



Legislation Text

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ANNEXATION - SW 20th AVENUE AREA (B)

ORDINANCE NO. 0-03-66

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, 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 described as follows: bounded on the south by the northern boundary of SW 24th Avenue as extended west to the western boundary of Interstate 75, bounded on the east by the City limits and the eastern boundary of Southwest 34th Street, bounded on the west by the western boundary of Interstate 75 and the City limits, and bounded on the north by the City limits; providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the City Manager and Clerk of the Commission; providing ballot language; providing for land use plan and zoning regulations; providing for enforcement of Alachua County land use plan, zoning and subdivision regulations; providing for persons engaged in any occupation, business, trade or profession; providing a severability clause; and providing effective dates.

The City Commission adopt the proposed ordinance.

Prior to the annexation of area into a municipality, the Alachua County Boundary Adjustment Act (Act) requires the municipality to prepare and adopt by nonemergency ordinance a report setting forth plans to provide urban services to the reserve area to be annexed. Once the urban services report is adopted, an annexation ordinance must be considered by the municipal government. In the case of a non-voluntary annexation, the Act then requires a referendum on annexation of the area be held at the next regularly scheduled election following the final adoption of the annexation ordinance or at a special election called for the purpose of holding the referendum.

In an effort to annex certain property located in the SW 20th Avenue area, in December of 2002, the City Commission of the City of Gainesville directed staff to prepare and advertise an urban services report to begin the process of annexing this property. The urban services report was adopted by Ordinance on second reading January 21, 2003. This was followed by the adoption of an annexation ordinance (in January 23, 2003 and January 27, 2003 public hearings). The annexation ordinance was subsequently repealed in February 24, 2003 and March 3, 2003 Commission hearings when it was determined by the Commission that the annexation referendum should be delayed until the fall election (2003).

The annexation process began again in the spring of 2003. A revised urban services report was adopted by the Commission, as mandated by the Boundary Adjustment Act, on June 9, 2003 and June 23, 2003 when the City Commission held advertised public hearings. A copy of the Urban Services Report was delivered to the Board of County Commissioners of Alachua County following adoption.

Attached hereto is an annexation ordinance. The adoption of an annexation ordinance is the Commission's final stage, previous to the referendum on annexation, in the annexation process under the provisions of the Alachua County Boundary Adjustment Act.

ANNEXATION ORDINANCE

This 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 November 4, 2003.

In this 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, 2004 unless there is a tie vote or majority vote against the annexation. Sections 4, 5 and 6 of the Ordinance provide for the special referendum election, which will be held on November 4, 2003.

Sections 7 and 8 of the Ordinance relate to special matters that may be of interest to the owners and residents and those persons engaged in any business or occupation within the area. The Alachua County land use plan and zoning or subdivision regulations will remain in effect until the City adopts a comprehensive plan amendment to include 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, 2004. 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, 2004 in order to maintain their certificate of competency issued by Alachua County.