

VOLUNTARY ANNEXATION PLANNING AREA BOUNDARY FIVE-YEAR REVIEW

Prepared by the Annexation Subcommittee of
the Pinellas Planning Council and
Countywide Planning Authority

DRAFT

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Voluntary Annexation Planning Area Boundary Five-Year Review

Annexation Subcommittee

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Prepared by the Annexation Subcommittee

September 15, 2006

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I. INTRODUCTION

At their July 25, 2005, joint meeting, the Pinellas Planning Council (PPC) and Countywide Planning Authority (CPA) took action to appoint three members from each body to form an annexation subcommittee to guide the five-year review and update of the voluntary annexation planning area boundaries as required by Pinellas County Ordinance No. 00-63. This subcommittee met seven times, beginning in October 2005, to review proposed amendments to the voluntary annexation planning area boundaries for the thirteen municipalities that participate in voluntary annexation. The subcommittee has made recommendations for amendment of four annexation planning areas.

The annexation planning areas that were adopted November 7, 2000, as part of Pinellas County Ordinance No. 00-63, may be amended by county ordinance upon recommendation of the Council and approval by the CPA. Consideration of any amendment must be based upon the criteria set forth in Ordinance No. 00-63.

II. BACKGROUND

Ordinance No. 00-63 was adopted in August 2000, subject to a referendum to amend the County Charter which was approved on November 7, 2000. The County Charter amendment and Ordinance No. 00-63 were promulgated pursuant to the provisions of Chapter 171.044(4), F.S.

The planning area boundaries were developed pursuant to Ordinance No. 00-63 and were drawn in their original configuration, in part, because they represented logical boundaries based on:

- Water districts;
- Sewer districts;
- Fire districts;
- Agreed-upon planning areas;
- Existing city limits at that time; and
- Potential extensions of city limits (in part based on well known man-made or natural boundaries).

Subsequent to the approval of Ordinance No. 00-63 and the charter amendment which enabled this process, Pinellas County Ordinance No. 02-48, adopted June 14, 2002, contracted the planning area boundaries of Kenneth City, Pinellas Park, and St. Petersburg to reflect the Lealman Fire District. In addition, Ordinance No. 02-48 required the County Administrator to develop and submit for the Board of County Commissioners' approval, within one year of the effective date of the ordinance, an

alternative boundary proposal. This amendment precipitated legal action and extensive efforts to resolve the conflict it engendered.

As a result of the follow-up efforts, Pinellas County Ordinance No. 02-83, approved by the CPA on October 29, 2002, restored Kenneth City's planning area boundary to its original configuration as set forth in Ordinance No. 00-63, but did not address the amended planning area for Pinellas Park and St. Petersburg.

Further amendment, embodied in Ordinance No. 04-28, adopted April 22, 2004, restored some portions of the planning area for Pinellas Park and St. Petersburg to the configuration as originally provided in Ordinance No. 00-63; as well as removed portions of each city's annexation planning area as provided for under Ordinance Nos. 00-63 and 02-48.

III. PURPOSE AND CRITERIA

The purpose of Ordinance No. 00-63 as set forth in Section I is as follows: *"It is the purpose of this ordinance to establish a uniform, equitable, and integrated procedure with clearly defined criteria to provide the exclusive method for voluntary annexation of property by an incorporated municipality within Pinellas County, Florida."*

Pinellas County Ordinance Number 00-63 – Section 5. Planning Areas Delineating Eligibility for Annexation provides for the following: Section 5(1) of Ordinance No. 00-63 states that...*"the purpose of each planning area is to allow the respective municipalities to consider the area in their Comprehensive Plan and delineate the geographic area eligible for annexation to each such municipality."*

This section also includes the criteria, which must be considered in the amendment of a planning area as follows:

- The nature of the request and the interest of the affected property owner(s);
- The ability of an affected municipality to provide urban services;
- The uniform and consistent relationship of the proposed area to existing municipal boundaries, existing unincorporated neighborhoods, and related areas eligible for annexation; and
- The interest and relationship of adjoining unincorporated areas and service providers.

Section 5(5) of Ordinance No. 00-63 states that *"The council shall periodically review the planning areas set forth in Exhibit 1 as it may be amended from time to time... The first review shall take place no longer than five (5) years after final adoption of the*

ordinance. Each subsequent review shall take place no longer than five (5) years after the previous review.”

IV. FINDINGS

Area 1: Redington Shores Annexation Planning Area

In 2005, the Town of Redington Shores annexed the last group of unincorporated parcels (Parsley’s Mobile Home Park) in their voluntary annexation planning area. The result of the request would be to eliminate the need for the town’s voluntary annexation planning area boundary.

The proposed amendment will not impact the municipal boundaries of either Redington Shores or its adjacent municipalities with respect to annexation since there are currently no areas eligible for annexation within or adjacent to this proposed boundary amendment area.

In consideration of and based upon the applicable criteria and these findings, it is recommended that the proposed amendment to this area be approved (vote 6-0 by the subcommittee on February 24, 2006).

Area 2: Seminole Annexation Planning Area

This area consists of approximately 2,830 acres of both unincorporated and incorporated lands and is proposed to be included in Seminole’s voluntary annexation planning area. The first unincorporated section is bounded by 102nd Avenue on the south, 110th Avenue on the north, Seminole Boulevard on the east, and 113th Street on the west. The second unincorporated section is bounded by 102nd Avenue on the north, 131st Street on the west, the Intercoastal Waterway on the south, and Seminole city limits on the east. The five incorporated sections to be included in the proposed planning area are already part of the City of Seminole. The property owners in the unincorporated sections would be eligible for voluntary annexation into the City of Seminole if this amendment were approved.

The services to the area are as follows:

- Potable water service provided by Pinellas County;
- Sewer service provided by Pinellas County’s South Cross Bayou District;
- Fire service provided by Seminole Fire District; and
- Police protection provided by the Pinellas County Sheriff’s Office.

The City of Seminole has the ability to provide services to this area either directly or through another service provider (e.g., Sheriff’s Office).

If annexation in this area were to occur, only solid waste, code enforcement and recreation services would change. The City of Seminole fire department currently serves this area through a contract with Pinellas County.

The unincorporated sections within the proposed voluntary annexation planning area are adjacent to Seminole city limits. The first section is adjacent to Seminole on the south and west. The second section is adjacent to Seminole on the north and east. If approved, it would provide a uniform boundary along 131st Street and bring the entire city limits into the planning area, providing a consistent relationship with existing city limits.

Associated with Seminole's voluntary annexation planning area amendment request, the city proposes to offer the following considerations if the amendment is approved:

- Seminole will agree not to annex by referendum any property outside the proposed planning area boundary.
- Seminole agrees not to propose an annexation by referendum of any portion of a failed referendum located within the new planning area for a period of five years¹.
- Seminole agrees to rebate to the Lealman Fire District the ad valorem property tax revenue Seminole receives from the nonresidential properties located in the city that were formerly in the Lealman Fire District, for a period of five years as follows:
 - Year One 100% (Fiscal Year 2007)
 - Year Two 100%
 - Year Three 70%
 - Year Four 50%
 - Year Five 30%
- Seminole agrees to reimburse Pinellas County for loss of MSTU (Municipal Service Taxing Unit) revenues already accounted for in the budget when the city conducts a successful referendum annexation greater than fifty acres, between June 1st and October 1st.
- Seminole will exclude properties of metropolitan significance as may be determined by Pinellas County from annexation as long as said exclusion does not conflict with Florida law and hinder Seminole from annexing within the planning area.

¹ Note: Originally, Seminole agreed not to propose an annexation by referendum of any portion of a failed referendum located within the new planning area for a period of three (3) years. At the Seminole City Council meeting on June 27, 2006, the Council voted to change this criterion to be five (5) years between referendums.

In consideration of and based upon the applicable criteria and these findings, it is recommended that the proposed amendment to this area be approved, subject to an Interlocal agreement to memorialize the list of considerations identified above (vote 4-2 by the subcommittee on May 19, 2006).

[Note: The subcommittee vote was taken prior to Seminole's agreement to revise the time period following a failed referendum within which no subsequent referendum would be held involving any of the same properties from three (3) to five (5) years.]

Area 3: St. Petersburg-Clearwater Airport – Largo and St. Petersburg Annexation Planning Areas

This area consists of approximately 3,200 acres of unincorporated land and is proposed to be deleted from the Largo and St. Petersburg voluntary annexation planning areas. This area consists mostly of properties owned by Pinellas County, along with a few parcels owned by other government agencies. This proposed amendment would shift Largo's voluntary annexation planning area boundary west, primarily following the property lines of county-owned parcels. This change eliminates approximately 2,740 acres from the Largo voluntary annexation planning area. The proposed amendment would shift St. Petersburg's voluntary annexation planning area boundary east, primarily following the property lines of county-owned parcels. This change eliminates approximately 460 acres from the St. Petersburg voluntary annexation planning area.

The services to the area are as follows:

- Potable water service provided by Pinellas County;
- Sewer service provided by the City of Largo;
- Fire service provided by the Pinellas Park Fire District; and
- Police protection provided by the Pinellas County Sheriff's Office.

The unincorporated area to be deleted from the proposed voluntary annexation planning areas is adjacent to not only Largo, but Pinellas Park and the St. Petersburg city limits as well. If approved, this unincorporated area would be excluded from voluntary annexation by the City's of Largo and St. Petersburg.

In consideration of and based upon the applicable criteria and these findings, it is recommended that the proposed amendment to this area be approved (vote 6-0 by the subcommittee on February 24, 2006).

Area 4: Tierra Verde – St. Petersburg Annexation Planning Area

This area consists of approximately 600 acres of unincorporated land and is proposed to be deleted from St. Petersburg's voluntary annexation planning area. The area consists

mostly of submerged land in Tampa Bay along with a few privately-owned properties in Tierra Verde, as well as land owned by Pinellas County (part of Fort DeSoto Park). This proposed amendment would shift St. Petersburg's voluntary annexation planning area east to the nearest section lines (S20/T32/R16, S29/T32/R16, and S32/T32/R16), thus excluding any land in Tierra Verde from the city's voluntary annexation planning area.

The services to the area are as follows:

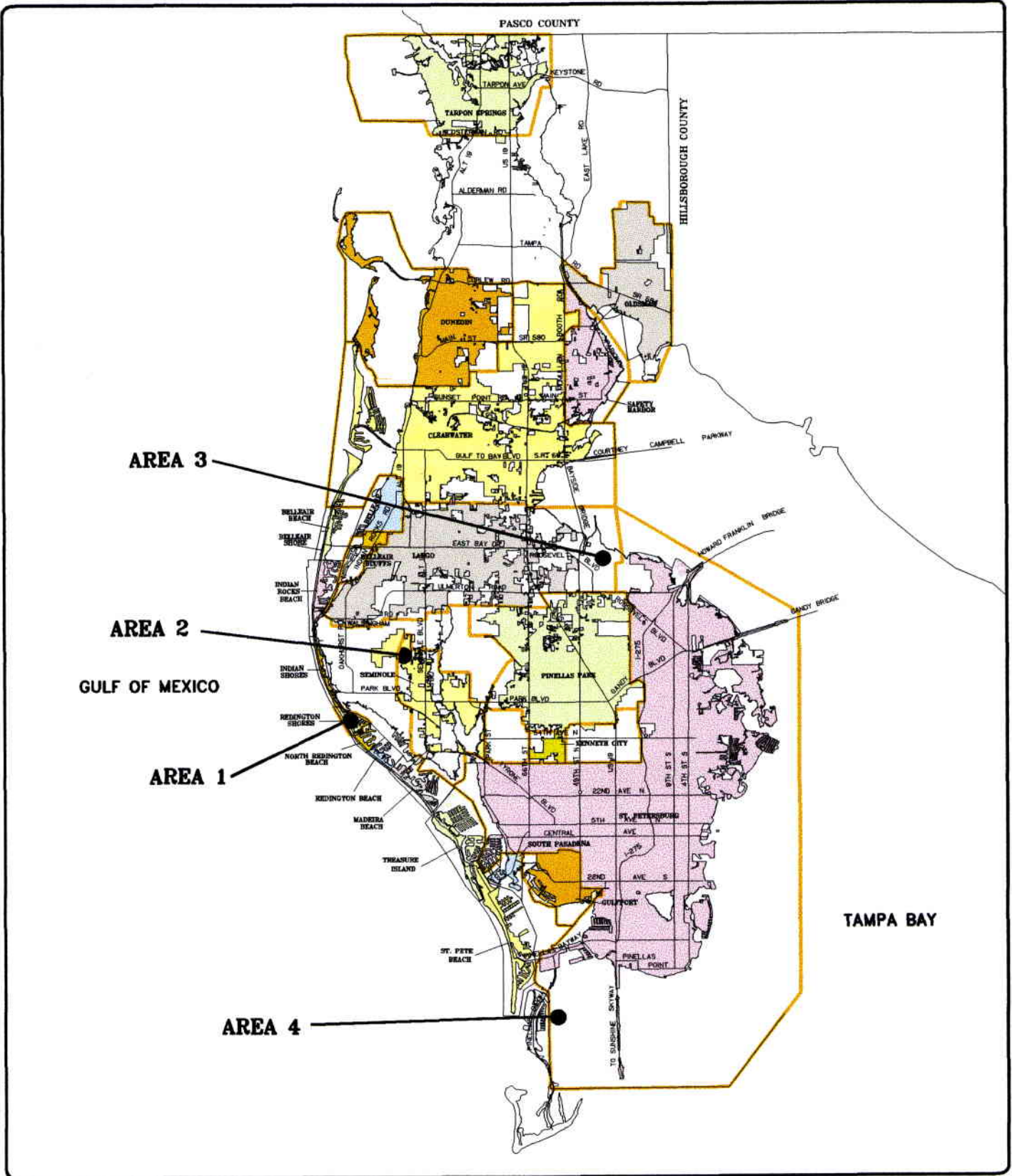
- Potable water service provided by Pinellas County;
- Sewer service provided by the City of St. Petersburg;
- Fire service provided by the Tierra Verde Fire District; and
- Police protection provided by the Pinellas County Sheriff's Office.

The unincorporated area to be deleted from the proposed voluntary annexation planning areas is not adjacent to the St. Petersburg city limits. If approved, this unincorporated area would be excluded from voluntary annexation by the City of St. Petersburg.

In consideration of and based upon the applicable criteria and these findings, it is recommended that the proposed boundary amendment to this area be approved (vote 5-1 by the subcommittee on February 24, 2006).

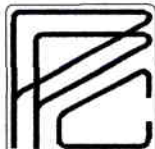
V. CONCLUSIONS:

Based Upon the Accompanying Findings For Areas 1. Through 4., the Subcommittee Recommends the Pinellas Planning Council and Countywide Planning Authority Approve Amendment of the Planning Areas Delineating Eligibility for Annexation for Areas 1. Through 4.



MAP 1

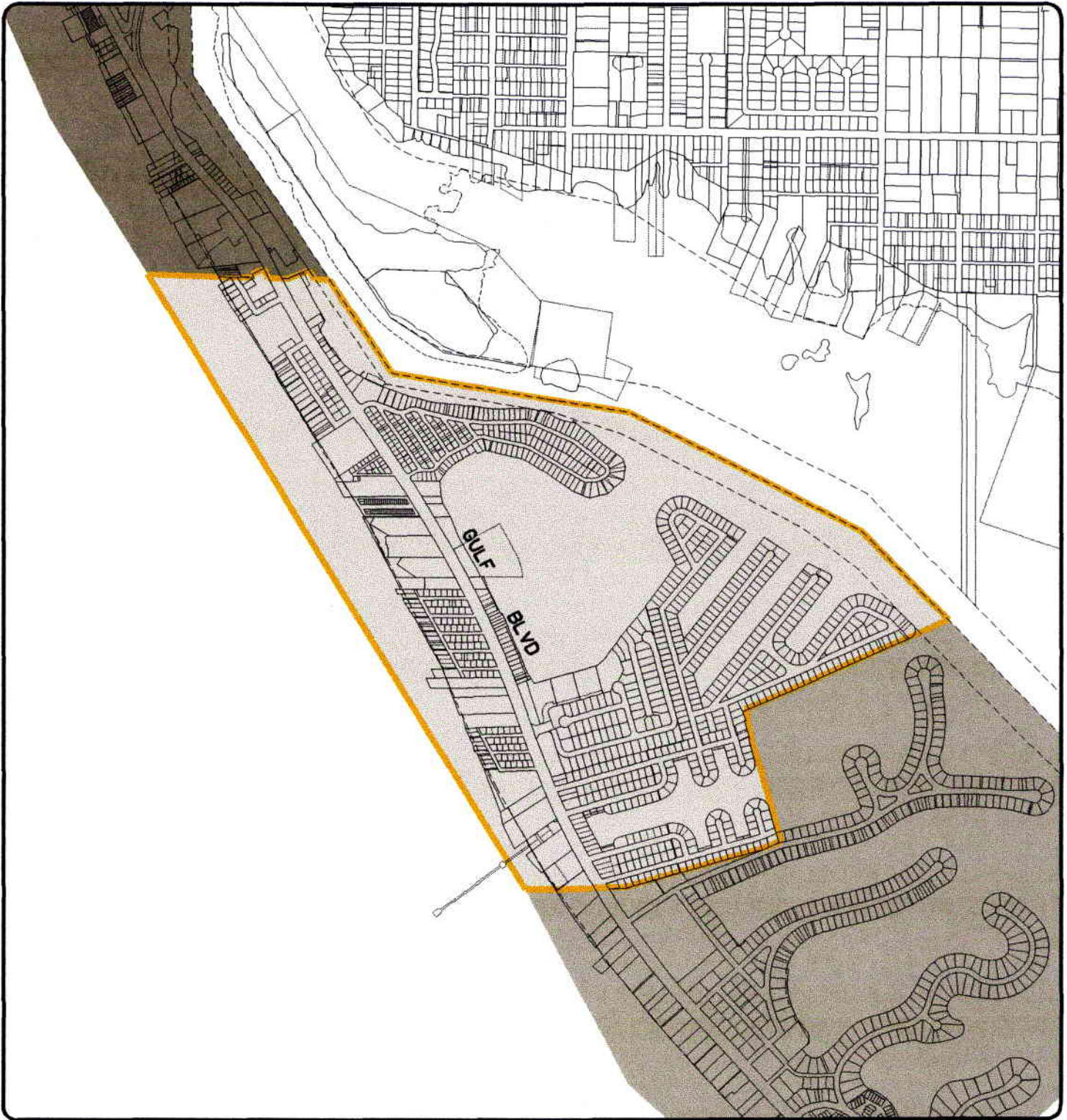
LOCATION MAP - ANNEXATION PLANNING AREA BOUNDARY REVIEW



PINELLAS PLANNING COUNCIL



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MAP 2

REDINGTON SHORES ANNEX BOUNDARY



TOWN OF REDINGTON SHORES



EXISTING PLANNING AREA BOUNDARY



TOWN OF NORTH REDINGTON BEACH

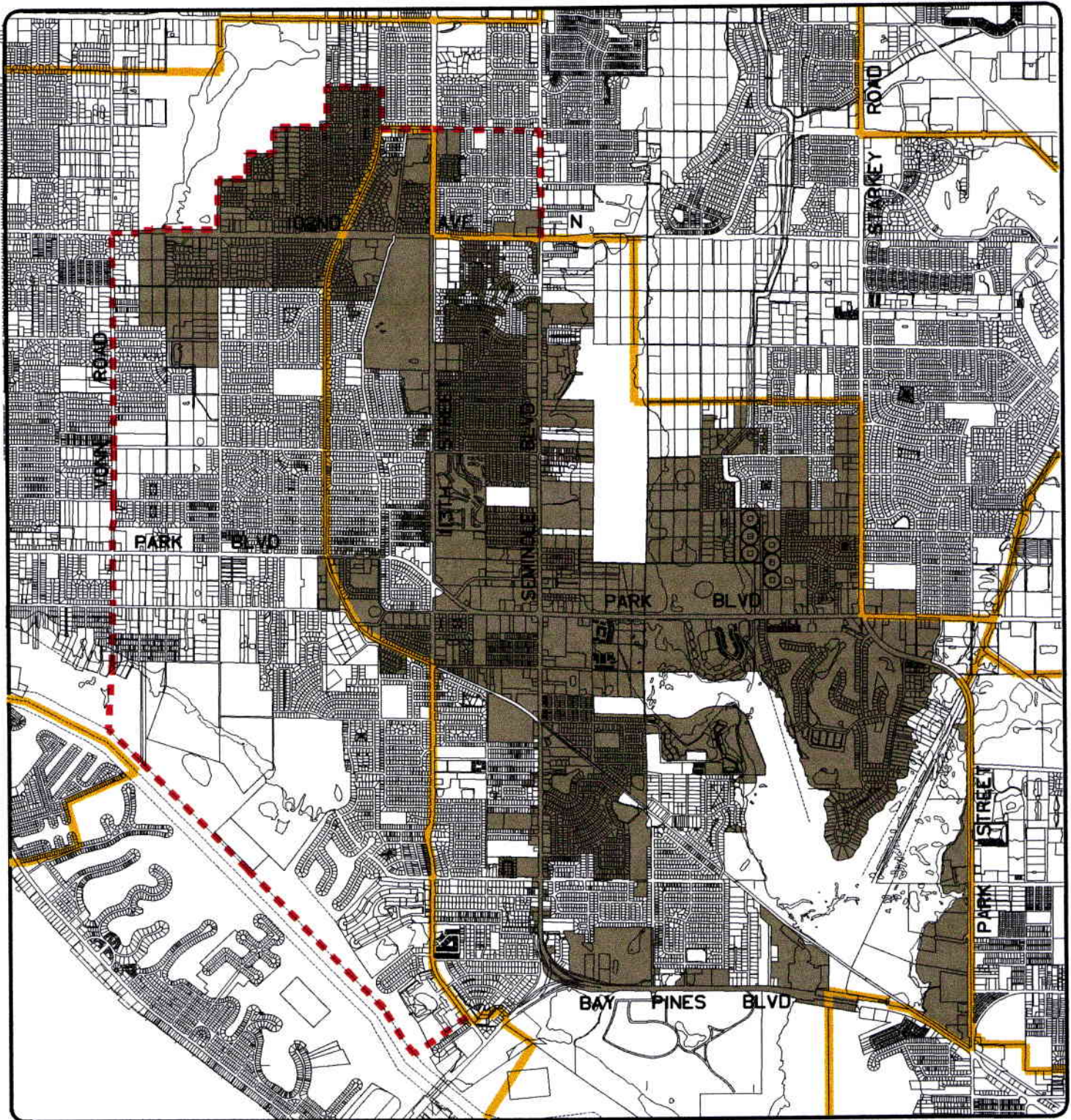


TOWN OF INDIAN SHORES






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MAP 3

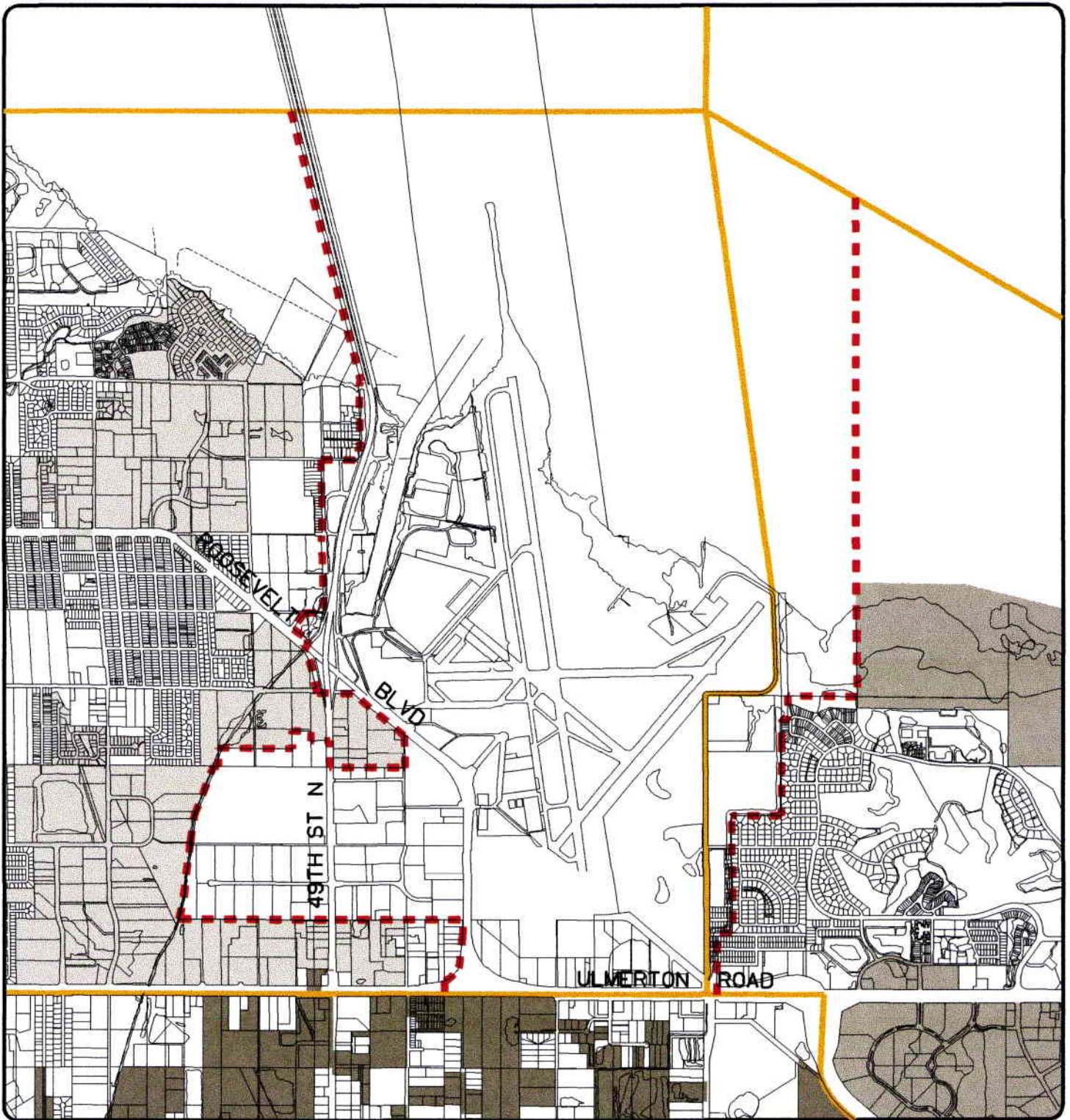
SEMINOLE ANNEX BOUNDARY

-  **EXISTING PLANNING AREA BOUNDARY**
-  **PROPOSED PLANNING AREA BOUNDARY**
-  **CITY OF SEMINOLE**



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MAP 4

AREA AROUND AIRPORT, LARGO AND ST. PETERSBURG ANNEX BOUNDARY



CITY OF LARGO

CITY OF ST. PETERSBURG

CITY OF PINELLAS PARK

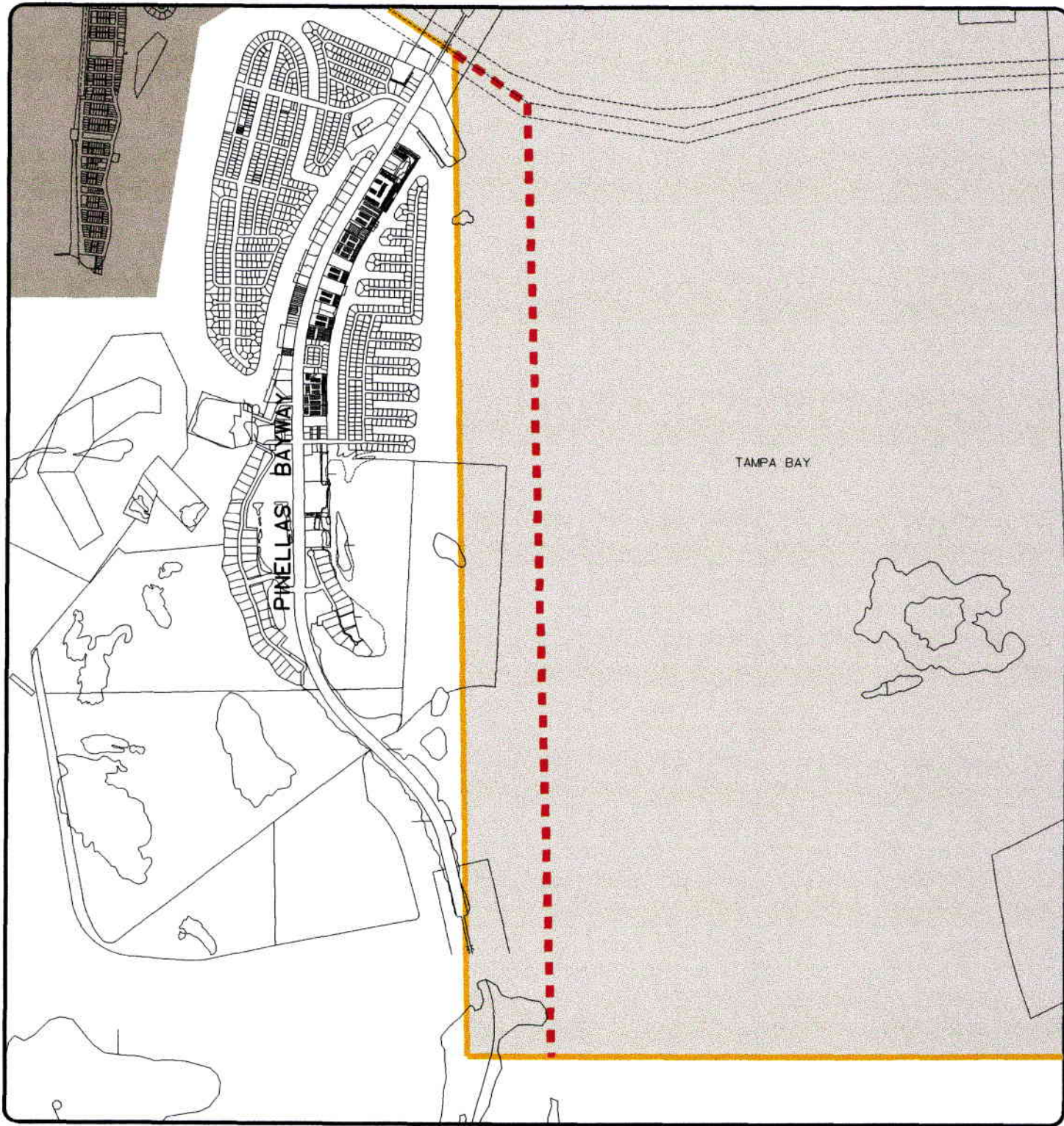
— EXISTING PLANNING AREA BOUNDARY

- - - PROPOSED PLANNING AREA BOUNDARY



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MAP 5

TIERRA VERDE AND ST. PETERSBURG ANNEX BOUNDARY



CITY OF ST. PETERSBURG



EXISTING PLANNING AREA BOUNDARY



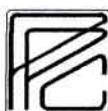
CITY OF ST. PETE BEACH



PROPOSED PLANNING AREA BOUNDARY



SCALE: 2500'



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