



# MEMORANDUM

Office of the City Attorney

LEGISLATIVE ITEM NO. 001162

Phone: 334-5011/Fax 334-2229  
Box 46

TO: Mayor and City Commission

DATE: May 14, 2001  
~~April 23, 2001~~

FROM: City Attorney

CITY ATTORNEY  
~~FIRST READING~~  
SECOND READING

SUBJECT: Ordinance No. 0-01-06

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended, by Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprising approximately 128.20 acres (MOL) generally located north of NW 69<sup>th</sup> Lane and Blues Creek Unit-2, west of NW 52<sup>nd</sup> Terrace, NW 50<sup>th</sup> Street and the Blues Creek Subdivisions, south of the City limits, east of Section 9, Township 9S, Range 19E; providing for inclusion of the area in Appendix I of the City Charter; providing for land use plan and zoning regulations; providing for enforcement of Alachua County, land use plan, zoning and subdivision regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

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Recommendation: The City Commission adopt the proposed ordinance.

The adoption of an annexation ordinance is the final stage in the annexation process under the provisions of the Alachua County Boundary Adjustment Act. On Monday, November 13, 2000, at a regular city commission meeting, the City Commission received and accepted the petition for voluntary annexation, and determined that the petition bore the signature of the owner of the property that is the subject of this annexation. On January 8, 2001 and January 22, 2001, the City Commission held advertised public hearings and adopted the Urban Services Report as mandated by the Boundary Adjustment Act.

## ANNEXATION ORDINANCE

The annexation ordinance proposes to annex a contiguous, compact, unincorporated portion of the reserve area. The Boundary Adjustment Act requires the ordinance to be adopted as a nonemergency ordinance and to include one reasonably compact area.

In the Ordinance the City Commission makes certain findings of fact related to the area proposed for annexation. The area must meet certain standards as required by the Boundary Adjustment Act. In this regard, your attention is drawn to Section 1 of this Ordinance and the presentation by the City Manager.

The Alachua County land use plan and zoning or subdivision regulations will remain in effect until the City adopts a comprehensive plan amendment that includes the annexed area, and rezones the property to a city zoning category. During the interim period, the City may rezone the property in the annexed area to an Alachua County Zoning classification/category that conforms with the Alachua County Comprehensive Plan in accordance with Chapter 163, F.S.

Prepared and  
Submitted by:



Marion J. Radson  
City Attorney

Passed on first reading by a vote of 5-0.