

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 EAST OF LAKE BALDWIN
5 LANE, SOUTH OF RIXEY STREET, WEST OF JAMAJO
6 BOULEVARD AND NORTH OF HARGRAVE STREET;
7 AND COMPRISED OF 0.57 ACRES, MORE OR LESS;
8 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; PROVIDING FOR
12 AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND
13 USE MAPS; PROVIDING FINDINGS, AMENDMENT OF
14 THE CITY'S BOUNDARY DESCRIPTION, AND FOR
15 AMENDMENT OF THE CITY'S OFFICIAL MAPS;
16 PROVIDING FOR SEVERABILITY, CORRECTION OF
17 SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.
18

19 **WHEREAS**, on February 23, 2017, the City Council of the City of Orlando,
20 Florida (the "Orlando City Council"), accepted a petition for voluntary annexation
21 (hereinafter the "petition") bearing the signatures of all owners of property in an area of
22 land generally located east of Lake Baldwin Lane, south of Rixey Street, west of Jamajo
23 Boulevard, and north of Hargrave Street, such land comprised of approximately 0.57
24 acres and being precisely described by the legal description of the area by metes and
25 bounds attached to this ordinance as **Exhibit A** (hereinafter the "property"); and
26

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

30 **WHEREAS**, at its regularly scheduled meeting of March 21, 2017, the Municipal
31 Planning Board (the "MPB") of the City of Orlando, Florida (the "city"), considered
32 Annexation case number ANX2017-00002, requesting to annex the property into the
33 jurisdictional boundaries of the city; and
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35 **WHEREAS**, at its regularly scheduled meeting of March 21, 2017, the MPB
36 considered Growth Management Plan (hereinafter the "GMP") case number GMP2017-
37 00003, requesting an amendment to the city's GMP to designate the property as
38 "Residential Low Intensity", on the city's official future land use map; (hereinafter referred
39 to as the "applications"); and
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41 **WHEREAS**, based upon the evidence presented to the MPB, including the
42 information and analysis contained in the "Staff Report to the Municipal Planning Board"
43 for application case numbers ANX2017-00002, and GMP2017-00003, (entitled "Item #1-
44 Lake Baldwin 5 Annexation), the MPB recommended that the Orlando City Council
45 approve said applications and adopt an ordinance in accordance therewith; and
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47 **WHEREAS**, the MPB found that application GMP2017-00003 is consistent with:
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49 1. The *State Comprehensive Plan* as provided at Chapter 187, Florida Statutes
50 (the "State Comprehensive Plan"); and
51

52 2. The *East Central Florida 2060 Plan* adopted by the East Central Florida
53 Regional Planning Council pursuant to sections 186.507 and 186.508, Florida Statutes
54 (the “Strategic Regional Policy Plan”); and
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56 3. The *City of Orlando Growth Management Plan*, adopted as the city’s
57 “comprehensive plan” for purposes of the Florida Community Planning Act, sections
58 163.3164 through 163.3217, Florida Statutes (the “GMP”); and
59

60 **WHEREAS**, sections 3 and 4 of this ordinance are adopted pursuant to the
61 process for adoption of a small-scale amendment as provided by section 163.3187,
62 Florida Statutes; and
63

64 **WHEREAS**, the Orlando City Council hereby finds that:
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66 1. As of the date of the petition, the property was located in the unincorporated
67 area of Orange County; and
68

69 2. As of the date of the petition, the property is contiguous to the city within the
70 meaning of subsection 171.031(11), Florida Statutes; and
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72 3. As of the date of the petition, the property is reasonably compact within the
73 meaning of subsection 171.031(12), Florida Statutes; and
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75 4. The petition bears the signatures of all owners of property in the area to be
76 annexed; and
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78 5. Annexation of the property will not result in the creation of enclaves within the
79 meaning of subsection 171.031(13), Florida Statutes; and
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81 6. The property is located wholly within the boundaries of a single county; and
82

83 7. The petition proposes an annexation that is consistent with the purpose of
84 ensuring sound urban development and accommodation to growth; and
85

86 8. The petition, this ordinance, and the procedures leading to the adoption of
87 this ordinance are consistent with the uniform legislative standards provided by the
88 Florida Municipal Annexation and Contraction Act for the adjustment of municipal
89 boundaries; and
90

91 9. The petition proposes an annexation that is consistent with the purpose of
92 ensuring the efficient provision of urban services to areas that become urban in
93 character within the meaning of subsection 171.031(8), Florida Statutes; and
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95 10. The petition proposes an annexation that is consistent with the purpose of
96 ensuring that areas are not annexed unless municipal services can be provided to those
97 areas; and
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99 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the
100 best interest of the public health, safety, and welfare, and is consistent with the
101 applicable provisions of Florida Statutes, the State Comprehensive Plan, the Strategic
102 Regional Policy Plan, and the city’s GMP and LDC; and

103
104 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
105 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
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107 **SECTION 1. ANNEXATION.** Pursuant to the authority granted by section
108 171.044, Florida Statutes, and having determined that the owner or owners of the
109 property have petitioned the Orlando City Council for annexation into the corporate limits
110 of the city, and having determined that the petition bears the signatures of all owners of
111 property in the area proposed to be annexed, and having made the findings set forth in
112 this ordinance, the property is hereby annexed into the corporate limits of the City of
113 Orlando, Florida, and the boundary lines of the city are hereby redefined to include the
114 property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area
115 is clearly shown on the map attached to this ordinance as **Exhibit B**.
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117 **SECTION 2. CITY BOUNDARIES.** Pursuant to section 171.091, Florida Statutes,
118 the charter boundary article of the city is hereby revised in accordance with this
119 ordinance. The city clerk, or designee, is hereby directed to file this ordinance as a
120 revision of the City Charter with the Florida Department of State. The city planning
121 official, or designee, is hereby directed to amend the city's official maps in accordance
122 with this ordinance.
123

124 **SECTION 3. FLUM DESIGNATION.** Pursuant to section 163.3187, Florida
125 Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land
126 Use Map designation for the property is hereby established as "Residential Low
127 Intensity," as depicted in **Exhibit C** to this ordinance.
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129 **SECTION 4. AMENDMENT OF FLUM.** The city planning official, or designee, is
130 hereby directed to amend the city's adopted future land use maps in accordance with
131 this ordinance.
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133 **SECTION 5. SCRIVENER'S ERROR.** The city attorney may correct scrivener's
134 errors found in this ordinance by filing a corrected copy of this ordinance with the city
135 clerk.
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137 **SECTION 6. SEVERABILITY.** If any provision of this ordinance or its
138 application to any person or circumstance is held invalid, the invalidity does not affect
139 other provisions or applications of this ordinance which can be given effect without the
140 invalid provision or application, and to this end the provisions of this ordinance are
141 severable.
142

143 **SECTION 7. EFFECTIVE DATE.** This ordinance is effective upon adoption,
144 except for sections one and two, which take effect on the 30th day after adoption, and
145 sections three and four which take effect on the 31st day after the state land planning
146 agency notifies the city that the plan amendment package is complete. If timely
147 challenged, this ordinance does not become effective until the state land planning
148 agency or the Administration Commission enters a final order determining this
149 amendment to be "in compliance" as defined at section 163.3184(1)(b), Florida Statutes.
150

151 **DONE, THE FIRST PUBLIC NOTICE,** in a newspaper of general circulation in
152 the City of Orlando, Florida, by the city clerk of the City of Orlando, Florida, this
153 _____ day of _____, 2017.

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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 _____, 2017.

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 _____, 2017.

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 _____, 2017.

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

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