

ORDINANCE NO. 030458
0-03-93

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5 **An Ordinance of the City of Gainesville, Florida, annexing a**
6 **portion of the City of Gainesville Reserve Area Pursuant to**
7 **Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-**
8 **347, Special Acts, Laws of Florida, known as the Alachua**
9 **County Boundary Adjustment Act; making certain findings;**
10 **including within the corporate limits of the City of Gainesville,**
11 **Florida, that certain compact and contiguous area described as**
12 **Lots 10, 11 and 16 of North Florida Regional Doctor's Office**
13 **Park located in the vicinity of NW 64th Terrace and NW 9th**
14 **Boulevard; providing for inclusion of the area in Appendix I of**
15 **the City Charter; providing for land use and zoning regulations;**
16 **providing for persons engaged in any occupation, business trade**
17 **or profession within the area; providing directions to the City**
18 **Manager and Clerk of the Commission; providing a severability**
19 **clause; and providing an immediate effective date.**
20

21 **WHEREAS,** Chapter 90-496, Special Acts, Laws of Florida, as amended by Chapter 91-
22 382 and Chapter 93-347, Special Acts, Laws of Florida, created the "Alachua County Boundary
23 Adjustment Act" (hereinafter collectively referred to as "the Act") which sets forth procedures for
24 the annexation of contiguous, compact, unincorporated territory within a municipality's reserve
25 area; and
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27 **WHEREAS,** on January 13, 1998, the Board of County Commissioners of Alachua County
28 designated the Reserve Area for the City of Gainesville pursuant to the Act; and

29 **WHEREAS,** the owners of the real property described herein submitted Petitions for
30 Voluntary Annexation requesting the City to incorporate said property into the City of Gainesville;
31 and

32 **WHEREAS,** on August 11, 2003, the City Commission voted to accept said Petitions and
33 determined that the Petitions bore the signatures of the owner of the property; and

1 **WHEREAS**, on June 10, 2002, the City Commission of the City of Gainesville adopted
2 Ordinance No.002519, which adopted the Urban Services Report setting forth the plans to provide
3 urban services to that portion of the Reserve Area proposed to be annexed in accordance with the
4 procedures provided in the Act; and

5 **WHEREAS**, a copy of the Urban Services Report was filed with the Alachua County
6 Board of County Commissioners and the real property owner affected by this ordinance; and

7 **WHEREAS**, the City of Gainesville desires to annex a certain portion of its Reserve Area
8 which is compact and contiguous to the present corporate limits of the City; and

9 **WHEREAS**, pursuant to law, notice has been given by publication once a week for two
10 consecutive weeks in a newspaper of general circulation notifying the public of this proposed
11 Ordinance and of Public Hearings to be held in the City Commission meeting room, First Floor,
12 City Hall, in the City of Gainesville; and

13 **WHEREAS**, Public Hearings were held pursuant to the published notice described above at
14 which hearings the parties in interest and all others had an opportunity to be and were, in fact,
15 heard.

16 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
17 **CITY OF GAINESVILLE, FLORIDA:**

18 **Section 1.** The City Commission finds that the Area described in Section 2 of this
19 Ordinance (hereinafter referred to as the "Area") is reasonably compact and contiguous to the
20 present corporate limits of the City of Gainesville, and that no part of the Area is within the
21 boundary of another municipality or county. The City Commission finds the Area to be within its
22 Reserve Area and the annexation does not create an enclave.

1 **Section 2.** The following described Area is annexed and incorporated within the corporate
2 limits of the City of Gainesville, Florida:

3 See Legal Description attached hereto as Exhibit "A", and made a
4 part hereof as if set forth in full.
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6 **Section 3.** The corporate limits of the City of Gainesville, Florida, as set forth in Article 1,
7 Charter Laws of the City of Gainesville, are amended and revised to include the Area described in
8 Section 2 within the corporate limits of the City of Gainesville, Florida.

9 **Section 4.** The City Manager is authorized and directed to make the necessary change in the
10 Code of Ordinances of the City of Gainesville, Florida, to comply with this ordinance.

11 **Section 5.** In accordance with Section 171.062, Florida Statutes, the Alachua County land
12 use plan and zoning or subdivision regulations shall remain in full force and effect in the Area
13 described in Section 2 of this Ordinance until the City adopts a comprehensive plan amendment
14 that includes the annexed area. During the interim period, the City may rezone properties in the
15 annexed area to an Alachua County Zoning classification/category that conforms with the Alachua
16 County Comprehensive Plan.

17 **Section 6.** (a) Except as provided in subsections (b) and (c) below, all persons who are
18 lawfully engaged in any occupation, business, trade or profession within the area described in
19 Section 2 of this Ordinance as of December 9, 2003, shall have the right to continue such
20 occupation, business, trade or profession.

21 (b) Except as provided in subsection (c) below, all persons who are lawfully
22 engaged in any construction trade, occupation or business within the Area described in Section 2 of
23 this Ordinance as of December 9, 2003, and who possess a valid certificate of competency issued
24 by Alachua County shall have the right to continue the construction trade, occupation, or business

1 within the entire corporate limits of the City of Gainesville, including the Area described in Section
2 2 of this Ordinance, subject to the terms, conditions and limitations imposed on the certificate by
3 Alachua County, and provided such persons register the certificate with the Building Inspections
4 Department of the City of Gainesville and the Department of Professional Regulation of the State of
5 Florida on or before 4:00 p.m. on December 9, 2003.

6 (c) All persons lawfully engaged in any occupation, business, trade or
7 profession within the Area described in Section 2 of this Ordinance on or after December 9, 2003.
8 shall obtain an occupational license from the City of Gainesville for the term commencing on
9 October 1, 2004, which license shall be issued upon payment of the appropriate fee in accordance
10 with the Gainesville Code of Ordinances in effect on October 1, 2004.

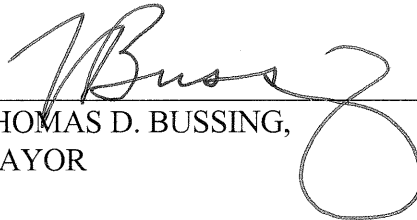
11 **Section 7.** If any portion of this Ordinance is declared by a court of competent jurisdiction
12 to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining
13 portions of this Ordinance.

14 **Section 8.** The Clerk of the Commission is directed to submit a certified copy of this
15 Ordinance to: 1) the Executive Office of the Governor; 2) the Florida Department of State; and 3)
16 the Clerk of the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida.

17 **Section 9.** This Ordinance shall become effective immediately upon adoption.
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PASSED AND ADOPTED this 8th day of December, 2003.




THOMAS D. BUSSING,
MAYOR

ATTEST:

Approved as to form and legality



KURT LANNON
CLERK OF THE COMMISSION



MARION J. RADSON
CITY ATTORNEY

DEC - 9 2003

This Ordinance passed on first reading this 24th day of November, 2003.

This Ordinance passed on second reading this 8th day of December, 2003.

EXHIBIT A

LOTS TEN (10), ELEVEN (11), SIXTEEN (16) OF NORTH FLORIDA REGIONAL DOCTORS OFFICE PARK, AS PER PLAT THEREOF RECORDED IN PLAT BOOK "H", PAGE 81 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.




CITY OF GAINESVILLE

Clerk of the Commission

I hereby certify that a true record of this ordinance was made by me in

Ordinance Book No. 69 on this 11th day of
December, 2003.


Kurt M. Lannon, Jr.
Clerk of the Commission