



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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TO: Robert Bradshaw, City Manager
City Commission

FROM: Rebecca Grohall, Planning Manager

RE: Annexation Update

DATE: July 7, 2014

Staff has met and discussed annexations at the Commission Conference Agenda, as well as at the recent Strategy Session and annexation is the highest priority item for the planning staff. We have begun discussions with FPUA to review their procedures for annexation agreements, as they are currently the primary conduit for annexing properties into the City. Through the extension of water and sewer, the City has one of its primary opportunities to grow its boundaries. When FPUA provides water and/or sewer to a customer outside the City limits, they sign an annexation agreement that indicates that when they are contiguous to the City boundaries, they consent to voluntary annexation.

As a recap: the Florida Statutes outline several courses of action for annexation. The two most overt methods are outlined in Chapter 171, Part 1 as voluntary and involuntary.

Voluntary Annexation – Section 171.044 of the Florida Statutes allow a city to annex property if consent of the owners of the property is granted, they must be contiguous and reasonably compact to the municipality. These annexations are done through Ordinance and the public hearing process. We can continue with this option, however, its time consuming AND it only adds more to the patchwork, utilizing this method does not actually achieve squaring off boundaries (see map). Additionally, some properties that have FPUA agreements are not contiguous – which only protracts the time frame.

Involuntary Annexation – Section 171.0413. The municipality may pass an ordinance to annex property (similar to voluntary annexation), however, the Ordinance does not become effective until a majority vote is received in a referendum held within 30 days.

Several other options exist including Enclave Annexation, Interlocal Service Boundary Agreements and Annexation by Legislation.

A. **Enclave Annexation** – as outlined in 171.046 F.S. The Legislature recognizes that enclaves can create significant problems in planning, growth management, and service delivery, and declares that it is the policy of the state to eliminate enclaves. In order to expedite the annexation of enclaves of 10 acres or less into the most appropriate incorporated jurisdiction, based upon existing or proposed service provision arrangements, a municipality may annex an enclave by interlocal agreement with the county having jurisdiction of the enclave;

B. Interlocal Service Boundary Agreement (ISBA) – 171 Part 2

The Florida Statutes were amended by the Legislature in 2006 to add a second part to the State's annexation laws. This new Part II retained existing annexation law, which has been in place for many years, and added an alternative approach to annexation that is intended to encourage local government coordination in planning, service delivery, and boundary adjustments due to annexation. ISBA agreements have been utilized as an approach to avoiding conflicts between counties and cities. Several areas have used this tool, successfully including Orange County with City of Ocoee and City of Orlando, and Pinellas County.

C. Annexation by Legislation – Subsection 171.044(4) F.S says the procedures for voluntary annexation shall be “supplemental to any other procedure provide by general or special law”. There are a number of special annexation laws that exist in Florida, including the Gainesville Special Act and the Broward Delegation.

One of the biggest challenges that remain is that many areas that have FPUA Service Agreements (making them eligible for annexation) as shown in the areas on green on the next map, are not contiguous to the existing City limits (shown as blue parcels on the map). To that extent, City Staff is working with FPUA Staff to determine if the adjacent parcels are being served with FPUA water and/or sewer, and if the agreements are in place and simply not reflected in the records. Staff has identified several commercial corridors along Orange Avenue, 25th Street, and US 1 as target areas for annexation.

The planning staff are also undertaking a thorough review of internal records to analyze and ensure that FPUA agreements are being properly mapped, this review is in process.

During the next few months, as new leadership begins in County Administrator role, City Staff will be meeting with County staff to broach the ideas and opportunities to work together to:

- Revise the current JPA Agreement with St. Lucie County to address Enclave Annexations
- Discuss utilizing the ISBA process
- Consider other opportunities for streamlining the annexation process

Staff has initialized several annexations in the Orange Ave corridor that will be moving forward to the Planning Board and the City Commission. While those are in process, Staff will continue to pursue all options for annexation.

