is a need for the creation of a Community Redevelopment Agency for the area specifically identified and described herein, and that the creation of a Community Redevelopment agency would meet the intent and requirements set forth in, and would be consistent with the requirements of, section 163.335(1), Florida Statutes; and

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WHEREAS, the rehabilitation, conservation and redevelopment or a combination thereof, of the aforesaid area is necessary in the interest of the public health, safety, morals and welfare of the residents of the City of Cape Canaveral, and in the interest of implementing the intent of the Florida Legislature as expressed in the Community Redevelopment Act of 1969, as amended, by revitalizing the area economically and socially, thereby improving the tax base, promoting sound growth and providing improved infrastructure; and

WHEREAS, the State of Florida has 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 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

WHEREAS, the City Council of the City of Cape Canaveral desires to create the Cape Canaveral Community Redevelopment Agency, and to declare the members of the City Council to serve as the board of commissioners of the community redevelopment agency; and

WHEREAS, the City Council of the City of Cape Canaveral, Florida, hereby finds this resolution to be in the best interests of the public health, safety, and welfare of the citizens of Cape Canaveral.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CAPE CANAVERAL HEREBY RESOLVES, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are hereby fully incorporated herein by this reference as a material part of this Resolution.

Section 2. Legislative Finding of Blighted Area. The City Council of the City of Cape Canaveral hereby determines that the area of Cape Canaveral more fully depicted in Exhibit “A” is a “blighted area,” as defined by, and within the purpose and intent of, Chapter 163, Part III, Florida Statutes.

Section 3. Finding of Necessity. Pursuant to section 163.355, Florida Statutes, and consistent with the data and analysis contained in the Finding of Necessity Report prepared by Kimley-Horn and Associates, Inc. And dated June 2012, attached hereto as Exhibit “B,” the City Council of the City of Cape Canaveral hereby finds and declares that:

(a) One or more blighted areas exist within the area described in Exhibit “A;”

(b) The rehabilitation, conservation or redevelopment, or a combination thereof, of the
area described in Exhibit “A” is necessary in the interest of the public health, safety, morals, and welfare of the citizens of the City of Cape Canaveral; and

(c) That the area described in Exhibit “A” is appropriate for community redevelopment pursuant to Chapter 163, Part III, Florida Statutes.

Section 4. Finding of Need for Community Redevelopment Agency. The City Council of the City of Cape Canaveral hereby finds that there is a need for a community redevelopment agency to function and carry out the community redevelopment purposes as specified in Chapter 163, Part III, Florida Statutes, within that area of Cape Canaveral identified in Exhibit “A.”

Section 5. Creation of Community Redevelopment Agency. The City Council of the City of Cape Canaveral, Florida hereby creates a new community redevelopment agency for the area described in Exhibit “A,” which shall be named the “Cape Canaveral Community Redevelopment Agency.”

Section 6. Declaration of City Council as Board of Commissioners. In accordance with section 163.357, Florida Statutes, the City Council of the City of Cape Canaveral hereby declares that its members shall serve as the Board of Commissioners of the Cape Canaveral Community Redevelopment Agency, and that all the rights, powers, duties, privileges, and immunities vested by Chapter 163, Part III, Florida Statutes will be vested in the City Council, subject to all responsibilities and liabilities imposed or incurred. The members of the City Council acting as members of the Board of Commissioners of the Cape Canaveral Community Redevelopment Agency shall constitute the head of a legal entity, separate, distinct, and independent from the City Council of the City of Cape Canaveral, Florida. At its sole discretion, the City Council may appoint two (2) additional persons to act as members of the community redevelopment agency. The terms of office of the additional members shall be for four (4) years, except that the first person appointed shall initially serve a term of two (2) years.

Section 7. Repeal of Prior Inconsistent Resolutions. All prior resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

Section 8. Severability. If any section, subsection, sentence, clause, phrase, word, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

Section 9. Effective Date. This Resolution shall become effective immediately upon adoption by the City Council of the City of Cape Canaveral, Florida.

RESOLVED by the City Council of the City of Cape Canaveral, Florida, in a regular
meeting assembled on this 21st day of August, 2012.

Approved as to legal form and sufficiency for the City of Cape Canaveral only:

ANTHONY A. GARGANESE, City Attorney

Legal ad published: August 10, 2012
CITY OF CAPE CANAVERAL FINDING OF NECESSITY

FIGURE 1: PROPOSED CRA BOUNDARY

EXHIBIT "A"
Res. No. 2012-16

LEGEND

PROPOSED CRA BOUNDARY
Community Redevelopment Area
Finding of Necessity

AUGUST 2012

Prepared for

SUN SPACE AND SEA
CITY OF CAPE CANAVERAL

Prepared by

Kimley-Horn and Associates, Inc.

Welcome to the
City of Cape Canaveral
CITY OF CAPE CANAVERAL
COMMUNITY REDEVELOPMENT AREA
FINDING OF NECESSITY

August 2012

Prepared for the
City of Cape Canaveral, Florida

Consultant Team

Kimley-Horn and Associates, Inc.

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Acknowledgements

This report was created with the help and guidance of a number of individuals. This section is intended to recognize those who have had an active role in the report’s creation and community planning.

CITY OF CAPE CANAVERAL

CITY COUNCIL

Rocky Randels, Mayor
Betty Walsh, Mayor Pro Tem
John Bond, Council Member
Bob Hoog, Council Member
Buzz Petsos, Council Member

CITY STAFF

David L. Greene, City Manager
Barry Brown, Planning & Development Director
Todd Morley, Building Official
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Executive Summary

The City of Cape Canaveral, located in Brevard County in the heart of the Florida’s Space Coast has undertaken analysis through the Finding of Necessity review process towards the establishment of a Community Redevelopment Agency. This review and analysis originated out of community wide efforts in 2009 and 2010 to identify local economic development strategies and culminated in the recommendation for a focus of redevelopment efforts and community improvements on targeted areas of the City.

In 2009, the residents of Cape Canaveral engaged in “Envision Cape Canaveral” a community-based, citizen-driven process to create a vision for the City’s future. One of the primary objectives of this endeavor was to develop a vision and implementing strategies for future redevelopment of underutilized areas in the City. The Envision Cape Canaveral process produced the Cape Canaveral Vision Statement which “envisions a vibrant community that meets the economic, recreational, social, and retail needs of its citizens.” A Visioning Report was also developed along with a list of recommendations for implementation of the Vision.

In 2010, the recommendations were established as formal City policy with the adoption of its Evaluation and Appraisal Report (EAR) based amendments to the Comprehensive Plan outlining objectives and policies to guide the City in its redevelopment efforts including the designation of a Community Redevelopment Area and the establishment of a Community Redevelopment Agency (CRA).

As a result of these plans and policies, City Council and staff requested this analysis or Finding of Necessity which serves as a basis for designating a Community Redevelopment Area within the City of Cape Canaveral, Brevard County, Florida in accordance with Chapter 163, Part III, Florida Statutes (F.S.). The designation of a Community Redevelopment Area is governed by this Chapter and the areas reflected within the proposed CRA Boundary Map for the City of Cape Canaveral have been confirmed as qualifying for designation through the independent analyses completed as part of this report.

There are a number of required steps in the review, analysis and development of a potential CRA. A community seeking to create a CRA must first undertake consideration to formally designate the area through the Finding of Necessity process. Subsequent to approval of the Finding of Necessity, the City must request from Brevard County a formal delegation of authority to create the Community Redevelopment Agency. These discussions typically include the County’s participation in allocations to the tax increment financing strategy. Formal designation as a Community Redevelopment Area and creation of a Community Redevelopment Agency will allow the City to develop specific strategies, programs, and improvements to encourage private investment and redevelopment efforts.

When combined with certain public sector improvements, private investment can support the community’s desired quality of life. Public sector improvements relating to infrastructure, as well as grants and matching funds can assist the private sector to expand, relocate and improve property thereby contributing to increases in property values. With the downturn of the economy and restructuring of the space industry, the City aspires to be proactive in its activities and assist property owners along the business corridors which are part of the City’s image and economic base. By focusing the opportunities...
for economic redevelopment within the identified areas, the City can provide a plan for incentives and programs to help drive recovery of these areas.

The Community Redevelopment Act, Chapter 163 Part III, F.S. was created as a tool to assist in remediating areas to improve the general public welfare, local tax base, and for redevelopment of specific geographic areas. The Act declares that, “the rehabilitation, conservation, or redevelopment of deteriorated and distressed areas are necessary in the interest of public health, safety, morals, and welfare.” The first step includes preparation of a technical analysis of the existing conditions within the proposed redevelopment area that may hinder or support the quality of life and services needed for a sustainable community. Furthermore, the Act provides for coastal resort and tourist areas “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.”

Property valuation data was collected from the Brevard County Property Appraiser’s Office and analyzed on behalf of the City. The comparative data reflects an average decline in property values within the City of 41% in commercial and industrial areas from 2007 to 2011. During this same period, residential data reflects an average decline within the proposed economic development area of 47%. As reflected in this report, as economic activity declines, more property vacancies tend to occur and this in turn may lead to a decline in property value. To compound the decline in value, maintenance budgets may be the first to be cut, leading to a decline in appearance.

Review of existing community redevelopment
areas within Brevard County confirms the relative strength and success in deterring economic decline within those areas. The areas that have received in-depth economic and physical community redevelopment planning aimed at enhancing the quality of life and business opportunities have experienced property value changes that are relatively better than conditions within the community as a whole.

Based upon the independent assessment, sufficient criteria have been met to qualify the area for consideration as a Community Redevelopment Area pursuant to the requirements of the Florida Community Redevelopment Act, Chapter 163, Part III, F.S., Section 163.340 (8).
INTRODUCTION

History of Cape Canaveral

The first permanent settlement in present day Brevard County was established near Cape Canaveral in 1848. The City of Cape Canaveral was incorporated in 1963 and has a current population of 9,936 (April 1, 2011, U.S. Census). Consisting of approximately 1.9 square miles along the barrier island of Florida’s central east coast, this beachside residential community is bordered on the north by Port Canaveral, on the east by the Atlantic Ocean, on the south by Cocoa Beach, and on the west by the Banana River. Cape Canaveral’s location makes it an integral part of the tourism, aerospace, maritime and military industries in Brevard County and the region. Approximately 50 miles east of Orlando, the proximity to Port Canaveral, one of busiest cruise ports in the country, Kennedy Space Center, Cape Canaveral Air Force Station, Patrick Air Force Base, and the beaches make it an ideal place for visitors and residents as well as business and industry. The City provides municipal services that include sanitary sewer treatment, reuse water, stormwater, and recreation facilities.

Cape Canaveral has evolved from a sleepy fishing village to a weekend beachfront retreat to a provider of housing and office support for the Space Program to a home for retirees and a hub of hospitality related uses such as hotels, resorts, a convention center, and soon a Brewery.

The economic fortunes of Cape Canaveral have mirrored that of the Space Program. As the space program grew in the 60s and 70s so did the growth and development of the City. After a lull in the late 70s the Shuttle program boosted the economy and carried it for the next 30 years. In the last decade the economy began to diversify as many retirees made Cape Canaveral home and with the growth of hotel and hospitality related uses. In 2012, a 288 bed assisted living facility was approved for construction.

While Cape Canaveral will continue to look for economic opportunities related to the Space Program, the hospitality and health services industries have recently provided the greatest opportunity for job creation and economic growth in the City. The cruise ship industry has in part been responsible for the construction of the Residence Inn, Country Inn and Suites, Ron Jon’s Cape Caribe Resort and expansions to the Radisson Resort at the Port.

The economic artery of Cape Canaveral is SR A1A and the commercial activity along this corridor. Most of the commercial buildings along A1A were constructed during the 60s and 70s and are showing their age. These buildings are characterized by outdated design and construction methodology, thereby limiting their reuse potential. In addition, small lot size and configuration make redevelopment to current standards for parking, landscaping, setbacks, and stormwater challenging.
As the corridor aged, the City began to see increasing signs of deterioration and lack of investment. The restructuring of the space industry, national economic downturn, and overall aging of the corridor have further exacerbated these conditions. In addition, very little retail growth has taken place within the City resulting in an outflow of dollars and lack of services desired by residents.

**Economic Development Initiatives**

Even before the current economic recession, community leadership recognized the need for a focused redevelopment effort and as such in 2007, the Business and Cultural Development Board commissioned an update of the 1999 Redevelopment Plan. The 2007 Plan had two overriding goals: economic development and improvement of quality of life. Objective 5 of the Plan addressed both of the goals by calling for the establishment of Community Redevelopment Agency.

In 2009, the elected leaders called upon the residents to participate in the creation of a Vision for the City’s future and a plan for implementing the Vision. Over 200 citizens participated in “Envision Cape Canaveral” a community based, citizen driven process that resulted in a Vision Statement (see Vision Statement page 6) that describes the type of City desired by citizens and a Visioning Report that listed recommendations to achieve the Vision. Strategies to achieve the goals and objectives of the Vision include:

- Redevelopment of underutilized and infill areas as identified in the report.
- Establishment of a downtown area this is a focal point for residents and is characterized by mixed-use, walkable, and provides services desired by residents.
- Capitalize on the community’s proximity to major economic generators.
- Pursue new revenue opportunities for on-going City operations and to support economic development efforts.
- Pursue planning that is future-oriented and creates long-term benefits.

The recommendations include addressing the opportunities and constraints identified in the workshops (see Figure 1 above).

<table>
<thead>
<tr>
<th>Constraints</th>
<th>Opportunities</th>
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<tbody>
<tr>
<td>Disconnected bike paths/sidewalks</td>
<td>Entrance feature on North Atlantic Ave from A1A</td>
</tr>
<tr>
<td>Lack of a town center</td>
<td>Redevelopment of underutilized sites</td>
</tr>
<tr>
<td>Signage standards and unattractive buildings</td>
<td>Establish green space “squares”</td>
</tr>
<tr>
<td>Vacant derelict buildings</td>
<td>Port Canaveral</td>
</tr>
<tr>
<td>No public launch facilities</td>
<td>World class location</td>
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<tr>
<td>Lack of code enforcement</td>
<td>Add sidewalks and street trees</td>
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<tr>
<td>Visual blight on A1A</td>
<td>Establish a “Downtown” that is mixed use and walkable Tree lined streets</td>
</tr>
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<td></td>
<td>Residential beach community</td>
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*Figure 1*
Cape Canaveral Vision Statement

We envision: A bike-able and walk-able Cape Canaveral that retains and enhances its residential feel, characterized by low-rise buildings not more than 4 stories in height. This residential and business friendly atmosphere is one of a live-able, attractive, safe, secure, and sustainable coastal community that embraces the beach and riverside as the main amenities, and supports local culture and education.

We envision: AIA as a "complete street" with a native-landscaped and tree-lined median with traffic calming elements and dark-sky street lighting. "Complete street" amenities include bicycle facilities, covered transit stops, and safe pedestrian crossings that invite pedestrians and bicyclists to access the beach, river, local neighborhoods and adjacent communities. Our improved "complete streets" will allow us to travel calmly to intimate waterfront destinations and a walk-able downtown core. Multi-use paths lined with shade trees should be wide enough for bikes and pedestrians and lighted so anyone can walk or bicycle safely anywhere in town, day or night.

We envision: Welcoming community entrance features that create a sense of arrival and unique community identity. The "downtown" and other areas will contain an architecturally rich and unique mix of uses, with wide tree shaded sidewalks and umbrella covered café tables at restaurants and bistros where friends gather, interact, and enjoy drinks and dinner.

We envision: A community that: removes or transforms blighted and unfinished buildings into attractive structures, offers city-wide green spaces, provides a pet-friendly park with ample shade, and actively recruits and supports businesses that enhance economic viability and serve our residents and visitors.

We envision: Open shorelines and rivers accessible to the public including amenities that take advantage of the water, such as limited and quaint water-view establishments and intimate public gathering and entertainment places that may include pavilions, gazebos, or a performance stage.
In 2010, the City adopted its Evaluation and Appraisal Report (EAR) based amendments to the Comprehensive Plan that further supported the community’s desire for redevelopment. A listing of supportive Objectives and Policy statements from the Comprehensive Plan follow:

- **Policy IG-1.4.1:**

  The City shall pursue creation of a Community Redevelopment Agency (CRA) to provide a funding source and a plan for redevelopment of commercial and residential properties. Federal and State Brownfields designations will also be pursued where appropriate.

- **Policy IG-1.4.2:**

  The City shall develop a City “brand” or identifiable character which represents the core values of the community and creates an image consistent with the City’s Vision Statement.

- **Objective LU-1.8:**

  The City shall work toward the use of innovative mixed use land use classifications and land development regulations to implement the recommendations of the 2009 Visioning Study for mixed use developments and a downtown center.

  The measurement of this Objective is the extent to which innovative land uses and land development techniques are allowed and the degree to which the following Policies are implemented.

- **Policy LU-1.8.1:**

  The City shall encourage the mix of residential, office, commercial, retail, restaurant, hotel, and flex space through the use of Mixed Use Land Use designations. The Mixed Use Future Land Use designation provides for a mix of uses within a development site or within multiple parcel area to encourage flexible and creative design, protect established residential neighborhoods from adverse impacts of nonresidential development and reduce the cost of public infrastructure. When the City adopts a policy creating a mixed-use land use designation(s), it will define the percentage distribution for the mix of allowable uses or other guidelines to implement mixed-use controls consistent with the requirements of 9J-5.006(4), F.A.C. and further, it will include density and intensity standards for the mixed-use designation pursuant to Section 163.3177(6)(a), F.S. Designation of Mixed-Use FLU on the FLU Map within the City and the pursuit of appropriate strategies shall be based upon the following issues, factors and criteria:

  A. Provide for the compatibility of mixed land use patterns, which would consist of retail, restaurant, commercial, office, hotel, flex space, and residential uses through the implementation of appropriate land development regulations.

  B. Encourage private development activities to coordinate with existing residents and property owners. Coordinate the provision of adequate public facilities and services.
C. Provide for a reduced need for infrastructure by allowing for shared parking, drainage and other facilities.

D. Existing single use developments in place prior to the designation of land as Mixed Use remain legal conforming uses that can be restored in accordance with the current zoning district standards applicable to the property.

E. Attendant on-site facilities such as utilities, structured parking facilities integrated into other uses, public schools, open space and recreation areas.

- Objective LU-1.9:
  
  The City shall alleviate the impacts of inadequate public facilities and services, substandard structures and lot configurations in the blighted or other affected areas in the City through redevelopment and beautification activities.

Since the 2009 Community Visioning, the primary goal of the City has been to implement the objectives of the Vision Statement and the recommendations of the Visioning Report. As of June 2011, the City has completed or is in the process of implementing the following initiatives:

- Created an Ad Valorem Tax Exemption incentive
- Prepared a Five Year Capital Improvements Plan
- Completed Ridgewood Avenue roadway, bicycle, and pedestrian improvements
- Increased Code Enforcement Activities
- Increased Business Assistance Efforts
- Establishing a Community Redevelopment Agency
- Creating an A1A Economic Opportunity Overlay District
- Pursuing Community Development Block Grants
- Establishing a Brownfields Redevelopment Program
- Pursuing Complete Street projects and funding

Statutory Requirements for Finding of Necessity

The State of Florida recognizes the potentially negative impacts to cities created by areas that may be inconsistent with desired community standards as well as quantitative and value-based expectations with respect to assessed property values. These areas tend to be unsustainable and ultimately may become a burden on the jurisdiction in which they exist. The Community Redevelopment Act was adopted as a tool to assist in improving the general public welfare, local tax base, and for redevelopment of specific geographic areas. The Community Redevelopment Act declares that the rehabilitation, conservation, or redevelopment of deteriorated and distressed areas are necessary in the interest of public health, safety,
morals, and welfare. The first step includes preparation of a technical analysis of the existing conditions within the proposed redevelopment area that may hinder or support the quality of life and services needed for a sustainable community. Furthermore, the Statutes provide for coastal resort and tourist areas "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."

This report is intended to be consistent with the statutory requirements for establishing a Community Redevelopment Area (CRA) pursuant to Chapter 163, Part III, F.S. In the last few years, the City of Cape Canaveral committed to creating a vision of the community which included redevelopment of the existing commercial/industrial corridors. Generally, these areas appear to contain similar conditions – infrastructure deficiencies, development hardships, and curtailed investment – as those found in other existing community redevelopment areas within the State of Florida. Since the commercial and industrial areas are the mainstay of the City’s employment centers, the focus of this document is to analyze the impacts that ultimately affect the prosperity of many of the businesses.

The Community Redevelopment Act provides that certain areas that exhibit conditions unsupportive of community standards may be determined locally to fall under two broad categories, slum and blight, as defined in the Florida Statute. These conditions, if not addressed, may lead to the continued deterioration of economic and physical conditions within an area. In order to qualify for establishment under the provisions of the Act, a city must prepare a “finding and declaration of necessity” determining that the area meets these criteria and necessary in the interest of the health, safety, morals, or welfare of the residents of the community. It is important to note, these terms carry specific statutory references and qualifiers distinct from their common understanding and use.

While the Community Redevelopment Act acknowledges the need for redevelopment in distressed areas, it also creates a mechanism by which a local government can administer change in a given area – the creation of a formal Community Redevelopment Agency. Prior to its creation, the local government must adopt a resolution supported by appropriate data and analysis which allows for the legislative finding that the conditions in the area meet the criteria established by statute. The data and analysis is also required to find that the redevelopment of the area is necessary in the interest of the public health, safety, morals or welfare. One or more of the following factors must be demonstrated, through the data and analysis, to occur in a predominance of the area in order to meet the statutory criteria. This determination is necessary in the interest of public health, safety, morals and welfare as defined by the statutes and must also include certain contributing factors including, but not limited to:

- Inadequate provision for ventilation, light, air, sanitation, or open spaces;
- 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;
- The existence of conditions that endanger life or property by fire or other causes;
And two or more of the following factors must be demonstrated:

- Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- 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;
- 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;
- Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;
- Tax or special assessment delinquency exceeding the fair value of the land;
- Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
- Incidence of crime in the area higher than in the remainder of the county or municipality;
- Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
- 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;
- Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
- Governmentally owned property with adverse environmental conditions caused by a public or private entity.

In addition, as a coastal resort and tourist area, the City of Cape Canaveral meets the statutory definitions to qualify for designation as a community redevelopment area. The statutes provide that prior to exercising the benefits created by the community redevelopment authority; the city must adopt a resolution supported by data and analysis that establishes the ability for the City Council to find that the conditions in the community redevelopment areas meet these criteria. Specifically, the statute provides:

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.

Some examples of evidence and testimony to establish that an area may be designated for redevelopment include:

1. An assessment of extent of nonconforming uses and structures, such as setbacks, parking, design and density.
2. Traffic accident frequency data.
3. Inadequate public utilities to support allowable zoning or existing use.
4. Evidence of building or life safety code violations.
5. Number and percentage of code violations.
6. General infrastructure inadequacies: deterioration of sanitary and storm sewers; inadequate alleys; or deterioration of streets.
7. Economic deficiencies, such as commercial vacancy rates.
8. Wide diversity of land ownership in the area, making it relatively impossible to acquire adequate-sized parcels for development.

Additional support for a finding of necessity may stem from lack of bike paths, pedestrian and bicycle accidents, circulation problems, and any other deficiency in the infrastructure of the community.

Description of Study Area

The City of Cape Canaveral’s proposed Community Redevelopment Area depicted in Figure 1 - Proposed CRA Boundary Map identifies the area qualifying for designation as a CRA. The area is generally the corridor along SR A1A, from Port Canaveral in the north, to the southern City Limit including properties along North Atlantic Avenue and the “Presidential Streets” residential area. This area is based on discussions with City staff and an independent assessment, in accordance with the application of the planning process and community development practices found in Chapter 163, Part III, F.S. This area includes a mixture of both non-residential and residential uses as well as vacant and underdeveloped properties. The City’s Future Land Use Map and Zoning Map, included as Figures 2 and 3, respectively, were reviewed for consistency in their application, non-conforming land uses and general support for redevelopment efforts.

The proposed redevelopment area has been depicted in two (2) geographic areas for ease of identification and analysis: Figure 4 - North Economic Redevelopment Area (North Area) and Figure 5 - South Economic Redevelopment Area (South Area). Applicable future planning efforts may be more readily defined along these lines and/or provide additional community recognition and identification. This analysis and the consideration of qualifying conditions for creation of a community redevelopment area...
include approximately 56 percent of the land area within the City of Cape Canaveral as further described in Table 1. This percentage is less than the maximum percentage permitted by Statute.

Table 1 provides a breakdown of the acreage and number of parcels proposed within the CRA. The City of Cape Canaveral is comprised of approximately 1,374 acres which includes right-of-ways, easements, and other areas within the City boundary. The acreage of the proposed community redevelopment area within the City is approximately 766 acres, or 56 percent of the total. Approximately 2,370 parcels are contained within the City, and of those, approximately 1,234 parcels are located within the proposed boundary of the Community Redevelopment Area. It should be noted that though the North Area consists of more acreage, almost twice the acreage as within the South Area, it contains about one-half the number of parcels. This is a direct reflection of the mix of existing uses and zoning within the two areas (i.e., larger, industrial tracts in the North Area).

**TABLE 1**

**LAND AREA CALCULATIONS**

<table>
<thead>
<tr>
<th>City Acreage Breakdown</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total City Parcel Acreage</td>
<td>1,227</td>
</tr>
<tr>
<td>Total City Area*</td>
<td>1,374</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed CRA Acreage Breakdown</th>
<th>Acres</th>
<th>Percentage of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Acreage in North Economic Redevelopment Area</td>
<td>490</td>
<td>36%</td>
</tr>
<tr>
<td>Parcel Acreage in South Economic Redevelopment Area</td>
<td>276</td>
<td>20%</td>
</tr>
<tr>
<td>Total CRA Area*</td>
<td>766</td>
<td>56%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed CRA Number of Properties Breakdown</th>
<th>Total Number</th>
<th>Percentage of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Parcels in CRA**</td>
<td>1,234</td>
<td>100%</td>
</tr>
<tr>
<td>Number of Parcels in North Economic Development Area</td>
<td>427</td>
<td>35%</td>
</tr>
<tr>
<td>Number of Parcels in South Economic Development Area</td>
<td>807</td>
<td>65%</td>
</tr>
</tbody>
</table>

*Includes right-of-ways, easements, and other areas within the complete digitized City Boundary

**Parcels sourced from Florida Department of Revenue
Evaluation and Analysis

As part of the Finding of Necessity data and analysis, the following factors were reviewed to determine whether or not qualifying physical or economic conditions were a predominant presence in the proposed community redevelopment area. These factors include: Future Land Use, Zoning, Coastal and Tourist Distressed Conditions, Transportation Network, Property Valuations, Lot size and shape, Property Ownership, and Non-Conformities.

Future Land Use

The City of Cape Canaveral has adopted a Future Land Use Map as a tool to identify the desired development and land use pattern within the City and a means to reduce or eliminate uses inconsistent with the community’s character. This Map and future land uses as displayed for the proposed community redevelopment area in Figure 2: Future Land Use Map.

The areas reviewed for potential redevelopment are primarily high intensity use corridors. These corridors are auto-centric, lack adequate bicycle-pedestrian facilities, and adequate drainage. Additionally, they lack visual appeal, architectural character, or unifying features. As such they do not contribute to the quality of life as desired by the citizens. The future land use map continues to separate uses or promote single use dominated stretches which may not contribute to the long term redevelopment and/or economic prosperity of the area.

In order to address this concern, the City’s future land development priorities are focused on the redevelopment of its established commercial/industrial corridors. In the future, the City envisions these areas as mixed-use centers which promote live-work-play opportunities and provide surrounding neighborhoods easy access. In addition, the City’s revitalization effort includes an existing older residential area identified as the “Presidential Streets” neighborhood referencing the nomenclature of the internal streets. An individual assessment of the Future Land Use designation by area follows:

NORTH ECONOMIC REDEVELOPMENT AREA

The North Economic Redevelopment Area (Figure 4) is located from the northern City limits to the intersection of Church Street. Major transportation corridors include North Atlantic Avenue, Central Boulevard and Astronaut Boulevard (A1A).

The future land use designation within the northern area consists of the following:

<table>
<thead>
<tr>
<th>Future Land Use Designation</th>
<th>% of Total (North Area only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2 Medium Density Residential and Townhouse Apartments</td>
<td>Maximum 15 units/acre - 14%</td>
</tr>
<tr>
<td>R-3 Duplex/Multi-Family/Townhouse Apartments</td>
<td>Maximum 15 units/acre – 3%</td>
</tr>
</tbody>
</table>
SOUTH ECONOMIC REDEVELOPMENT AREA

The South Economic Redevelopment Area (Figure 5) is located from Church Street south to Praetorius Lane, bisected by SR A1A.

The future land use designation within the southern area consists of the following:

<table>
<thead>
<tr>
<th>Future Land Use Designation</th>
<th>% of Total (South Area only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2 Medium Density Residential and Townhouse Apartments</td>
<td>Maximum 15 units/acre -15%</td>
</tr>
<tr>
<td>R-3 Duplex/Multi-Family/Townhouse Apartments</td>
<td>Maximum 15 units/acre - 5%</td>
</tr>
<tr>
<td>C-1 Zoning regulations impose a variety of requirements, depending upon type of use</td>
<td>28%</td>
</tr>
<tr>
<td>C-2 Commercial: zoning regulations impose a variety of requirements, depending upon type of use</td>
<td>20%</td>
</tr>
<tr>
<td>PUB Public and Recreation Facilities</td>
<td>7%</td>
</tr>
</tbody>
</table>

Zoning

The City of Cape Canaveral is divided into zoning districts as shown in Figure 3: Zoning Districts for the proposed community redevelopment area. The areas reviewed for potential redevelopment contain a mix of zoning classifications, with the major areas identified for industrial, commercial, and retail consistent with the desired opportunities for economic development, employment and service needs for the surrounding community.

Specifically, some of the existing sites were developed prior to current building, planning, community design and environmental standards. Lots that may be identified as underdeveloped include those that may have an existing use but either do not utilize a significant portion of the lot or are developed with uses or intensities at less than what is permitted under the Zoning Code (i.e., residential structure in a commercial zoning district). Underdeveloped refers to the condition wherein the parcels may not reflect development patterns that approach a yield in terms of development square footage or assessed value of improvements at or above the median development permitted by code. Examples may include single story structures within areas
designated to allow three or more stories, or parcels with remaining undeveloped areas. As part of the evaluation of redevelopment alternatives, consideration of creating new implementation zoning districts that can serve to encourage redevelopment of these areas is appropriate (i.e., AIA Economic Opportunity Overlay district). A separate review of existing zoning code provisions has confirmed several internal inconsistencies within the code and some barriers to redevelopment that should be addressed.

NORTH ECONOMIC REDEVELOPMENT AREA

The North Economic Redevelopment Area is located from the northern City limits to Church Street. Major transportation corridors include North Atlantic Avenue, Central Boulevard and Astronaut Boulevard (A1A). The area contains a mix of land use and the only M-1 light industrial and research and development district. This district is intended to serve light manufacturing, research and development, distribution and other industrial functions. These uses have developed in direct correlation to the area’s geographic proximity to Port Canaveral and the Kennedy Space Center. Restrictions in the district are intended to minimize adverse influences of the industrial activities such as a requirement that principal uses be contained in an enclosed structure.

The majority of the area, 45 percent, consists of C-1 low density commercial district which is intended to apply to an area adjacent to major arterial streets and convenient to major residential areas. The types of uses permitted include general retail intended to serve the consumer needs of nearby residential neighborhoods as well as the commercial needs of the tourist or motorist. C-2 commercial/manufacturing district (16%) is intended for a more intense use adjacent to existing commercial or manufacturing uses. The types of uses permitted include a mix of low density commercial and light industrial contained in enclosed structures intended to serve employment and consumer needs of nearby residential neighborhoods, as well as the commercial needs of the motorist.

Smaller zones consist of R-3 medium density residential district (3%) and R-2 medium density residential districts (14%). The intent of these districts is to supply an area of medium density residential development with a variety of housing types. Lot sizes and other restrictions are intended to promote and protect medium density residential development maintaining an adequate amount of open space for such development. Further, the provisions herein are intended to promote areas free from congestion and overpopulation, to promote the permanent residency of families and to enhance and maintain the residential character and integrity of the area. Minor differences between the two zoning districts occur in relation to minimum setbacks, dimensions and breeze requirements.

SOUTH ECONOMIC REDEVELOPMENT AREA

The South Economic Redevelopment Area is located from Church Street south to Praetorius Lane, bisected by SR A1A. The majority of the area consists of R-2 medium density residential
district (45%) intended to apply to a mix of housing types to maintain an adequate amount of open space. The provisions promote areas free from congestion and overpopulation, promote the permanent residency of families and enhance the residential integrity of the area. C-1 low density commercial district (30%) accounts for the majority of remaining area. This zone is intended to apply to an area adjacent to major arterial streets and convenient to major residential areas. The types of uses permitted include general retail intended to serve the consumer needs of nearby residential neighborhoods as well as the commercial needs of the tourist or motorist. C-2 commercial/manufacturing district (20%) is intended for a more intense use adjacent to existing commercial or manufacturing uses. The types of uses permitted include a mix of low density commercial and light industrial contained in enclosed structures intended to serve employment and consumer needs of nearby residential neighborhoods, as well as the commercial needs of the motorist.

Three smaller zones consist of R-3 medium density residential district (5%). The intent of this district is to supply an area of medium density residential development with a variety of housing types. Lot sizes and other restrictions are intended to promote and protect medium density residential development maintaining an adequate amount of open space for such development. Further, the provisions herein are intended to promote areas free from congestion and overpopulation, to promote the permanent residency of families and to enhance and maintain the residential character and integrity of the area.
CONDITIONS IN SUPPORT OF A FINDING OF NECESSITY

Coastal and Tourist Area Distressed Conditions

The Community Redevelopment Act contains special provisions relative to coastal and tourist areas similar to Cape Canaveral that serve as additional indicators as to whether an area may qualify for designation as a redevelopment area. Specifically, the Act (163.335(4) F.S.) defines redevelopment areas to include coastal and tourism areas that reflect outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layouts or a combination thereof. The findings of the independent analysis support the statutory qualification pursuant to section 163.340(10), providing that coastal and tourist area that are economically distressed.

Transportation Network

Independent site visits served to highlight several criteria for consideration of the proposed redevelopment area based upon the existing conditions of the general transportation and mobility network. The Envision Cape Canaveral workshops and resulting Vision Statement served to highlight considerable concern among community residents for the poor circulation, parking, bicycle, pedestrian and transportation conditions within the City. In particular, congested roadway systems due to poor transportation and land use planning were cited. Improvements in Level of Service and transit were identified by residents and business owners as areas needing further attention by the City.

The lack of sidewalks, bike paths and pedestrian crosswalks add to the lack of connectivity between uses, creating conflicts between pedestrians and vehicles. Another concern is the lack of cross access between sites which discourages movement between destinations. In some cases existing streets remain unimproved or in a deteriorating condition that limits access and desirability of the area for new uses. These conditions are documented within the study area. Conflicts between pedestrians and vehicles and a lack of interconnectivity between properties can be remedied through the implementation of Complete Streets policies and enhancements, and similar programs.

The Kimley-Horn team completed physical reviews of the proposed community redevelopment area and identified driveway connections that do not meet current driveway separation or intersection separation criteria and accepted right-of-way design standards. Multiple driveway connections within limited distances may contribute to poor traffic circulation by creating potential vehicle and pedestrian or
bicycle conflicts, poor sight triangle visibility or difficulty in achieving accessible routes.

The lack of numerous sidewalk links and deteriorating sidewalk conditions were observed within the area. It was also noted that there are several areas without adequate bicycle circulation routes. The lack of a viable, comprehensive system of accessible sidewalks and bicycle facilities creates additional support for finding that the statutory criteria for redevelopment have been met.

The results of the independent analysis of the existing transportation network conditions confirm and demonstrate that the following statutory criteria are met:

- 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

Lots, Property Ownership, and Building Conditions

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 stormwater. Lots may also have diverse property ownership and does not readily support property aggregation. Existing city 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 unsupportive of redevelopment efforts and/or limit the City’s intent for mixed use developments. This can create varying development patterns along a single block.

It is important to note that the median age of structures within the commercial/industrial zones of the City is over 40 years old. The largest number of buildings were constructed between 1956 and 1985, making many buildings over 50 years old. Several buildings within the area were also observed to be in various states of disrepair. Therefore the functional life of many of these buildings are nearing their end which require them to be
razed in order to meet current building codes and standards that may be conflicting with minimum site plan standards.

The Kimley-Horn team also identified several existing and potential instances of building or life safety code concerns on existing properties. Included among these conditions were vegetative overgrowth, unmaintained parking surfaces, illegal right-of-way parking, damaged and non-functioning stormwater conveyances, sidewalks in need of maintenance or repair, and other general building and site conditions not typical or desired within the City.

The results of the independent analysis of the existing lot, property ownership and building conditions confirm that they contribute to the area's conditions to such a degree as to demonstrate that the following statutory criteria for establishment of the redevelopment area are met:

- Predominance of defective or inadequate street layout, parking facilities, roadways, or public transportation facilities;
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- Age of buildings, obsolescence and deteriorating building conditions;
- Unsanitary or unsafe conditions;
- Inadequate and outdated building density patterns;
- Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.

**Nonconformities**

Nonconformities in relation to the approved zoning are evident within each proposed redevelopment area. A property may be grandfathered from existing zoning ordinances due to improvements made prior to current zoning ordinances. An example of this condition within the City would include the mobile home parks located within the commercial zoning districts. Nonconformities that may be considered factors in meeting the statutory criteria are as follows:

**Parking/Access**

A review of the proposed community redevelopment area confirmed numerous locations where unapproved and/or unmaintained parking is occurring. These instances include parking within or upon drainage and stormwater conveyance and treatment areas, sidewalk and pedestrian ways, as well as encroachments upon setback or buffer areas required by the City's land development regulations. In addition, existing driveways and accesses may not be consistent with current City
codes for driveway width, separation from other driveways and/or roadway intersections, or allow for direct access to roadways.

**Stormwater Management**

As a result of historical development permitted and constructed prior to the City’s and State’s current design standards, a number of properties lack adequate stormwater management facilities. In addition, these properties and their respective stormwater facilities are nonconforming to local and state regulatory requirements. Pending changes to statewide stormwater management regulations will likely create additional impediments to redevelopment. Often these legacy constraints can serve to delay or prevent financially feasible redevelopment of existing properties.

Physical conditions were noted where existing stormwater management facilities are not properly maintained and exhibit conditions that may contribute to on-street and adjoining property ponding or flooding. Examples include standing water, clogged inlets and inappropriate use of facilities (parking, storage, etc.). Designation as a community redevelopment area and evaluation of an area wide, comprehensive stormwater management strategy are appropriate efforts in support of economic revitalization.

**Landscaping and Architectural Design**

The City of Cape Canaveral landscape and buffer standards are evident upon some of the more recent redevelopment projects that have occurred but generally the proposed community redevelopment area pre-dates the City’s current land development regulations. Landscape and architectural treatment minimums are lacking within the City. The lack of compliance or standards creates a legacy of nonconforming properties. Redevelopment will create an area consistent with community design expectations and requirements.

The results of the independent review relative to existing nonconformities confirm that the following statutory criteria for establishment of a redevelopment area are met:

- **The existence of conditions that endanger life or property by fire or other causes;**
- **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;
- Inadequate provision for ventilation, light, air sanitation, or open spaces;
- Deterioration of site or other improvements;
- Inadequate and outdated building density patterns;
- Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.

Property Valuations Summary

Property valuation data was collected and analyzed for the City of Cape Canaveral from the Brevard County Property Appraiser’s Office. The comparative data is reflected in Table 2 located at the end of this report. Over a five year period, 2007 to 2011, the average percentage change of the selected properties listed in Table 2 was a decline of approximately 41% within the commercial and industrial areas of the City; residential areas averaged a decline of approximately 47% in property values. As reflected in this report, as economic activity declines, more property vacancies tend to occur and this in turn may lead to a decline in property value. To compound the decline in value, maintenance budgets may be the first to be reduced or eliminated, leading to further declines in the property, specifically a decline in appearance along the corridor.

Property Maintenance

Cities require certain standards with regards to property maintenance and enforce them through proper and regular code enforcement activities. Code enforcement can be used a tool in conjunction with other techniques to assist in the redevelopment of targeted areas. The Building Department is responsible for Code Enforcement. In a memo dated January 22, 2010, the City of Cape Canaveral Building Department addressed the code enforcement issues presented in the Visioning Report. A summary of these findings as well as the results from an independent review found that the majority of violations were generally maintenance items such as painting, overgrowth, debris, driveways/parking lot in need of repair, fence repair, dumpster enclosure in disrepair, broken glass in window, and sign maintenance, that lead to a deteriorating appearance in accordance with blighted conditions. The majority of sites were noted as needing some repair or vacant especially within the M-1 industrial or C-2 commercial zones. Additionally, there are mobile home parks with some violations, including: painting/cleaning, skirting...
missing/in need of repair, broken glass in windows, torn screens, exterior trash and debris, and mildew on exterior surfaces.

The results of the independent review relative to existing code violations confirm that the following statutory criteria for establishment of a redevelopment area are met:

- The existence of conditions that endanger life or property by fire or other causes;
- Unsanitary or unsafe conditions;
- Inadequate provision for ventilation, light, air sanitation, or open spaces;
- Deterioration of site or other improvements;
RECOMMENDATIONS

Based upon an independent assessment, sufficient criteria have been met to qualify the study area as a Community Redevelopment Area pursuant to the requirements of the Florida Community Redevelopment Act (Chapter 163, Part III, F.S.). Table 3 provides a summary of qualifying conditions pertaining to the proposed redevelopment area. A predominance of buildings or improvements which are impaired by reason of dilapidation, deterioration, age, or obsolescence and a substantial number of deteriorated or deteriorating structures which are leading to economic distress or endangerment of life, have been effectively identified within the proposed economic development area.

A Community Redevelopment Plan provides opportunities for the community to design a new future for the targeted area. The Plan also creates opportunities for public and private investment aimed at improving local economic conditions and overall community quality of life. The Community Redevelopment Plan can provide physical solutions to the economic conditions as well. Use of master stormwater management facilities, new codes, programs or solutions that provide incentives for re-use and redevelopment of existing sites, new lighting, expansion of community policing, re-use of existing buildings, demolition of dilapidated structures, complete street designs, and other measures can have a positive impact on supporting economic development. By encouraging new public and private investment and other physical improvements and social activities, property values may increase and the overall community quality of life can improve for Cape Canaveral and the surrounding Brevard County areas. While the City and proposed CRA have a mixture of residential and non-residential uses developed at varying densities and intensities, a more effective mix and integration of residential and non-residential uses is possible including within the areas proposed for designation. The City could achieve more land use diversity without losing its character or impacting existing commercial activities and businesses through the promotion of interconnectivity, compatible design standards and mixed use projects (i.e., either vertical or horizontal integration of uses) within these areas.

The recommended boundaries for the proposed Cape Canaveral Community Redevelopment Area are based on an evaluation of properties within the study area with regard to the factors and conditions included in Chapter 163 F. S. including but not limited to land use/zoning, public and private infrastructure components (i.e., utilities, stormwater and transportation including sidewalks), property and building conditions, natural features, and property valuations. The City and community recognize that as part of an overall plan for economic development, creation of a Community Redevelopment Agency will provide the basis for sound infrastructure investments as well as incentives for private investment. Opportunities for improvement which stem from creating a Community Redevelopment Agency and subsequent adoption of a Redevelopment Plan will provide a mechanism to arrest deteriorating economic influences in this area. The boundaries and determination of qualifying conditions considers only those targeted incorporated areas of the City of Cape Canaveral, Brevard County, Florida.
<table>
<thead>
<tr>
<th>QUALIFYING CONDITION</th>
<th>NORTH REDEVELOPMENT AREA</th>
<th>SOUTH REDEVELOPMENT AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property/Life Endangering Conditions</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Defective/Inadequate Street Condition</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Defective/Inadequate Parking</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Defective/Inadequate Public Transportation/Sidewalks and Bicycle Facilities</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Property Values or Lease Rates</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Faulty Lot Layout</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Unsanitary or Unsafe Conditions</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Defective/Inadequate Stormwater</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Deterioration of Site Conditions</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Inadequate or Outdated Building Patterns</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Diversity of Ownership – Hinders Redevelopment</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Distressed Coastal/Tourist Area</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>
The following represents initial observations and recommendations for prospective actions and projects that may be appropriate for the Cape Canaveral Community Redevelopment Area. This list may be refined and expanded as the community undertakes the development of the Community Redevelopment Plan:

1. Amend the land development codes to promote mixed-use developments, streamline development review and provide flexible development standards within the proposed Community Redevelopment Area (i.e., AIA Economic Opportunity Overlay District).
2. Phase out incompatible and non-conforming uses.
3. Identify incentives to capture market demands and to promote preferred development.
4. Create incentives for business location and retention.
5. Aggregate parcels along the corridors, particularly if shared public or private infrastructure (i.e., stormwater management, transit, pedestrian connectivity, public access and open space, and landscapes/entry features) are enhanced or included.
6. Apply architectural and site design guidelines to promote a style or quality of new construction that would maintain the desired theme and scale of development in the City.
7. Create a system of strategic, planned improvements of publicly owned lands and right-of-ways to maximize their usefulness for the residents of the City and surrounding community such as drainage, parking, access, sidewalks, landscaping, new wayfinding signage, entrance features and Complete Streets design.
8. Continue to promote and pursue the Complete Streets and walkable/bikeable community projects initiated within the City.
9. Strengthen code enforcement.
10. Use Façade Grants/Loans to improve buildings.
11. Continue with the business assistance programs initiated to aid, expand or retain existing businesses and promote new business opportunities; consider a small business administration loan program to aid small business start-ups.
12. Continue to identify and support potential private project catalyst sites such as the Assisted Living Facility and Brewery.
13. Use the gateways into the City to solidify and confirm Cape Canaveral’s image/theme.
14. Make access management improvements, interconnect parking lots, and accommodate multi-modal transportation.
15. Support special events for the business community within the CRA.
16. Utilize grant and other funding opportunities, such as a Brownfields program to aide business retention, expansion and relocation.
CRA IMPLEMENTATION OVERVIEW

Tax Increment Financing

Tax Increment Financing (TIF) is a funding tool available within CRAs. This funding tool provides that a portion of the increases in ad valorem revenues generated within the Community Redevelopment Area are deposited into a redevelopment trust fund. The year the Community Redevelopment Agency is established is known as the "base year". The taxing authorities continue to collect taxes based on the base year values while any taxes raised on increases in real property value are collected for the trust fund. As the taxable property values increase due to redevelopment projects, the redevelopment fund also increases. Tax increment financing is not an additional tax on properties but is a redistribution of funds to the CRA.

It is important to note that property tax revenue collected by the School Board and any special district, such as for libraries, are not affected under the tax increment financing process. Funds are deposited to a trust fund by the taxing entities (city and county), after monies are received from the tax collector. The tax increment revenues can be used immediately as they are received to undertake planning studies or capital projects or other programs that serve the community redevelopment area. In addition, these funds can be saved for a particular project or can be bonded to maximize the funds available. All funds received from a tax increment financing area must be used for specific redevelopment purposes consistent with an adopted Plan and not for general government purposes.

Section 163.387(1), Florida Statutes provides the following guidance for determining the TIF:

The annual funding of the redevelopment trust fund shall be in an amount not less than that increment in the income, proceeds, revenues, and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of community redevelopment under this part. Such increment shall be determined annually and shall be that amount equal to 95 percent of the difference between:

(a) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of a community redevelopment area; and

(b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the community redevelopment area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of the ordinance providing for the funding of the trust fund.
Funds deposited in the redevelopment trust fund may be expended only within the boundary of the redevelopment area and as described in the approved redevelopment plan. These requirements are articulated in Section 163.387(6), F.S., as follows:

(a) Administrative and overhead expenses necessary or incidental to the implementation of a community redevelopment plan adopted by the agency.

(b) Expenses of redevelopment planning, surveys, and financial analysis, including the reimbursement of the governing body or the community redevelopment agency for such expenses incurred before the redevelopment plan was approved and adopted.

(c) The acquisition of real property in the redevelopment area.

(d) The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in s. 163.370.

(e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness.

(f) All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of agency bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other form of indebtedness.

(g) The development of affordable housing within the area.

(h) The development of community policing innovations.

**Community Redevelopment Agency**

The activities and programs offered within a Community Redevelopment Area through the Redevelopment Plan are administered by the Community Redevelopment Agency. A five- to seven-member CRA Board created by the local government directs the Agency. The CRA can be comprised of local government officials and/or other individuals appointed by the governing body. The CRA Board can be comprised of local government officials and/or other individuals appointed by the city. Although CRAs are not overseen by the state, they are considered dependent special districts and have certain annual reporting requirements.

The City of Cape Canaveral City Council will determine the composition of the CRA Board. Should the City Council elect to serve as the CRA Board, specific policies and procedures will need to be developed to ensure that the CRA Board functions are appropriately and independently undertaken from the customary City Council responsibilities. Examples include special meeting notices, separate minutes of the CRA Board, and separate tracking of CRA expenditures and activities. Existing city staff may be assigned responsibilities to coordinate CRA activities as the program develops.
The CRA has certain powers that the city or county may not have, such as establishment of tax increment financing and leveraging local public funds with private dollars to facilitate redevelopment. The CRA term is limited to 30 years, 40 years if extended. After that time, all revenues are retained by each taxing entity that contributed to the CRA trust fund.

**Community Redevelopment Plan**

The Community Redevelopment Agency is responsible for developing and implementing the Community Redevelopment Plan that addresses the unique needs of the targeted area. The plan includes the overall goals for redevelopment in the area, as well as identifying the types of projects planned for the area within a long-term capital improvements program (CIP).

Projects may include a variety of elements or programs intended to spur private investment in the community redevelopment area. Streetscapes and roadway improvements, building renovations, new building construction, flood control initiatives, water and sewer improvements, parking lots and garages, neighborhood parks, sidewalks, street lighting and street tree plantings are typical of projects funded by community redevelopment agencies across the state. The plan can also include redevelopment incentives such as grants and loans to private owners and businesses within the community redevelopment area for such things as façade improvements, sprinkler system upgrades, signs, and structural improvements. The redevelopment plan is a living document that can be updated to meet the changing needs within the Community Redevelopment Area; however, the boundaries of the area cannot be changed without undertaking a formal finding of necessity analysis.

**Steps to Formally Create the CRA**

The City has commenced the process to create a redevelopment area through its actions to engage the community in public visioning and adoption of objectives and policy statements within the City’s Comprehensive Plan. The following steps are required to establish the CRA and are depicted on the subsequent flow chart:

A. Adopt the Finding of Necessity. This will formally identify the conditions within the targeted area and establish the area boundary. This report can serve as the basis for considering the necessary formal actions to begin the process to engage the County in its review.

B. As a Charter County, the City will need to seek and obtain delegation authority from Brevard County to establish the Community Redevelopment Area and Tax Increment Finance District.

C. Develop and adopt the Community Redevelopment Plan. The plan further defines the needs of the targeted area, includes a specific program for encouraging redevelopment in the area.

D. Create a Redevelopment Trust Fund. Establishment of the Trust Fund enables the Community Redevelopment Agency to direct the increase in real property tax revenues back into the targeted area.
Steps to Establish the City of Cape Canaveral's Community Redevelopment Area

June 2012

1. Prepare Finding of Necessity including delineation of CRA Boundary
   - Hearing Notice

2. Public Hearing to Adopt Resolution requesting the County delegate to the City powers to create a CRA
   - County Approval

3. County adopts Resolution granting CRA Powers to the City

4. Public Hearing to Adopt Resolutions:
   1) Resolution to adopt the Finding of Necessity
   2) Resolution to declare Need for CRA
   3) City adopts Resolution to Declare the City Council to be the CRA

5. Prepare Community Redevelopment Plan (CRP)

6. CRA for Review and Recommendation

7. City Council
   - CRA Meeting, CRA recommends Approval of CRP and forwards to:
     - County
     - City Council

8. CRA Meeting, CRA recommends Approval of CRP and forwards to:
   - County
   - CRA Meeting, CRA recommends Approval of CRP and forwards to:
     - Public Hearing on the Proposed Redevelopment Plan (Not an Adoption Hearing)

9. County Decision to Challenge or Not
   - Yes
     - County Alternate Redevelopment Plan delivered to City & CRA
     - Min 30 days prior to Joint Public Hearing

   - No
     - Joint Public Hearing County & City

10. Minimum 30 Days
    - Council Adopts Redevelopment Plan

11. Council
    - Creates Trust Fund by Ordinance (2 Readings)
LIST OF FIGURES

Figure 1 – Proposed CRA Boundary Map
Figure 2 – Future Land Use Map
Figure 3 – Zoning Map
Figure 4 – North Economic Development Boundary Map
Figure 5 – South Economic Development Boundary Map
CITY OF CAPE CANAVERAL FINDING OF NECESSITY

FIGURE 3: ZONING DISTRICTS

LEGEND

- PROPOSED CRA BOUNDARY
- PROPERTIES IN CRA

ZONING DISTRICTS

- C1 - LOW DENSITY COMMERCIAL
- C2 - COMMERCIAL/MANUFACTURING
- M1 - LIGHT INDUSTRIAL & R & D
- R1 - LOW DENSITY RESIDENTIAL
- R2 - MEDIUM DENSITY RESIDENTIAL
- R3 - MEDIUM DENSITY RESIDENTIAL

Kinley-Horn and Associates, Inc.
JUNE 2012
CITY OF CAPE CANAVERAL FINDING OF NECESSITY

FIGURE 4: NORTH ECONOMIC DEVELOPMENT AREA PROPERTIES

LEGEND

- PROPOSED CRA BOUNDARY
- NORTH ECONOMIC DEVELOPMENT AREA PROPERTIES
- CITY LIMITS

Kimley-Horn and Associates, Inc.

JUNE 2012
**TABLE 2**

**PROPERTY VALUE ANALYSIS**

### Non-Residential

1. **Address:** NE Corner of Imperial Boulevard and Astronaut Boulevard  
   **PCN:** 24-37-15-00-804  
   **Tax Account:** 2430971

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<td>$813,000</td>
<td>$655,740</td>
<td>$569,230</td>
<td>$457,630</td>
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<td>-44%</td>
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<tr>
<td>Taxable Value:</td>
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<td>$813,000</td>
<td>$655,740</td>
<td>$569,230</td>
<td>$457,630</td>
<td>($355,370)</td>
<td>-44%</td>
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2. **Address:** 200 Imperial Blvd Cape Canaveral 32920  
   **PCN:** 24-37-15-00-755.1  
   **Tax Account:** 2430847

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3. **Address:** SW Corner of Central Boulevard and Atlantic Avenue North  
   **PCN:** 24-37-14-28-\*E.02  
   **Tax Account:** 2429695

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<td>$576,000</td>
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4. **Address:** 200 W Central Blvd Cape Canaveral 32920  
   **PCN:** 24-37-15-00-760  
   **Tax Account:** 2430852

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<td>($319,450)</td>
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5. **Address:** NE Corner of Central Boulevard and Atlantic Avenue North  
   **PCN:** 24-37-14-51-9-1  
   **Tax Account:** 2430089

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<td>$880,000</td>
<td>$745,000</td>
<td>($455,000)</td>
<td>-38%</td>
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6. **Address:** NW Corner of Center Street and Atlantic Avenue North (168 Center Street)  
   **PCN:** 24-37-23-JI-E.2  
   **Tax Account:** 2435183

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<td>$1,575,000</td>
<td>($1,025,000)</td>
<td>-39%</td>
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7. **Address:** Wells Fargo Building  
   **PCN:** 24-37-23-00-264.1-0  
   **Tax Account:** 2435212

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<td>$1,510,000</td>
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8. **Address:** 7001 N Atlantic Ave Cape Canaveral 32920  
   **PCN:** 24-37-23-JI-A  
   **Tax Account:** 2435178

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9. **Address:** Corner of Imperial Boulevard and Brown Circle (former American Boom & Barrier)  
   **PCN:** 24-37-15-00-780  
   **Tax Account:** 2435181

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<td>$805,000</td>
<td>($835,000)</td>
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### Address: (Country Inns & Suites)
**PCN:** 24-37-15-00-252.0-0  
**Tax Account:** 2430837

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### Address: (USA Building)
**PCN:** 24-37-15-00-00815.0  
**Tax Account:** 2431011

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<td>2011</td>
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<td>$(2,050,000)</td>
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### Address: (Cape Surf retail building)
**PCN:** 24-37-15-00-00815.0-0  
**Tax Account:** 2434688

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<td>$246,000</td>
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<td>$(114,000)</td>
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### Residential

### Address: 340 Madison Ave Cape Canaveral 32920
**PCN:** 24-37-23-CG-15-15  
**Tax Account:** 2433534

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<th>5 Year Nominal Value Change (2007 - 2011)</th>
<th>5 Year Percentage Change (2007 - 2011)</th>
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<tr>
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<td>-61%</td>
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