

Sec. 33-304. - Purpose and intent.

The purpose of this article is solely to implement section 505 of the Charter as it pertains to the district. This article deals exclusively with the procedure for annexation of unincorporated territories in the district, which territories have been found to be existing historical and cohesive residential communities. The intent of this article is to provide the exclusive method for voluntary annexation in the district in the very limited circumstances as particularly set forth in this section.

It is not the purpose or intent of this article to regulate density of development, intensity of development, or the issuance of development permits on lands located within the district nor is it the intent to create a special district, either dependent or independent, as those terms are defined in F.S. ch. 189.

Nothing contained in this article and the corresponding section of the Orange County Charter is intended to modify or supersede in any way the Orange County/Ocoee Joint Planning Area Agreement dated February 11, 1994, or any other applicable joint planning area agreement. It is the intent of the Board of County Commissioners of Orange County, Florida, that this article and the corresponding Charter section (section 505) shall provide a method for annexation only in the event that such Joint Planning Area Agreement or other applicable joint planning area agreement is modified to delete or weaken the prohibitions against annexation; terminated (including expiration under the terms of such Joint Planning Area Agreement or other applicable joint planning area agreement) by the parties; repudiated by either party; or declared invalid by a court of competent jurisdiction.

(Ord. No. 95-1, § 4, 3-7-95)

Sec. 505. - Voluntary annexation.

- (a)
 - (1) The board of county commissioners may designate as "preservation districts" any areas of Orange County that are not within municipalities and that have existing historical and cohesive residential communities located within rural settlements as identified by the county's comprehensive plan (or within such successor land use categories as the board may from time to time use in the comprehensive plan).
 - (2) There is created as a preservation district the "Dr. Phillips Urban Preservation District" in unincorporated Orange County. It has existing historical and residential communities which form a cohesive whole. Its boundaries and description are respectively set forth at Appendixes "A" and "B" to Orange County Ordinance No. 98-08.
 - (3) There is created as a preservation district the "Taft Urban Preservation District" in unincorporated Orange County. It has existing historical and residential communities which form a cohesive whole. Its boundaries and description are respectively set forth at Appendixes "A" and "B" to Orange County Ordinance No. 2000-18.
 - (4) There is created as a preservation district the "Pine Castle Urban Preservation District" in unincorporated Orange County. It has existing historical and residential communities which form a cohesive whole. Its boundaries and description are respectively set forth at Appendixes "A" and "B" to Orange County Ordinance No. 2002-11.
- (b) Voluntary annexation in a preservation district may occur only if it is approved by a majority of the board of county commissioners after an advertised public hearing and by a majority of the registered electors residing within the boundaries of the preservation district in which the property or properties lie and voting on the question. The vote by the registered electors residing within the preservation district shall be conducted in accordance with Florida laws pertaining to annexation elections, and the board of county commissioners may adopt regulations and procedures to implement this method of voluntary annexation.
- (c) The annexation requirements in subsection (b) shall not apply to the Dr. Phillips Urban Preservation District, or the Taft Urban Preservation District, or the Pine Castle Urban Preservation District if and to the extent their application would impair contractual rights under any agreement existing prior to the date the district in question was created.

(Created November 1992, Amended September 1998; Ord. No. 2000-18, § 2, 8-9-00; Ord. No. 2002-11, § 1, 8-20-02)

Sec. 33-306. - Procedure for annexation of properties located within district.

In order to voluntarily annex properties located within the boundaries of the district into a municipality, the following procedure must be followed:

- (1) The Orange County Board of County Commissioners must approve, by majority vote, such annexation at an advertised public hearing. Such public hearing shall be advertised as an ordinance pertaining to the use of land, pursuant to the requirements of F.S. § 125.66(6), as may be amended and replaced from time to time.
- (2) After Orange County Board of County Commissioners approval, a majority of the registered electors residing within the boundaries of the district must approve the annexation by a majority vote.
- (3) The vote by the registered electors residing within the district shall be conducted in accordance with Florida laws pertaining to annexation elections, and more particularly in accordance with those procedures set forth in F.S. § 171.0413, as those sections may be amended and replaced from time to time.

(Ord. No. 95-1, § 6, 3-7-95)

Sec. 33-313. - Procedure for voluntary annexation of properties located within district.

In order to voluntarily annex any property or properties located within the district, the following procedures shall be followed:

- (a) A majority of the board must first approve the proposed annexation at a single public hearing. The public hearing shall be advertised as an ordinance pursuant to the requirements of F.S. 125.66(b)2 (1997).
- (b) If a majority of the board approves the proposed annexation, a majority of the registered electors residing within the boundaries of the district in which the property or properties lie shall approve the annexation by a majority vote. The vote by the registered electors residing within the boundaries of the district in which the property or properties lie shall be conducted in accordance with Florida laws pertaining to annexation elections, and more particularly in accordance with those procedures set forth in F.S. § 171.0413, as those sections may be amended, renumbered and/or replaced from time to time.

(Ord. No. 99-13, § 6, 6-15-99)

Sec. 33-319. - Procedure for voluntary annexation of properties located within district.

In order to voluntarily annex any property or properties located within the district, the following procedures shall be followed:

- (a) A majority of the board must first approve the proposed annexation at a single public hearing. The public hearing shall be advertised as an ordinance pursuant to the requirements of F.S. 125.66(b)2 (1997).
- (b) If a majority of the board approves the proposed annexation, a majority of the registered electors residing within the boundaries of the district in which the property or properties lie shall approve the annexation by a majority vote. The vote by the registered electors residing within the boundaries of the district in which the property or properties lie shall be conducted in accordance with Florida laws pertaining to annexation elections, and more particularly in accordance with those procedures set forth in F.S. § 171.0413, as those sections may be amended, renumbered and/or replaced from time to time.

(Ord. No. 99-14, § 6, 6-15-99)

Sec. 33-320.6. - Procedure for voluntary annexation of properties located within district.

In order to voluntarily annex any property or properties located within the district, the following procedure shall be followed:

- (1) A majority of the board must first approve the proposed annexation at a single public hearing. The public hearing shall be advertised as an ordinance pursuant to the requirements of F.S. § 125.66(b)2.
- (2) If a majority of the board approves the proposed annexation, a majority of the registered electors residing within the boundaries of the district in which the property or properties lie shall approve the annexation by a majority vote. The vote by the registered electors residing within the boundaries of the district in which the property or properties lie shall be conducted in accordance with Florida laws pertaining to annexation elections, and more particularly in accordance with those procedures set forth in F.S. § 171.0413, as those sections may be amended, renumbered and/or replaced from time to time.

(Ord. No. 2000-15, § 6, 7-18-00)

Sec. 33-311. - Purposes and intent.

The purposes of this division are to designate and create the district as a preservation district pursuant to section 505 of the Charter and to implement section 505(a)(1) and (b) of the Charter as it pertains to the district. This division deals with the procedure for annexation of unincorporated territories in the district, which territories have been found to be part of an existing historical and cohesive residential community. The intent of this division is to provide the exclusive method for voluntary annexation in the district in the very limited circumstances set forth in this section.

It is neither the purpose nor the intent of this division to regulate density of development, intensity of development, or the issuance of development permits on lands located within the district. It is also not the purpose or intent to create a special district, either dependent or independent, as those terms are defined in F.S. ch. 189.

(Ord. No. 99-13, § 4, 6-15-99)