

ORDINANCE NO. 3113-18

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 LOW DENSITY RESIDENTIAL TO PARKING LOT ON A PORTION OF THE PROPERTY AT 301 NORTH PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Winter Park City Commission adopted its Comprehensive Plan on April 24, 2017 via Ordinance 3076-17, and

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 APPROVAL of the proposed Comprehensive Plan amendment after having held an advertised public hearing on July 10, 2018, and 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 July 23, 2018 and August 13, 2018 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 Low Density Residential to Parking Lot on a portion of the property at 301 North Pennsylvania Avenue, more particularly described as follows:

THE WEST 67 FEET OF LOT 11, BLOCK E, CAPENS ADDITION TO WINTER PARK, AS RECORDED IN PLAT BOOK "A", Page 95 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

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 via this Ordinance does not become effective until 31 days after adoption. If timely challenged, the amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale amendment is in compliance. Furthermore, this Ordinance shall only become effective upon the completion and issuance of a certificate of occupancy for the home to be built for the Hannibal Square Community Land Trust (HSCLT) and fee simple transfer of the home and land to the HSCLT on the property described as: The East 33 feet of Lot 11, Block E, for the Capens Addition to Winter Park, as recorded in Plat Book "A", page 95 of the public records of Orange County, Florida.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 9th day of July, 2018.



Mayor Steve Leary

Attest:



City Clerk