

PENSACOLA BEACH ADVOCATES, INC

Governmental Affairs Committee  
Position Statement  
November, 2008

If the PBA is to act as an advocate for Pensacola Beach leaseholders, it is important that we consistently advocate positions that reflect the thinking of a majority of PBA members. Therefore, we will need to periodically draft position statements and poll our members so we can be sure we are properly representing the majority opinion.

Ad Valorem Tax Litigation:

The PBA believes that the imposition of Ad Valorem taxes on either the land or the improvements which are subject to leases on Pensacola Beach is in violation of established Florida law. We believe Escambia County should honor the existing leases and the promises they made to entice residents and businesses to invest in a risky barrier island environment.

Fee Simple Title Issue:

If the leaseholders win the Ad Valorem tax litigation regarding either the leased improvements or the leased land, we believe there will be little interest by residential leaseholders to obtain fee simple title to their leasehold property because the Ad Valorem taxes are several times the lease fee on residential properties. Therefore, the PBA feels that any attempt to approach the U.S. Congress to change the 1947 conveyance of Santa Rosa Island to allow for fee simple title transfers should be deferred until after the courts have completed their rulings on the Ad Valorem tax issues, including taxation of leased land as well as leased improvements.

However, if the Escambia County BOCC does proceed to approach Congress on this issue, the PBA feels it is imperative to protect the public land and beaches of Pensacola Beach for the continuing benefit of all Escambia County citizens. The PBA therefore endorses protection of the public lands (including the Elementary School) and beaches through a Conservation Easement or some other means that prevents the rezoning or private development of public lands and beaches.

Local Governance:

Pensacola Beach is administered by the Santa Rosa Island Authority, which has five appointed members and one elected member. The SRIA is funded through residential and commercial lease fees, and no County monies are used to administer the public lands and beaches, which are of significant benefit to all citizens of Escambia County. The PBA supports the continued existence of the SRIA. However, the PBA would like the leaseholders on Pensacola Beach to have more representation on the SRIA.

Some leaseholders think that Pensacola Beach should be incorporated. Until the Ad Valorem tax litigation is settled, the PBA believes it is premature to explore such alternatives.

## Development – Core Area

Continued development of the Pensacola Beach “Core Area” is essential to the long-term economic health of our community and for the enjoyment of all guests to our island paradise. There is currently no comprehensive plan or vision for the Core Area, and the PBA recommends that a plan be developed that is embraced by businesses, residents, the SRIA and the BOCC.

Core Area development is hampered by a lack of adequate access (walkways and overpasses), parking, and a critical mass of restaurants, shops and other businesses. Parking needs will surely continue to increase in future years. Therefore, the PBA endorses the building of multi-use structures which include event space, retail space and parking (free to the public). Such structures should be built with sensitivity to aesthetics, beach views and the environment. The PBA also endorses an increase in the \$1.00 daily bridge toll to pay for the improvements.

In 2007, the BOCC amended the County’s building codes to allow up to 725 large hotel rooms (e.g. over 700 sq. ft. with multiple bedrooms and bathrooms, and full kitchens) to be built on Pensacola Beach. Now certain developers are proposing to build “hotels” made up exclusively of these large suites that have all the amenities of a residential condominium. The PBA believes that this is a violation of the building cap on Pensacola Beach. The PBA is not opposed to hotel developments that include mostly smaller hotel rooms and a few (e.g. 10%) larger suites with condo-like amenities.

## Development – Residential

Recognizing the fragile nature of a barrier island, the Florida Department of Community Affairs (DCA) has established a building cap of 4,128 residential units (homes or condominiums) on Pensacola Beach. The 4,128 units have been 100% allocated – most are in existence now, some are yet to be rebuilt after Ivan, and a few hundred are reserved by developers.

Some developers and BOCC members have expressed interest in removing the DCA building cap and developing Pensacola Beach using the Concurrency theory of allowing as many building units (e.g. condominiums) as can be supported by the infrastructure (water, sewer, roads, etc.).

The PBA believes we should retain the existing DCA building cap for Pensacola Beach. Further, we believe the 1988 Pensacola Beach Land Utilization Plan has provided a controlled development plan for the Beach for 20 years, and should continue to guide residential development on the Beach.