

ORDINANCE NO. 2793-10

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA, AMENDING CHAPTER 58 "LAND
DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE
PLAN" SO AS TO ADOPT NEW ADOPTION PROCEDURES
FOR AMENDMENTS TO THE CITY OF WINTER PARK,
COMPREHENSIVE PLAN, SUBSTITUTING FOR THE
CURRENT AMENDMENT PROCEDURES, PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, the Winter Park City Commission adopted its Comprehensive Plan on February 23, 2009 via Ordinance 2762-09 and desires to modify the procedures for amendment to the Comprehensive Plan, and

WHEREAS, the City Commission desires to improve the efficiency of the Comprehensive Plan amendment process as well as strengthening the importance of the Future Land Use Element text by requiring a super majority (4 vote) requirement for amendments to that element's text.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK:

SECTION 1. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" of the Code of Ordinances is hereby amended by repealing in Section 58-6 "Amendments to the comprehensive plan" subsections (a) (5) and (a) (6) and revising those subsections to read as follows:

Sec. 58-6. Amendments to the comprehensive plan.

(a)

(5) Upon the filing of the recommendations report by the planning and zoning commission or upon failure to do so with respect to any proposed comprehensive plan text or map amendment, the City Commission shall hold the first public hearing on the ordinance to transmit and adopt the comprehensive plan amendment, and following the receipt and response to the Objections, Recommendations and Comments report (ORC) from the State of Florida, the City Commission will hold a second public hearing on the ordinance to adopt such comprehensive plan amendment, with such notice and hearings to be conducted in the manner prescribed by law. With respect to small scale amendments that do not require transmittal to the State of Florida for issuance of an ORC, there shall be two public hearings on the ordinance for adoption of such small scale amendments, giving at least fifteen (15) days notice of time and place of such hearings, which notice shall first be published in a newspaper having a general circulation in the City of Winter Park, Florida.

(6) In case of a recommendation for denial, either to transmit or adopt, by the planning and zoning commission, such amendments shall not proceed or become effective except by the affirmative vote of four members of the city commission. In cases when the planning and zoning commission recommends approval of a comprehensive plan future land use map amendment or text amendment on a lesser portion of the property than originally requested or imposes conditions upon or limitations upon a recommendation for approval reducing the intensity or density of use of said property or text amendment, it shall require the affirmative vote of four members of the city commission to transmit or adopt such comprehensive plan future land use map or text amendment for a greater portion of the property or to increase the density or intensity of use above that recommended by the planning and zoning commission. In addition, it shall also require the affirmative vote of four members of the city commission to approve or adopt any text amendment to the Future Land Use Element of the Comprehensive Plan, regardless of the recommendation by the planning and zoning commission.

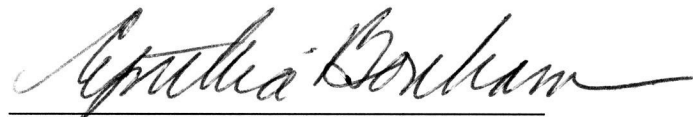
SECTION 2. This ordinance shall become effective immediately upon its final passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 25th day of January, 2010.



Mayor Kenneth W. Bradley

ATTEST:



City Clerk Cynthia Bonham