



Legislation Details (With Text)

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| File #: | 20-22 | Version: | 1 | Name: | |
| Type: | Ordinance | Status: | | Public Hearing | |
| File created: | 12/30/2019 | In control: | | City Council | |
| On agenda: | 1/8/2020 | Final action: | | | |
| Title: | Ordinance No. 24-2019/2nd & Final Reading: Annexing approximately 139.23 acres of real property located in unincorporated Brevard County (as shown in Exhibit "A") into the City of Cocoa in accordance with Chapter 171 of the Florida Statutes and Appendix A, Article VI of the City of Cocoa Code. (Community Services Director) | | | | |
| Sponsors: | | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 1. 24-2019 Ordinance re Annexation Cape Canaveral Heights.pdf, 2. Ex A Ordinance 24-2019 (complete).pdf, 3. Exhibit B - Annexation Report.pdf, 4. Exhibit C - Letter to Brevard County.pdf, 5. Exhibit D - Receipt of Certified Letter (signed).pdf, 6. Exhibit E - Pre-Annex Agmt and Petitions (signed).pdf, 7. Exhibit F - Notification to property owners.pdf, 8. Exhibit G - No registered Voters on Property to be Annexed.pdf, 9. Legal Ad Proof - Annexation.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
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CITY COUNCIL AGENDA ITEM

Memo Date: December 30, 2019
Agenda Date: January 8, 2020
Prepared By: Dodie Selig, Planning & Zoning Manager
Through: Nancy A. Bunt, Community Services Director
Requested Action:

Ordinance No. 24-2019 / 2nd Reading: Annexing approximately 139.23 acres of real property located in unincorporated Brevard County (as shown in Exhibit "A") into the City of Cocoa in accordance with Chapter 171 of the Florida Statutes and Appendix A, Article VI of the City of Cocoa Code.

BACKGROUND:

Prior to commencing the annexation process, staff prepared a report entitled "Cape Canaveral Heights State Road 520 and State Road 524 Annexation Report," hereinafter referred to as "Annexation Report." The Annexation Report established that the study area, of which the subject area for this annexation is a part, met the requirements for annexation as outlined in Chapter 171 of the Florida Statutes. A copy of the Annexation Report is attached to this agenda item (Exhibit B). The Annexation Report was approved by City Council on October 9, 2019. A copy of the Annexation Report was transmitted to the Brevard County Board of County Commissioners on October 11, 2019 and signed for on October 15, 2019. (Exhibits C and D)

As indicated in the Annexation Report, the City will conduct annexations in accordance with Section 171.0413 (6), Florida Statutes. This section provides that consent of property owners representing at least 50% of the land area and at least 50% of the parcels to be annexed is required and will be obtained by the City of cocoa

prior to final adoption of the annexation ordinance. Related to this requirement, the City Council approved a Pre-Annexation Agreement with the applicant and accepted three Petitions of Annexation on November 13, 2019. (Exhibit E)

Staff notified property owners within the annexation area of the City's intent to annex their property along with the date and location of the two public hearings at which this item will be considered. (Exhibit F)

Staff confirmed with the Brevard County Supervisor of Elections that no registered electors currently reside in the proposed annexation area. Attached hereto is a memorandum of record to this effect. (Exhibit G)

Proposed Annexation Area:

The proposed annexation area is generally located at the intersection of State Road 524 and State Road 520, and more specifically west of Adamson Road and north of State Roads 520 and 524. The metes and bounds description for the proposed annexation area is described in Exhibit "A".

The proposed annexation comprises 59 parcels and ± 139.23 acres of real property, of which 43 parcels (122.58 acres) are consenting and 16 parcels (16.65 acres) are non-consenting. This annexation is therefore consistent with the aforementioned requirements of the Florida Statutes.

Current and Proposed Future Land Use and Zoning:

City of Cocoa future land use designation and zoning classification have not been determined and are not required at this time. However, a preliminary land use analysis was performed during the preparation of the Annexation Report.

Adequate Public Facilities

The Annexation Report provided an analysis of facilities available to serve the annexation study area. The Report determined that the City of Cocoa has, and can provide, the necessary public facilities and services to serve the Cape Canaveral Heights, State Road 520 and State Road 524 Annexation study area in the same manner as such services are provided within the rest of the City of Cocoa.

STRATEGIC PLAN CONNECTION:

BUDGETARY IMPACT:

The future budgetary impact is difficult to fully assess due to the undeveloped nature of the land. The total taxable value for the proposed annexation area will be increased by future development, in this case with a Planned Unit Development containing an unknown number of single-family residences and community amenities.

PREVIOUS ACTION:

City Council approved an Annexation Report entitled “Cape Canaveral Heights State Road 520 and State Road 524 Annexation Report” at its October 9, 2019 regular city council meeting.

City Council approved a Pre-Annexation Agreement and accepted three (3) Irrevocable Petitions to Annex Real Property at it November 13, 2019 regular city council meeting.

City Council approved the 1st Reading of Ordinance 24-2019 at its December 11, 2019 regular city council meeting.

RECOMMENDED MOTION:

Ordinance No. 24-2019 / 2nd Reading: Annexing approximately 139.23 acres of real property located in unincorporated Brevard County (as shown in Exhibit “A”) into the City of Cocoa in accordance with Chapter 171 of the Florida Statutes and Appendix A, Article VI of the City of Cocoa Code.