

Repeal and Replace the Boundary Adjustment Act with the Urban Reserve Act

Lila Stewart, Senior Strategic Planner
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Repeal 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) & establishes reserve areas.

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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...

- Sets forth procedures for establishing and updating urban reserves.
- All activity related to municipal annexation governed by general law.

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

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This act shall be known and may be cited as the “Alachua County Urban Reserve Act.”

Section 2. Purpose.

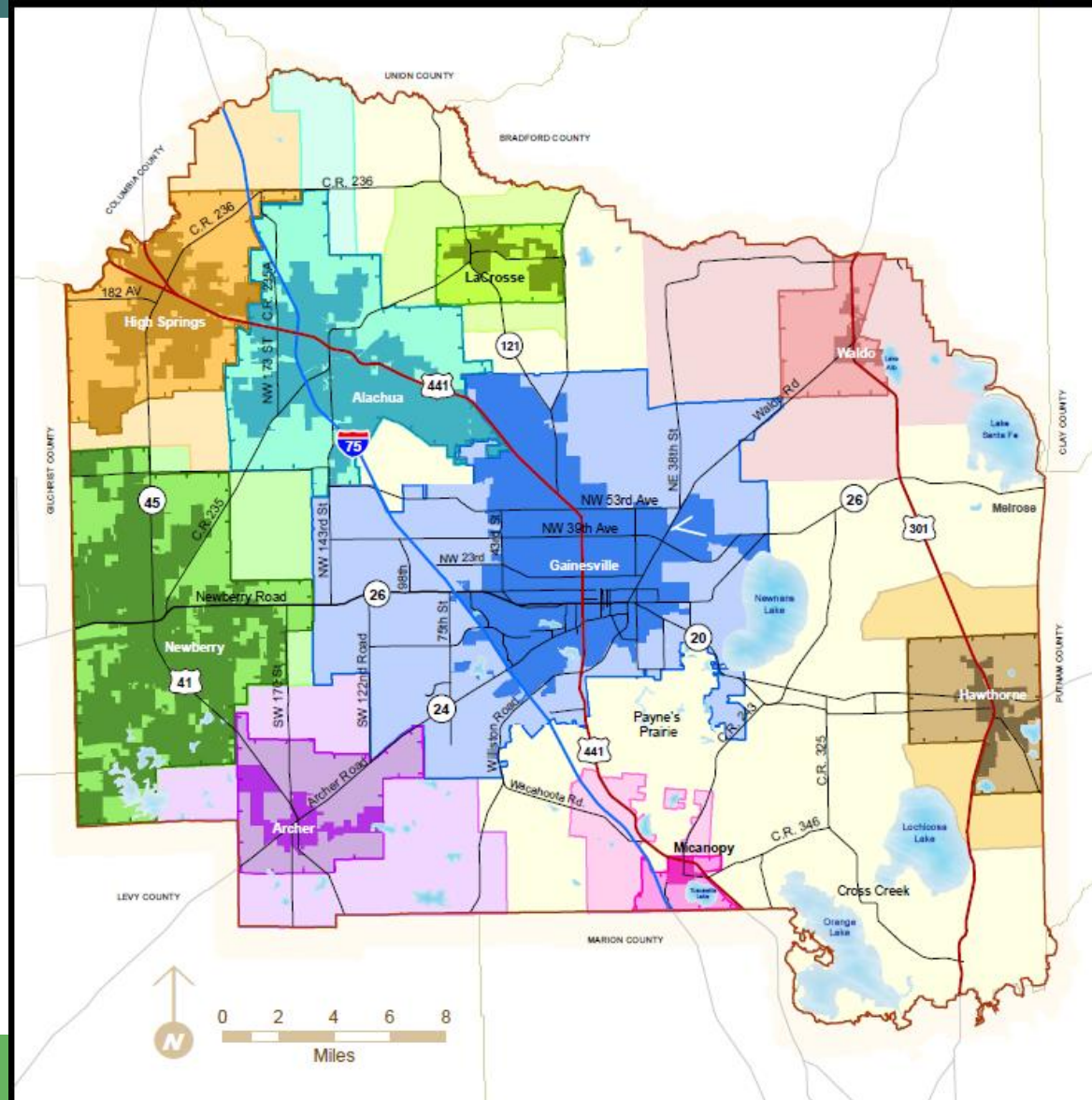
The purpose of this act is to promote long-term planning for municipal annexations within Alachua County by establishing a procedure to designate urban reserve areas for each municipality.

Section 3. Supplemental; effect of other laws.

The provisions of this act are supplemental to general law or any special law relating to municipal annexation or contraction.

Urban Reserve Areas

- Reserve areas identify where each municipality may annex.
- Promotes long-term planning and inter-local collaboration.



Timeline of Current Process

Date	Activities leading to proposed bill
November, 2013	Legislative delegation discusses local bill to repeal Boundary Adjustment Act
December, 2013	City Commission votes unanimously to enter into negotiations to retain urban reserves
January, 2014	Alachua County League of Cities discusses alternatives to repealing BAA and proposes modifications
February, 2014	Board of County Commissioners discuss potential repeal of BAA
February, 2014	Alachua County League of Cities receives notification that public hearing requirements prohibit any action other than repeal in 2014 legislative session
March – May, 2014	Team with representatives from Gainesville, Hawthorne, Alachua and Micanopy draft new bill for 2015 legislative session. Urban Reserve Act is drafted.
May – August, 2014	Presentations to all City Commissions to support repeal and replacement.

■ Purpose

- The purpose of this act is to promote long-term planning for municipal annexations within Alachua County by establishing a procedure to designate urban reserve areas for each municipality.

- **Supplements general law**
 - The provisions of this act are supplemental to general law or any special law relating to municipal annexation or contraction.

- **Retains important definitions**
 - **"Affected person"** means any person or entity residing in or owning property in either a municipality requesting an amendment to its urban reserve area, or in the urban reserve area or an area that is proposed to be included within the urban reserve area of such a municipality.

- **Designates where municipal annexations within Alachua County can occur**
 - In addition to meeting the requirements of general law, a municipality within Alachua County may only annex land that is located within its urban reserve area.

Urban Reserve Act

- **Establishes urban reserve areas**
 - The urban reserve areas adopted by the Alachua County Commission on August 9, 2011, and which became final on October 9, 2011, shall be designated as the urban reserve areas for the municipalities within Alachua County as of the effective date of this act.

- **Establishes the Urban Reserve Review Board**
 - The Urban Reserve Review Board is hereby created to hear requests to amend the boundaries of urban reserve area designations.
 - The Urban Reserve Review Board shall consist of one elected official from each municipality within Alachua County and one elected official from Alachua County.

■ Sets procedures for Board

- A quorum shall consist of four-fifths (4/5) of the membership.
- A majority vote of the quorum is required for all action taken by the Urban Reserve Review Board, except for action on petitions to amend urban reserve areas.
- The Chair of the Urban Reserve Review Board shall be responsible for receiving from municipalities petitions to amend urban reserve areas and for convening the board for a public hearing on such matter.

Urban Reserve Act

- **Sets procedures to petition for amendment**
 - Any municipality within Alachua County may request an amendment to the boundaries of its respective urban reserve area by submitting to the Chair of the Urban Reserve Review Board a written petition that includes a map of the proposed amendment and documentation demonstrating that the proposed amendment complies with the criteria set forth in Section 8 of this act.
 - The Urban Reserve Review Board shall meet within 90 days of receiving a written petition, but shall meet no less than annually.

Urban Reserve Act

- **Sets procedures to appeal a decision of the Urban Reserve Review Board**
 - Any municipality or any affected person may, within 60 days after the Urban Reserve Review Board's decision, file a petition with the Division of Administrative Hearings challenging the decision.

- **Establishes criteria for urban reserve areas**
 - Urban reserve areas designated for a municipality shall:
 - Be adjacent to the municipality;
 - Be urban in character or likely to become urban in character within the next 10 years; and
 - Be areas where population growth should be directed so as to promote efficient delivery of urban services.

Recommendation

Support the local effort to repeal and replace the Alachua County Boundary Adjustment Act with the Alachua County Urban Reserve Act in the 2015 legislative agenda.