

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, ANNEXING TO THE**
3 **CORPORATE LIMITS OF THE CITY CERTAIN LAND**
4 **GENERALLY LOCATED NORTH OF VINE ST., EAST OF**
5 **FRANCIS AVE., SOUTH OF HAND BLVD., AND WEST**
6 **OF S. BUMBY AVE., AND COMPRISED OF 0.46 ACRES,**
7 **MORE OR LESS; AMENDING THE CITY’S ADOPTED**
8 **GROWTH MANAGEMENT PLAN TO DESIGNATE THE**
9 **PROPERTY AS RESIDENTIAL LOW INTENSITY ON**
10 **THE CITY’S OFFICIAL FUTURE LAND USE MAPS; AND**
11 **DESIGNATING THE PROPERTY AS THE R-3A/T**
12 **DISTRICT ON THE CITY’S OFFICIAL ZONING MAPS;**
13 **PROVIDING FOR SEVERABILITY, CORRECTION OF**
14 **SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.**
15

16 **WHEREAS**, on March 17, 2014, the City Council of the City of Orlando, Florida
17 (the “Orlando City Council”), accepted a petition for voluntary annexation (hereinafter the
18 “Petition”) bearing the signatures of all owners of property in an area of land generally
19 located north of Vine Street, east of Francis Avenue, south of Hand Boulevard, and west
20 of S. Bumby Avenue, comprised of approximately 0.46 acres of land and being precisely
21 described by the legal description of the area by metes and bounds attached to this
22 ordinance as **Exhibit “A”** (hereinafter the “Property”); and
23

24 **WHEREAS**, the Petition was filed with the Orlando City Council pursuant to
25 section 171.044, Florida Statutes; and
26

27 **WHEREAS**, at its regularly scheduled meeting of April 15, 2014, the Municipal
28 Planning Board (the “MPB”) of the City of Orlando, Florida (the “City”), considered the
29 following applications relating to the Property:
30

- 31 1. Annexation case number ANX2014-00001, requesting to annex the Property into
32 the jurisdictional boundaries of the City; and
33
- 34 2. Growth Management Plan (hereinafter the “GMP”) case number GMP2014-
35 00007, requesting an amendment to the City’s GMP to designate the Property as
36 “Residential Low Intensity” on the official Future Land Use Map; and
37
- 38 3. Zoning case number ZON2014-00006, requesting to designate the Property as
39 the “R-3A/T” district on the City’s official zoning maps (together, hereinafter
40 referred to as the “Applications”); and
41

42 **WHEREAS**, based upon the evidence presented to the MPB, including the
43 information and analysis contained in the “Staff Report to the Municipal Planning Board”
44 for application case numbers ANX2014-00001, GMP2014-00007, and ZON2014-00006
45 (entitled “Item #1– Millenium Homes” and hereinafter referred to as the “Staff Report”),
46 and subject to certain conditions, the MPB recommended that the City Council of the
47 City of Orlando, Florida (the “Orlando City Council”), approve said Applications and
48 adopt an ordinance in accordance therewith; and
49

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

52
53 **WHEREAS**, the Orlando City Council hereby finds that:

- 54
55 1. As of the date of the Petition, the Property was located in the unincorporated
56 area of Orange County; and
57
58 2. As of the date of the Petition, the Property is contiguous to the City within the
59 meaning of subsection 171.031(11), Florida Statutes; and
60
61 3. As of the date of the Petition, the Property is reasonably compact within the
62 meaning of subsection 171.031(12), Florida Statutes; and
63
64 4. The Petition bears the signatures of all owners of property in the area to be
65 annexed; and
66
67 5. Annexation of the Property will not result in the creation of enclaves within the
68 meaning of subsection 171.031(13), Florida Statutes; and
69
70 6. The Property is located wholly within the boundaries of a single county; and
71
72 7. The Petition proposes an annexation that is consistent with the purpose of
73 ensuring sound urban development and accommodation to growth; and
74
75 8. The Petition, this ordinance, and the procedures leading to the adoption of this
76 ordinance are consistent with the uniform legislative standards provided by the
77 Florida Municipal Annexation and Contraction Act for the adjustment of municipal
78 boundaries; and
79
80 9. The Petition proposes an annexation that is consistent with the purpose of
81 ensuring the efficient provision of urban services to areas that become urban in
82 character within the meaning of subsection 171.022(8), Florida Statutes; and
83
84 10. The Petition proposes an annexation that is consistent with the purpose of
85 ensuring that areas are not annexed unless municipal services can be provided
86 to those areas; and

87
88 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the
89 best interest of the public health, safety, and welfare, and is consistent with the
90 applicable provisions of the City's GMP; and

91
92 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
93 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

94
95 **SECTION 1. ANNEXATION.** Pursuant to the authority granted by section
96 171.044, Florida Statutes, and having determined that the owner or owners of the
97 Property have petitioned the Orlando City Council for annexation into the corporate limits
98 of the City, and having determined that the petition bears the signatures of all owners of
99 property in the area proposed to be annexed, and having made the findings set forth in
100 this ordinance, the Property is hereby annexed into the corporate limits of the City of

101 Orlando, Florida, and the boundary lines of the City are hereby redefined to include the
102 Property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area
103 is clearly shown on the map attached to this ordinance as **Exhibit “B.”**

104
105 **SECTION 2. CITY BOUNDARIES.** Pursuant to section 171.091, Florida Statutes,
106 the charter boundary article of the City is hereby revised in accordance with this
107 ordinance. The City Clerk, or designee, is hereby directed to file this ordinance as a
108 revision of the City Charter with the Florida Department of State. The City Planning
109 Official, or designee, is hereby directed to amend the City’s official maps in accordance
110 with this ordinance.

111
112 **SECTION 3. FLUM DESIGNATION.** Pursuant to section 163.3187, Florida
113 Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land
114 Use Map designation for the Property is hereby established as “Residential Low
115 Intensity,” as depicted in **Exhibit “C”** to this ordinance.

116
117 **SECTION 4. AMENDMENT OF FLUM.** The City Planning Official, or designee,
118 is hereby directed to amend the City’s adopted Future Land Use Maps in accordance
119 with this ordinance.

120
121 **SECTION 5. ZONING DESIGNATION.** Pursuant to the City’s Land
122 Development Code, the zoning designation for the Property is hereby established as the
123 “R-3A Low Intensity Development District” with the “Traditional City” overlay district
124 (denoted on the City’s official maps as the “R-3A/T” district), as depicted in **Exhibit “D”**
125 to this ordinance.

126
127 **SECTION 6. AMENDMENT OF OFFICIAL ZONING MAP.** The City Zoning
128 Official, or designee, is hereby directed to amend the City’s official zoning maps in
129 accordance with this ordinance.

130
131 **SECTION 7. SCRIVENER’S ERROR.** The City Attorney may correct scrivener’s
132 errors found in this ordinance by filing a corrected copy of this ordinance with the City
133 Clerk.

134
135 **SECTION 8. SEVERABILITY.** If any provision of this ordinance or its
136 application to any person or circumstance is held invalid, the invalidity does not affect
137 other provisions or applications of this ordinance which can be given effect without the
138 invalid provision or application, and to this end the provisions of this ordinance are
139 severable.

140
141 **SECTION 9. EFFECTIVE DATE.** This ordinance is effective upon adoption,
142 except for sections one and two, which take effect on the 30th day after adoption, and
143 sections three, four, five, and six, which take effect on the 31st day after adoption unless
144 this ordinance is lawfully challenged pursuant to section 163.3187(5), Florida Statutes, in

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145 which case sections three, four, five, and six shall not be effective until the state land
146 planning agency or the Administration Commission issues a final order declaring this
147 ordinance "in compliance" as defined at sections 163.3184(1)(b) and 163.3187(5)(d),
148 Florida Statutes.

149
150 **DONE, THE FIRST PUBLIC NOTICE**, in a newspaper of general circulation in
151 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this
152 _____ day of _____, 2014.

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

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

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

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

169
170
171 _____
172 Mayor / Mayor Pro Tempore

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

177
178 _____
179 City Clerk

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

184
185 _____
186 City Attorney