

**ORDINANCE NO. 2806-10**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE EXISTING ZONING DESIGNATION OF PUBLIC, QUASI-PUBLIC (PQP) DISTRICT TO PARKS AND RECREATION (PR) DISTRICT ON THE 1.21 ACRES OF THE WEST MEADOW TO CENTRAL PARK PROPERTY AT 150 NORTH NEW YORK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, the 1.21 acres of property at 150 N. New York Avenue has been converted from a municipal parking lot to the "West Meadow" portion of Central Park, and

**WHEREAS**, the City Commission intends to establish a municipal zoning designation on this property in compliance with the establishment of a similar Comprehensive Plan future land use designation for said property, and

**WHEREAS**, the establishment of municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held.

**WHEREAS**, the Planning and Zoning Board recommended approval of this Ordinance at its April 6, 2010 meeting and found it to be consistent with the Comprehensive Plan.

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

**SECTION 1.** That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the existing zoning designation of public, quasi, public (PQP) district to parks and recreation (PR) district on the property at 150 N. New York Avenue, said property being more particularly described as follows:

Lots 28 through 35, Block 31, Revised Map of the Town of Winter Park as recorded in Plat Book "A", Pages 67-72 and Lot 56, Block 31 Old Town of Winter Park as recorded in Misc. Book 3, Page 220 of the Public Records of Orange County, Florida plus that part of West Park Avenue lying west thereof.

Property Tax ID's # 05-22-30-9400-31-300 and 05-22-30-9400-31-560

**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 31 days after adoption on May 10, 2010. If this Ordinance is challenged pursuant to Florida Statutes Section 163.3187 within 30 days after adoption, it will not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a Final Order determining the Ordinance is in compliance with Chapter 163, Florida Statutes.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 10<sup>th</sup> day of May, 2010.



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Mayor Kenneth W. Bradley

ATTEST:



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City Clerk Cynthia S. Bonham