




City of High Springs Proposed Annexation *Northend Homeland, LLC*

**BOARD OF COUNTY COMMISSIONERS MEETING
August 9, 2011**

TIMELINE

- June 15th – County received “Report to Owner Ordinance” proposing voluntary annexation; County Annexation Team provided comments on June 22nd
 - June 23rd – City adopted “Report to Owner Ordinance”
 - July 11th – City Attorney and Planner met with Annexation Team which advised that annexation did not meet legal requirements because it would create an enclave
 - July 28th – City Commission first reading of annexation ordinance
 - August 25th – City Commission second reading for final adoption of annexation ordinance
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GENERAL CRITERIA FOR AREAS TO BE ANNEXED

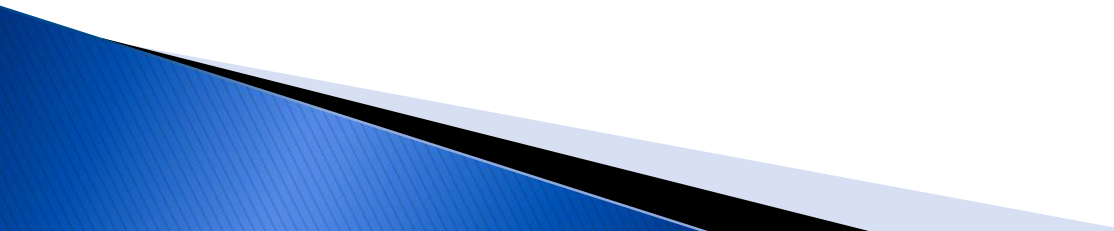
Section 225.09(a) of Alachua County Boundary Adjustment Act

- Contiguous to Existing Municipal Boundary
- Reasonably Compact
- Not within Another County or Municipality
- Within Reserve Area of Municipality
- Not Create an Enclave

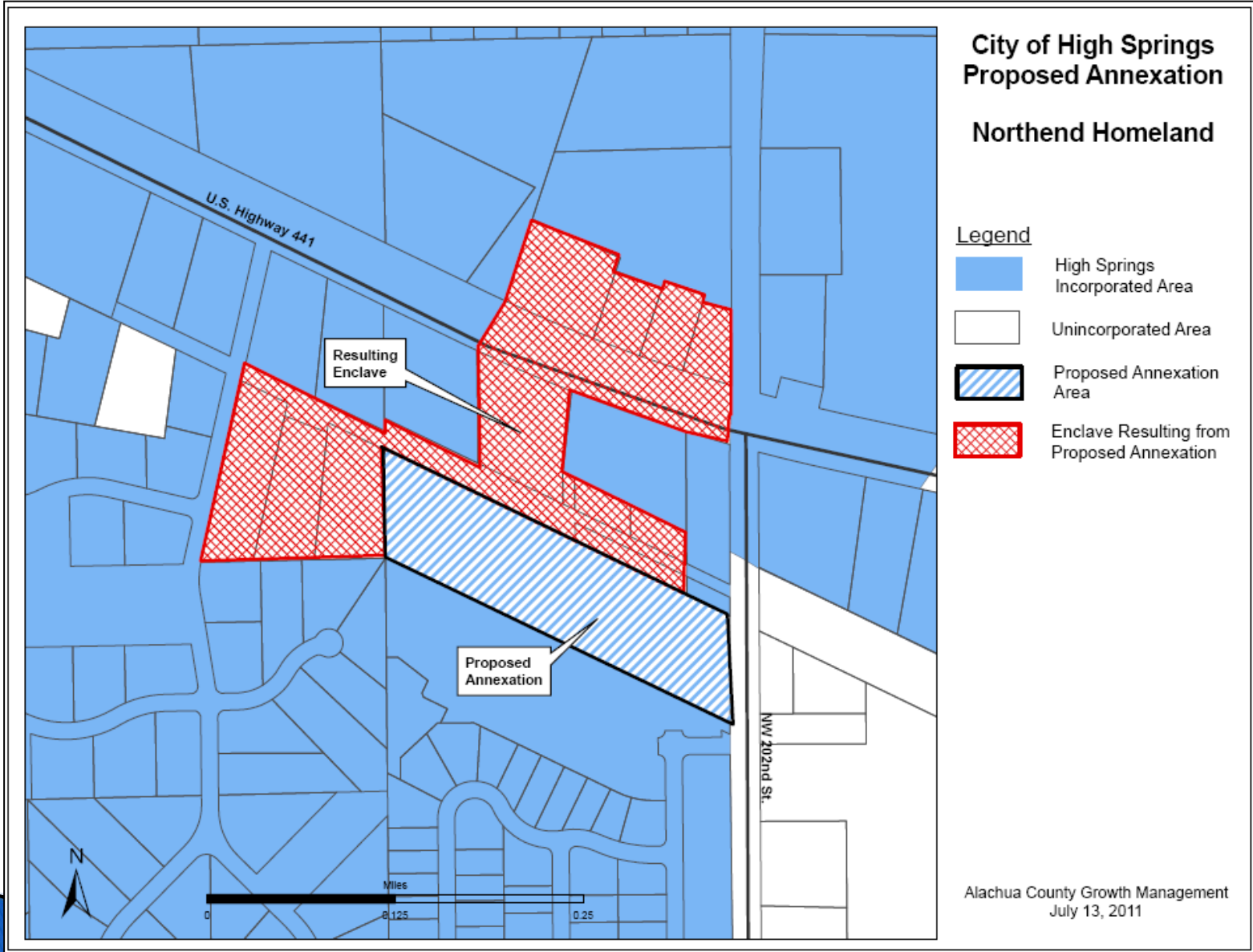
“Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.” Sec. 225.10(5), BAA

ENCLAVE DEFINITIONS

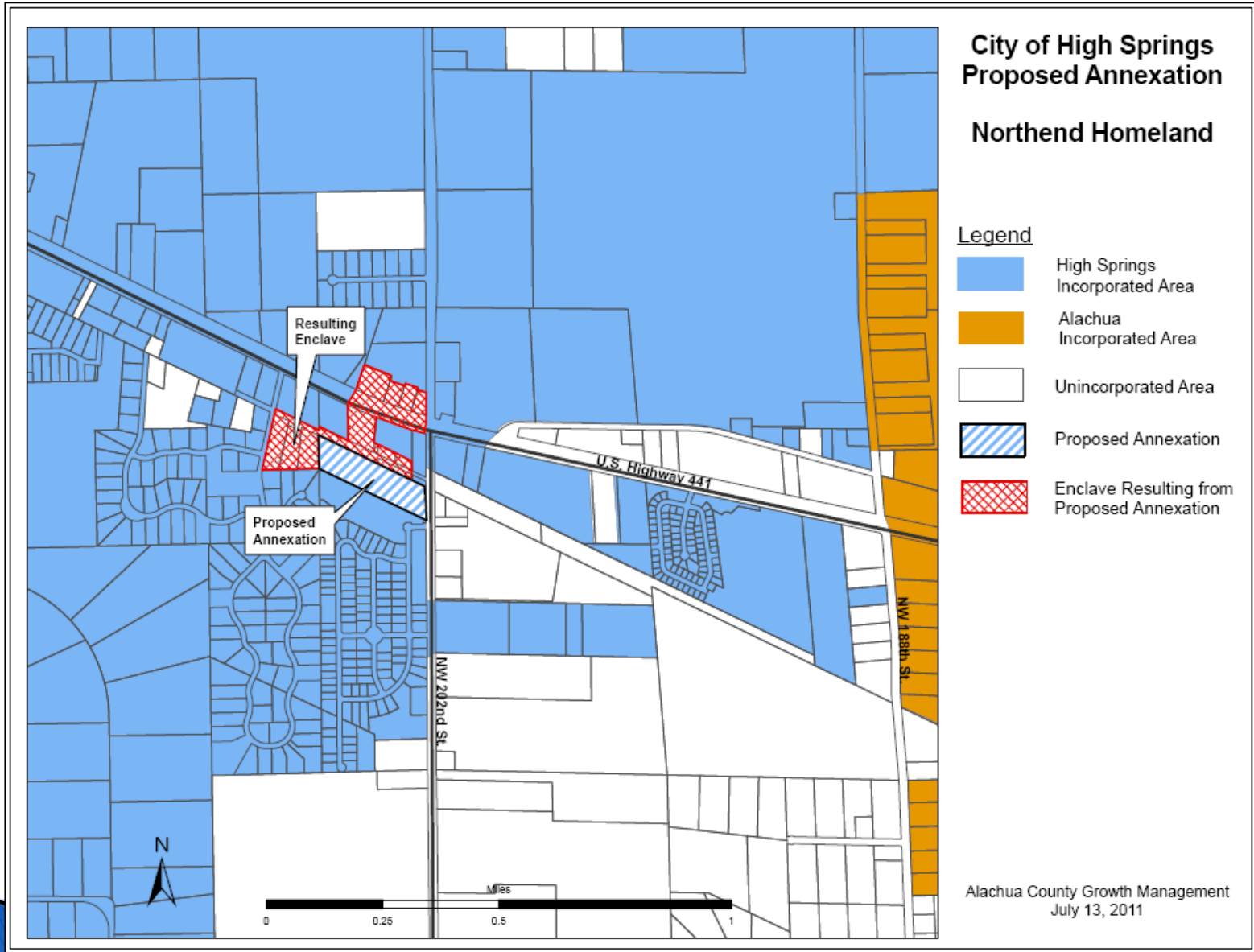
Section 225.04(7) of Alachua County Boundary Adjustment Act

- (a) Any unincorporated area which is totally enclosed within and bounded by a single municipality;
 - (b) Any unincorporated area which is totally enclosed within and bounded by a single municipality and a natural or manmade obstacle which prohibits the passage of vehicular traffic to that unincorporated area unless the traffic passes through the municipality;
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PROPOSED ANNEXATION AND ENCLAVE



PROPOSED ANNEXATION AND ENCLAVE



HISTORY

- 2003 – Subject property was removed from a larger annexation when the Annexation Team advised that its annexation would create an enclave, and removal of this property from the proposed annexation would prevent the creation of the enclave.
- 2008 – Annexation of this property and the three adjacent properties to the west was proposed, and the City did not proceed with the annexation after it was noted it would create an enclave of the parcels to the north.

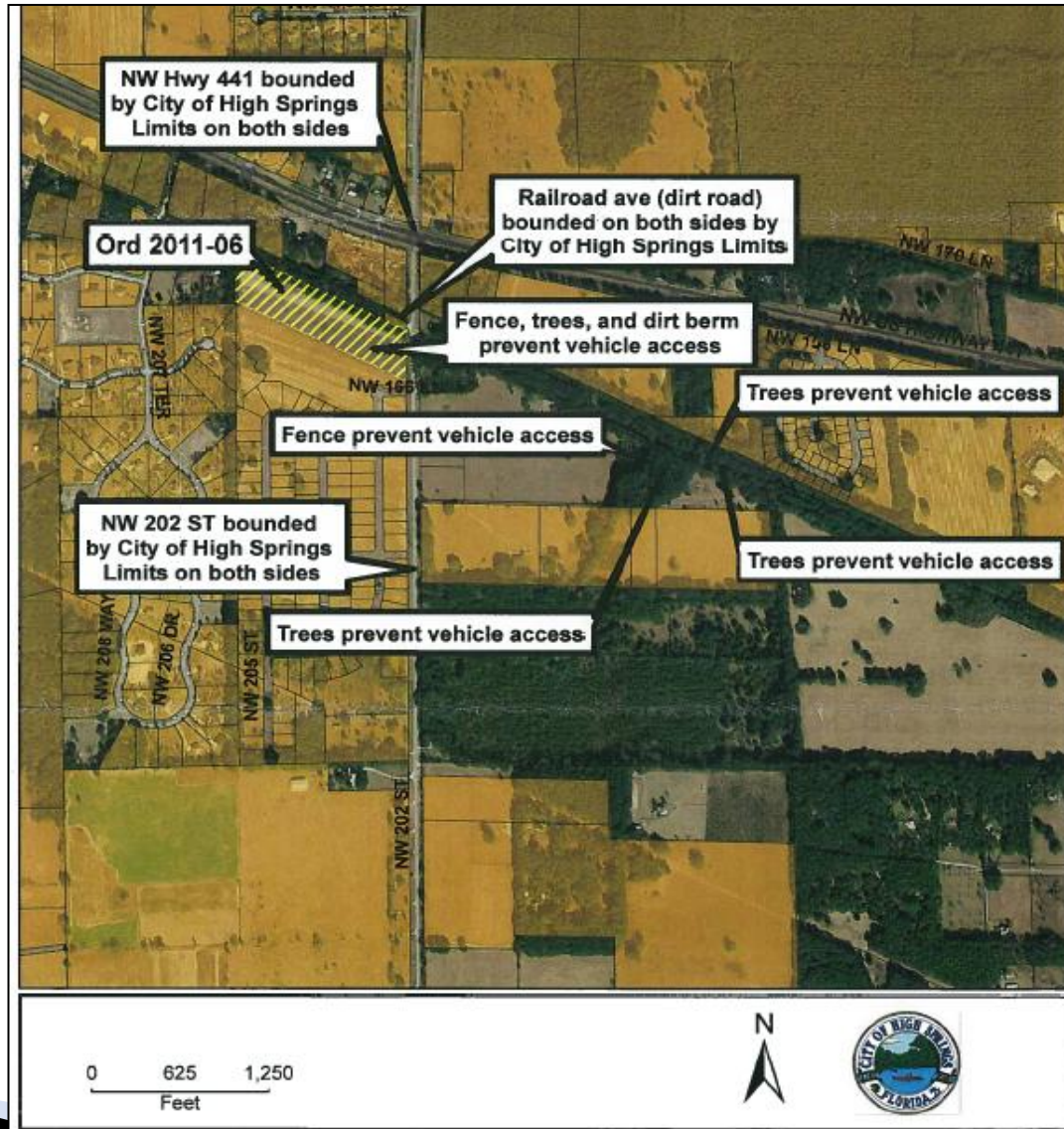
CITY OF HIGH SPRINGS POSITION ON ENCLAVE ISSUE

Per June 27th letter from City, the property proposed for annexation is *part of an existing enclave* because fences, trees, and dirt berms create obstacles to vehicular access, based on the definition of “enclave” in Section 225.04(7)(b):


Any unincorporated area which is totally enclosed within and bounded by a single municipality and a natural or manmade obstacle which prohibits the passage of vehicular traffic to that unincorporated area unless the traffic passes through the municipality

MAP FROM CITY OF HIGH SPRINGS

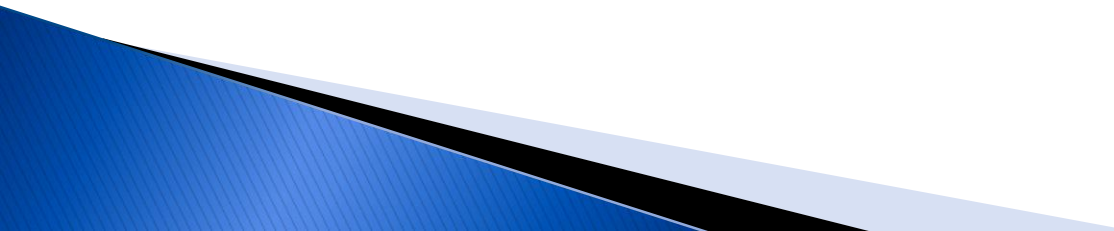
Showing some of the natural and manmade obstacles which the City believes qualifies this area as an existing enclave



COUNTY ANNEXATION TEAM FINDINGS

- Courts have found permanent obstacles, such as bodies of water or railroad lines to be “natural or manmade obstacles”, but no decisions identify more easily removed things such as fences, trees and dirt berms.
 - County Annexation Team does not agree that an enclave currently exists.
 - Recommends Chair letter to High Springs to not proceed with proposed annexation.
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ISSUES

- Should the County send a letter to High Springs?
 - Are fences, trees, and dirt berms factors to be considered in determining whether there is an enclave?
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RECOMMENDATION

- (1) Authorize Chair to sign letter to the Mayor of High Springs requesting that the City not proceed with proposed annexation because it would not meet legal requirements;
 - (2) Authorize staff to participate in the City of High Springs public hearings on this proposal.
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