

ORDINANCE NO. 3083-17

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF INSTITUTIONAL TO OPEN SPACE AND RECREATION ON THE PROPERTY LOCATED BETWEEN 652 AND 700 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

**WHEREAS**, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

**WHEREAS**, this Comprehensive Plan amendment meets the criteria established by Chapter 163 and 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 August 1, 2017, 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 on August 28, 2017 and on September 11, 2017 and 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.

**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" future land use plan map is hereby amended so as to change the future land use map designation of Institutional to Open Space and Recreation on the property between 652 and 700 West Morse Boulevard, being more particularly described as follows:

The East 15.00 feet, (less the North 64.00 feet) of Lot 4, Block "K" and The West 15.00 feet, (less the North 64.00 feet) of Lot 3, Block "K", CAPEN'S ADDITION TO WINTER PARK, according to the plat thereof, as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida; AND: Commencing at the Southwest corner of said Lot 3, Block K, CAPEN'S ADDITION TO WINTER PARK, for a point of reference; thence East, 15.00 feet along and with the South line of said Lot 3 to the Southwest corner of the tract being described and the POINT OF BEGINNING; thence North, parallel to the West line of said Lot 3, 15.00 feet to the Northwest corner of the tract being described ; thence East, parallel to the South line of said Lot 3, 6.00 feet; thence South, parallel to

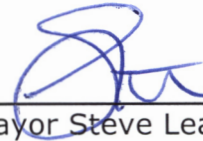
the West line of said Lot 3, 9.00 feet; thence East, parallel to the South line of said Lot 3, 24.00 feet; thence South parallel to the West line of said Lot 3, 6.00 feet to the South line of said Lot 3; thence West, along and with the South line of said Lot 3, 30.00 feet to the POINT OF BEGINNING.

**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.** An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 25<sup>th</sup> day of September, 2017.



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Mayor Steve Leary

ATTEST:



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City Clerk Cynthia S. Bonham