

DEPARTMENT: Management and Administration

DATE ADOPTED: May 24, 1995

DATE OF LAST REVISION: October 25, 2006

132.01 Authority:

Chapter 171, Florida Statutes.
Tallahassee-Leon County Comprehensive Plan, July 16, 1990 as amended.

132.02 Purpose:

To delineate the applicable policies, procedures and requirements when the City of Tallahassee is adding territory to the boundaries of the corporate limits.

132.03 Scope and Applicability:

This policy shall apply to those actions and related activities when the City of Tallahassee is adjusting the boundaries of its limits through annexation.

132.04 Policy Statement:

The City will pursue annexation by referenda and encouraging voluntary petitions. The annexation program shall be directed through supporting the City's goals for maintaining an economically healthy and pluralistic community, providing urban services to urbanized and urbanizing areas, encouraging urban infill development, affordable and workforce (inclusionary) housing, and a southern strategy for balanced growth. The expansion of Tallahassee's corporate limits will focus on areas within the Urban Services Area (USA), including the Southwood and Welaunee study areas as stated in the Comprehensive Plan and, in particular, on areas that contribute to the fragmentation of the City's existing boundaries. This program shall consider annexing all neighborhoods in the USA regardless of socio-economic status. An overall objective is to retain at least 70% of Leon County's population and taxable property within the City. As reflected in the adopted Comprehensive Plan, Leon County will support the City's annexation efforts in the Urban Service Area.

132.05 Definitions:

- a. Affordable and workforce housing: See definition of "affordable housing" in Section 1-2, City's Land Development Code, which is incorporated herein by reference, as it may be amended from time to time.
- b. Letter of agreement: A letter from the City to a property owner/developer briefly outlining the major rights and responsibilities of each party related to provision of public utility facilities for the proposed development which is the subject of the letter. The letter further sets conditions, limitations, standards, and procedures for the development (although additional standards and conditions may be imposed as necessary); and when signed by the City and the property owner/developer, is treated as a contract. Such agreement will include the amount of the water and/or sewer refund due to the petitioner, when possible.
- c. Southern Strategy: Any development located within the southern strategy area as that area is defined by the City Commission in the Comprehensive Plan, i.e., generally south of the Downtown area and within the urban service area.

- d. Undeveloped parcel(s): Vacant property, unplatted or platted, on which no structures or public facilities are located.
- e. Undeveloped subdivision(s): Subdivided lots, recorded in the official records of Leon County or unrecorded, on which no structures are located and for which no infrastructure intended to serve the subdivided lots has been constructed.
- f. Urban infill development: Development and/or redevelopment located on or proposed for a parcel of property bounded by existing urban development, or adjacent to an otherwise developed area where all or most public services and facilities are available.

132.06 Appropriate Action Sections:

a. Procedures:

1. Procedures for implementing this annexation policy may be found in Chapter 171, Florida Statutes, the Tallahassee-Leon County Comprehensive Plan and the City of Tallahassee's Administrative Policy and Procedures Manual. The Department of Management and Administration (DMA) shall prepare a long-range annexation strategy, maintain a map of the annexation study areas and a historical map reflecting prior annexations. DMA shall coordinate the preparation of all annexation ordinances and a statement that reflects the plans for providing urban services to the area proposed for annexation. When a city-owned or purchased parcel is proposed for annexation, the preparation of a plan or statement as outlined shall not be required.
2. A request for an exception to the Public Facility Standards for Voluntary Annexations as set out in this policy shall be approved, approved in part, approved with conditions, or denied by the City Commission prior to action on a voluntary annexation of undeveloped parcel(s) or undeveloped subdivision(s). Staff analysis and recommendation on the exception request shall be presented to the City Commission in the same agenda packet for the public hearing on the voluntary annexation ordinance.
3. For properties annexed by referendum, compliance with the City's standards for public facilities will be negotiated with affected property owners prior to the referendum being conducted.

b. Urban Service Plan

The plan for providing urban services required by Ch. 171, Florida Statutes, shall include information as requested by DMA, including the following:

1. How land use compatibility with adjacent properties will be ensured;
2. How public facilities will be provided, and by which entity;
3. How level of service standards are, or will be made, consistent with the Comprehensive Pplan;
4. How the City's policies and regulations for affordable and workforce (inclusionary) housing will be addressed;
5. How the City's policies and regulations for the Southern Strategy Area will be addressed;
6. For voluntary annexations, a statement certifying that infrastructure and public facilities on the parcel(s) to be annexed meet or exceed the standards set forth in this policy, or a statement that the petitioner is seeking an exception to the requirement that such standards be met; and
7. For voluntary annexations, the amount of any agreed upon water and/or sewer refund that will be due the petitioner.

c. Public Facility Standards for Voluntary Annexations:

Undeveloped parcel(s) and undeveloped subdivision(s): Any undeveloped parcel(s) or undeveloped subdivision(s) proposed for voluntary annexation shall meet or exceed the requirements for public

facility improvements and design standards outlined in Article II, Division 3 of Chapter 9 (Subdivisions and Site Plans), Article III, Section 5-86 (Stormwater Management Design Standards) of Chapter 5 of the City's Land Development Code, and all adopted Public Works Design Standards (all of which are referred to hereinafter as Public Facility Requirements) in order to be eligible for voluntary annexation. Compliance with these requirements shall be demonstrated through a letter of agreement.

Failure to comply with the Public Facility Requirements, unless an exception is authorized by a majority vote of the City Commission, shall result in the forfeiture of reimbursements for on-site extensions of water and sewer lines under Chapter 21, Utilities, Article III, Line Extensions, Division 2, Reimbursement of Developers in the City's Code of General Ordinances.

Developed parcels/subdivision: If the existing infrastructure of the area proposed to be annexed does not meet city standards, such infrastructure shall be improved to city standards prior to acceptance by the City for maintenance.

132.07 Administration:

The Department of Management and Administration is responsible for the administration of the annexation policy.

132.08 Sunset Review:

This policy may be reviewed annually as part of the City's overall review of the long-range annexation strategy. (**Noted from minutes of 10-25-06 City Commission meeting:** "flag this policy revision for review in the next one to two years to determine how it had been utilized and that there were no unintended results.")