

# CITY OF ORLANDO

## COUNCIL AGENDA ITEM

URG / 0215 / 2nd

12-2

Annexation

**Items Types:**

Hearings/Ordinances/2nd Read

**District:** 1**Contract ID:****Exhibits:** Yes**Grant Received by City?:** No**For Meeting of:**

April 3, 2023

**From:****Document Number:****On File (City Clerk) :** Yes**Draft Only:** No**Subject:**

Ordinance No. 2023-12 Annexing Property Located East of Narcoossee Road, South of Lee Vista Boulevard, and North of the Beachline Expressway (SR 528), and addressed as 7525 Narcoossee Road, and Amending the City's Adopted Growth Management Plan (GMP) to Designate the Property as Airport Support District – Medium Intensity on the Official Future Land Use Map (ANX2022-10013 & GMP2022-10035) (7525 Narcoossee Road Annexation) (Economic Development)

**Summary:**

Ordinance No. 2023-12 applies to ±4.99 acres for property located east of Narcoossee Road, south of Lee Vista Boulevard, and north of the Beachline Expressway (SR 528) and addressed as 7525 Narcoossee Road.

The ordinance will:

1. Annex the subject property;
2. Amend the Growth Management Plan (GMP) by assigning the Airport Support District – Medium Intensity future land use designation to the subject property.

City Council accepted the petition for the voluntary annexation for this property on October 24, 2022.

The Municipal Planning Board (MPB) recommended approval of the annexation (ANX2022-10013), and the GMP amendment (GMP2022-10035), and associated initial PD zoning (ZON2022-10028) on November 15, 2022.

The subject property is contiguous to the City limits. If annexed, the property will not create an enclave.

The proposed annexation meets all requirements under Chapter 171, Florida Statutes. Unless appealed, all actions will be effective thirty-one (31) days after adoption.

The applicant is requesting annexation in order to facilitate a multifamily residential development by combining the property to the north which is currently within the City limits.

The associated PD ordinance is concurrently before the council for first reading.

The first reading of this ordinance was on March 20, 2023.

**Fiscal & Efficiency Data:**

Fiscal impact is attached.

**Recommended Action:**

Received by: Clerk of BCC April 4, 2023 mf  
 c: Deputy County Administrator Director Jon Weiss  
 Interim Director PEDS Tim Boldig  
 Planning Division Manager Alberto Vargas  
 Planning Administrator Nicolas Thalmueller

City Council Meeting: 4-3-2023  
 Item: 12-2 Documentary: 2301031202

Adopting Ordinance No. 2023-12 and authorizing the Mayor and City Clerk to execute the same, after final review and approval by the City Attorney's Office.

Agenda Item attachment(s) on file in the City Clerks Office.

**Note: All agenda items must be in the City Clerk's office by Noon Friday, six(6) business days prior to the regular Monday City Council meeting.**

**Contact:** Colandra Jones, colandra.jones@orlando.gov; 407-246-3415; Sarah Taitt, 407-246-4373, sarah.taitt@orlando.gov.

**Approved By:**




**Department**

Budget Outside Routing Approval  
City Clerk

**Date and Time**

3/22/2023 8:54 AM  
3/23/2023 1:24 PM

**ATTACHMENTS:**

Name:	Description:	Type:
 <a href="#">7525 Narcoossee Road ANX GMP final ordinance.pdf</a>	7525 Narcoossee Road Ordinance No. 2023-12	Ordinance
 <a href="#">Exhibit A - 7525 Narcoossee Rd Verified Legal Description.pdf</a>	Exhibit A - Verified Legal Description	Exhibit
 <a href="#">Exhibit B - Annexation Map 7525 Narcoossee Rd.pdf</a>	Exhibit B - 7525 Narcoossee Road Annexation Map	Exhibit
 <a href="#">Exhibit C - GMP Map 7525 Narcoossee Rd.pdf</a>	Exhibit C - 7525 Narcoossee Road GMP Map	Exhibit
 <a href="#">Fiscal Impact Statement for 7525 Narcoossee Road.pdf</a>	FIS - 7525 Narcoossee Road	Fiscal Impact Statement

***"Enhance the quality of life in the City by delivering public services in a knowledgeable, responsive and financially responsible manner."***



ORDINANCE NO. 2023-12

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 NARCOOSSEE  
5 ROAD, SOUTH OF LEE VISTA BOULEVARD, AND  
6 NORTH OF THE BEACHLINE EXPRESSWAY (SR 528),  
7 AND COMPRISED OF 4.99 ACRES OF LAND, MORE OR  
8 LESS, AND AMENDING THE CITY'S BOUNDARY  
9 DESCRIPTION; AMENDING THE CITY'S GROWTH  
10 MANAGEMENT PLAN TO DESIGNATE THE PROPERTY  
11 AS AIRPORT SUPPORT DISTRICT-MEDIUM INTENSITY  
12 AND CONSERVATION ON THE CITY'S OFFICIAL  
13 FUTURE LAND USE MAPS; PROVIDING FOR  
14 AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND  
15 USE MAPS; PROVIDING FOR SEVERABILITY,  
16 CORRECTION OF SCRIVENER'S ERRORS, PERMIT  
17 DISCLAIMER, AND AN EFFECTIVE DATE.

18  
19 **WHEREAS**, on October 24, 2022, the City Council of the City of Orlando, Florida  
20 (the "Orlando City Council"), accepted a petition for voluntary annexation (hereinafter the  
21 "petition") bearing the signatures of all owners of property in an area of land generally  
22 located east of Narcoossee Road, south of Lee Vista Boulevard, and north of the  
23 Beachline Expressway (SR 528), comprised of approximately 4.99 acres and being  
24 precisely described by the legal description of the area by metes and bounds attached to  
25 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 November 15, 2022, the  
31 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"),  
32 considered the following applications relating to the property:  
33

- 34 1. Annexation case number ANX2022-10013 requesting to annex the property  
35 into the jurisdictional boundaries of the city; and  
36
- 37 2. Growth Management Plan (hereinafter the "GMP") case number GMP2022-  
38 10035 requesting an amendment to the city's GMP to designate the property  
39 as "Airport Support District-Medium Intensity" and "Conservation" on the  
40 City's official future land use map; 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 ANX2022-10013 and GMP2022-10035 (entitled "7525  
45 Narcoossee Road Annexation"), the MPB recommended that the Orlando City Council

## ORDINANCE NO. 2023-12

approve said applications and adopt an ordinance or ordinances in accordance therewith; and

**WHEREAS**, the MPB found that application GMP2022-10035 is consistent with:

1. The *State Comprehensive Plan* as provided at Chapter 187, Florida Statutes (the "State Comprehensive Plan"); and
2. The *East Central Florida 2060 Plan* 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
3. The *City of Orlando Growth Management Plan*, adopted as the city's "comprehensive plan" for purposes of the Florida Community Planning Act, sections 163.3164 through 163.3217, Florida Statutes; and

**WHEREAS**, sections 3 and 4 of this ordinance are adopted pursuant to the process for adoption of small scale comprehensive plan amendments as provided by section 163.3187, Florida Statutes; and

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

1. As of the date of the petition, the property was located in the unincorporated area of Orange County; and
2. 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
3. As of the date of the petition, the property is reasonably compact within the meaning of subsection 171.031(12), Florida Statutes; and
4. The petition bears the signatures of all owners of property in the area to be annexed; and
5. Annexation of the property will not result in the creation of enclaves within the meaning of subsection 171.031(13), Florida Statutes; and
6. The property is located wholly within the boundaries of a single county; and
7. The petition proposes an annexation that is consistent with the purpose of ensuring sound urban development and accommodation to growth; and



## ORDINANCE NO. 2023-12

- 88 8. The petition, this ordinance, and the procedures leading to the adoption of  
89 this ordinance are consistent with the uniform legislative standards provided  
90 by the Florida Municipal Annexation and Contraction Act for the adjustment of  
91 municipal boundaries; and  
92
- 93 9. The petition proposes an annexation that is consistent with the purpose of  
94 ensuring the efficient provision of urban services to areas that become urban  
95 in character within the meaning of section 171.021, Florida Statutes; and  
96
- 97 10. The petition proposes an annexation that is consistent with the purpose of  
98 ensuring that areas are not annexed unless municipal services can be  
99 provided to those areas; and  
100

101 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the  
102 best interest of the public health, safety, and welfare, and is consistent with the  
103 applicable provisions of Florida Statutes, the State Comprehensive Plan, the Strategic  
104 Regional Policy Plan, and the City's GMP and LDC.  
105

106 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**  
107 **OF ORLANDO, FLORIDA, AS FOLLOWS:**  
108

109 **SECTION 1. ANNEXATION.** Pursuant to the authority granted by section  
110 171.044, Florida Statutes, and having made the findings set forth in this ordinance, the  
111 property described in **Exhibit A** is hereby annexed into the corporate limits of the City of  
112 Orlando, Florida, and the boundary lines of the City are hereby redefined to include the  
113 property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area  
114 is clearly shown on the map attached to this ordinance as **Exhibit B**.  
115

116 **SECTION 2. CITY BOUNDARIES.** Pursuant to section 171.091, Florida Statutes,  
117 the charter boundary article of the city is hereby revised in accordance with this  
118 ordinance. The city clerk, or designee, is hereby directed to file this ordinance as a  
119 revision of the City Charter with the Florida Department of State. The city planning  
120 official, or designee, is hereby directed to amend the city's official maps in accordance  
121 with this ordinance.  
122

123 **SECTION 3. FLUM DESIGNATION.** Pursuant to section 163.3184, Florida  
124 Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land  
125 Use Map designation for the property is hereby established as "Airport Support District-  
126 Medium Intensity" and "Conservation" (denoted as "AIR-MED" and "CONSERV" on the  
127 City's Future Land Use Maps), as depicted in **Exhibit C** to this ordinance.  
128

129 **SECTION 4. AMENDMENT OF GROWTH MANAGEMENT PLAN.** The city  
130 planning official, or designee, is hereby directed to amend the city's adopted Growth

ORDINANCE NO. 2023-12

Management Plan and the city's official Future Land Use Maps in accordance with this ordinance.

**SECTION 5. 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 6. 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 7. DISCLAIMER.** As provided by subsection 166.033(6), Florida Statutes, issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. In accordance with subsection 166.033(6), Florida Statutes, it is hereby made a condition of this ordinance that all other applicable state or federal permits be obtained before commencement of the development.

**SECTION 8. 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 and four, which take effect on the 31st day after adoption unless this ordinance is lawfully challenged pursuant to subsection 163.3187(5), Florida Statutes, in which case sections three and four 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 section 163.3184(1)(b), Florida Statutes.

**DONE, THE FIRST 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 19 day of March, 2023.

**DONE, THE FIRST READING AND HEARING,** by the City Council of the City of Orlando, Florida, at a regular meeting, this 20 day of March, 2023.

**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 26 day of March, 2023.



ORDINANCE NO. 2023-12

DONE, THE SECOND READING AND 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 3 day of  
April, 2023.

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

Stephanie Herdocia  
\_\_\_\_\_  
Print Name

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

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

Melissa C. Clarke  
\_\_\_\_\_  
Print Name

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



EXHIBIT

"A"

VERIFIED LEGAL  
DESCRIPTION FORM

MUNICIPAL PLANNING BOARD

The following legal description has been prepared  
by James D. Bray, PSM 6507  
Altamax Surveying and submitted  
to the City Planning Bureau for verification.

Digitally signed by James D Bray  
DN: cn=James D Bray c=US  
o=Florida  
Date: 2023-01-30 13:49:05:00

Signature

12/20/2022

Date



"This Description has been  
reviewed by the Engineering  
Division and is acceptable  
based on a comparison with:

PLATS GIS MAPPING

By: Guy Adkins Date: 2-3-23  
GUY ADKINS

Application Request (Office Use Only):

File No. ANX2022-10013

Legal Description Including Acreage (To be Typed By Applicant):

(Written by Surveyor)

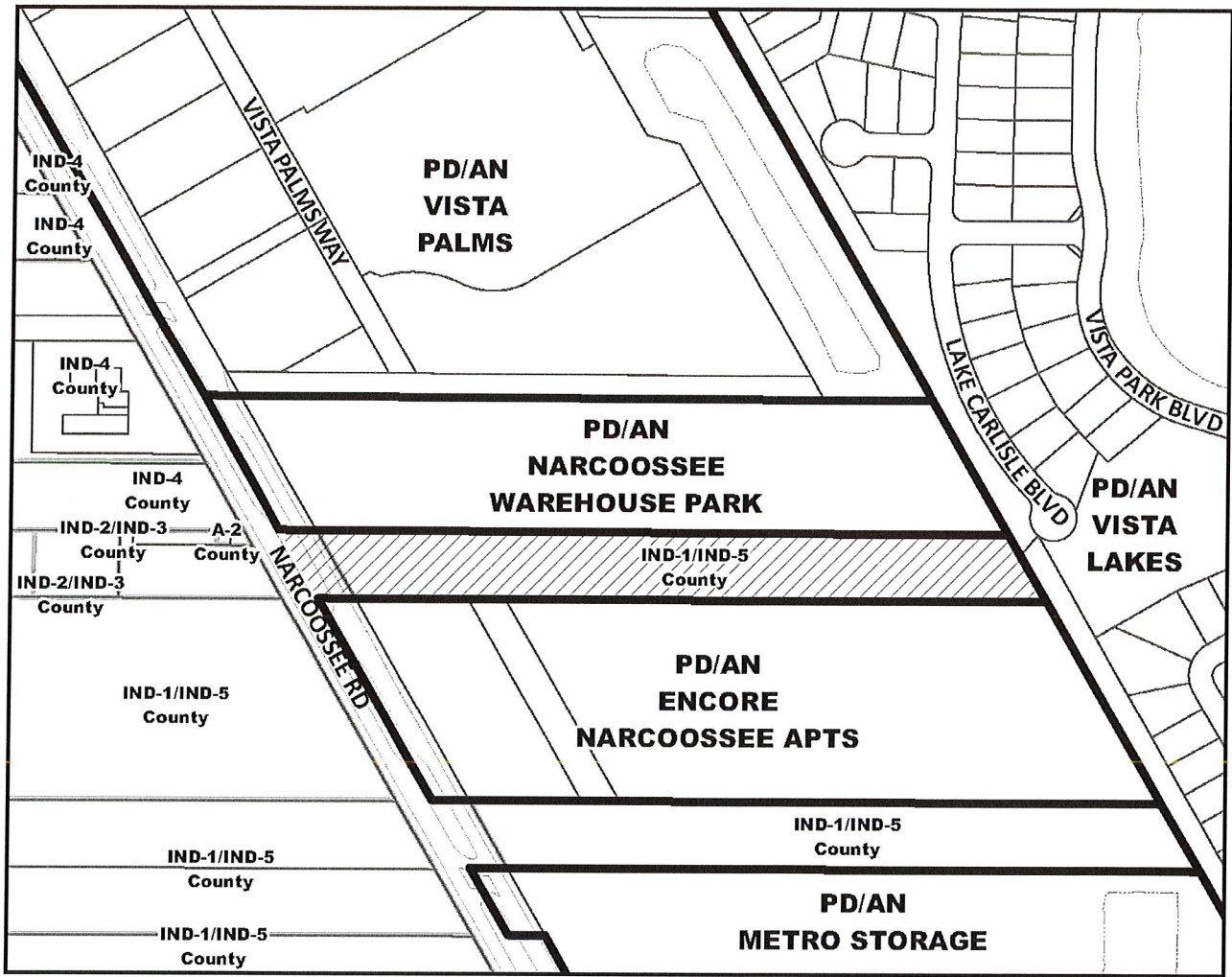
A PORTION OF THE NORTHWEST 1/4, THE SOUTHWEST 1/4, THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION  
25, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1, NARCOOSSEE WAREHOUSE PARK, AS RECORDED IN PLAT BOOK 70,  
PAGES 108 AND 109, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; RUN THENCE S30°12'40"E ALONG THE EASTERLY  
RIGHT-OF-WAY LINE OF NARCOOSSEE ROAD, ALSO KNOWN AS STATE ROAD 29 & 15, AS DESCRIBED IN OFFICIAL  
RECORDS BOOK 9390, PAGE 3473, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, A DISTANCE OF 330.36 FEET TO THE  
SOUTHWEST CORNER OF SAID LOT 1 FOR A POINT OF BEGINNING; THENCE S89°47'28"E ALONG THE SOUTH LINE OF  
SAID LOT 1, A DISTANCE OF 1481.67 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S30°12'40"E A DISTANCE  
OF 170.64 FEET TO THE NORTHEAST CORNER OF ENCORE NARCOOSSEE, AS RECORDED IN PLAT BOOK 110, PAGES 7  
THROUGH 10, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE N89°46'40"W ALONG THE NORTH LINE OF SAID  
ENCORE NARCOOSSEE A DISTANCE OF 1481.87 FEET TO THE NORTHWEST CORNER OF SAID ENCORE NARCOOSSEE,  
BEING A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF NARCOOSSEE ROAD; THENCE N30°12'40"W ALONG SAID  
EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 170.24 FEET TO THE POINT OF BEGINNING.

CONTAINS: 217,775 SQUARE FEET OR 4.9994 ACRES MORE OR LESS.

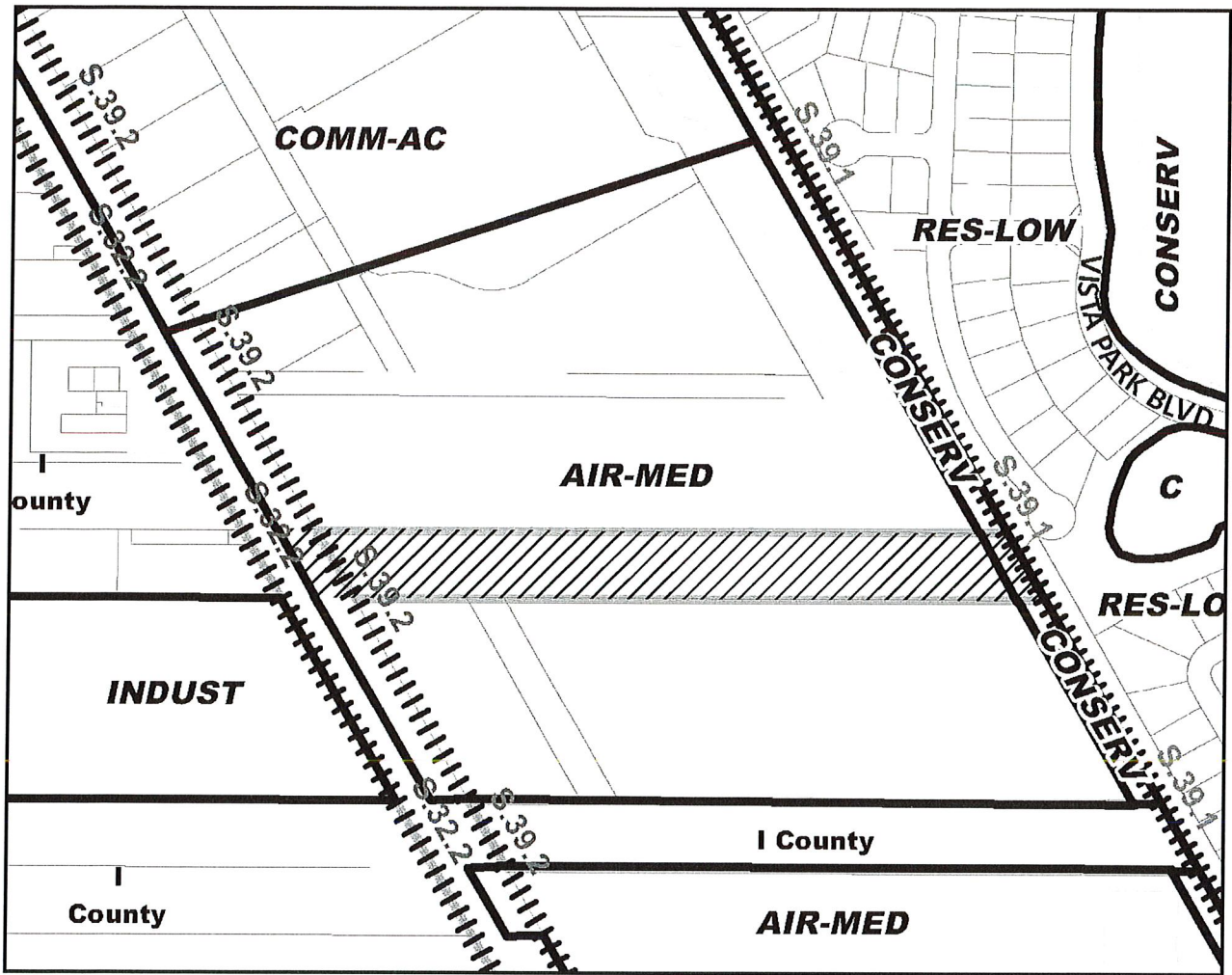


EXHIBIT  
"B"



ANX2022-10013

EXHIBIT  
"C"



Future Land Use - Proposed GMP2022-10035







### Fiscal Impact Statement

Indicate the **Total Fiscal Impact** of the action requested, including personnel, operating, and capital costs. Indicate costs for the current fiscal year and annualized costs. Include all related costs necessary to place the asset in service.

**Description:** 7525 Narcoossee Road Annexation

#### Expenses

Will the action be funded from the Department's current year budget? ☐ Yes ☐ No

If No, please identify how this action will be funded, including any proposed Budget Resolution Committee (BRC) action(s). (enter text here)

	Current Fiscal Year Cost Estimate	Estimated Annualized Cost Thereafter
Personnel	\$0	\$0
Operating/Capital	\$0	\$0
<b>Total Amount</b>	\$0	\$0

Comments (optional): (enter text here)

#### Revenues

What is the source of any revenue and the estimated amount? Property Taxes Amount \$5,664.74

Is this recurring revenue? ☒ Yes ☐ No

Comments (optional): According to the Orange County Property Appraiser, the assessed value for the subject site is \$851,840, therefore the calculation for property taxes is \$5,664.74.

#### Funding

Expenses/Revenues will be recorded to:

	Source #1	Source #2	Source #3
Fund	<u>General Fund</u>	<u>(enter text here)</u>	<u>(enter text here)</u>
Department /Division	<u>Citywide</u>	<u>(enter text here)</u>	<u>(enter text here)</u>
Cost Center/Project/Grant	<u>Citywide</u>	<u>(enter text here)</u>	<u>(enter text here)</u>
Total Amount	\$5,664.74	\$0	\$0

# Orlando Sentinel

MEDIA GROUP

Published Daily  
ORANGE County, Florida

**Sold To:**

City of Orlando - CU00118969  
400 S Orange Ave, Fl 2  
Orlando, FL 32801-3360

**Bill To:**

City of Orlando - CU00118969  
400 S Orange Ave, Fl 2  
Orlando, FL 32801-3360

**State Of Florida  
County Of Orange**

Before the undersigned authority personally appeared  
Rose Williams, who on oath says that he or she is a duly authorized  
representative of the ORLANDO SENTINEL, a DAILY newspaper  
published in ORANGE County, Florida; that the attached copy of  
advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal

Was published in said newspaper by print in the issues of, or by publication  
on the newspaper's website, if authorized on Mar 19, 2023.

Affiant further says that the newspaper complies with all legal requirements  
for publication in Chapter 50, Florida Statutes.



Signature of Affiant

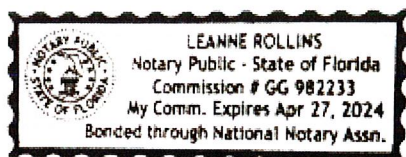
**Rose Williams**

Name of Affiant

Sworn to and subscribed before me on this 20 day of March, 2023,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



Signature of Notary Public

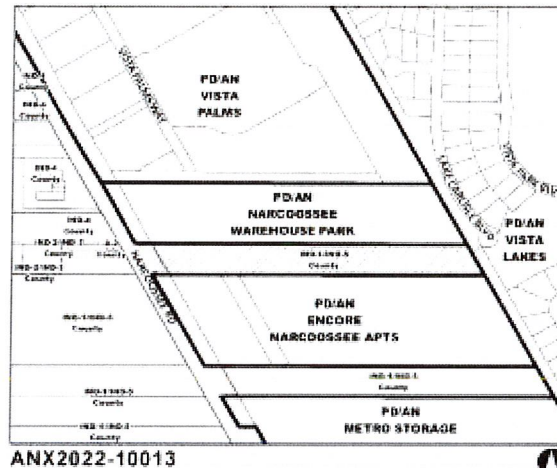


Name of Notary, Typed, Printed, or Stamped



# Notice of Proposed Enactment

On Monday, April 3, 2023, the Orlando City Council will consider proposed ordinance #2023-12, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED EAST OF NARCOOSSEE ROAD, SOUTH OF LEE VISTA BOULEVARD, AND NORTH OF THE BEACHLINE EXPRESSWAY (SR 528), AND COMPRISED OF 4.99 ACRES OF LAND, MORE OR LESS, AND AMENDING THE CITY'S BOUNDARY DESCRIPTION; AMENDING THE CITY'S GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS AIRPORT SUPPORT DISTRICT-MEDIUM INTENSITY AND CONSERVATION ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.



A public hearing on this ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chamber, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida. Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. All pertinent information about meeting access and participation instructions will be available on [orlando.gov/councilmeeting](http://orlando.gov/councilmeeting) at least 3 days prior to the meeting. Additionally, interested parties are invited to watch the meeting live and may participate by providing public comment during the meeting or submitting written public comment in advance regarding the proposed ordinance. The opportunity to provide public comment is available until the designated public comment portion of the item is closed. All items received are public record. The proposed ordinance may be inspected at the Office of the City Clerk located on the 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida or online at [orlando.gov](http://orlando.gov). Anyone who desires to appeal an official decision made at this meeting, if an appeal is permitted by law, may need to obtain a verbatim record of the proceedings that includes the testimony and evidence upon which the appeal is based. The City of Orlando is committed to reasonably accommodating the communication needs of persons with disabilities. Persons with disabilities who need reasonable accommodations to participate in this meeting, contact no later than 24 hours in advance of the meeting, the Office of the City Clerk at 407.246.2251 or [cityclerk@orlando.gov](mailto:cityclerk@orlando.gov).

# Orlando Sentinel

MEDIA GROUP

Published Daily  
ORANGE County, Florida

**Sold To:**

City of Orlando - CU00118969  
400 S Orange Ave, Fl 2  
Orlando, FL 32801-3360

**Bill To:**

City of Orlando - CU00118969  
400 S Orange Ave, Fl 2  
Orlando, FL 32801-3360

**State Of Florida  
County Of Orange**

Before the undersigned authority personally appeared  
Rose Williams, who on oath says that he or she is a duly authorized  
representative of the ORLANDO SENTINEL, a DAILY newspaper  
published in ORANGE County, Florida; that the attached copy of  
advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal

Was published in said newspaper by print in the issues of, or by publication  
on the newspaper's website, if authorized on Mar 26, 2023.

Affiant further says that the newspaper complies with all legal requirements  
for publication in Chapter 50, Florida Statutes.

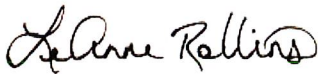


Signature of Affiant

**Rose Williams**

Name of Affiant

Sworn to and subscribed before me on this 27 day of March, 2023,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



Signature of Notary Public



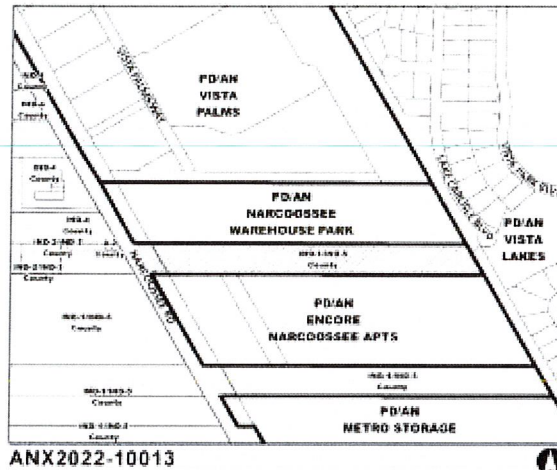
Name of Notary, Typed, Printed, or Stamped

7394073



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