

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF W. PRINCETON ST. AND MERCY DR., AND COMPRISED OF 0.24 ACRES, MORE OR LESS; AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS OFFICE LOW INTENSITY ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; AND DESIGNATING THE PROPERTY AS THE O-1 DISTRICT WITH THE WEKIVA OVERLAY DISTRICT ON THE CITY'S OFFICIAL ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, on October 21, 2013, the City Council of the City of Orlando, Florida (the "Orlando City Council"), accepted a petition for voluntary annexation (hereinafter the "Petition") bearing the signatures of all owners of property in an area of land generally located at the southeast corner of the intersection of W. Princeton Street and Mercy Drive, comprised of approximately 0.24 acres of land and being precisely described by the legal description attached to this ordinance as **Exhibit "A"** (hereinafter the "Property"); and

WHEREAS, the Petition was filed with the Orlando City Council pursuant to section 171.044, Florida Statutes; and

WHEREAS, at its regularly scheduled meeting of November 19, 2013, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered the following applications relating to the Property:

1. Annexation case number ANX2013-00010, requesting to annex the Property into the jurisdictional boundaries of the City; and
2. Growth Management Plan (hereinafter the "GMP") case number GMP2013-00024, requesting an amendment to the City's GMP to designate the Property as "Office Low Intensity" on the official Future Land Use Map; and
3. Zoning case number ZON2013-00024, requesting to designate the Property as the "O-1/W" district on the City's official zoning maps (together, hereinafter referred to as the "Applications"); and

WHEREAS, based upon the evidence presented to the MPB, including the information and analysis contained in the "Staff Report to the Municipal Planning Board" for application case numbers ANX2013-00010, GMP2013-00024, and ZON2013-00024 (entitled "Item #1- Orlando Health Annexation" and hereinafter referred to as the "Staff Report"), and subject to certain conditions, the MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando City Council"), approve said Applications and adopt an ordinance in accordance therewith; and

51 **WHEREAS**, the MPB found that the Applications are consistent with the City's
52 adopted GMP; and

53
54 **WHEREAS**, the Orlando City Council hereby finds that:

- 55
56 1. As of the date of the Petition, the Property was located in the unincorporated
57 area of Orange County; and
58
59 2. As of the date of the Petition, the Property is contiguous to the City within the
60 meaning of subsection 171.031(11), Florida Statutes; and
61
62 3. As of the date of the Petition, the Property is reasonably compact within the
63 meaning of subsection 171.031(12), Florida Statutes; and
64
65 4. The Petition bears the signatures of all owners of property in the area to be
66 annexed; and
67
68 5. Annexation of the Property will not result in the creation of enclaves within the
69 meaning of subsection 171.031(13), Florida Statutes; and
70
71 6. The Property is located wholly within the boundaries of a single county; and
72
73 7. The Petition proposes an annexation that is consistent with the purpose of
74 ensuring sound urban development and accommodation to growth; and
75
76 8. The Petition, this ordinance, and the procedures leading to the adoption of this
77 ordinance are consistent with the uniform legislative standards provided by the
78 Florida Municipal Annexation and Contraction Act for the adjustment of municipal
79 boundaries; and
80
81 9. The Petition proposes an annexation that is consistent with the purpose of
82 ensuring the efficient provision of urban services to areas that become urban in
83 character within the meaning of subsection 171.022(8), Florida Statutes; and
84
85 10. The Petition proposes an annexation that is consistent with the purpose of
86 ensuring that areas are not annexed unless municipal services can be provided
87 to those areas; and
88

89 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the
90 best interest of the public health, safety, and welfare, and is consistent with the
91 applicable provisions of the City's GMP; and
92

93 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
94 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

95
96 **SECTION 1. ANNEXATION.** Pursuant to the authority granted by section
97 171.044, Florida Statutes, and having determined that the owner or owners of the
98 Property have petitioned the Orlando City Council for annexation into the corporate limits
99 of the City, and having determined that the petition bears the signatures of all owners of
100 property in the area proposed to be annexed, and having made the findings set forth in

this ordinance, the Property is hereby annexed into the corporate limits of the City of Orlando, Florida, and boundary lines of the City are hereby redefined to include the Property.

SECTION 2. CITY BOUNDARIES. Pursuant to section 171.091, Florida Statutes, the charter boundary article of the City is hereby revised in accordance with this ordinance. The City Clerk, or designee, is hereby directed to file this ordinance as a revision of the City Charter with the Florida Department of State. The City Planning Official, or designee, is hereby directed to amend the City's official maps in accordance with this ordinance.

SECTION 3. FLUM DESIGNATION. Pursuant to section 163.3187, Florida Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use Map designation for the Property is hereby established as "Office Low Intensity," as depicted in **Exhibit "B"** to this ordinance.

SECTION 4. AMENDMENT OF FLUM. The City Planning Official, or designee, is hereby directed to amend the City's adopted Future Land Use Maps in accordance with this ordinance.

SECTION 5. ZONING DESIGNATION. Pursuant to the City's Land Development Code, the zoning designation for the Property is hereby established as the "Office Low Intensity" district with the "Wekiva" overlay district (denoted on the City's official maps as the "O-1/W" district), as depicted in **Exhibit "C"** to this ordinance.

SECTION 6. AMENDMENT OF OFFICIAL ZONING MAP. The City Zoning Official, or designee, is hereby directed to amend the City's official zoning maps in accordance with this ordinance.

SECTION 7. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 8. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 9. EFFECTIVE DATE. This ordinance is effective upon adoption, except for sections one and two, which take effect on the 30th day after adoption, and sections three, four, five, and six, which take effect on the 31st day after adoption unless this ordinance is lawfully challenged pursuant to section 163.3187(5), Florida Statutes, in which case sections three, four, five, and six shall not be effective until the state land

145 planning agency or the Administration Commission issues a final order declaring this
146 ordinance in compliance as defined at sections 163.3184(1)(b) and 163.3187(5)(d),
147 Florida Statutes.

148
149 **DONE, THE FIRST PUBLIC NOTICE**, in a newspaper of general circulation in
150 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this
151 _____ day of _____, 201__.

152
153 **DONE, THE FIRST READING**, by the City Council of the City of Orlando,
154 Florida, at a regular meeting, this _____ day of _____, 2014.

155
156 **DONE, THE SECOND PUBLIC NOTICE**, in a newspaper of general circulation in
157 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this
158 _____ day of _____, 2014.

159
160 **DONE, THE SECOND READING, THE PUBLIC HEARING, AND ENACTED ON**
161 **FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the City
162 Council of the City of Orlando, Florida, at a regular meeting, this _____ day of
163 _____, 2014.

164
165
166 BY THE MAYOR/MAYOR PRO TEMPORE
167 OF THE CITY OF ORLANDO, FLORIDA:

168
169
170 _____
171 Mayor / Mayor Pro Tempore

172
173 ATTEST, BY THE CLERK OF THE
174 CITY COUNCIL OF THE CITY OF
175 ORLANDO, FLORIDA:

176
177 _____
178 City Clerk

179
180 APPROVED AS TO FORM AND LEGALITY
181 FOR THE USE AND RELIANCE OF THE
182 CITY OF ORLANDO, FLORIDA:

183
184 _____
185 City Attorney