



Alachua County Boundary Adjustment Act

Prepared by Lila Stewart
Senior Strategic Planner

December 5, 2013

Background

Alachua County Boundary Adjustment Act

- A special act of the Florida Legislature which governs annexation in Alachua County.
- Preempt other laws, specifically the Municipal Annexation or Contraction Act (Fla. Stat. §171).

CHAPTER 90-496
Revised House Bill No. 3795
Revised House Bill No. 1503
Revised Senate Bill No. 2376

Be It Enacted by the Legislature of the State of Florida:

Section 1. Short title.

This act shall be known and may be cited as the "Alachua County Boundary Adjustment Act."

Section 2. Purpose.

The purposes of this act are to set forth procedures for establishing municipal reserve areas and for adjusting the boundaries of municipalities through annexations or contractions of corporate limits and to set forth criteria for determining when annexations or contractions may take place so as to:

- (1) Ensure sound urban development and accommodation to growth.
- (2) Ensure the efficient provision of urban services to areas that become urban in character.
- (3) Ensure that areas are not annexed unless municipal services can be provided to those areas.
- (4) Promote cooperation between municipalities and Alachua County regarding the provision of services and the regulation of urban areas at the boundaries of...

- The eight other municipalities in Alachua County have voted to file a local bill that would repeal the Alachua County Boundary Adjustment Act.
- The City of Gainesville has not taken a position in support or opposition of an action to repeal the Alachua County Boundary Adjustment Act.

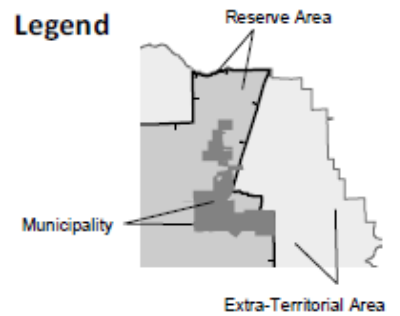
- If the Alachua County Boundary Adjustment Act were repealed, the City would adhere to the procedures set forth in the Municipal Annexation or Contraction Act (Fla. Stat. §171).

Major Differences

1. The Alachua County Boundary Adjustment Act establishes urban reserve areas from which the cities can annex, where the Municipal Annexation or Contraction Act (Fla. Stat. §171) is silent on urban reserves in the absence of an interlocal agreement.

MAP 1 Reserve and Extra-Territorial Areas

Legend



Notes:

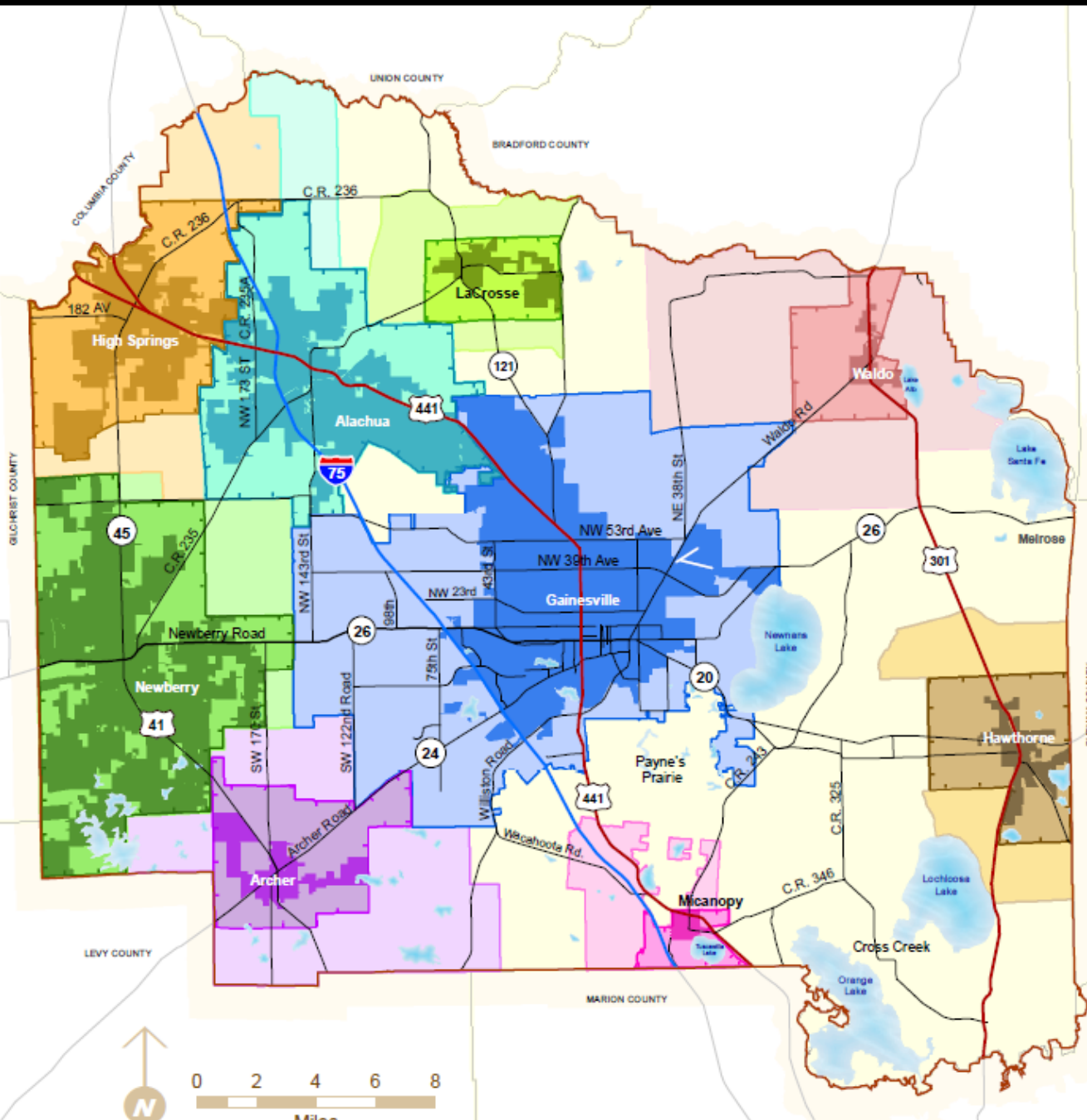
Reserve Areas are designated pursuant to the Alachua County Boundary Adjustment Act, a special act of the Florida legislature which governs annexation in Alachua County (Ch. 225, Alachua County Code). The Reserve Areas are the exclusive areas within which the corresponding municipality may annex land. Extra-Territorial Areas have been designated for some municipalities as areas for purposes of joint planning as provided by interlocal agreement.

The Gainesville Reserve Area boundary was updated by Resolution 11-80 of the Alachua County Commission on August 9, 2011 (effective October 9, 2011), in accordance with the 5-Year review and update process for Reserve Areas provided in the Alachua County Boundary Adjustment Act.

The Reserve and Extra-Territorial Areas for Alachua, Archer, Hawthorne, High Springs, LaCrosse, Micanopy, Newberry, and Waldo were adopted by County Commission Resolutions 06-04 through 06-08 and 06-10 through 06-12 on January 10, 2006 and became effective on March 13, 2006 (the Reserve Areas for these municipalities were not modified as part of the 2011 review and update process under the Boundary Adjustment Act).

Prepared by:

Alachua County
Department of Growth Management
10 SW 2nd Avenue, Gainesville, FL 32601
(352) 374-5249
<http://growth-management.alachuacounty.us>



Consideration

- The establishment of urban reserves in the Alachua County Boundary Adjustment Act has been shown to reduce intergovernmental conflict, especially when the boundaries of two municipalities are close.
- Staff recommends that the City Commission consider retaining this element in an interlocal agreement.

Major Differences, cont.

2. The Alachua County Boundary Adjustment Act has greater administrative requirements for voluntary annexation than the Municipal Annexation or Contraction Act (Fla. Stat. §171.044).
3. The voluntary annexation process has the potential to take longer under the requirements of the Alachua County Boundary Adjustment Act than the Municipal Annexation or Contraction Act (Fla. Stat. §171.044).

Recommendation

The City Commission:

1. Receive a presentation from staff;
2. Refer this item to the Audit, Finance and Legislative Committee; and
3. Schedule a special Audit, Finance and Legislative Committee meeting in December.

The City Commission:

1. Receive a presentation from staff;
2. Discuss the City's position on the local bill to repeal the Alachua County Boundary Adjustment Act; and
3. Direct the City Manager to include support or opposition of the local effort to repeal the Alachua County Boundary Adjustment Act in the Legislative Agenda.