

**City of Punta Gorda
Urban Design**

City Hall Annex
326 West Marion Avenue
Punta Gorda, Florida 33950
(941) 575-3372

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**VOLUNTARY ANNEXATION REQUIREMENTS
CHECK LIST**

- Signed & Notarized Voluntary Annexation Petition & Application signed by all owners of the property
- \$1,000.00 annexation fee up to 10 Acres (Small Scale)
\$2,000.00 > 10 Acres + \$100.00 each additional Acres (Large Scale)
- A copy of the deed or other evidence of ownership.
- A copy the purchase and sale agreement (if applicable)
- Date applicant met with the representatives of Urban Design staff prior to the submission of a voluntary annexation petition _____
- Annexation Agreement or Agreement Exemption Letter from Zoning Official
- Site Plan of existing structure on property (if applicable)
- Maps which show water and sewer lines, as well as surrounding land uses
- An explanation is required for how water and sewer are to be provided in the annexation area
- Survey of the property (Signed & Sealed)
 - Date of Survey?_____ (12 months prior to application)
 - Does Survey have a metes and bounds description of the property showing water and sewer main locations and fire hydrant locations?_____
 - TOTAL ACERAGE OF PROPERTY_____& Square footage_____
- Digital Text File of metes and bounds description of property
- REZONING APPLICATION PLAN AMENDMENT APPLICATON
- SCADL (School Concurrency Approval Determination Letter – Attain by School Department – (if applicable)
- An explanation of the proposed project, site plan showing building footprints, parking and traffic circulation areas, water and sewer connection locations, and landscaping (if applicable).

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Chapter 171, Florida Statutes, requires a petition signed by all owners of the property for a voluntary annexation. Maps are required which show water and sewer lines, as well as surrounding land uses. An explanation is required for how water and sewer are to be provided in the annexation area. It must be demonstrated that the area to be annexed is contiguous to the municipal boundary and that the area meets one of several other standards, the most likely of which is to be contiguous on at least 60% of its boundary to the City boundary and/or an area developed for urban purposes as defined in the statute.

City ordinance requires that the annexation proposal be reviewed by the Development Review Committee (DRC) and that an Annexation Agreement be signed with the applicant that contains the City's expectations. These are essentially that the property will be developed in accordance with City Codes and that the adopted level of service for facilities and infrastructure will be maintained; this could require from the owner action such as installation of fire hydrants, dedication of street right-of-way, provision of recreation or open space, etc.

The City must follow the public notice and adoption procedures outlined in Chapter 171, Florida Statutes. To initiate the process, the owner(s) should submit a signed petition for annexation along with proof of ownership. The submittal should include a survey of the property (done not more than 6 months prior to application with a metes and bounds description of the property) showing water and sewer main locations and fire hydrant locations. A map should be submitted showing current zoning and future land use map designations for the subject property and surrounding property. An explanation of the proposed project should be included along with a site plan showing building footprints, parking and traffic circulation areas, water and sewer connection locations, and landscaping. The anticipated traffic impacts of the proposed development should be discussed; a professional quality trip generation estimate or traffic impact analysis is required unless a letter of exemption is attained by the Chief Planner. Other information may be required if the Urban Design staff determines that such information is necessary to evaluate the likely impacts of the proposed project. The submittal must also include the appropriate annexation fee in order to be processed along with a copy of the deed or other evidence of ownership.

City staff will work with the applicant to process the annexation request. The applicant should be aware that the annexation of the property also requires a separate **REZONING APPLICATION** and **COMPREHENSIVE PLAN AMENDMENT APPLICATION**. The Attached is an application checklist that must be submitted with the application. The development plan requires review and approval by the DRC. To the extent possible, staff will work with the applicant to carry out these review processes simultaneously to avoid unnecessary delay. The applicant shall meet with the representatives of Urban Design staff prior to the submission of a voluntary annexation petition and supporting documentation.

**Petition for Voluntary Annexation to the
City of Punta Gorda, a Municipal Corporation
of the State of Florida (Hereinafter the "City")**

1. This Petition made this _____ day of _____,
20__ by _____, (hereinafter
"Owner").

2. The Petitioners are fee simple owners of the property described in Exhibit "A,"
attached hereto and made a part hereof, which real property is situated, lying
and being in an unincorporated area of Charlotte County, Florida (hereinafter
the "Property"):

3. Petitioners respectfully request the City for voluntary annexation of the Property
and in support thereof state the following:
 - (1) such annexation will not affect the ownership or rights of adjacent
property owners;

 - (2) the Property is contiguous to the City as defined in Section
171.031(11), Florida Statutes, as graphically depicted in Exhibit "B,"
attached hereto and made a part hereof; and

 - (3) the annexation of the Property will not create an enclave.

WHEREFORE, Petitioners respectfully request that the City consider this
request and adopt a valid and binding ordinance annexing the Property to the City
consistent with Section 171.044, Florida Statutes.

Petitioner

Petitioner

6 Are there any existing structures located on the property?

If so, Please include a site plan showing location of structure(s) on property to be annexed.

7. Is there a pre-annexation agreement? Yes No
If yes, Please include a copy

8. Existing use of Property:

9. Proposed use of Property:

10. Please explain in detail the purpose of this annexation and reasons why the request should be approved (attach additional sheets if necessary).

Section 16.11. Zoning Map Amendments

Whenever the public necessity, convenience, general welfare, or practice requires, the City Council may amend, supplement, change or repeal the regulations in this Ordinance, or the boundaries or classification of property on the Zoning Map, in conformity with the provisions of this section.

- (a) Initiation of Application. Amendments to the boundaries or classification of property shown on the Official Map may be initiated by City Council, motion of the local Planning Commission, or petition of the owner, contract purchaser with the owner's written consent, or the owner's agent of the property which is the subject of the proposed map amendment. The application must contain the consent of those with a legal ownership interest in the property under consideration.
- (b) Pre-application Meeting. Prior to filing an application, the applicant shall meet with representatives from the Urban Design Division to discuss the requirements and the nature of the proposal. For purposes of this meeting, the applicant may provide a sketch plan of the proposed use drawn to scale, showing the general layout of the development and the relationship to the surrounding area.
- (c) Application Filing. Amendment applications shall be filed with the Urban Design Division. The required application form must be completed and signed by the applicant and owner[s] of the property or their designated agent. Upon acceptance of a completed application, the application shall be forwarded to all appropriate reviewing agencies for comment.
- (d) Submittal Requirements. All amendment applications shall be accompanied by the following item:
 - (1) An application, on a form provided by the City, completed and signed by the applicant and owner[s] of the property or their designated agent.
 - (2) A disclosure statement of the real parties in interest signed by the applicant and notarized. The applicant shall keep this information current at all times during the processing of the application.
 - (3) A survey, signed and sealed by a certified land surveyor, completed not longer than 12 months in advance of the date of the application that contains the following information:
 - a. Boundaries of the entire property, with bearings and distances of the perimeter property lines and of each existing and proposed district classification.
 - b. Total area of the property and of each existing and proposed district classification presented in square feet and acres.
 - c. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat.
 - d. Location of all existing buildings and structures.
 - e. Names and route numbers of all boundary roads or streets, and the width of existing rights-of-way

- (e) Planned Developments. Planned Development Districts shall be established in accordance with the procedures of this section, as supplemented by the standards and procedures of Article 5.
- (f) Request for Waivers/Modifications of Submittal Requirements. Any submittal requirements may be waived by the Zoning Official. The applicant must clearly indicate by section and paragraph in the application and in a letter attached to the application, which waiver or modification is requested. To grant a waiver or modification the Zoning Official must determine that a requirement is not necessary for the full and adequate consideration of the application. The Zoning Official shall set forth in writing the reasons for such determination.
- (g) Consistency with City Plan. All amendment applications shall be reviewed for consistency with the City's Comprehensive Plan. Inconsistency with the Plan shall be one reason for denial of an application.
- (h) Public Hearing Notice. The Planning Commission and City Council shall each hold a public hearing. The public hearing requires notice as set out in Section 16.1(g).
- (i) Planning Commission Review and Recommendation. Upon acceptance of a completed application, the Zoning Official shall set a time and a place for a public hearing by the Planning Commission. Following the public hearing, the Planning Commission shall forward the proposed amendment to the City Council, together with a statement setting forth its reasons for such recommendation.
- (j) Withdrawal of Applications. Any application filed with the City of Punta Gorda may be withdrawn upon written request by the applicant at any time. However, if the request for withdrawal is made after publication of the notice of hearing, such withdrawal shall be only with the consent of either the Planning Commission or the City Council, whichever body has advertised the hearing. No new application concerning any or all of the same property shall be filed within 12 months of the consent to withdrawal action unless the consent of action specifies that the time limitation shall not apply and permits the application to be withdrawn "without prejudice." In the event an application is withdrawn, all action on the application will cease and the file will be closed out.
- (k) Approval Criteria. The Planning Commission and City Council shall use the following criteria, in addition to other reasonable considerations, in making their decision regarding approval or disapproval of a an amendment application:
 - (1) Consistency with the Comprehensive Plan, including but not limited to the Land Use
 - (2) Compatibility policies.
 - (3) Consistency with any binding agreements with Charlotte County, as amended, or any regional planning issues, as applicable.
 - (4) Mitigation of traffic impacts.
 - (5) Compatibility with surrounding neighborhood and uses.
 - (6) Provision of adequate public facilities.

- (l) Successive Applications. Upon denial by the City Council of any application, the same application shall not be filed within 12 months of the date of denial.
- (m) Appeals. An action contesting a decision of the City Council, adopting or failing to adopt a proposed map amendment, shall be filed within 30 days of the decision with the Circuit Court having jurisdiction of the land affected by the decision.
- (n) Amendment to Official Map. No changes or amendments to the Official Map shall be adopted, except in compliance and conformity with all procedures and requirements of this ordinance. If, in accordance with procedures of this ordinance, changes are made in district boundaries or other such information portrayed on the Official Map, such changes shall be made by the Zoning Official after adoption of the amendment. It shall be unlawful for any person to make any unauthorized change in the Official Map.

{Ord. No. 1478-07, <sec> 7, 04-04-07}