



City of Newberry Annexation

Request for Board Direction on Potential Appeal

Board of County Commissioners Meeting: June 23, 2020

Ben Chumley, Senior Planner
Department of Growth Management

Presentation Summary

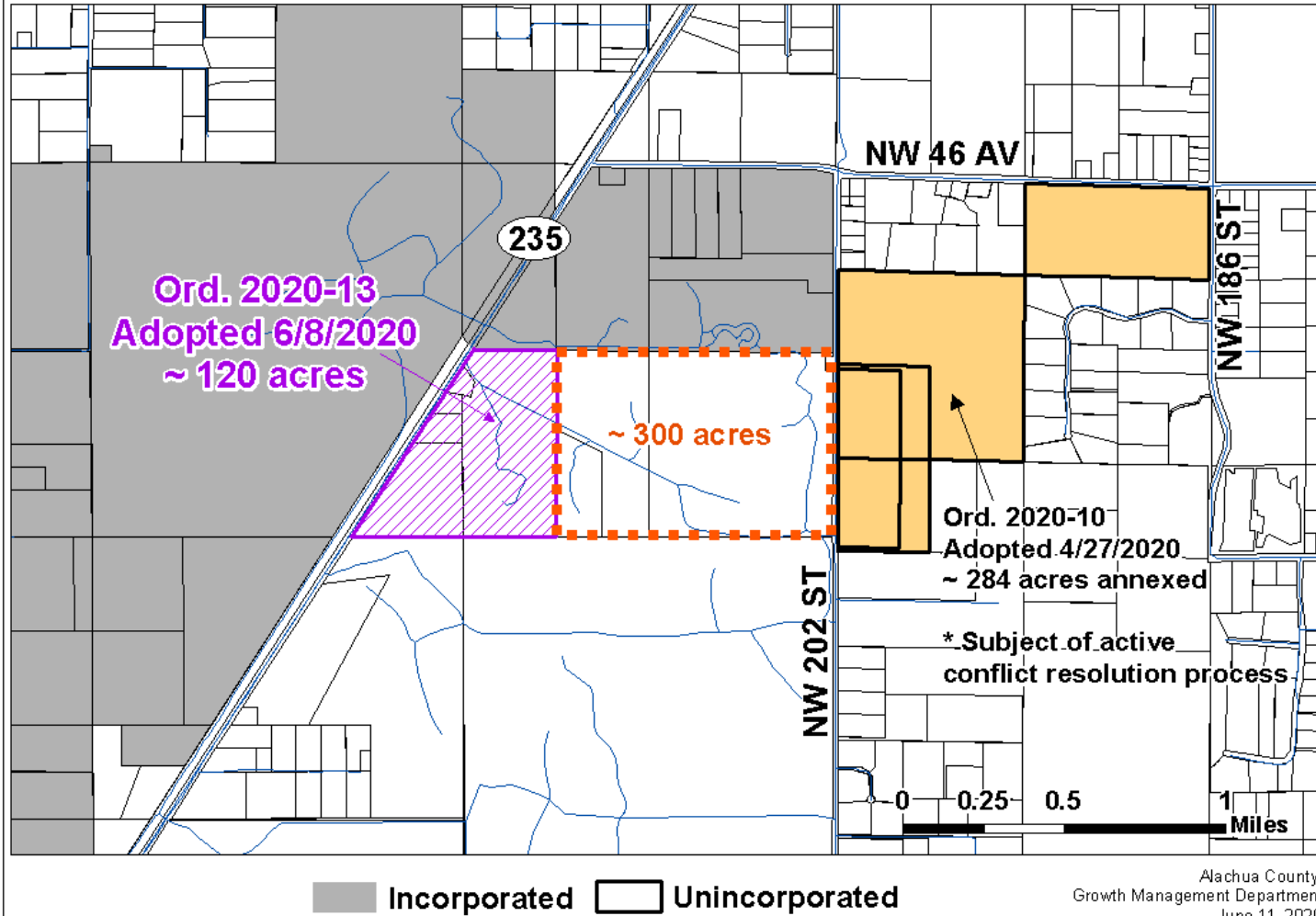
- **On June 8, 2020, the City of Newberry adopted ordinances 2020-13 and 2020-14 annexing two areas into the City.**
- **Annexation Ordinance 2020-13 raised issues relative to statutory requirement for compactness as detailed in the May 28th letter from the County Manager to the Newberry City Manager.**
- **Staff is requesting direction on whether the Board wants to initiate the annexation appeal process, as provided for in Chapter 171.081, Florida Statutes, on City annexation ordinance 2020-13.**

Statutory Requirements for Voluntary Annexation

Section 171.044, Florida Statutes

- **Contiguous to City boundary**
- **Reasonably compact**
- **Does not create enclaves**
- **Procedural and public hearing requirements**

City of Newberry Annexation: Ordinance 2020-13

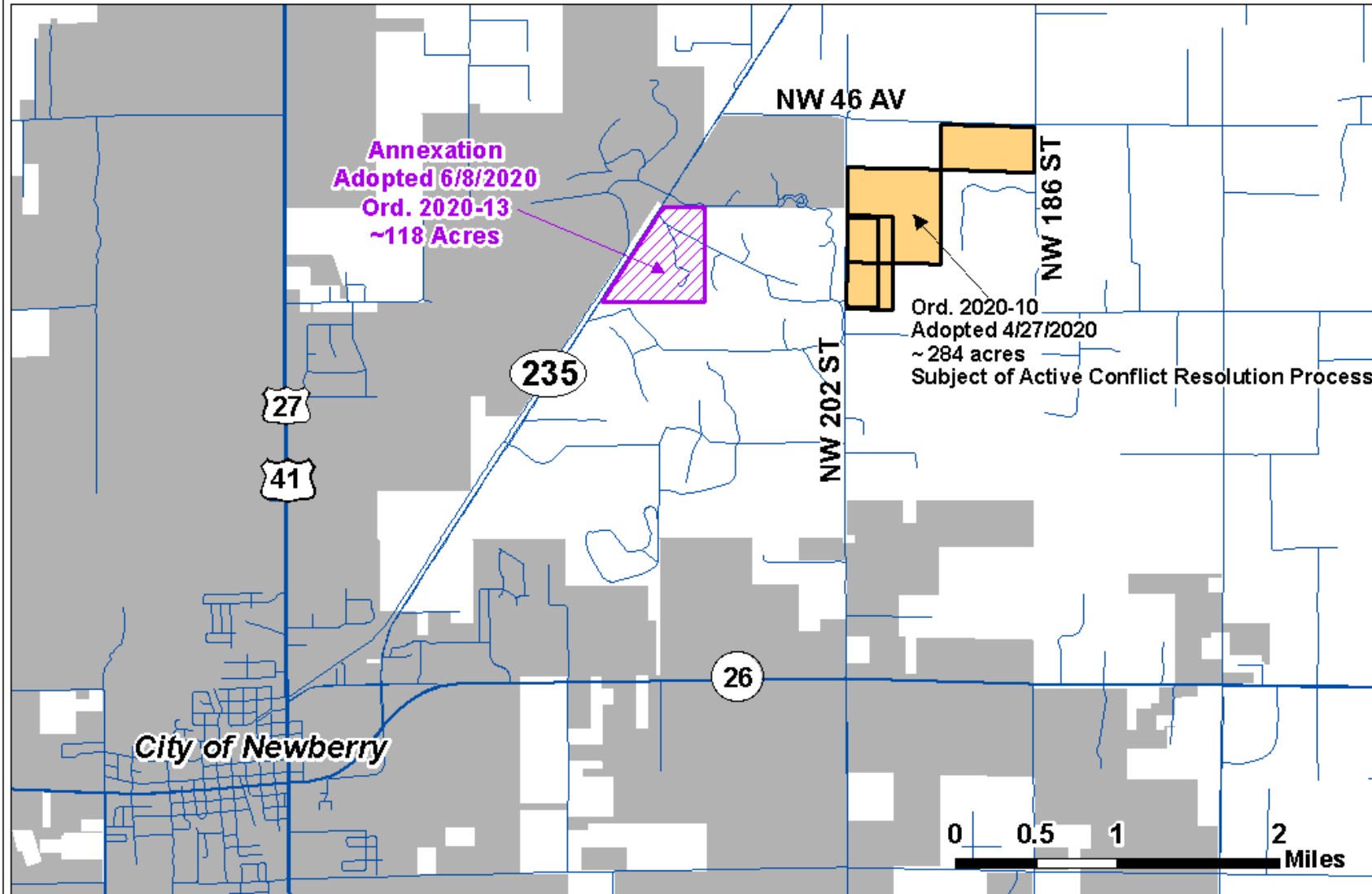


Ordinance 2020-13

- ~ 120 acres annexed
- Issues with statutory requirement for compactness, particularly when viewed in combination with annexation Ord. 2020-10 which is the subject of an active conflict resolution process initiated by the BoCC on May 12th.

"Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns." - Sec. 171.031, Florida Statutes

City of Newberry Annexation: Ordinance 2020-10 and 2020-13 Context Area



Incorporated **Unincorporated**

Alachua County
Growth Management Department
June 11, 2020

Annexation Appeal Process

Sec. 171.081, Florida Statutes

- 1. County must first initiate and proceed through the conflict resolution procedures of Chapter 164, F.S., the "Florida Governmental Conflict Resolution Act".**
 - The Board may initiate this process by passing a resolution within 30 days following the City's adoption of the annexation ordinance.**
- 2. Upon conclusion of Ch. 164 process without a mutually-acceptable resolution, the challenging government entity may then file a petition in circuit court for certiorari review.**

Staff Recommendation

- **If the County Commission wishes to initiate an appeal on the annexation adopted by City Ordinance 2020-13, then the Board should approve the attached resolution to initiate the conflict resolution procedures of Chapter 164, Florida Statutes, the "Florida Governmental Conflict Resolution Act" .**
- **If the County Commission does not want to appeal the annexation, then no action is required.**