The meeting was called to order by Mr. Swisher at 12:00 Noon in the Commission Chambers of the Winter Park City Hall.

Present: Vice-Chairman Rick Swisher, Patrick Doyle, Michael Dick, and Carolyn Cooper. Chairman Drew Krecicki and Sarah Whiting were absent. City Attorney Trippe Cheek was also present. Staff: Planning Director Jeffrey Briggs, Sr. Planner Stacey Scowden, Planning Technician Caleena Shirley, and Recording Secretary Lisa M. Clark.

Approval of minutes – May 5, 2009

Motion made by Mr. Dick, seconded by Mrs. Cooper to approve the May 5, 2009, meeting minutes. Motion carried unanimously with a 4-0 vote.

Public Hearings

CP 2:09 AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO ADOPT NEW PUBLIC NOTICE AND ADOPTION PROCEDURES FOR AMENDMENTS TO THE CITY OF WINTER PARK, COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES DOCUMENT, SUBSTITUTING FOR THE CURRENT AMENDMENT PROCEDURES, ADOPTING A 2009 PUBLIC PARTICIPATION PLAN, PROVIDING AN EFFECTIVE DATE.

Planning Director Jeffrey Briggs presented the staff report. He explained that this ordinance proposes to update the process and notification procedures in the Land Development Code for amendments to the Comprehensive Plan (last adopted in 1991) as well as adopting an updated Public Participation Plan (last adopted in 1989). He explained that during the writing of this proposed ordinance, staff had three goals. He said that since the vast majority of comprehensive plan amendments involve a simultaneous change to the Comprehensive Plan future land use map and the Zoning map, the process and notification requirements need to be exactly the same. Second, staff wanted to adopt the State Statute requirements for Comprehensive Plan amendments, by reference, so that if the State changes those requirements, they automatically change for the City without having to amend our code. The City did not do that originally in 1991 and we now have outdated text that reflects the State Rules from 1991 and not from 2009. Lastly, staff wanted to clarify the exemptions for city-wide notices to pertain to annexations and the annual updating of the Capital Improvements Plan.

He said that there have been significant changes to the procedures and public notice requirements for Zoning Code amendments (rezonings) since 1991. On May 8, 2006 the City Commission adopted Ordinance 2668-06 which instituted new application and public notice requirements (such as the city-wide notice). These are codified in Section 58-85 of the Zoning Code and this ordinance repeats those requirements.
He noted that the Planning Commission held a work session on this ordinance on May 20, 2009 together with the City Attorney. The draft minutes to that work session are attached. The ordinance has been modified (see changes in blue) per that consensus. In addition, staff has prepared, at the direction of the Planning Commission, an additional ordinance to expand the public notice requirements for annexations. He noted that is a separate ordinance amending Chapter 2 of the City Code. He noted that the Board needs to make a determination with regard to the threshold that would require a city-wide notice. Staff recommended approval.

Mr. Briggs entertained questions and comments from Board members.

Pat McDonald, 2348 Summerfield Road, spoke concerning the proposed ordinance. She expressed concern that the proposed ordinance does not have language that lists requirements for meetings between the City Commission and Planning Commission regarding the Comprehensive Plan. She also expressed concern with the language that lists out the Boards and Commissions that require review of pertinent sections of the Comprehensive Plan. She said that she feels that Planning Commission should be removed from the list because the Board sits as the Local Planning Agency.

Gene Randall, 1285 Richmond Road, stated that he is concerned that the proposed ordinance seems to be abandoning current language regarding small scale annexation rules. He said that he is extremely concerned with “piece mill” annexations. He does not feel that language needs to be eliminated and further that all citizens should be able to vote on annexations. He also had questions concerning whether or not the City has to follow state statutes exactly or if the City has flexibility to be more restrictive or less restrictive.

Bee Epley 151 North Orlando Avenue, #209, spoke concerning the public notice requirements for annexations. She stated that she feels that citizens have a right to know what annexations are happening in their neighborhood.

No one else wished to speak concerning this issue. Public Hearing closed.

Mr. Briggs stated that he agrees with the comments to institute language that states that the Planning Commission serves as the LPA. He said that he feels that joint meetings between the Planning Commission and City Commission work if the issue involves a text amendment, but not a map amendment. He also provided insight concerning the City’s annexation regulations.

**Motion made by Carolyn Cooper, seconded by Michael Dick recommending that small and large scale amendments to the comprehensive plan be limited to two times per year. Motion carried unanimously with a 4-0 vote. (Note: Mrs. Cooper clarified that the motion was to amend the ordinance to add a requirement that all amendments to the Comprehensive Plan both large and small scale be made not more than two times per calendar year as stated in Section 58-6.)**

**Motion made by Michael Dick, seconded by Pat. Doyle to approve the proposed ordinance revising Chapter 58-6 as proposed by staff including amendments voted on the Planning Commission at today’s meeting. Motion carried unanimously with a 4-0 vote.**

**Motion made by Carolyn Cooper, seconded by Michael Dick to approve the public participation plan including the language noting that the Planning Commission will serve as the Local Planning Agency and also providing for joint meetings between the Planning Commission and City Commission on text or policy changes. Motion carried unanimously with a 4-0 vote.**

The Board entered into a discussion regarding the threshold for annexations. Ms. Cooper felt that the city-wide notice threshold for both commercial and medium to high density residential annexations should be one acre consistent with all other map change thresholds as adopted May 8, 2006 by Ordinance 2668-06. The other Board members (Messrs. Swisher, Doyle and Dick) felt that one acre was too restrictive. Mr. Briggs interjected that he does not feel that the City Commission would support a one acre threshold because it is not cost effective. Consensus was to establish three acres for commercial and 10 acres for residential.
Motion made by Michael Dick, seconded by Pat Doyle to establish ten acres for residential and three acres for commercial. Motion carried with a 3-1 vote. Mr. Cooper voted against the motion.

Attorney Cheek pointed out that public comment had not been taken on the proposed annexation ordinance.

Gene Randall, 1285 Richmond Road, requested clarification as to what type of residential because the motion did not specify.

Pat McDonald, 2348 Summerfield Road, stated that she agrees with Mr. Randall. She added that she would like to see the code specify single-family residential and further that the Board consider lowering the threshold.

Amendment: The motion was amended by Mr. Dick, seconded by Mr. Doyle to specify 10 acres for single family residential and three acres for all other land uses. Motion carried with a 3-1 vote.

Upcoming Meeting Schedule

- June 9, 2009 – Planning Commission work session
- June 24, 2009 – Planning Commission work session

There was no further business. Meeting adjourned at 1:30 p.m.

Respectfully submitted,

Lisa M. Clark
Recording Secretary