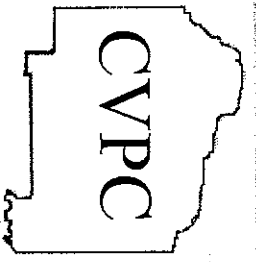


Countywide Visioning and Planning Committee

**Recommended Modifications to the
Boundary Adjustment Act
(Chapter 225, Alachua County Code)**

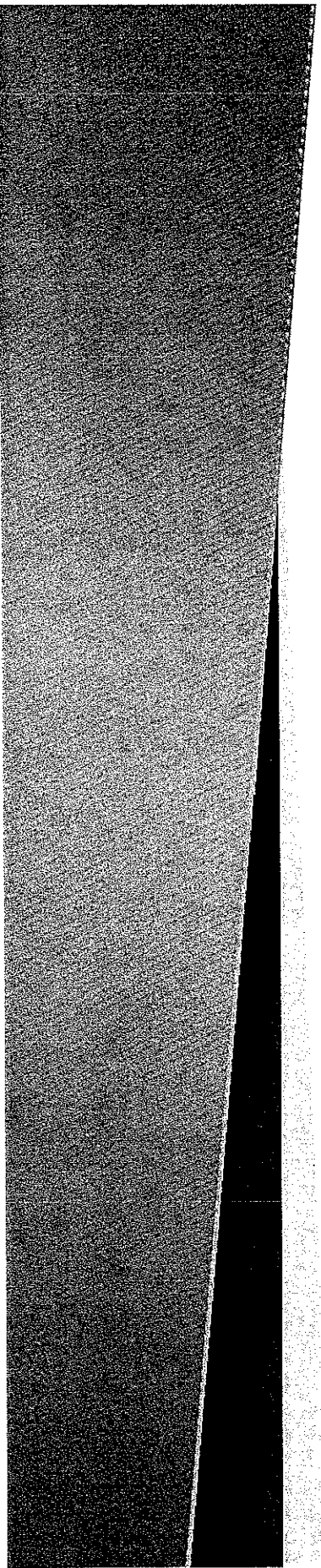
Alachua County
Board of County Commissioners
Tuesday, November 18, 2008



Chapter 225.

Boundary Adjustment Act

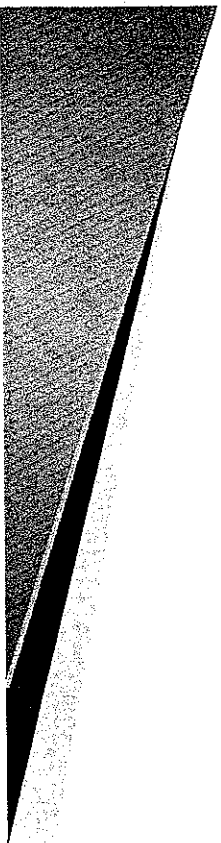
**Special Act of Legislature adopted for
Alachua County – Enacted in 1990**



Chapter 225. Boundary Adjustment Act

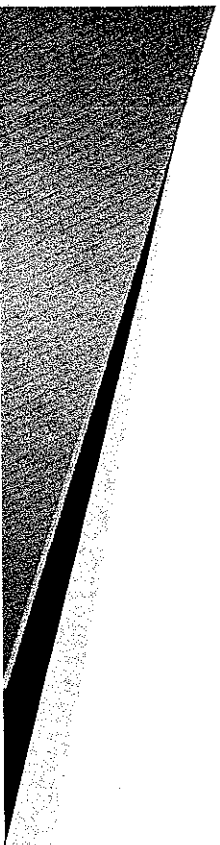
PURPOSE:

- ▶ Set forth procedures for establishing municipal reserve areas and for adjusting boundaries of municipalities through annexations or contractions of corporate limits.
- ▶ Ensure sound urban development and accommodation to growth.
- ▶ Ensure efficient provision of urban services to areas that become urban in character.



Chapter 225. Boundary Adjustment Act

- ▶ **Ensure areas are not annexed unless municipal services can be provided to those areas.**
- ▶ **Promote cooperation between municipalities and Alachua County regarding the provision of services.**
- ▶ **Protect all parties**
- ▶ **Encourage development in reserve areas efficiently utilizing services and prevent urban sprawl.**



Chapter 225. Boundary Adjustment Act

Municipalities in

Alachua County:

Alachua

Archer

Gainesville

Hawthorne

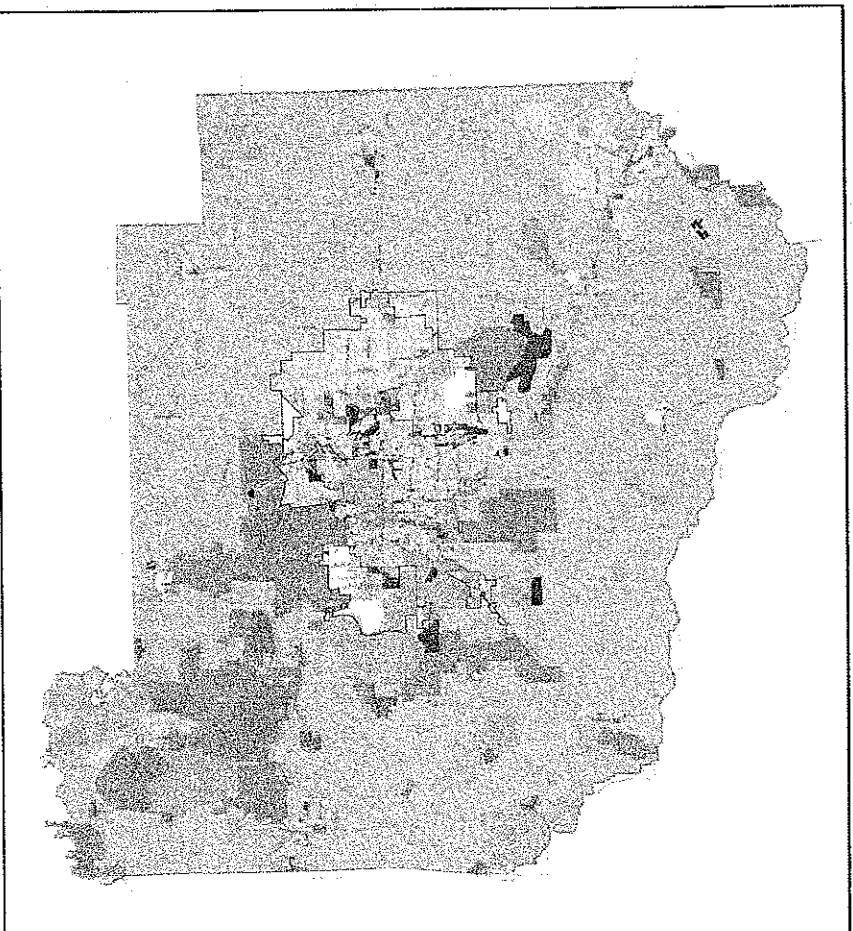
High Springs

Lacrosse

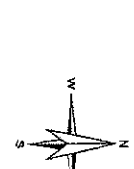
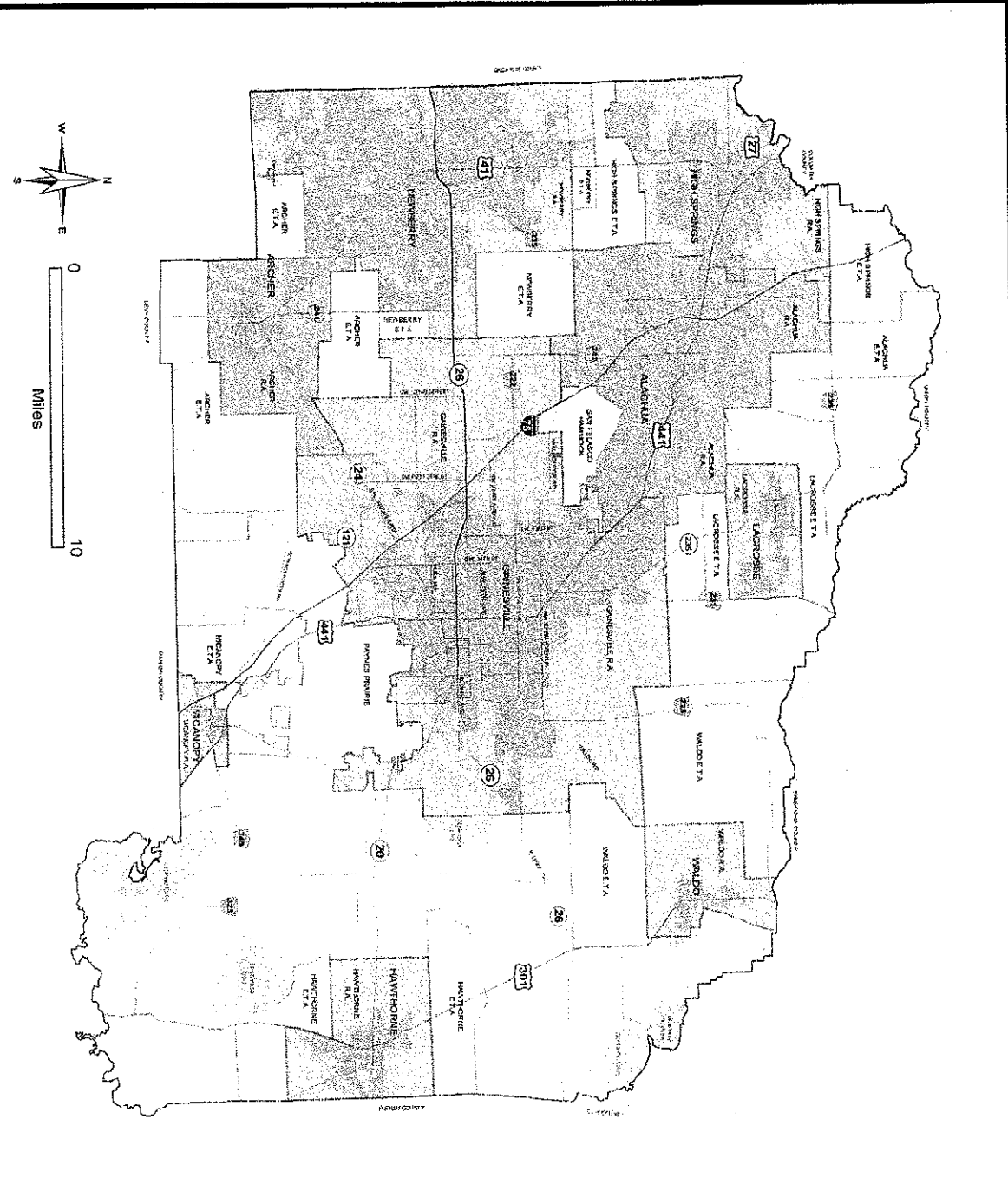
Micanopy

Newberry

Waldo



Alachua County Municipalities – City Limits and Reserve Areas



MAP 1
Reserve and
Extra-Territorial Areas

Legend

Reserve Area

Municipality

Extra-Territorial Area

NOTES:

These boundaries were adopted by the Board of County Commission Resolutions 06-04 through 06-12 on 07/10/2006 and became effective on March 13, 2006 pursuant to the Florida County Boundary Adjustment Act (Chapter 225, Alachua County Code).

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 of Alachua County Code). The Reserve Areas are the exclusive areas within which the corresponding municipality may annex property. Extra-Territorial Areas have been designated for some municipalities as areas for purposes of city planning as provided by municipal government.

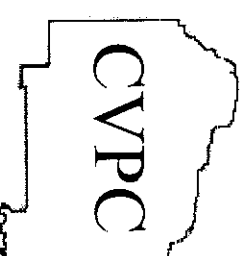
Map and Documentation are based on the following information:
 Date of Publication: 07/22/07
 File on CD: Mfg/ops/plan_cmap
 Revision: Rev. 0906, 8/20/11 and

PREPARED AT:

Alachua County
 Department of Growth Management
 10 SW 2nd Avenue
 Gainesville, FL 32601
 (352) 374-4248
<http://growth-management@achua.net>

Chapter 225. Boundary Adjustment Act

- ▶ Countywide Visioning and Planning Committee discussed rescinding BAA and following general law or updating it. Majority wanted it updated.
- ▶ Task Force appointed and drafted revisions; recommendations then presented to CVPC.
- ▶ CVPC recommends the revised language be adopted by all governing bodies in public hearings.
- ▶ Draft of revisions presented to legislative delegation for approval by the Legislature



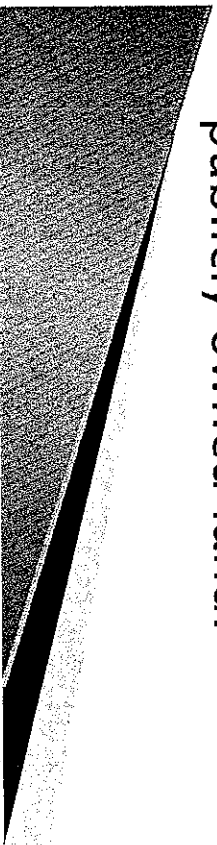
Recommended Modifications to the Boundary Adjustment Act

» *Countywide Visioning and
Planning Committee*



Section 225.04 – Definitions

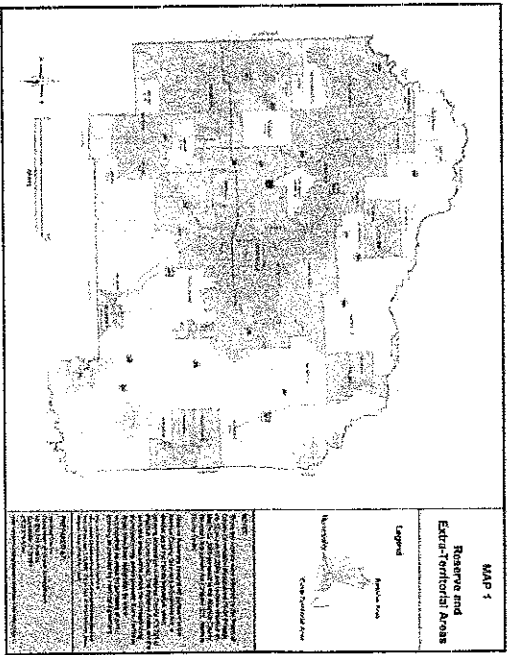
- ▶ The proposal is to amend the definition of “parties affected” consistent with general law
 - Delete standing to challenge annexation in regard to persons within enclaves.
 - The remainder of the definition in the existing BAA has been consolidated with the one significant difference from general law being that the current and proposed BAA definition provides standing to persons owning property or residing within the municipality or the proposed annexation area (general law omits residence within a proposed annexation area, which is internally and inexplicably inconsistent).
- ▶ Minor changes to definition of enclave to conform to general law definition, i.e. instead of “totally enclosed by a ...municipality”, say “enclosed on all sides by a...municipality”.
- ▶ Change to exception to contiguity requirement for annexation – change current BAA exception for “publicly owned County park” to “publicly owned land.”



Section 225.07 – Procedure for Amending/Updating Reserve Area Designations and Statements.

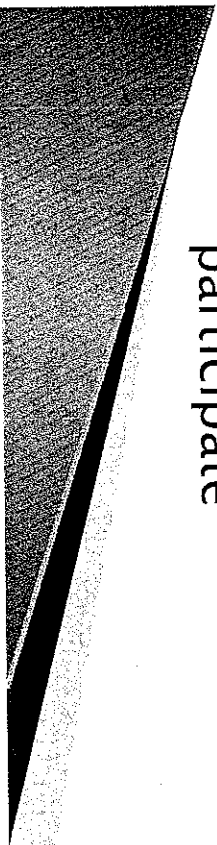
- ▶ Retain Reserve Areas as exclusive areas within which municipality may annex.

- ▶ Consolidate two sections of BAA dealing with both original establishment of Reserve Areas and Updates of Reserve Areas to focus on update of Reserve Areas.
 - Section 225.05 Establishment of Reserve Areas has been removed.
 - Section 225.07 has been re-written to incorporate information from Section 225.05 relating to updates.



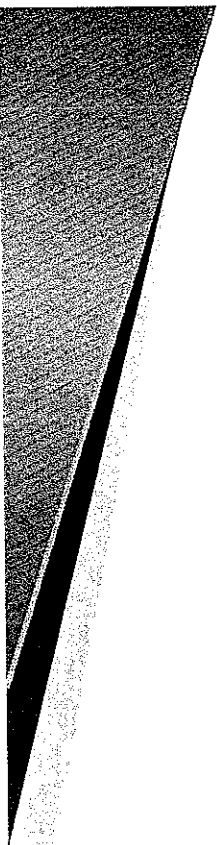
Section 225.07 – Procedure for Amending/Updating Reserve Area Designations and Statements.

- ▶ Updates have been changed from every 5 years to every 10 years.
 - Next update would begin October 1, 2010.
- ▶ Each municipality commences the urban reserve area update process conducting hearing for input on whether any change in reserve area is desired.
 - Change from current BAA which calls for both County and each municipality to conduct hearings to determine whether to change reserve area
 - Eliminate provision in current BAA that provides for “next most populous municipality” to take over if County fails to participate



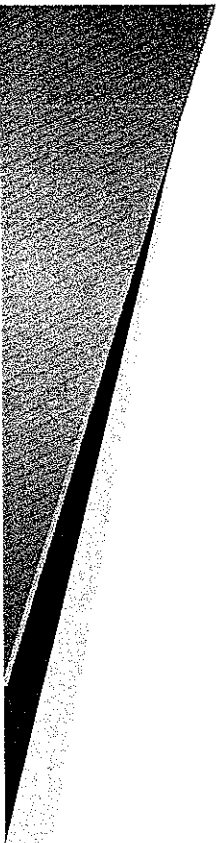
Section 225.07 – Procedure for Amending/Updating Reserve Area Designations and Statements.

- ▶ If municipality desires to change Reserve Area, notify County, other municipalities, regional planning agency with map of proposed change, reason for the change, and showing how meet criteria for Reserve Area
- ▶ Municipality submits information on services and facilities to be provided by municipality and County before and after annexation, to proposed addition to Reserve Area, as in current BAA.



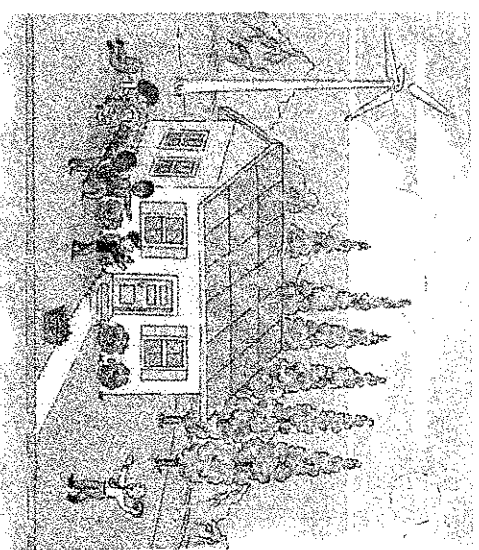
Section 225.07 – Procedure for Amending/Updating Reserve Area Designations and Statements.

- ▶ Attempt to eliminate conflicts or overlaps through informal negotiation or mediation, as in current BAA.
- ▶ County adopts a final Reserve Area designation after notice and hearing, and submits to each municipality which has not waived participation in proceedings.
 - Updated designation becomes effective if not challenged within 60 days.



Section 225.07 - Procedure for Amending/Updating Reserve Area Designations and Statements.

- ▶ Criteria for standing to challenge changes to urban reserve areas is amended to state that in addition to owning property and residing within reserve area, criteria to challenge standing now includes owning property and residing within the municipality
 - The current BAA omits the ownership of property within the municipality as a basis for standing.



Section 225.12 - Annexation of Enclaves

Amend BAA to add approaches authorized in general annexation law, but unavailable under BAA, to eliminate existing enclaves, with modifications as noted below:

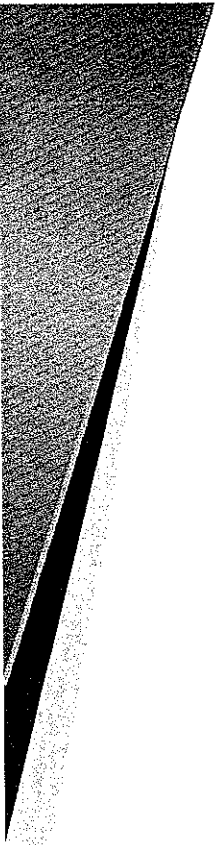
- Enclaves may be annexed through interlocal agreement of the municipality and the County, or by municipal ordinance submitted to voters of the area for referendum vote.
- Applies to enclaves regardless of size or number of registered voters (General Law applies only to enclaves of 10 acres or less and, if by referendum, to enclaves with fewer than 25 registered voters)

Section 225.12 - Annexation of Enclaves

Amend BAA to add approaches authorized in general annexation law, but unavailable under BAA, to eliminate existing enclaves, with modifications as noted below:

▶ **Applies regardless of whether the property in the enclave is developed or improved (General Law applies only to undeveloped or unimproved property)**

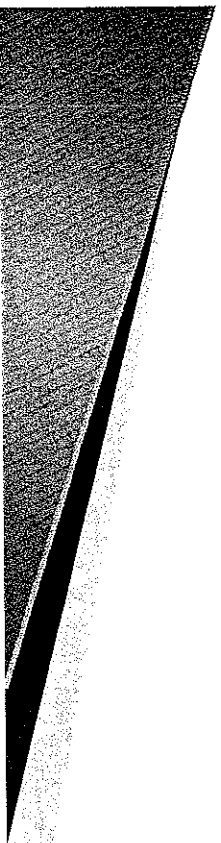
▶ **Majority of those voting in referendum would be needed to approve annexation for the ordinance of annexation to become effective (General Law requires approval by 60% of the registered voters).**



Section 225.13 – Prerequisites to Annexation/ Urban Services Report

The CVPC decided to retain the Urban Services Report as a prerequisite to annexation, with modifications as noted below:

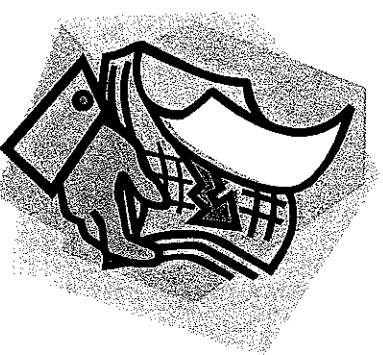
- ▶ Municipalities would no longer adopt Urban Service Reports by ordinance, municipalities would approve the Report .
- ▶ Consolidate Report Requirements for Referendum Annexations and Voluntary Annexations.
- ▶ Clarify that the Urban Services Report must be filed with the County for informational purposes at least 60 days before a municipality adopts an ordinance effecting an annexation.



Section 225.13 – Prerequisites to Annexation/ Urban Services Report

The CVPC decided to retain the Urban Services Report as a prerequisite to annexation, with modifications as noted below:

- ▶ More flexibility in completing urban services reports.
 - Some information included in the Urban Services Report would continue to be required such as a map or maps of the municipality and adjacent territory showing the present and proposed municipal boundaries.
- ▶ Other information *may* be included, such as what extent services to existing residents would need to be reduced because of annexation, extent taxes would need to be adjusted, plans to provide services and facilities after annexation, etc.





Questions?