REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE I, “COMPREHENSIVE PLAN” AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION TO AN OPEN SPACE AND RECREATION WITH CONSERVATION OVERLAY FUTURE LAND USE DESIGNATION ON THE 3.12 ACRES OF PROPERTY LOCATED AT 2899 TEMPLE TRAIL, ON THE EAST SIDE OF TEMPLE TRAIL ADJACENT TO HOWELL CREEK, MORE PARTICULARLY DESCRIBED HEREIN.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO PARKS AND RECREATION (PR) DISTRICT ZONING ON THE 3.12 ACRES OF PROPERTY LOCATED AT 2899 TEMPLE TRAIL ON THE EAST SIDE OF TEMPLE TRAIL ADJACENT TO HOWELL CREEK, MORE PARTICULARLY DESCRIBED HEREIN.

This public hearing is to re-designate one property recently purchased by the City from Multi-Family Residential to Parks and Recreation/Conservation. In October 2017, the City of Winter Park purchased five properties that accounted for 49 acres of wetland and open space in the Howell Branch Road, Temple Trail, Lake Waumpi area. These properties are all important natural areas along Howell Creek and Lake Waumpi.

All but one of these properties were already designated Open Space and Recreation with a Conservation Overlay in the Comprehensive Plan and zoned Parks and Recreation. However, there was one property at 2899 Temple Trail on the east side of Temple Trail along Howell Creek that was designated Multi-Family Residential (R-3) because it was previously connected in ownership to the existing townhomes at 2555-2887 Temple Trail. These two ordinances would change the Multi-Family designations to Open Space and Recreation with a Conservation Overlay future land use and Parks and Recreation (PR) zoning.

Staff Recommendation is for Approval.
AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE I, “COMPREHENSIVE PLAN” AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION TO OPEN SPACE AND RECREATION WITH A CONSERVATION OVERLAY FUTURE LAND USE DESIGNATION ON THE 3.21 ACRES OF PROPERTY LOCATED AT 2899 TEMPLE TRAIL, ON THE EAST SIDE OF TEMPLE TRAIL ADJACENT TO HOWELL CREEK, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park, as owner of the subject property has requested a Comprehensive Plan future land use map amendment and such designation meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their November 6, 2018 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed future land use change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the Comprehensive Plan future land use change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. Official Zoning Map Amendment. That Chapter 58 “Land Development Code”, Article I, “Comprehensive Plan” and the Future Land Use Map is hereby amended so as to change the Future Land Use designation of Medium Density Residential to Open Space and Recreation with a Conservation Overlay on the property at 2899 Temple Trail, comprising 3.21 acres on the east side of Temple Trail adjacent to Howell Creek and more particularly described by the Orange County Property Tax ID number as follows:

29-21-30-8614-00-019
SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall become effective upon its 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 _____ day of ____________, 2018.

________________________________________
Mayor Steve Leary

Attest:

________________________________________
City Clerk
ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO PARKS AND RECREATION (PR) DISTRICT ZONING ON THE 3.12 ACRES OF PROPERTY LOCATED AT 2899 TEMPLE TRAIL, ON THE EAST SIDE OF TEMPLE TRAIL ADJACENT TO HOWELL CREEK, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park, as owner of the subject property has requested a Zoning map amendment consistent with the Comprehensive Plan, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their November 6, 2018 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. Official Zoning Map Amendment. That Chapter 58 “Land Development Code”, Article III, “Zoning” and the Official Zoning Map is hereby amended so as to change the zoning designation of Medium Density Multiple Family Residential (R-3) District to Parks and Recreation (PR) district on the property at 2899 Temple Trail, comprising 3.12 acres on the east side of Temple Trail adjacent to Howell Creek and more particularly described by the Orange County Property Tax ID number as follows:

29-21-30-8614-00-019
SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall become effective upon its 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 _____ day of ______________, 2018.

__________________________
Mayor Steve Leary

Attest:

__________________________
City Clerk
2899 TEMPLE TRAIL
Zoning Map
City of Winter Park
Florida

LEGEND
Zoning
C-1
C-3
PQP
PR
R-1A
R-3
REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE
OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58
“LAND DEVELOPMENT CODE” ARTICLE III, "ZONING
REGULATIONS”, SECTION 58-87 “LAKEFRONT LOTS, CANALFRONT
LOTS, STREAMFRONT LOTS, WETLANDS, BOATHOUSES AND DOCKS”
SO AS TO MODIFY THE REQUIREMENTS FOR BOATHOUSE AND
DOCK APPROVALS BY THE LAKES AND WATERWAYS
BOARD.

This public hearing is to consider an Ordinance to streamline the procedures for
when docks, boathouses and gazebos need an approval by the Lakes and
Waterways Board. The proposed change is to eliminate the need for such review
and approval, if the dock, boathouse or gazebo is replacing an existing structure in
the same location and meets all zoning code regulations.

Under the current provisions of the Zoning Code, all docks, boathouses and gazebos
must be reviewed and approved by the Lakes and Waterways Board in a public
hearing process similar to that done by the P&Z Board for new homes on lakefront
lots, following a mailed notice to the adjacent property owners.

In practice this process by the Lakes Board is very valuable whenever there are
variances requested or if there has never been a lakefront structure on the
property. However, the majority of applications each month are for property
owners needing to rebuild an existing older dock/boathouse because the previous
one was deteriorated or the owners want to rebuild a boathouse/dock so that it
architecturally is compatible with the new home construction. In these majority of
cases, the property owners are meeting all of the zoning code regulations in terms
of height, setbacks, distance out into the water, square footage, etc. In these
cases, there has not been any benefit from the Lakes Board review (as it meets
code) or for the neighbors, as they will be looking at a new structure in the same
location as the previous structure.

The Lakes and Waterways Board reviewed this proposal at their October 9th
meeting. The Lakes Board was unanimous in agreement with this change.

Staff Recommendation is for Approval.
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING REGULATIONS”, SECTION 58-87 “LAKEFRONT LOTS, CANALFRONT LOTS, STREAMFRONT LOTS, WETLANDS, BOATHOUSES AND DOCKS” SO AS TO MODIFY THE REQUIREMENTS FOR BOATHOUSE AND DOCK APPROVALS BY THE LAKES AND WATERWAYS BOARD; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, it is deemed to be in the public interest to streamline of the development review process when property owners are replacing docks and boathouses in the same location; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at its November 6, 2018 meeting; and

WHEREAS, the City Commission of the City of Winter Park held duly noticed public hearings on the proposed zoning change set forth hereunder and considered advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park’s Comprehensive Plan; and

WHEREAS, the City Commission hereby find that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

WHEREAS, words with single underline shall constitute additions to the original text and strike through text shall constitute deletions to the original text.

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

SECTION 1. That Chapter 58 “Land Development Code”, Article III "Zoning" of the Code of Ordinances is hereby amended and modified by amending within Section 58-87 “Lakefront lots, canalfront lots, streamfront lots, wetlands, boathouses and docks”, subsection 58-72 (b) (4) to read as follows:

Sec. 58-87. Lakefront lots, canalfront lots, streamfront lots, wetlands, boathouses and docks.

(b) Building plans.

(1) A building permit shall not be issued for any new structure or building, addition to any existing structure, fence or wall or significant change to an existing property on a lakefront,
canalfront or streamfront lot until satisfactory building plans are reviewed and approved that are deemed in compliance with the objectives established in the aforementioned purpose and intent. The planning department shall review all such plans and provide a recommendation to the planning and zoning board.

(2) In cases involving the construction of swimming pools (without screen pool enclosures), or patios or hardscape additions under 1,000 square feet, the planning department shall provide an administrative review which shall result in approval, approval with conditions or denial of the permit. In such cases the owner may appeal the planning department's determination to the planning and zoning board.

(3) In other cases, the planning and zoning board shall review and approved construction upon lakefront lots, canalfront lots and streamfront lots when deemed in compliance with the objectives established in the aforementioned purpose and intent.

(4) The lakes and waterways board shall review and approve construction of boathouses, docks, gazebos over the lakes or other water bodies. However, review and approval by the lakes and waterways board of boathouses, docks and gazebos shall not be required if the structure is replacing an existing boathouse, dock or gazebo and is in the same location and is meeting the code requirements set forth in this section. The review and approval by the lakes and waterways board is only required when variances are requested or when there is not an existing boathouse, dock or gazebo on the property/water or when the location of the boathouse, dock or gazebo is being changed by more than five (5) feet from the current location.

(5) The requirements of this section are minimum requirements, and the planning and zoning board or the lakes and waterways board may impose more restrictive requirements and conditions on the height, bulk, location and any other aspect of the proposed development where necessary in order to accomplish the purpose and intent of this section. Review by the planning and zoning board or the lakes and waterways board shall be at a public hearing following notification of adjacent waterfront property owners.

**SECTION 2. SEVERABILITY.** If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

**SECTION 3. CONFLICTS.** All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**SECTION 4. CODIFICATION.** It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Winter Park, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, “Ordinance” may be changed to “Section,” “Article,” or other appropriate word.
SECTION 5. EFFECTIVE DATE. 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 ______ day of ____________________, 2018.

________________________________________
Mayor Steve Leary

Attest:

________________________________________
City Clerk
REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE I, “COMPREHENSIVE PLAN” AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION TO AN ORANGE COUNTY PLANNED DEVELOPMENT FUTURE LAND USE DESIGNATION ON THE PROPERTY LOCATED AT 1308 LOREN AVENUE.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO ORANGE COUNTY PLANNED DEVELOPMENT (PD) DISTRICT ZONING ON THE PROPERTY LOCATED AT 1308 LOREN AVENUE.

This public hearing is to re-designate one property recently purchased by the Ravaudage development from Low Density Residential to Orange County Planned Development. The Comprehensive Plan provides via Policy 1-M-6 (below) that when out-parcels are added to the Ravaudage development, they may be granted the same future land use and zoning designations as for the entire project.

Policy 1-M-6: Future Enclave & Out-Parcel Additions to the Ravaudage Planned Development. Any future acquisitions and additions to the Ravaudage PD of enclave or out-parcel properties may, at the discretion of the City, be added to the Ravaudage PD and regulated by the Orange County PD Code and the Development Order terms and conditions pertaining to the Ravaudage PD.

As you are aware, the City does not have any Planned Development future land use designation or PD zoning that approximates the Orange County PD designations. Thus in the Annexation Agreement and the Comprehensive Plan, the use of the Orange County land use designations is provided for.

This property at 1308 Loren Avenue is a single lot (62.5 by 132.5) of 8,281 sq. ft. It will potentially add some entitlements of commercial or residential but the residential entitlements (two additional units) would be the same as now permitted by the R-2 zoning.

In accordance with the Comprehensive Plan, these two ordinances would change the Low Density Residential future land use designation and corresponding R-2 zoning to Orange County Planned Development future land use and the corresponding Orange County Planned Development (PD) zoning.

Staff Recommendation is for Approval
ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE I, “COMPREHENSIVE PLAN” AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION TO AN ORANGE COUNTY PLANNED DEVELOPMENT FUTURE LAND USE DESIGNATION ON THE PROPERTY LOCATED AT 1308 LOREN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the owner of the subject property has requested a Comprehensive Plan future land use map amendment and such designation meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their November 6, 2018 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed future land use change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the Comprehensive Plan future land use change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. Official Zoning Map Amendment. That Chapter 58 “Land Development Code”, Article I, “Comprehensive Plan” and the Future Land Use Map is hereby amended so as to change the Future Land Use designation of Low Density Residential to Orange County Planned Development on the property at 1308 Loren Avenue, more particularly described as follows:

THE SOUTH 37.5 FT OF LOT 5 & THE NORTH 25 FT OF LOT 4 IN BLOCK “P” & EAST 1/2 OF THE VACATED R/W PER ORDINANCE NO. 3105-18 LYING WEST THEREOF IN THE HOME ACRES SUBDIVISION AS RECORDED IN PLAT BOOK “M”, PAGE 97 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND AS IDENTIFIED BY PROPERTY TAX ID#01-22-29-3712-16-051
SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall become effective upon its 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 _____ day of ______________, 2018.

______________________________
Mayor Steve Leary

Attest:

______________________________
City Clerk
ORDINANCE NO. 

AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO ORANGE COUNTY PLANNED DEVELOPMENT (PD) DISTRICT ZONING ON THE PROPERTY LOCATED AT 1308 LOREN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the owner of the subject property has requested a Zoning map amendment consistent with the Comprehensive Plan, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their November 6, 2018 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. Official Zoning Map Amendment. That Chapter 58 “Land Development Code”, Article III, “Zoning” and the Official Zoning Map is hereby amended so as to change the zoning designation of Low Density Residential (R-2) District to Orange County Planned Development (PD) district on the property at 1308 Loren Avenue, more particularly described as follows:

THE SOUTH 37.5 FT OF LOT 5 & THE NORTH 25 FT OF LOT 4 IN BLOCK “P” & EAST 1/2 OF THE VACATED R/W PER ORDINANCE NO. 3105-18 LYING WEST THEREOF IN THE HOME ACRES SUBDIVISION AS RECORDED IN PLAT BOOK “M”, PAGE 97 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND AS IDENTIFIED BY PROPERTY TAX ID#01-22-29-3712-16-051
SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall become effective upon its 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 _____ day of ______________, 2018.

________________________________________
Mayor Steve Leary

Attest:

____________________________
City Clerk
LEGEND
Future Land Use
- High Density PD-2
- OC PD
- Low Density Residential

1308 LOREN AVENUE
Future Land Use Map
City of Winter Park
Florida
1308 LOREN AVENUE
Zoning Map
City of Winter Park
Florida

LEGEND
Zoning
- OC PD
- PD-2
- R-2