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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING то THE CORPORATE LIMITS OF THE CITY CERTAIN LAND **GENERALLY LOCATED NORTH OF DAHLIA DR., EAST** OF S. SEMORAN BLVD., SOUTH OF HIBISCUS RD., AND WEST OF DELICATA DR., ADDRESSED AS 5773 DAHLIA DR., AND COMPRISED OF 0.193 ACRES OF LAND, MORE OR LESS; AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO DESIGNATE PROPERTY MIXED USE THE AS CORRIDOR MEDIUM INTENSITY ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS: AND **DESIGNATING THE PROPERTY AS THE MU-1 MEDIUM** INTENSITY MIXED USE CORRIDOR DISTRICT ALONG WITH THE AIRCRAFT NOISE OVERLAY DISTRICT ON THE CITY'S OFFICIAL ZONING MAPS; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE AND ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, on July 13, 2015, 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 north of Dahlia Drive, east of S. Semoran Boulevard, south of Hibiscus Road, and west of Delicata Drive, addressed as 5773 Dahlia Drive, such land comprised of approximately 0.193 acres of land and being precisely described by the legal description of the area by metes and bounds 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 July 21, 2015, 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 ANX2015-00010, requesting to annex the Property into the jurisdictional boundaries of the City; and
- 2. Growth Management Plan (hereinafter the "GMP") case number GMP2015-00018, requesting an amendment to the City's GMP to designate the Property as "Mixed Use Corridor Medium Intensity" on the City's official Future Land Use Map; and
- 3. Zoning case number ZON2015-00013, requesting to designate the Property as the "MU-1 Medium Intensity Mixed Use Corridor" district, along with the

## ORDINANCE NO. 2015-44

<ul> <li>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 ANX2015-00010, GMP2015-00018, and ZON2015-00013</li> <li>(entitled "Item #1 – 5773 Dahlia Annexation" and hereinafter referred to as the "Staff Report"), the MPB recommended that the Orlando City Council approve said Applications and adopt an ordinance in accordance therewith; and</li> <li>WHEREAS, the MPB found that application GMP2015-00018 is consistent with:</li> <li>1. The <i>State Comprehensive Plan</i> as provided at Chapter 187, Florida Statutes (the "State Comprehensive Plan"); and</li> <li>2. The <i>East Central Florida 2060 Plan</i> adopted by the East Central Florida Regional Planning Council pursuant to sections 186.507 and 186.508, Florida Statutes (the "Strategic Regional Policy Plan"); and</li> <li>3. The <i>City of Orlando Growth Management Plan</i>, adopted as the City's "comprehensive plan" for purposes of the Florida Community Planning Act, sections 163.3164 through 163.3217, Florida Statutes (the "GMP"); and</li> <li>WHEREAS, the MPB found that application ZON2015-00013 is consistent with:</li> <li>1. The <i>City of Orlando Growth Management Plan</i>, adopted as the City's "comprehensive plan" for purposes of the Florida Community Planning Act, sections 163.3164 through 163.3217, Florida Statutes (the "GMP"); and</li> <li>WHEREAS, sections 3 and 4 of this ordinance are adopted pursuant to the "process for adoption of small-scale comprehensive plan amendment" as provided by section 163.3187, Florida Statutes; and</li> <li>WHEREAS, the Orlando City Council hereby finds that:</li> <li>As of the date of the Petition, the Property use located in the unincorporated area of Orange County; and</li> <li>As of the date of the Petition, the Property is contiguous to the City within the meaning of subsection 171.031(11), Florida Statutes; and</li> <li>As of the date of the Petit</li></ul>	48 49	"Aircraft Noise" overlay district on the City's official zoning maps (together, hereinafter referred to as the "Applications"); and
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93 meaning of subsection 171.031(12). Florida Statutes: and		
	93	meaning of subsection 171.031(12), Florida Statutes; and

## ORDINANCE NO. 2015-44

04	1	
94 05		
95	4.	The Petition bears the signatures of all owners of property in the area to be
96		annexed; and
97	_	
98	5.	Annexation of the Property will not result in the creation of enclaves within the
99		meaning of subsection 171.031(13), Florida Statutes; and
100		
101	6.	The Property is located wholly within the boundaries of a single county; and
102	-	
103	7.	The Petition proposes an annexation that is consistent with the purpose of
104		ensuring sound urban development and accommodation to growth; and
105		
106	8.	The Petition, this ordinance, and the procedures leading to the adoption of
107		this ordinance are consistent with the uniform legislative standards provided
108		by the Florida Municipal Annexation and Contraction Act for the adjustment of
109		municipal boundaries; and
110	0	The Detition area and an encoded that is sensible to the time of the
111	9.	The Petition proposes an annexation that is consistent with the purpose of
112		ensuring the efficient provision of urban services to areas that become urban
113		in character within the meaning of subsection 171.022(8), Florida Statutes;
114		and
115	10	The Detition area and an encoded that is sensible to the time of the
116	10.	The Petition proposes an annexation that is consistent with the purpose of
117		ensuring that areas are not annexed unless municipal services can be
118		provided to those areas; and
119	14/1	IEDEAC the Orleade City Coversil benchus finds that this and is an an in the
120		<b>IEREAS</b> , the Orlando City Council hereby finds that this ordinance is in the
121 122		est of the public health, safety, and welfare, and is consistent with the
122	applicable	provisions of the City's GMP and LDC; and
124 125		OW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY NDO, FLORIDA, AS FOLLOWS:
125		NDO, FLORIDA, AS FOLLOWS.
120	65	CTION 1 ANNEYATION Dursuant to the authority granted by caption
127		<b>CTION 1. ANNEXATION.</b> Pursuant to the authority granted by section Florida Statutes, and having determined that the owner or owners of the
128		ave petitioned the Orlando City Council for annexation into the corporate limits
129		, and having determined that the petition bears the signatures of all owners of
130		the area proposed to be annexed, and having made the findings set forth in
131	,	ince, the Property is hereby annexed into the corporate limits of the City of
132		Florida, and the boundary lines of the City are hereby redefined to include the
133		In accordance with subsection 171.044(3), Florida Statutes, the annexed area
134		shown on the map attached to this ordinance as <b>Exhibit "B.</b> "
135	is clearly S	
150		

137 SECTION 2. CITY BOUNDARIES. Pursuant to section 171.091, Florida Statutes,
138 the charter boundary article of the City is hereby revised in accordance with this
139 ordinance. The City Clerk, or designee, is hereby directed to file this ordinance as a
140 revision of the City Charter with the Florida Department of State. The City Planning
141 Official, or designee, is hereby directed to amend the City's official maps in accordance
142 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 "Mixed Use Corridor Medium Intensity," as depicted in **Exhibit "C"** 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 "MU-1 Medium Intensity Mixed Use Corridor" district, along with the "Aircraft Noise" overlay district (denoted on the City's official zoning maps as the "MU-1/AN" district), as depicted in **Exhibit "D**" 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 30<sup>th</sup> day after adoption, and sections three, four, five, and six, which take effect on the 31<sup>st</sup> 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 planning agency or the Administration Commission issues a final order declaring this ordinance "in compliance" as defined at sections 163.3184(1)(b) and 163.3187(5)(d), Florida Statutes.

	<b>NOTICE</b> , in a newspaper of general circulation
the City of Orlando, Florida, by the Ci	ty Clerk of the City of Orlando, Florida, this
day of	, 2015.
	<b>G</b> , by the City Council of the City of Orlando,
Florida, at a regular meeting, this	day of, 2015.
	<b>C NOTICE</b> , in a newspaper of general circulation
	ty Clerk of the City of Orlando, Florida, this
day of	, 2015.
DONE THE SECOND BEAD	ING, A PUBLIC HEARING, AND ENACTED C
-	vote of a majority of a quorum present of the C
• •	a, at a regular meeting, this day of
, 2015.	a, at a regular meeting, this day of
, 2013.	
	BY THE MAYOR OF THE CITY
	ORLANDO, FLORIDA:
	Mayor
ATTEST, BY THE CLERK OF THE	Mayor
CITY COUNCIL OF THE CITY OF	
ORLANDO, FLORIDA:	
City Clerk	
City Clerk	
Print Name	
-	
Print Name	
Print Name APPROVED AS TO FORM AND LEG	
Print Name APPROVED AS TO FORM AND LEG FOR THE USE AND RELIANCE OF	
Print Name APPROVED AS TO FORM AND LEG	
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Print Name APPROVED AS TO FORM AND LEG FOR THE USE AND RELIANCE OF CITY OF ORLANDO, FLORIDA:	
Print Name APPROVED AS TO FORM AND LEG FOR THE USE AND RELIANCE OF CITY OF ORLANDO, FLORIDA: City Attorney	
Print Name APPROVED AS TO FORM AND LEG FOR THE USE AND RELIANCE OF CITY OF ORLANDO, FLORIDA:	