The meeting was called to order by Mr. Swisher at 7:00 p.m. in the Commission Chambers of the Winter Park City Hall.

Present: Vice-Chairman Rick Swisher, Michael Dick, and Sarah Whiting. Chairman Drew Krecicki and Carolyn Cooper were absent. Staff: Planning Director Jeffrey Briggs, Sr. Planner Stacey Scowden, Planning Technician Caleena Shirley, and Recording Secretary Lisa M. Smith.

PUBLIC HEARINGS:

- AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO ADOPT NEW ZONING REGULATIONS SECTION 58-89 AND SECTION 58-90 CHANGING THE PROCESS AND PROCEDURES, STANDARDS AND CRITERIA FOR APPROVAL OF CHANGES TO THE ZONING REGULATIONS TEXT AND OFFICIAL ZONING MAP AND FOR CONDITIONAL USES, PROVIDING AN EFFECTIVE DATE.

Planning Director Jeffrey Briggs presented the staff report. He explained the purpose of the ordinance is to update the Zoning Code portion (Article III) of the Land Development Code to improve the processes and procedures as well as the standards and criteria for the consideration of zoning changes and conditional uses. He gave an overview of the changes to Section 58-90 – Conditional Uses as follows:

1. Provides new subsection headings and format for easier use.
2. Splits the conditional uses into two types: Those that are strictly for “uses” such as certain types of businesses like car sales, alcoholic beverage licenses, etc., and the second type for building reviews over 10,000 square feet or those involving three story buildings in the CBD.
3. Splits the application/plan submittal requirements into the same two different types of reviews.
4. Provides a time requirement (one year) between preliminary and final approvals.
5. Requires re-advertisement and notice for the re-establishment of conditional use approvals which have expired if they are for building projects over 10,000 square feet or for three-story buildings in the CBD.
6. Clarifies that changes for approved conditional uses that are below the threshold for “significant changes” may occur only one time.
7. Removes the text concerning preliminary approvals of conditional uses establishing a “contractual obligation” to issue permits consistent with the terms and conditions of the preliminary approval.
8. Requires a supermajority (4 votes) to over-ride a P&Z vote for denial or to increase the density or height of project limited by a P&Z recommendation for conditional uses involving buildings over 10,000 square feet or three story buildings in the CBD.

He summarized Section 58-89 – Zoning Amendments as follows:

1. Provides new subsection headings and format for easier use.
2. Provides for preliminary (1st reading and final approvals (2nd reading) to mirror the process for preliminary and final approvals of conditional uses.
3. Removes the text concerning preliminary approvals of zoning changes to establish a “contractual obligation” to issue permits consistent with the terms and conditions of the preliminary approval.
4. Adds the same text for development agreements to be used in conjunction with zoning changes as well as conditional uses.
5. Clarifies that changes for projects that are below the threshold for “significant changes” may occur only one time.
6. References the Comprehensive Plan policies that discourage (or prohibit) certain types of rezoning in specified areas.

He noted that the Planning and Zoning Commission has held work sessions to review the proposed changes on September 30th, October 28th and January 27th. Staff recommended approval of the proposed ordinances and responded to Board members questions and concerns.

Mr. John Webb, 697 Balmoral Road, stated that is representing the Lake Berry Property Owners Association. He stated that he is in agreement with the contents of the proposed ordinances and that they should have already been in place. He expressed that if these changes were already in effect, then perhaps the outcome of the Winter Park Towers request would have been different.

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

The Board members discussed the contents of both ordinances at length and numerous revisions were made.

Motion made by Mrs. Whiting, seconded by Mr. Swisher to approve the changes to Sec. 58-90 – Conditional Uses as revised by the Planning Commission at this meeting. Motion carried unanimously with a 3-0 vote.

Motion made by Mrs. Whiting, seconded by Mr. Dick to approve the changes to Sec. 58-90 – Zoning Amendments as revised by the Planning Commission at this meeting. Motion carried unanimously with a 3-0 vote.

There was no further business. Meeting adjourned at 9:40 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary