



## Legislation Details (With Text)

**File #:** 120308. **Version:** 1 **Name:**  
**Type:** Ordinance **Status:** Filed  
**File created:** 8/28/2012 **In control:** City Commission  
**On agenda:** 11/15/2012 **Final action:** 2/7/2013  
**Title:** ANNEXATION - NORTHWEST - AREA 3 (B)

### Ordinance No.120308

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 Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; annexing to include within the corporate limits of the City of Gainesville, Florida, certain compact and contiguous area generally located: west of NW 43rd Street, east of NW 51st Street (shown on the plat of Huntington Phase 6 as recorded in Plat book "S", Page 48 of the public records of Alachua County, Florida), north of the current city limits at tax parcel No. 06061-003-003 and Bellamy Forge Condominiums and south of the current city limits at the south line of the northeast quarter of Section 22, Township 9 South, Range 19 East and the county drainage easement & right of way lying immediately north of Rustlewood as recorded in Plat Book "K", page 52 ("Area 3"); 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, 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.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 120308A\_draft ordinance\_20121115.pdf, 2. 120308\_ordinance\_20121206.pdf

Date	Ver.	Action By	Action	Result
12/6/2012	1	City Commission	Adopted on Final Reading (Ordinance)	Pass
11/15/2012	0	City Commission	Adopted on First Reading (Ordinance)	Pass

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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 municipalities to prepare and adopt by nonemergency ordinance a report setting forth plans to provide urban services to the reserve area to be annexed. Following the adoption of the Urban Services Report, municipalities must adopt an annexation ordinance. Then, in the case of a non-voluntary annexation, the Act requires a referendum at the next regularly scheduled election or at a special election called for the purpose of holding the referendum.

In an effort to annex certain property located in NW Gainesville, the City Commission in June of 2012 directed staff to prepare and advertise an Urban Services Report, which was adopted by ordinance on July 19, 2012. A copy of the Urban Services Report was delivered to the Board of County Commissioners of Alachua County following adoption.

This ordinance proposes to annex a contiguous, compact, unincorporated portion of the reserve area known as "Area 3," described in detail with both a legal description and a map for visual reference. Section 1 of this ordinance makes findings of fact that Area 3 meets certain annexation prerequisites in accordance with the Act. Sections 7 and 8 relate to special matters that may be of interest to the owners/residents and those persons engaged in any business or occupation within the annexation area. Specifically, 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 annexation area will have the right to continue such and shall obtain a business tax license from the City for the term commencing on October 1, 2013. 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. on June 1, 2013 in order to maintain their certificate of competency issued by Alachua County.

This ordinance requires two readings.

If the City Commission adopts this annexation ordinance, the annexation will be submitted to a vote of the registered electors of Area 3 at a special election on April 9, 2013. If there is a majority vote for the annexation, the annexation will be effective on June 1, 2013. If there is a tie vote or majority vote against the annexation, the annexation shall not become effective and Area 3 shall not be the subject of another non-voluntary annexation ordinance for a period of two years from the date of the referendum.