

## Ordinance No. 2025-4814

**An ordinance of the City of Sanford, Florida; repealing the provisions of Article II, Community Redevelopment, of Chapter 74, Planning And Development, of the *Code of Ordinances of the City of Sanford*; providing for legislative findings and intent; providing for attachments and incorporation of exhibits; providing for the taking of implementing administrative actions; providing for conflicts; providing for severability; providing for non-codification; providing for a savings provision and providing for effective dates in various contexts.**

**Whereas**, the City of Sanford is attempting to ensure that the title to the property commonly referred to as the “Catalyst Site” of the City is clear and unencumbered for future use and potential development purposes; and

**Whereas**, the City Commission further finds that all other conditions required by controlling law have been met relative to the advertising and processing of this Ordinance.

**Now, Therefore, Be It Enacted By The People Of The City Of Sanford, Florida:**

### **Section 1. Legislative findings and intent.**

(a). The City Commission of the City of Sanford hereby adopts and incorporates into this Ordinance the recitals (whereas clauses) to this Ordinance, the City staff report and City Commission agenda memorandum relating to the application and the proposed vacation of right-of-way as set forth herein.

(b). In addition to the provisions of Subsection (a) of this Section, the City Commission specifically finds and establishes that the provisions of the Unrecorded Lake Monroe Waterfront and Downtown Sanford Community Redevelopment Plan, dated July of 2015, as it, or any revision thereof or amendment thereto, relates to the real property described in Section 2(b) of this Ordinance is of no effect and does not burden the subject property inasmuch as the City has assumed ownership of the subject property and any

obligations (to the extent that they may exist) relative to the subject property and the Community Redevelopment Agency of the City is relieved from any further obligations relating to the subject property.

(c). The City of Sanford has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(d). This Ordinance is consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Sanford* and the *Land Development Regulations of the City of Sanford* as well as controlling State law relating to community redevelopment.

**Section 2. Repealer; Implementation.<sup>1</sup>**

(a). The provisions of Article II, Community Redevelopment, of Chapter 74, Planning And Development, of the *Code of Ordinances of the City of Sanford* are hereby repealed.

(b). Prior to the effective date of Section 2(a), as set forth in Section 8 of this Ordinance, the Community Redevelopment Plan as it relates to the real property commonly known as the "Catalyst Site" of the City as described as follows is deemed of no further force or effect to the said real property:

The real property platted as and contained in the Plat of Sanford Waterfront Catalyst, recorded in Plat Book 83, Pages 14 and 15, of the Public Records of Seminole County, Florida, which is assigned Tax Parcel Identification Numbers 25-19-30-522-0100-0000, 25-19-30-522-0200-0000 and 25-19-30-522-0300-0000 by the Seminole County Property Appraiser.

(c). The City Manager, or designee, is hereby authorized to execute the documents necessary to implement the action taken herein.

(d). The City Manager, through the actions and activities of the City's Finance Director shall take all appropriate actions to wind down the community redevelopment functions of the City and the expenditure of tax increment financing funds subsequent to

December 31, 2025; provided, however, that a 1-year project closeout period is hereby imposed which commences on January 1, 2026 and terminates on December 31, 2026.

**Section 3. Recordation.** The City shall be responsible to record in the Public Records of Seminole County such copies of all such notices, proofs of publication and this Ordinance as well as a certified copy of this Ordinance.

**Section 4. Conflicts.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**Section 5. Severability.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**Section 6. Non-Codification.** This Ordinance shall not be codified; provided, however, that, at the appropriate time, the repealed provisions of the *City Code* may be removed from the codification of the *City Code*.

**Section 7. Savings.** The City Manager, through the actions and activities of the City's Finance Director shall take all appropriate actions to wind down the community redevelopment functions of the City and the expenditure of tax increment financing funds subsequent to December 31, 2025.

**Section 8. Effective Date.** This Ordinance shall take effect immediately upon recording of this Ordinance in the Public Records of Seminole County, Florida; provided, however, that the repeal set forth in Section 2(a) of this Ordinance shall not take effect until December 31, 2025.

**Passed and adopted** this 27<sup>th</sup> day of January, 2025.

**City Commission of the City of**

**Sanford, Florida**

*Attest:*

\_\_\_\_\_  
Traci Houchin, MMC, FCRM  
City Clerk

\_\_\_\_\_  
Art Woodruff  
Mayor

**Approved as to form  
and legal sufficiency.**

\_\_\_\_\_  
William L. Colbert  
City Attorney

<sup>i</sup> The repealed provisions of the *City Code* read as follows:

**ARTICLE II. COMMUNITY REDEVELOPMENT**

**Sec. 74-54. Established.**

There is hereby established and created in accordance with the provisions of F.S. § 163.387, a Lake Monroe Waterfront and Downtown Sanford Community Redevelopment Trust Fund hereafter referred to as the "fund."

**Sec. 74-55. Use of funds.**

- (a) The funds allocated to, and deposited into the fund are hereby appropriated to the Sanford Community Redevelopment Agency, hereafter referred to as the "agency," to finance the City of Sanford Community Redevelopment Projects within the "Lake Monroe Waterfront and Downtown Sanford Community Redevelopment Area" as created by the City of Sanford and as may be amended from time-to-time. The agency shall utilize the funds and revenues paid into and earned by the fund for all and every community redevelopment purpose delegated to it in accordance with controlling law and as contained in the approved plan for redevelopment as provided by controlling law.
- (b) No Seminole County tax revenues, equivalent revenues, or any other county funds of any kind shall be used in any way to fund the community redevelopment agency nor any of said agency's programs or projects except as specifically identified in the community redevelopment plan tendered to the county. In no event may the city pledge or assert any interest in any Seminole County revenues or funds without the express written consent of the board of county commissioners or with regard to the tax increment revenues deriving to the city.
- (c) All uses of revenues deposited in the fund shall be evaluated by the treasurer of the agency and agency legal counsel who shall certify that the use of the funds are consistent with the community redevelopment plan.

**Sec. 74-56. Appropriations; administration.**

- (a) There shall be paid into the fund, and the city hereby appropriates, commits and sets over for payment into the fund, a sum equal to that increment from the income proceeds, revenues and funds of the city derived from or held in connection with the Lake Monroe Waterfront and Downtown Sanford Community Redevelopment Area, and the agency's undertaking and carrying out of the projects therein. Said increment shall be determined and appropriated annually and shall be as set forth in F.S. § 163.387. It shall be in an amount equal to the percentage approved by the board of county commissioners in its delegation of authority resolution of the difference between:
  - (1) The amount of ad valorem taxes levied each year by the city and by Seminole County, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Lake Monroe Waterfront and Downtown Sanford Community Redevelopment Area; and
  - (2) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by the city and by Seminole County, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Lake Monroe Waterfront and Downtown Sanford Community Redevelopment Area as shown by the most recent assessment roll used in connection with the taxation of such property by the city and Seminole County prior to the effective date of this subdivision, providing for the funding of the fund.
- (b) The city will annually appropriate to the fund the aforesated sum at the beginning of the city's fiscal year.

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The fund shall receive the tax increment above described only as, if and when, such taxes may be collected by the city. The city's obligation to annually appropriate to the fund shall commence immediately upon the effective date of this subdivision and continue to the extent permitted by state law, until all loans, advances and indebtedness, if any, and interest thereon incurred by the agency as a result of the projects within the Lake Monroe Waterfront and Downtown Sanford Community Redevelopment Area have been paid, and only to the extent that the tax increment recited above accrues.

(c) The agency is directed to establish and set up the fund and to develop and promulgate rules, regulations and criteria whereby the fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the agency may, expeditiously and without undue delay, utilize said fund for its allocated statutory purpose subject to annual budgetary approval by the city commission.

(d) The agency is vested with full responsibility for the receipt, custody, disbursement, accountability, management and proper application of all monies paid into the fund subject to annual budgetary approval by the city commission. The governing body of the agency shall be the trustee of the fund.

(e) Monies in the fund may not be spent for community redevelopment projects without the approval of the city commission in accordance with its budgetary approvals. The city manager is hereby delegated authority to enter memorandums of agreement with the agency in order to provide for the provision of administrative and other services to the agency with all costs being reimbursed to the city by the agency.

(f) All uses of revenues deposited in the fund shall be evaluated by the treasurer of the agency and agency legal counsel who shall certify that the use of the funds are consistent with the community redevelopment plan.

#### **Sec. 74-75. City of Sanford Community Redevelopment Agency.**

(a) The City of Sanford Community Redevelopment Agency is hereby created and established.

(b) In accordance with F.S. § 163.410 the agency shall exercise only such powers as conferred by delegation to the City of Sanford by the Board of County Commissioners of Seminole County. The city commission shall be charged with, and solely responsible for, making any and all necessary findings relative to the actions taken with regard to the creation and operation of the agency and any and all actions taken subsequent to the creation of the agency and continued operation of said agency.

(c) Any proposed additional community redevelopment areas or any proposed expansion of the community redevelopment area as contemplated, shall require that the city seek and request an additional delegating resolution from the Board of County Commissioners of Seminole County in accordance with controlling state laws which action shall not be deemed or construed, in any way, as a general delegation by Seminole County of any powers nor a pledge of any Seminole County funds or revenues to be used by the city, the agency or within the community redevelopment area except with regard to tax increment revenues as specifically dedicated and allowed to be used by the city by formal action of the board of county commissioners in accordance with the controlling provisions of state law.

#### **Sec. 74-76. Composition of the agency.**

(a) The city commission shall appoint the members to the agency in accordance with the delegation of authority to the city as approved by the Board of County Commissioners of Seminole County.

(b) Any person may be appointed as a member if he or she resides or is engaged in business, which means owning a business, practicing a profession, or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged, within the city's corporate limits.

(c) The city commission shall designate a chairperson, vice chairperson and treasure from among the members of the agency or the staff of the agency, with regard to the treasures, and the agency shall advise the city commission at such time as it desires to designate its officers.

#### **Sec. 74-77. Terms of office and removal from office.**

(a) The terms of office of the members of the agency shall be for four years or such terms as may be provided in the delegation of authority issued by the Board of County Commissioners of Seminole County.

(b) The city commission may remove a member of the agency for inefficiency, neglect of duty, or misconduct in office only in the manner prescribed by law.

#### **Sec. 74-78. Duties and responsibilities.**

(a) The agency shall be the redevelopment agency to carry out the redevelopment of the Lake Monroe Waterfront and Downtown Sanford Community Redevelopment Area, and to that end and as such, shall have and exercise all of the powers of redevelopment agencies pursuant to F.S. Ch. 163, pt. III, as amended, and shall have the power granted to it by actions taken in accordance with the controlling provisions of law from time-to-time.

(b) The agency shall exercise all the powers necessary or convenient to carry out and effectuate the purposes and

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provisions of community redevelopment and related activities consistent with the delegation of authority issued by the board of county commissioners of Seminole except consistent with the delegation of the board of county commissioners:

- (1) The power to determine an area to be a slum or blighted area.
- (2) The power to grant final approval to community redevelopment plans.
- (3) The power to authorize the issuance of revenue bonds.
- (4) The power to approve the acquisition, demolition, removal, or disposal of property.
- (c) The agency shall file with the city commission and with the auditor general as well as all other agencies and entities as may be required by controlling law, on or before March 31 of each year, a report of its activities for the preceding fiscal year, which report shall include, at a minimum, a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such fiscal year. At the time of filing of the report, the agency shall comply with all procedures regarding notice and publishing as set forth by controlling law.
- (d) The agency shall provide the Board of County Commissioners of Seminole County and the city commission written notification in a timely fashion of any proposed actions, activities or projects that may deviate from the projects, programs and priorities that have been identified within the latest adopted community redevelopment plan, prior to the undertaking of a potentially deviating project, program or activity; provided, however, that, this provision shall not be construed to permit any actions not compliant with controlling state law which prohibits any expenditures from the community redevelopment trust fund for any expenditure that is non consistent with the community redevelopment plan.
- (e) Any future updates, if any, of the community redevelopment plan shall be developed in close coordination with the Seminole County Board of County Commissioners of Seminole County and/or their designated staff representatives to identify shared development objectives, potentially complementary or competing projects or other issues and concerns as may be determined cogent by the Seminole County Board of County Commissioners of Seminole County in accordance F.S. § 163.361.

**Sec. 74-79. Future multi-jurisdictional community redevelopment agency.**

- (a) Should Seminole County create, in the future, a community redevelopment agency with jurisdiction over the community redevelopment area, the delegation of the Board of County Commissioners of Seminole County shall automatically terminate and expire and the agency shall terminate and cease to exist in accordance with whatever schedule Seminole County may establish when creating a new community redevelopment agency. In such event, the city shall unwind and transfer its projects, programs and activities to the successor community redevelopment agency.
- (b) The agency shall ensure that all of its projects, programs and activities into any multi-jurisdictional or countywide community redevelopment agency that may be established in the future by Seminole County. To that end, all documents of creation and implementation of the agency shall provide for the contingent future transfer of any and all projects, programs, activities, assets, property, funds, obligations and liabilities to Seminole County and/or a multi-jurisdictional or countywide community redevelopment agency established by Seminole County; provided, however, that any funds on account at the time of termination, expiration, or dissolution of the agency that are not encumbered or pledged as security for any indebtedness shall be transferred to the city for use, as the city deems fit consistent with the controlling provisions of state law, within the community redevelopment area; provided, further, however, that any real or personal property that has been purchased with agency funds shall become the property of the city unless pledged or encumbered and agency shall take any and all necessary actions to implement those transfers.



## **Business Impact Estimate**

*This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City's website by the time notice of the proposed ordinance is published.*

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Ordinance No. 4814: Former "Catalyst Site"; Repealing the Provisions of Article II, Community Redevelopment, Of Chapter 74, Planning and Development, Of the City Code
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The City is of the view that the following exception(s) to the Business Impact Estimate requirement, that are checked off in a box below, apply to the above-referenced proposed ordinance. Although, the City is implementing the procedure required by statutory law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;

- b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
- c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
- d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare): *The proposed ordinance is intended to clear up all title issues pertinent to the former "Catalyst Site" in an effort to have the property available for future marketing by the City or uninhibited use by the City.*

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City: *Ultimately, the termination of community redevelopment programs within the Community Redevelopment Area of the City will result in tax increment revenues not being targeted for use/expenditure within the Community Redevelopment Area in accordance with the provisions of the Community Redevelopment Plan.*

3. Estimate of direct compliance costs that businesses may reasonably incur: *Fees and taxes should remain the same after the City concludes its implementation of its Community Redevelopment Plan.*

4. Any new charge or fee imposed by the proposed ordinance: *None. The tax increment that has been previously devoted to a program of expenditures within the Community Redevelopment Area will, ultimately, be available for use in a Citywide context.*

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs: *None. The tax increment that has been previously devoted to a program of expenditures within the Community Redevelopment Area will, ultimately, be available for use in a Citywide context.*

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: *Businesses located within the Community Redevelopment Area may be impacted as the tax increment that has been previously devoted to a program of expenditures within the Community Redevelopment Area will, ultimately, be available for use in a Citywide context. Businesses located outside of the boundaries of the Community Redevelopment Area may be impacted in a similar way, but in the opposite context.*

7. Additional information: *The public may find it beneficial to review the City Commission agenda memorandum relating to the proposed Ordinance as well as other public records of the City to attain a full understanding of all matters pertaining to the subject property and its history. Also, the title reports relating to the subject property are specifically available to the public.*