

CITY OF GAINESVILLE
Office of the City Attorney

980859
MEMORANDUM

Box No. 46

334-5011 / Fax 334-2229

December 14, 1998

TO: Mayor and City Commission

DATE: December 10, 1998

CITY ATTORNEY

FROM: Marion J. Radson, City Attorney

FIRST READING

SECOND READING

SUBJECT: Ordinance No. 0-99-11

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 Chapter 91-382 and Chapter 93-347, 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 generally bounded on the West by Morningside Nature Center and the Gainesville city limits, on the North by the existing Gainesville City Limits (N.E. 39th Avenue), on the East by a line extending directly south from NE 39th Avenue to Lakeshore Drive, and on the South by Hawthorne Road and Lakeshore Drive; providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the Clerk of the Commission; providing ballot language; providing for land use plan and zoning regulations; providing for persons engaged in any occupation, business, trade or profession; providing a severability clause; and providing effective dates.

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 November 9, 1998 and November 23, 1998, 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. The ordinance will be submitted to a vote of the registered electors for their approval on Tuesday, April 27, 1999.

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 annexation is effective on September 1, 1999 unless there is a tie vote or majority vote against the annexation.

Sections 7 and 8 of the Ordinance relate to special matters which may be of interest to the owners and residents and those persons engaged in any business or occupation. 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. Those persons engaged in any occupation, business, trade or profession in the area proposed for annexation will have the right to continue their occupations, businesses, trades or professions and shall obtain an occupational license from the City of Gainesville for the term commencing on October 1, 1999. Those persons engaged in the construction industry within the annexation area will be required to register with the City on or before 4:00 p.m. September 1, 1999 in order to maintain their certificate of competency issued by Alachua County.

Prepared and
Submitted by:


Marion J. Radson
City Attorney

MJR/afm

Attachment

Passed on first reading by a vote of 4-0.