



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 34-20

City Council

8/13/2020

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 34-20 - CREATING SECTION 2-3-5 OF THE CODE OF THE CITY OF PENSACOLA, RELATED TO THE DISPOSITION OF SENSITIVE PROPERTIES

**RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 34-20 on second reading:

AN ORDINANCE CREATING SECTION 2-3-5 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, RELATED TO THE PRESERVATION OF SENSITIVE CITY-OWNED PROPERTIES; PROVIDING FOR ASSESSMENT OF HISTORICAL, ARCHAEOLOGICAL, ARCHITECTURAL, AND ENVIRONMENTAL CHARACTERISTICS OF REAL PROPERTY PRIOR TO DISPOSITION; PROVIDING FOR PUBLIC HEARING PRIOR TO DISPOSITION OF SENSITIVE PROPERTIES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

In the past, several City waterfront and water view properties were disposed of for private development. City-owned property with waterfront access and water view throughout the City of Pensacola are valuable public assets. Further, these properties possibly possessed sensitive historic resources from the site of the 1559 De Luna Settlement in addition to their waterfront proximity. Historic resources, especially those from America's first European settlement, have an important public role in our city's heritage and sense of place. There is a strong public purpose to preserving historical, archaeological, architectural, and environmental resources owned by the citizens of the City of Pensacola. City-owned properties containing sensitive historical, cultural, and environmental resources warrant protection and preservation within the public realm.

The Mayor's Office requested that staff prepare an ordinance for Council's consideration, restricting divesting any City-owned properties deemed to contain the resources described above. To protect these city-owned resources, an assessment is proposed for each asset prior to selling, terminating, vacating, abandoning, or otherwise disposing of that asset, with a public hearing to occur for public

input prior to action by the City Council on any asset that is determined to be sensitive as defined in this ordinance.

**PRIOR ACTION:**

February 11, 1999: City Council adopted code section 12-2-27, Bayou Texar shoreline protection district, which states in subsection G, "All extensions of street rights-of-way which are perpendicular to or otherwise intersect Bayou Texar within the shoreline protection zone shall be reserved for public use unless officially vacated by city council action."

June 18, 2015: City Council adopted code section 2-3-4, Disposition of property south of Bayfront/Main Streets, which provides certain protection to real property owned by the City or the CRA and located south of Bayfront/Main streets between the Pensacola Bay Bridge and A Street.

July 16, 2020 - The City Council voted to approve Proposed Ordinance No. 34-20 on first reading.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

7/2/2020

**STAFF CONTACT:**

Keith Wilkins, City Administrator  
Kerrith Fiddler, Deputy City Administrator - Community Development  
Sherry Morris, Planning Services Director

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 34-20

**PRESENTATION:** No