



Legislation Text

File #: 170762., **Version:** 4

ANNEXATION BY REFERENDUM - 23.40 ACRES OF PROPERTY KNOWN AS FINLEY WOODS PHASE I (B)

Ordinance No. 170762

An ordinance of the City of Gainesville, Florida, annexing approximately 23.40 acres of property known as "Finley Woods Phase I" that is generally located south of SW 62nd Avenue, west of SW Williston Road, north of SW 78th Lane, and east of SW 51st Terrace, as more specifically described in this ordinance, pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property 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, zoning, and subdivision regulations, and enforcement of same; 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.

Municipal annexation in Florida is governed by the Municipal Annexation or Contraction Act, which is found in Chapter 171, Florida Statutes. Under the Act, annexations can occur either by a referendum on annexation or by a voluntary annexation whereby each of the property owners of a given area petition the city to include their property within the city limits. Section 171.0413, F.S., sets forth the requirements and procedure for annexations by referendum. After the preparation of an Urban Services Report and the adoption of an annexation ordinance, the annexation ordinance is submitted to a vote of the registered electors of the proposed annexation area and the annexation does not become effective unless there is a majority vote for annexation.

This ordinance is a referendum annexation ordinance that proposes to annex into the corporate limits of the City of Gainesville approximately 23.40 acres of property that is generally located south of SW 62nd Avenue, known as Finley Woods Phase I. The subject area is unincorporated, compact, and contiguous to the current city boundaries. On February 15, 2018, the City Commission approved an Urban Services Report setting forth the plans to provide urban services to the subject property. If the City Commission adopts this annexation ordinance, the annexation will be submitted to a vote of the registered electors of the proposed annexation area at a special election by mail ballot on June 12, 2018. If there is a majority vote for the annexation, the annexation will be effective on June 22, 2018. If there is a tie vote or majority vote against the annexation, the annexation shall not become effective and the area shall not be the subject of another referendum annexation ordinance for a period of two years from the date of referendum.

Because this ordinance calls for a referendum by special election, Sections 9-4 and 9-5 of the Code of Ordinances requires the special election to be ordered by the City Commission by a resolution instructing the Mayor to issue a proclamation. The resolution and Mayoral Proclamation are included in the backup to this item.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and the annexation will not become effective until 10 days following a majority vote for annexation at the referendum on annexation.