

ORDINANCE NO. 3118-18

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE ELEMENT TEXT POLICIES AND MAPS TO ENABLE THE APPROVAL OF CENTRAL BUSINESS DISTRICT FUTURE LAND USE ON THE PROPERTY AT 338 WEST MORSE BOULEVARD AND TO AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM AN OFFICE FUTURE LAND USE DESIGNATION TO A CENTRAL BUSINESS DISTRICT FUTURE LAND USE DESIGNATION ON THE PROPERTY AT 338 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN PROVIDING FOR CONFLICTS, SEVERABILITY 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 Commission, 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 July 10, 2018, 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 on 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.

WHEREAS, words with single 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 modifying and amending Future Land Use Policy 1-2.4.7 on Page 1-6 of the Future Land Use Element - Goals, Objectives and Policies to read as shown below and to amend the "Central Business District Future Land Use Designated Area Map on Page D-4 as shown in Exhibit "A" to this Ordinance:

Policy 1-2.4.7: Restriction on the Use of CBD Future Land Use & (C-2) Zoning CBD future land use and C-2 zoning may also be permitted on properties abutting Morse Blvd between Capen and Virginia Avenues, abutting the south side of Morse Boulevard between Virginia and New York Avenues, abutting New England Avenue between Pennsylvania and New York Avenues, abutting Pennsylvania Avenue between Garfield and Lyman Avenues, or abutting Hannibal Square, East. Central Business District future land use designations or C-2 zoning shall not be permitted by the City for any property outside these designated areas. Properties within the designated areas are candidates for C-2 which may or may not be granted by the City Commission on a case by case basis.

SECTION 2. 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 office to commercial on the property at 338 West Morse Boulevard, being more particularly described as follows:

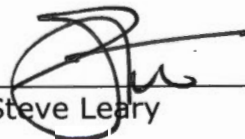
LOTS 7 AND 8 AND LOT 134 (LESS W 5 FT) AND LOT 135 IN BLOCK 34; PER THE PLAT OF THE REVISED MAP OF THE TOWN OF WINTER PARK AND OLD TOWN AS RECORDED IN PLAT BOOK "A", PAGES 67-72 & B, PAGE 86 AND MISC. BOOK 3, PAGE 220 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
Property Tax ID # 05-22-30-9400-34-070

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. 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 13th day of August, 2018.



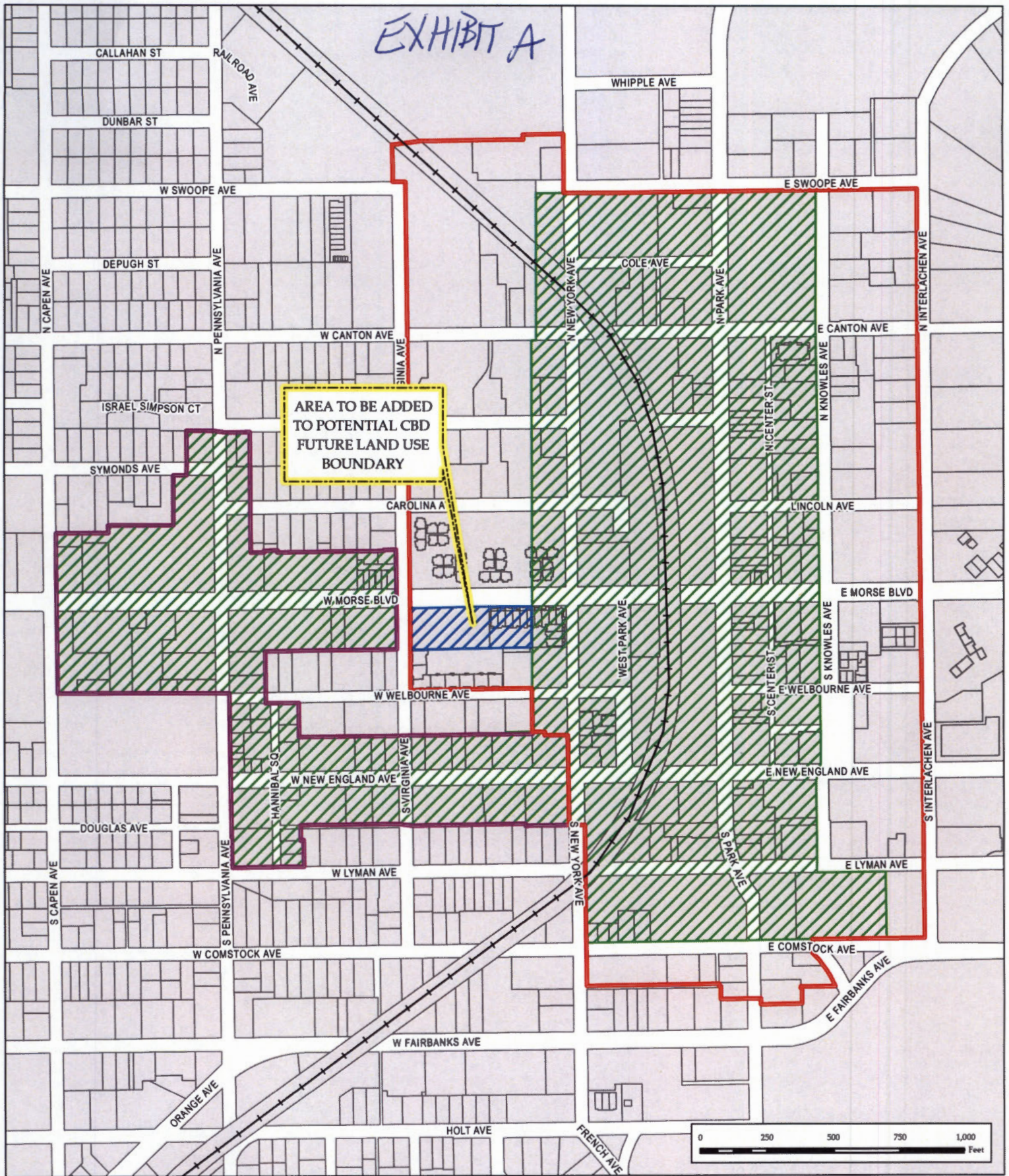
Mayor Steve Leary

Attest:



City Clerk Cynthia Bonham

EXHIBIT A



**CENTRAL BUSINESS DISTRICT
FUTURE LAND USE DESIGNATED AREA**
City of Winter Park, Florida

Legend

- Hannibal Square Neighborhood Commercial District
- Central Business District Boundary
- Potential CBD Future Land Use

**MAP
CBD-FLU**
June 2018

