

**ORDINANCE NO. 2019-07**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SAFETY HARBOR, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE COMMUNITY REDEVELOPMENT AGENCY, AMENDING THE COMMUNITY REDEVELOPMENT PLAN (ALSO KNOWN AS THE DOWNTOWN MASTER PLAN) TO CHANGE THE FUTURE LAND USE OF THE BARANOFF PARK PROPERTY FROM THE COMMUNITY TOWN CENTER CHARACTER DISTRICT (CTC) TO THE PUBLIC (P) CHARACTER DISTRICT; ESTABLISHING A MAXIMUM HEIGHT FOR BUILDINGS AND STRUCTURES IN PORTIONS OF THE COMMUNITY TOWN CENTER (CTC), PUBLIC (P), AND TRADITIONAL NEIGHBORHOOD DEVELOPMENT-1 (TND-1) CHARACTER DISTRICTS OF THIRTY-FIVE FEET (35') AND NO MORE THAN THREE (3) STORIES EXCEPT AS MAY BE SPECIFICALLY PROVIDED IN THE SAFETY HARBOR COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE; UPDATING REDEVELOPMENT OBJECTIVES AND PINELLAS COUNTY TAX INCREMENT FINANCING ELIGIBILITY POLICIES; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City's Community Redevelopment Plan (also known as the ("Downtown Master Plan")) was adopted by the City Commission of the City of Safety Harbor upon the recommendation and approval of the Community Redevelopment Agency pursuant to Part III, Chapter 163, Florida Statutes, by Ordinance No. 92-23, and amended by Ordinance Nos. 2008-05 and 2011-12; and

**WHEREAS**, the Community Redevelopment Agency has approved and recommended additional amendments to the Community Redevelopment Plan by Resolution No. 2019-01 CRA; and

**WHEREAS**, a Delegation of Authority has been received from Pinellas County, pursuant to the Board of County Commissioners Resolution No. 04-214, providing the City with the power to prepare and grant final approval of an amended Community Redevelopment Plan; and

**WHEREAS**, on March 1, 2019, the City of Safety Harbor purchased land surrounding the Baranoff Oak Tree for a future passive park, located east of 2<sup>nd</sup> Avenue North and north of Main Street as described more fully herein; and

**WHEREAS**, the City Commission finds that the modifications to the City's Community Redevelopment Plan recommended by the Community Redevelopment Agency in Resolution No. 2019-01 CRA are warranted and serve a lawful public purpose; and

**WHEREAS**, the proposed amendment has been submitted to and a written recommendation has been received from the City's Planning & Zoning Board, which serves as the Local Planning Agency (LPA) and the Downtown Redevelopment Board, has been received and reviewed; and

**WHEREAS**, the City has provided public notice pursuant to section 166.041(3)(a), Florida Statutes, and, at least 15 days prior to the effective date of this Ordinance, has mailed by registered mail a notice to each taxing authority which levies ad valorem taxes on taxable real property contained within the geographic boundaries of the community redevelopment area.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAFETY HARBOR, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:**

**SECTION 1.** The above recitals are true, correct, and incorporated by reference as the findings of the City.

**SECTION 2.** The City Commission hereby accepts the recommendation of the Community Redevelopment Agency to amend the Community Redevelopment Plan as set forth herein.

**SECTION 3.** The Community Redevelopment Plan known as the "Downtown Master Plan" of the City of Safety Harbor is hereby amended as set forth on Exhibit "A," attached hereto and incorporated herein by reference, to revise Figure 2, Master Development Plan Framework, to reflect the amended designation of the following described property from the Community Town Center (CTC) character district to the Public (P) character district:

Legal Description:

A PORTION OF LOTS 3 AND 6, AND ALL OF LOTS 7, 10 AND 11, BLOCK 9, MAP OF GREEN SPRINGS, PLAT BOOK 3, PAGE 10, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, WHICH PINELLAS COUNTY WAS

FORMERLY A PART, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 11, BLOCK 9, MAP OF GREEN SPRINGS, PLAT BOOK 3, PAGE 10, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, WHICH PINELLAS COUNTY WAS FORMERLY A PART; THENCE N00°24'38"E ALONG THE EAST RIGHT OF WAY LINE OF 2ND AVENUE, A DISTANCE OF 187.27 FEET; THENCE S89°11'45"E, A DISTANCE OF 19.16 FEET; THENCE 5.98 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 11.03 FEET, DELTA ANGLE OF 31°04'30", AND CHORD BEARING S85°10'39"E 5.91 FEET; THENCE 3.57 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 3.94 FEET, DELTA ANGLE OF 51°56'59", AND CHORD BEARING N53°18'36"E 3.45 FEET; THENCE N23°45'57"E, A DISTANCE OF 3.88 FEET; THENCE 7.09 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 27.07 FEET, DELTA ANGLE OF 14°59'50", AND CHORD BEARING N14°20'27"E 7.07 FEET; THENCE 2.13 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 4.54 FEET, DELTA ANGLE 26°49'36", AND CHORD BEARING N13°42'02"E 2.11 FEET; THENCE S89°34'12"E, A DISTANCE OF 91.48 FEET, THENCE S00°24'38"W, A DISTANCE OF 37.03 FEET; THENCE S89°44'22"E, A DISTANCE OF 17.00 FEET TO A POINT ON THE EAST LINE OF LOT 6, SAID BLOCK 9; THENCE S00°24'38"W ALONG THE EAST LINE OF LOTS 6, 7, 10, AND 11, SAID BLOCK 9, A DISTANCE OF 163.85 FEET TO A POINT ON THE NORTH RIGHT AWAY LINE OF MAIN STREET; THENCE N89°44'22"W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING

**SECTION 4.** The Community Redevelopment Plan known as the "Downtown Master Plan" of the City of Safety Harbor is hereby amended as set forth on Exhibit "B," attached hereto and incorporated herein by reference, to revise Figure 3 to establish a maximum height for buildings and structures of thirty-five feet (35') and no more than three (3) stories except as may be specifically provided in the Safety Harbor Comprehensive Zoning and Land Development Code, Section 98.03, as may be amended from time to time, in portions of the Community Town Center (CTC), Public (P) and Traditional Neighborhood Development-1 (TND-1) Character Districts of the Community Redevelopment District.

**SECTION 5:** The Community Redevelopment Plan known as the "Downtown Master Plan" of the City of Safety Harbor is hereby amended as set forth on Exhibit "C," attached hereto and incorporated herein by reference, to update the Downtown Master Plan

Redevelopment Objectives and Pinellas County's Tax Increment Financing (TIF) eligibility requirements.

**SECTION 6.** All provisions of the Community Redevelopment Plan not amended by this Ordinance shall remain in full force and effect.

**SECTION 7.** This Ordinance shall be published in accordance with the requirements of law.

**SECTION 8.** Each provision of this Ordinance shall be deemed separate and severable and if any section or part thereof is held to be invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

**SECTION 9.** The effective date of this Ordinance shall be thirty-one (31) days after the Florida Department of Economic Opportunity notifies the City that the amendment package is complete. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before it has become effective.

PASSED ON FIRST READING \_\_\_\_\_, 2019.

PASSED ON SECOND AND FINAL READING \_\_\_\_\_, 2019.

APPROVED AS TO FORM:

\_\_\_\_\_  
Nikki C. Day, City Attorney

ATTEST:

\_\_\_\_\_  
Karen Sammons, CMC, City Clerk

\_\_\_\_\_  
Mayor – Commissioner

\_\_\_\_\_  
Vice Mayor – Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner