

ORDINANCE 3200-21

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
AMENDING ARTICLE III ZONING REGULATIONS OF CHAPTER 58 OF
THE LAND DEVELOPMENT CODE TO AMEND SUBSECTION 58-76
COMMERCIAL (C-3) DISTRICT TO ESTABLISH A NEW CONDITIONAL
USE FOR VEHICLE SALES SHOWROOM AND TO AMEND SUBSECTION
58-95 DEFINITIONS TO ESTABLISH DEFINITIONS FOR CAR SALES
BUSINESS, VEHICLE DEALERSHIP, VEHICLE SALES BUSINESS, AND
VEHICLE SALES SHOWROOM. PROVIDING FOR CODIFICATION,
SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

WHEREAS, the City Commission of the City of Winter Park (the "City") recognizes that certain types of business are unique to their product lines which requires special consideration and clarification of the intent of the Zoning Code; and

WHEREAS, the City recognizes that the Planning and Zoning Board and/or the City Commission desires that other factors such as the voluntary provision of green open space in commercial areas is important for the character and environment of the City; and

WHEREAS, the City recognizes that the Planning and Zoning Board and/or the City Commission recognizes that such factors are only one part of the consideration for the approval of conditional uses but, agrees that those types of applications may be heard; and

WHEREAS, in accordance with section 163.3174, Florida Statutes, and section 58-372 of the City Code of Ordinances, the City's local planning agency, which is the designated planning and zoning board, has reviewed and made recommendations as to the amendments set forth herein; and

WHEREAS, this Ordinance is being adopted in the best interests of the health, safety and welfare of the citizens of Winter Park.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA:

SECTION I: RECITALS. The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings of the City Commission of the City of Winter Park.

SECTION II: EDITS. Portions of Chapter 58, Land Development Code, Article III, Zoning Regulations, are hereby amended to read as shown below, and words with single underlined

type shall constitute additions to the original text and ~~strike through~~ shall constitute deletions to the original text. Provisions not included are not being amended.

SECTION III: AMENDMENT. Chapter 58, Land Development Code, Article III, Zoning Regulations, Section 58-76 "Commercial (C-3) District" is hereby amended in subsection (c) (1) to establish a new conditional use as shown below and that Section 58-95 "Definitions" is hereby amended to add new definitions for car sales business, vehicle dealership, vehicle sales business, and vehicle sales showroom, to read as follows:

Sec. 58-76. Commercial (C-3) district.

(c) Conditional uses.

(p) Vehicle sales showroom. provided the following criteria are met that all product and inventory must be housed within a fully enclosed building, that all repair and service must be conducted within a fully enclosed building with no outside storage permitted, that the hours of retail operation are limited to 8 am to 6 pm Monday-Friday and 9 am to 5 pm on Saturday and that 30% of subject property, exclusive of stormwater retention, shall be devoted to green open space visible from an arterial roadway.

Sec. 58-95. Definitions.

Car sales business, vehicle dealership, vehicle sales business means the new and used sale of motor vehicles, as that term is defined by this Code, outside of an enclosed building.

Vehicle sales showroom means the new and used sale of motor vehicles wholly within an enclosed building; with inventory of 25 units or less; no outside parking or storage of inventory; no outside display of inventory; and no outside storage of motor vehicle parts or tires. Vehicle sales showroom may include accessory motor vehicle repair within a fully enclosed building with doors open only for ingress and egress.

SECTION IV: INCONSISTENCY. If any Ordinances or parts of Ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION V: SEVERABILITY. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent

jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

SECTION VI: CODIFICATION. Section III of this Ordinance shall be codified and made a part of the City of Winter Park Land Development Code, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION VII: This Ordinance shall become effective immediately following approval by the City Commission at its second reading.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 10th day of March, 2021.

City of Winter Park

Steven M. Leary, Mayor

Attest:

Rene Cranis, City Clerk