

ORDINANCE NO. 2762-09

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO ADOPT A NEW CITY OF WINTER PARK, COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES DOCUMENT, DATED FEBRUARY 23, 2009 SUBSTITUTING FOR THE CURRENT 1991 COMPREHENSIVE PLAN, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has adopted Chapter 163, Florida Statutes which requires all local communities to adopt Comprehensive Plans pursuant to Chapter 163, Florida Statutes and Florida Administrative Rules in order to provide appropriate policy guidance for growth and development: and

WHEREAS, the Winter Park City Commission adopted the existing 1991 Comprehensive Plan on August 13, 1991 via Ordinance 1938; and

WHEREAS, the Winter Park City Commission also adopted an Evaluation and Appraisal Report (EAR) on June 23, 1998 via Ordinance 2064, and also approved a subsequent EAR on December 8, 2008 by Resolution 2018-08 which requires the adoption of an entirely new Comprehensive Plan as the required EAR based amendments; and

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed new Comprehensive Plan having held an advertised public hearing on January 20, 2009, provided for participation by the public in the process and rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan and held advertised public hearings on February 9, 2009 and February 23, 2009 and provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

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

SECTION 1. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" of the Code of Ordinances is hereby amended and modified by repealing and replacing Section 58-1 "Comprehensive Plan adopted by reference" to read as follows:

Sec. 58-1. Comprehensive Plan adopted by reference.

Pursuant to Florida Statutes Chapter 163, Part II "Local Government Comprehensive Planning and Land Development Regulation Act" and Rule 9-J5 Florida Administrative Code, there is hereby adopted the Comprehensive Plan - Goals, Objectives and Policies document, dated February 23, 2009, supplanting and replacing the 1991 Comprehensive Plan.

SECTION 2. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" of the Code of Ordinances is hereby amended and modified by repealing and replacing Section 58-2 "Implementing regulations adopted by reference" with a new Section 58-2 "Evaluation and Appraisal Reports" to read as follows:


Sec. 58-2. Evaluation and Appraisal Reports adopted by reference.

Pursuant to Florida Statutes Chapter 163, Part II "Local Government Comprehensive Planning and Land Development Regulation Act" (F.S 163.3191) and Rule 9-J5 Florida Administrative Code, the Evaluation and Appraisal Report (EAR) of the City of Winter Park adopted by Resolution 2018-08 of the City Commission on December 8, 2008 is hereby adopted by reference. Furthermore, the Comprehensive Plan – Goals, Objectives and Policies document, dated February 23, 2009 herein adopted by reference shall constitute the EAR based amendments for the aforementioned EAR.

SECTION 3. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" of the Code of Ordinances is hereby amended and modified by repealing within Section 58-5 "Updating and monitoring the comprehensive plan" subsection 58-5 (c).

SECTION 4. The effective date of this ordinance which involves the adoption of an entire new Comprehensive Plan as implementing the City's required EAR based amendments shall be the date a final order is issued by the Department of Community Affairs or Administrative Commission finding the amendment in compliance in accordance with Section 163.3184 (1) (b), F. S., whichever is applicable.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 23rd day of February, 2009.



Mayor David C. Strong

ATTEST:



City Clerk Cynthia S. Bonham