

ORDINANCE NO. 2729-08

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO AMEND WITHIN SECTION 58-67 "LOW DENSITY RESIDENTIAL (R-2) DISTRICT" AND SECTION 58-68 "MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (R-3) DISTRICT" SO AS TO ADD A NEW CONDITIONAL USE FOR NON-PROFIT EDUCATIONAL FACILITIES, PROVIDING STANDARDS FOR CONSIDERATION OF SUCH CONDITIONAL USES, PROVIDING FOR APPLICABILITY, PROVIDING AN EFFECTIVE DATE.

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 adding within Section 58-67 "Low Density Residential (R-2)" and within Section 58-68 "Medium Density Multiple Family Residential (R-3) District, a new conditional use and standards to read as follows:

Sec. 58-67. Low density residential (R-2) district,

(e) Conditional uses.

(5) Non-profit educational facilities, deemed non-profit pursuant to IRS standards, limited to locations within the Central Business District, provided that the proposed use enables an appropriate adaptive reuse of a historic landmark building such that the historic character of the building is preserved for the duration of its new function. Buildings eligible for consideration include those buildings listed in or eligible for listing in the National Register of Historic Places as shown on the most recent Winter Park Architectural Survey and National Register Evaluation, or that represent a designated historic landmark of exceptional local significance as determined by the Winter Park Historic Preservation Commission. A use that would require modifications to the building or site shall be locally designated and receive a Certificate of Review under Sections 58-457 through 58-478. In addition any such approval must meet the general conditional use requirements and the standards for consideration contained in Section 58-86 (i).

Sec. 58-68. Medium density multiple family residential (R-3) district.

(c) Conditional uses.

(10) Non-profit educational facilities, deemed non-profit pursuant to IRS standards, limited to locations within the Central Business District, provided that the proposed use enables an appropriate adaptive reuse of a historic landmark building such that the historic character of the building is preserved for the duration of its new function.

Buildings eligible for consideration include those buildings listed in or eligible for listing in the National Register of Historic Places as shown on the most recent Winter Park Architectural Survey and National Register Evaluation, or that represent a designated historic landmark of exceptional local significance as determined by the Winter Park Historic Preservation Commission. A use that would require modifications to the building or site shall be locally designated and receive a Certificate of Review under Sections 58-457 through 58-478. In addition any such approval must meet the general conditional use requirements and the standards for consideration contained in Section 58-86 (i).

**SECTION 2.** That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by adding to Section 58-92 "Definitions" to add a definition of non-profit educational facilities to read as follows:

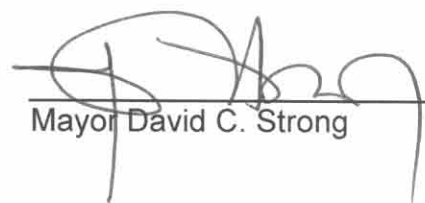
Sec. 58-92. Definitions.

Non-profit educational facility means a building or structure owned or leased by a non-profit educational institution pursuant to IRS standards providing educational programs and activities but not including athletic facilities or programs associated with that institution.

**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 14<sup>th</sup> day of January, 2007.

  
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Mayor David C. Strong

ATTEST:

  
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City Clerk Cynthia S. Bonham