

CITY COMMISSION WORK SESSION
December 8, 2009

An informal work session was held at 3:00 p.m. in Room 200, 401 Park Avenue South, Winter Park, Florida between Commissioners Beth Dillaha, Margie Bridges and Phil Anderson.

Also present:

City Manager Randy Knight

1. Conduct and decorum at meetings

Commissioner Dillaha suggested they review the format of the agenda and to read the rules for decorum into the minutes at the beginning of every Commission meeting. She believed it was important and a good reminder about how everyone should conduct themselves. She also wanted to ensure that the Commission is aware of how to address situations that are out of order by saying "point of order". City Manager Knight commented that it is up to the Chair to keep order and if that does not happen that any Commissioner can say "point of order". Commissioner Dillaha stated that she would bring this up at the next Commission meeting under New Business.

Commissioner Anderson spoke about the development of a policy regarding speakers being placed on the agenda at the Commission meetings. He stated that he was comfortable with allowing the City Manager to exercise that judgment and does not want a rule that says they have to bring it up under New Business to have anyone speak.

2. Capital Improvement Element.

Commissioner Dillaha addressed areas that were part of the transmittal to include Mead Garden (fundraising versus bond issues) and the language regarding commuter rail (\$950,000).

Commissioner Bridges believed they need to understand where this money (\$950,000) is being allocated and there are no intentions of using it for purposes other than rebuilding the Amtrak station. She stated if they are going to specify that this is inclusive, she would like for us to be very clear that is how we intended to use it.

There was also discussion of conservation and that money will have to be spent to promote the use of reclaimed water for irrigation which will be done by expanding the Aloma Plant and working with Orlando to get some of their reclaimed water. City Manager Knight and Planning Director Jeff Briggs answered questions.

3. Land Development Code recommendations.

Commissioner Dillaha had suggestions for the "58-89 Zoning Changes and Amendments, Public Notice Requirements and Procedures for Zoning Amendments and Conditional Uses. They are attached at the end of the minutes. Mr. Briggs answered questions.

4. Supermajority – comprehensive plan changes.

Commissioner Anderson commented that he has a New Business item on the next Commission agenda amending the comprehensive plan adopting ordinance to incorporate a supermajority for text amendments to the comprehensive plan. He explained his rationale regarding the matter.

Commissioner Dillaha spoke about requiring a supermajority vote to amend the Future Land Use Element of the comprehensive plan and expressed that it would be better to bring this to the citizens and to let them decide.

The meeting was adjourned at 4:37 p.m.

A handwritten signature in cursive script, reading "Cynthia S. Bonham". The signature is written in black ink and is positioned above a horizontal line.

City Clerk Cynthia S. Bonham

LAND DEVELOPMENT CODE

58-89 Zoning Changes and Amendments, Public Notice Requirements and Procedures for Zoning Amendments and Conditional Uses.

Rework to accomplish the following: 1) titles / headers to each numbered section for ease of reading and finding information, 2) expand on (2) *Review by P & Z* (see recommendation below), address (17) Significant Changes.

Change (2) to: *Nature of requirements of Planning and Zoning Commission's review of proposed zoning text or map amendments.* When pertaining to the rezoning of land, text or map amendments, the report and recommendations of the Planning and Zoning Commission to the City Commission shall show that the Planning and Zoning Commission has studied and considered the proposed change in relation to the following:

1. Whether the proposed change will be consistent with the goals, objectives and policies of the Future Land Use Map and elements of the Comprehensive Plan.
2. The effect of the change on the particular property and surrounding properties. (currently in our code)
3. The existing land use pattern.
4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
5. Whether changed or changing conditions make the passage of the proposed amendment necessary.
6. Whether the proposed change will adversely influence living conditions in the neighborhood.
7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of peak volumes or projected types of vehicular traffic, including activity during construction phases of the development or otherwise affect public safety.
8. Whether the proposed change will create a drainage problem.
9. Whether the proposed change will seriously reduce light and air to adjacent properties.
10. Whether the proposed change will adversely affect property values in the adjacent area.
11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.
12. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
13. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.
14. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

15. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.
16. The physical characteristics of the property and the degree of site alteration which would be required to make the property usable for any of the range of potential uses under the proposed zoning classification.
17. The impact of development on the availability of adequate public facilities and services consistent with the levels of service adopted in the Winter Park Comprehensive Plan.
18. Such other factors, standards or criteria that the City Commission shall deem important in the protection of the public health, safety and welfare.

Provide title to (3) *Requirements for public notification and hearings.*

There is no (4)! Move up (5) text and provide title *Planning and Zoning Recommendation*

Add title to (5): *Restrictions, stipulations and safeguards.*

The Planning and Zoning Commission may recommend that a petition to amend, supplement or establish a zoning district be approved subject to stipulations including, but not limited to, limiting the use of the property to certain uses provided for in the requested zoning district. The City Commission, after receiving the recommendation from the Planning and Zoning Commission on a request to amend, supplement or establish a zoning district, may grant or deny such amendment or supplement and may make the granting conditional upon such restrictions, stipulations and safeguards as it may deem necessary to ensure compliance with the intent and purposes of the Comprehensive Plan.

Move (6) to (3) *Requirements for public notification and hearings.*

Add title to (7) *Denial of amendment by Planning and Zoning Commission or petition of property owners.*

Rework headers through (17). Rework language of (17) per attorney Katy Reischmann.