

ORDINANCE NO. 3027-16

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO ADD A NEW COMPREHENSIVE PLAN POLICY TO THE TEXT OF THE FUTURE LAND USE ELEMENT WITHIN THE WINTER PARK HOSPITAL STUDY AREA "C" SO AS TO ALLOW FOR A BUILDING FLOOR AREA RATIO OF UP TO NINETY-EIGHT (98%) PERCENT, CONDITIONED UPON USE FOR HEALTH AND WELLNESS RELATED USES, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Winter Park City Commission adopted its Comprehensive Plan on February 23, 2009 via Ordinance 2762-09, and

WHEREAS, the City Commission desires to amend the Comprehensive Plan, Future Land Use Element, within the Winter Park Hospital Planning Area "C" in order to allow a floor area ratios up to 98%, if the increase is for health and wellness related uses, and

WHEREAS, such amendment 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, and

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on November 3, 2015, 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 amendment and held advertised public hearings at which the City Commission has provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process; and

WHEREAS, words with double 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, FLORIDA, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan", is hereby amended by adding a new Future Land Use Policy 1-4.1.C.9 within the Winter Park Hospital Planning Area "C" on Page 1-42 of the Goals, Objectives and Policies to read as follows:

Policy 1-4.1.C.9: Floor Area Ratio for 2005 Mizell Avenue. The City may allow an increase in Floor Area Ratio (FAR), not to exceed 0.98 percent including parking garage, for the redevelopment of the property at 2005 Mizell Avenue, in order to encourage the redevelopment of a community asset that provides health and wellness related uses. Such additional FAR will only be considered by City Commission if said development improves the road network, provides enhancements to the City parks and additional parking options in the sub-area. The additional FAR may only be granted through a Conditional Use Permit and shall be limited to the floor area of the parking garage.

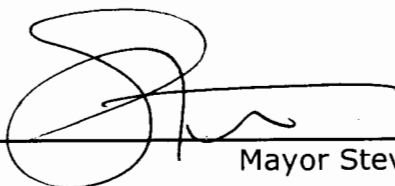
SECTION 2. Codification. This ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

SECTION 3. 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 4. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.


SECTION 5. Effective Date of Ordinance. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by the adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 25th day of January, 2016.



Mayor Steve Leary

ATTEST:



Cynthia S. Bonham, City Clerk