

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 E. MICHIGAN ST.,  
5 EAST OF MAYER ST., SOUTH OF E. CRYSTAL LAKE  
6 AVE., AND WEST OF S. BROWN AVE., AND  
7 COMPRISED OF 0.161 ACRES OF LAND, MORE OR  
8 LESS; AMENDING THE CITY'S ADOPTED GROWTH  
9 MANAGEMENT PLAN TO DESIGNATE THE PROPERTY  
10 AS RESIDENTIAL LOW INTENSITY ON THE CITY'S  
11 OFFICIAL FUTURE LAND USE MAPS; DESIGNATING  
12 THE PROPERTY AS THE R-2A 1 – 2 FAMILY DISTRICT  
13 ALONG WITH THE TRADITIONAL CITY OVERLAY  
14 DISTRICT ON THE CITY'S OFFICIAL ZONING MAPS;  
15 PROVIDING FOR AMENDMENT OF THE CITY'S  
16 OFFICIAL FUTURE LAND USE AND ZONING MAPS;  
17 PROVIDING FOR SEVERABILITY, CORRECTION OF  
18 SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.  
19

20 **WHEREAS**, on November 16, 2015, the City Council of the City of Orlando,  
21 Florida (the "Orlando City Council"), accepted a petition for voluntary annexation  
22 (hereinafter the "petition") bearing the signatures of all owners of property in an area of  
23 land generally located north of E. Michigan Street, east of Mayer Street, south of E.  
24 Crystal Lake Avenue, and west of S. Brown Avenue, such land comprised of  
25 approximately 0.161 acres of land and being precisely described by the legal description  
26 of the area by metes and bounds attached to this ordinance as **Exhibit A** (hereinafter  
27 the "property"); and  
28

29 **WHEREAS**, the petition was filed with the Orlando City Council pursuant to  
30 section 171.044, Florida Statutes; and  
31

32 **WHEREAS**, at its regularly scheduled meeting of December 15, 2015, the  
33 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"),  
34 considered the following applications relating to the property:  
35

- 36 1. Annexation case number ANX2015-00026, requesting to annex the property  
37 into the jurisdictional boundaries of the city; and  
38
- 39 2. Growth Management Plan (hereinafter the "GMP") case number GMP2015-  
40 00048, requesting an amendment to the city's GMP to designate the property  
41 as "Residential Low Intensity" on the city's official future land use map; and  
42
- 43 3. Zoning case number ZON2015-00046, requesting to designate the property  
44 as the "R-2A 1 – 2 Family District" along with the "Traditional City" overlay  
45 district on the city's official zoning maps (together, hereinafter referred to as  
46 the "applications"); and  
47

48           **WHEREAS**, based upon the evidence presented to the MPB, including the  
49 information and analysis contained in the “Staff Report to the Municipal Planning Board”  
50 for application case numbers ANX2015-00026, GMP2015-00048, and ZON2015-00046  
51 (entitled “Item #2 – 2608 S. Brown Ave. Annexation”), the MPB recommended that the  
52 Orlando City Council approve said applications and adopt an ordinance in accordance  
53 therewith; and

54  
55           **WHEREAS**, the MPB found that application GMP2015-00048 is consistent with:

- 56  
57           1. The *State Comprehensive Plan* as provided at Chapter 187, Florida Statutes  
58 (the “State Comprehensive Plan”); and  
59  
60           2. The *East Central Florida 2060 Plan* adopted by the East Central Florida  
61 Regional Planning Council pursuant to sections 186.507 and 186.508, Florida  
62 Statutes (the “Strategic Regional Policy Plan”); and  
63  
64           3. The *City of Orlando Growth Management Plan*, adopted as the city’s  
65 “comprehensive plan” for purposes of the Florida Community Planning Act,  
66 sections 163.3164 through 163.3217, Florida Statutes (the “GMP”); and  
67

68           **WHEREAS**, the MPB found that application ZON2015-00046 is consistent with:

- 69  
70           1. The GMP; and  
71  
72           2. The *City of Orlando Land Development Code*, Chapters 58 through 68, Code  
73 of the City of Orlando, Florida (the “LDC”); and  
74

75           **WHEREAS**, sections 3 and 4 of this ordinance are adopted pursuant to the  
76 “process for adoption of small-scale comprehensive plan amendment” as provided by  
77 section 163.3187, Florida Statutes; and  
78

79           **WHEREAS**, the Orlando City Council hereby finds that:

- 80  
81           1. As of the date of the petition, the property was located in the unincorporated  
82 area of Orange County; and  
83  
84           2. As of the date of the petition, the property is contiguous to the city within the  
85 meaning of subsection 171.031(11), Florida Statutes; and  
86  
87           3. As of the date of the petition, the property is reasonably compact within the  
88 meaning of subsection 171.031(12), Florida Statutes; and  
89  
90           4. The petition bears the signatures of all owners of property in the area to be  
91 annexed; and  
92

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- 93 5. Annexation of the property will not result in the creation of enclaves within the  
94 meaning of subsection 171.031(13), Florida Statutes; and  
95  
96 6. The property is located wholly within the boundaries of a single county; and  
97  
98 7. The petition proposes an annexation that is consistent with the purpose of  
99 ensuring sound urban development and accommodation to growth; and  
100  
101 8. The petition, this ordinance, and the procedures leading to the adoption of  
102 this ordinance are consistent with the uniform legislative standards provided  
103 by the Florida Municipal Annexation and Contraction Act for the adjustment of  
104 municipal boundaries; and  
105  
106 9. The petition proposes an annexation that is consistent with the purpose of  
107 ensuring the efficient provision of urban services to areas that become urban  
108 in character within the meaning of subsection 171.022(8), Florida Statutes;  
109 and  
110  
111 10. The petition proposes an annexation that is consistent with the purpose of  
112 ensuring that areas are not annexed unless municipal services can be  
113 provided to those areas; and  
114

115 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the  
116 best interest of the public health, safety, and welfare, and is consistent with the  
117 applicable provisions of Florida Statutes, the State Comprehensive Plan, the Strategic  
118 Regional Policy Plan, and the city's GMP and LDC; and  
119

120 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**  
121 **OF ORLANDO, FLORIDA, AS FOLLOWS:**  
122

123 **SECTION 1. ANNEXATION.** Pursuant to the authority granted by section  
124 171.044, Florida Statutes, and having determined that the owner or owners of the  
125 property have petitioned the Orlando City Council for annexation into the corporate limits  
126 of the city, and having determined that the petition bears the signatures of all owners of  
127 property in the area proposed to be annexed, and having made the findings set forth in  
128 this ordinance, the property is hereby annexed into the corporate limits of the City of  
129 Orlando, Florida, and the boundary lines of the city are hereby redefined to include the  
130 property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area  
131 is clearly shown on the map attached to this ordinance as **Exhibit B**.  
132

133 **SECTION 2. CITY BOUNDARIES.** Pursuant to section 171.091, Florida Statutes,  
134 the charter boundary article of the city is hereby revised in accordance with this  
135 ordinance. The city clerk, or designee, is hereby directed to file this ordinance as a  
136 revision of the City Charter with the Florida Department of State. The city planning

137 official, or designee, is hereby directed to amend the city's official maps in accordance  
138 with this ordinance.

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140 **SECTION 3. FLUM DESIGNATION.** Pursuant to section 163.3187, Florida  
141 Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land  
142 Use Map designation for the property is hereby established as "Residential Low  
143 Intensity," as depicted in **Exhibit C** to this ordinance.

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145 **SECTION 4. AMENDMENT OF FLUM.** The city planning official, or designee, is  
146 hereby directed to amend the city's adopted future land use maps in accordance with  
147 this ordinance.

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149 **SECTION 5. ZONING DESIGNATION.** Pursuant to the LDC, the zoning  
150 designation for the property is hereby established as the "R-2A 1 – 2 Family District"  
151 along with the "Traditional City" overlay district (denoted on the city's official zoning  
152 maps as the "R-2A/T" district), as depicted in **Exhibit D** to this ordinance.

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154 **SECTION 6. AMENDMENT OF OFFICIAL ZONING MAP.** The city zoning  
155 official, or designee, is hereby directed to amend the city's official zoning maps in  
156 accordance with this ordinance.

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158 **SECTION 7. SCRIVENER'S ERROR.** The city attorney may correct scrivener's  
159 errors found in this ordinance by filing a corrected copy of this ordinance with the city  
160 clerk.

161  
162 **SECTION 8. SEVERABILITY.** If any provision of this ordinance or its  
163 application to any person or circumstance is held invalid, the invalidity does not affect  
164 other provisions or applications of this ordinance which can be given effect without the  
165 invalid provision or application, and to this end the provisions of this ordinance are  
166 severable.

167  
168 **SECTION 9. EFFECTIVE DATE.** This ordinance is effective upon adoption,  
169 except for sections one and two, which take effect on the 30<sup>th</sup> day after adoption, and  
170 sections three, four, five, and six, which take effect on the 31<sup>st</sup> day after adoption unless  
171 this ordinance is lawfully challenged pursuant to section 163.3187(5), Florida Statutes, in  
172 which case sections three, four, five, and six shall not be effective until the state land  
173 planning agency or the Administration Commission issues a final order declaring this  
174 ordinance "in compliance" as defined at sections 163.3184(1)(b) and 163.3187(5)(d),  
175 Florida Statutes.

176  
177 **DONE, THE FIRST PUBLIC NOTICE,** in a newspaper of general circulation in  
178 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this  
179 \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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**DONE, THE FIRST READING**, by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**DONE, THE SECOND PUBLIC NOTICE**, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**DONE, THE SECOND READING, A PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

BY THE MAYOR OF THE CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Print Name

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

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Print Name

\*\*[Remainder of page intentionally left blank.]\*\*