

ORDINANCE NO. 3122-18

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO MODIFY AND ADD COMPREHENSIVE PLAN POLICIES WITHIN THE TEXT OF THE FUTURE LAND USE ELEMENT REGARDING SUBDIVISIONS OF LAKEFRONT PROPERTIES AND ESTATES ON LAKE KILLARNEY, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Winter Park City Commission adopted its Comprehensive Plan on April 24, 2017 via Ordinance 2762-09, and

WHEREAS, the City Commission desires to amend the Comprehensive Plan, Future Land Use Element, in order to provide clarification of the policies regarding the subdivision of lakefront properties and estates on Lake Killarney, 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 June 5, 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 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 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 adding to Objectives and policies in the Future Land Use Element to read as follows:

OBJECTIVE 1-5.1: Maintain and Preserve the Character & Quality of Lakefront and Other Waterfront Development through the Use of Land Use Controls. It is the intent of the City to apply land use controls to maintain and preserve the existing density, character and quality of lakefront land use by prohibiting lot splits (except as provided in Policy 1-K-7) and maintaining low densities.

Policy 1-5.2.7: Subdivision of Lot Splits of Single Family Estate Properties. The City shall prohibit any subdivisions or lot splits of estate lots (one acre or greater) within areas designated single-family residential except as provided in Policy 1-K-7.

Policy 1-K-7: Lakefront Estates on Lake Killarney. Notwithstanding Objective 1-5.1 and Policy 1-5.2.7, given the existing lakefront density and size of properties along Lake Killarney, the City may approve lot splits of lakefront estates provided that the resultant lots remain an average of approximately one acre or greater.

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 All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

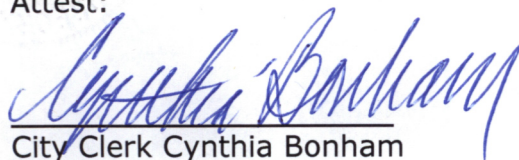
SECTION 4. Effective Date. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted 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 27th day of August, 2018.



Mayor Steve Leary

Attest:



City Clerk Cynthia Bonham