

**ORDINANCE NO. 2632-05**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING REGULATIONS" SO AS TO PROVIDE PROCEDURES FOR THE MODIFICATION OF PLANS SUBMITTED AS PART OF REZONING, CONDITIONAL USE, OR PLANNED DEVELOPMENT APPLICATIONS AND TO PROVIDE APPLICATION SUBMITTAL REQUIREMENTS FOR PLANS TO BE REVIEWED AT WORK SESSIONS BEFORE THE PLANNING COMMISSION OR CITY COMMISSION.**

**(ZTA 1:05)**

**NOW THEREFORE, BE IT ENACTED BY THE PEOPLE 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 Section 58-85 "Zoning changes and amendments", to add new subsections (10) and (11) to read as follows:

**Section 58-85. Zoning changes and amendments.**

- (10) *Whenever an applicant submits plans as required by this code, only the plans submitted to the planning commission members prior to the public hearing for their review together with a staff report analysis and other pertinent information shall be the basis for action by the planning and zoning commission. If those plans are substantially modified then such application shall be postponed and re-advertised for a subsequent meeting. Similarly, when the planning and zoning commission makes a recommendation on an application pursuant to specific plans, and those plans are substantially modified, then the modified plans shall first be reviewed by the planning and zoning commission before they are considered by the city commission for approval. The city commission shall not act on any application containing modified plans but shall refer the modified plans back to the planning and zoning commission, for subsequent review and recommendation unless such changes are in response to specific conditions of approval made by the planning and zoning commission.*
- (11) *Whenever an applicant requests a work session or pre-application meeting before the planning and zoning commission or city commission or both combined commissions, such plans shall be submitted at least two weeks prior to such meeting and the planning staff shall prepare for review by such commissions, a preliminary report outlining the extent of the zoning variances and other issues that such application will entail.*

**SECTION 2.** That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by amending Section 58-90 "Planned Development (PD) Overlays", to add a new subsection (4)(b) and (4) (c) within "Approval procedures" to read as follows:

Section 58-90 - "Planned Development (PD) Overlays"

(4) Approval Procedures

- (b) *Whenever an applicant submits plans as required by this code, only the plans submitted to the planning commission members prior to the public hearing for their review together with a staff report analysis and other pertinent information shall be the basis for action by the planning and zoning commission. If those plans are substantially modified then such application shall be postponed and re-advertised for a subsequent meeting. Similarly, when the planning and zoning commission makes a recommendation on an application pursuant to specific plans, and those plans are substantially modified, then the modified plans shall first be reviewed by the planning and zoning commission before they are considered by the city commission for approval. The city commission shall not act on any application containing modified plans but shall refer the modified plans back to the planning and zoning commission, for subsequent review and recommendation unless such changes are in response to specific conditions of approval made by the planning and zoning commission.*
- (c) *Whenever an applicant requests a work session or pre-application meeting before the planning and zoning commission or city commission or both combined commissions, such plans shall be submitted at least two weeks prior to such meeting and the planning staff shall prepare for review by such commissions, a preliminary report outlining the extent of the zoning variances and other issues that such application will entail.*


**SECTION 3.** All ordinances or portions or ordinances in conflict herewith are hereby repealed.

**SECTION 4.** 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 13<sup>th</sup> day of June, 2005.

  
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Mayor Kenneth R. Marchman

ATTEST:

  
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Cynthia S. Bonham, Clerk