



Memorandum

File #: 18-00361

City Council

11/8/2018

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

PUBLIC HEARING - ANNEXATION OF PROPERTY - CAMPUS HEIGHTS PHASE II

RECOMMENDATION:

That City Council conduct the second of two required Public Hearings, on November 8, 2018, to consider the annexation of fifty-two (52) parcels in the Campus Heights area, which are all owned by the Pensacola International Airport.

HEARING REQUIRED: Public

SUMMARY:

Campus Heights was identified in the approved year 2000 Airport Master Plan as a development area for a future business commerce park associated with the Airport. Generally, the Campus Heights area is bounded on the east and south by Airport property, on the north by Langley Avenue, and on the west by Tippin Avenue. It is an area of mixed use, consisting of commercial, light industrial, and residential use.

Currently, one hundred twenty-three parcels have been purchased by the Airport. As parcels are acquired that are contiguous to but not within the City limits, it becomes necessary to annex those parcels via the statutory process for the annexation of property.

In order to comply with the statutory requirements that would not require a referendum, fifty-two (52) parcel which are owned by the Pensacola international Airport, were selected for annexation at this time. No parcels owned by other individuals or businesses are affected by this annexation.

F.S. 171.0413 provides that:

Annexation procedures.-Any municipality may annex contiguous, compact, unincorporated territory in the following manner:

(1) An ordinance proposing to annex an area of contiguous, compact, unincorporated territory shall be adopted by the governing body of the annexing municipality pursuant to the procedure for the adoption of a nonemergency ordinance established by s. 166.041. Prior to the adoption of the ordinance of annexation, the local governing body shall hold at least two advertised public hearings. The first public hearing shall be on a weekday at least 7 days after the day that the first advertisement is published. The second public hearing shall

be held on a weekday at least 5 days after the day that the second advertisement is published. Each such ordinance shall propose only one reasonably compact area to be annexed. However, prior to the ordinance of annexation becoming effective, a referendum on annexation shall be held as set out below, and, if approved by the referendum, the ordinance shall become effective 10 days after the referendum or as otherwise provided in the ordinance, but not more than 1 year following the date of the referendum.

(6) Notwithstanding subsections (1) and (2), if the area proposed to be annexed does not have any registered electors on the date the ordinance is finally adopted, a vote of electors of the area proposed to be annexed is not required. In addition to the requirements of subsection (5), the area may not be annexed unless the owners of more than 50 percent of the parcels of land in the area proposed to be annexed consent to the annexation. If the governing body does not choose to hold a referendum of the annexing municipality pursuant to subsection (2), then the property owner consents required pursuant to subsection (5) shall be obtained by the parties proposing the annexation prior to the final adoption of the ordinance, and the annexation ordinance shall be effective upon becoming a law or as otherwise provided in the ordinance.

Therefore, in accordance with paragraph (6) of F.S. 171.0413, a referendum is not required as there are no registered electors on the parcels in the proposed annexation area. Further, the City of Pensacola/Pensacola International Airport, the owner of more than 50 percent of the land in the proposed annexation area, consents to the annexation.

PRIOR ACTION:

November 10, 2011 - City Council approved the annexation of nine (9) parcels in the Campus Heights area owned by the Pensacola International Airport.

December 1, 2011 - City Council adopted Ordinance No. 31-11 - Annexation of Airport Owned Property on second reading.

May 11, 2017 - City Council conducted the first of two required public hearings regarding the Annexation of Property - Campus Heights.

June 8, 2017 - City Council conducted the second of two required public hearings regarding the Annexation of Property - Campus Heights; and approved Proposed Ordinance No. 10-17 on first reading.

July 13, 2017 - City Council adopted Ordinance No. 15-17 - Annexation of Airport Owned Property on second reading.

October 11, 2018 - City Council conducted the first of two required public hearings regarding the Annexation of Property - Campus Heights Phase II

FUNDING:

N/A

FINANCIAL IMPACT:

The City would receive property taxes and stormwater fee revenues from the subject parcels as well as from any future improvements.

CITY ATTORNEY REVIEW: Yes

9/19/2018

STAFF CONTACT:

Keith Wilkins, City Administrator
Sherry Morris, Planning Services Administrator
Daniel E. Flynn, Airport Director

ATTACHMENTS:

- 1) Map of Annexation Area - Campus Heights Phase II
- 2) Draft - Proposed Ordinance No. 25-18

PRESENTATION: No