

ORDINANCE 3301-24

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ESTABLISHING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SECTION 58-97 "COMMUNITY ENGAGEMENT", PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park deems it necessary for the general welfare of the City to amend the City of Winter Park Land Development Code as set forth in this Ordinance;

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida;

WHEREAS, the City Commission hereby finds that the land development regulations adopted herein are consistent with the Comprehensive Plan;

NOW THEREFORE, BE IT ENACTED by the City Commission of the City of Winter Park, Florida, after due notice and public hearing, that:

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" of the Code of Ordinances, Section 58-97 "Community Engagement" is hereby established as shown below:

Sec. 58-97. Community Engagement.

(a) Purpose. The purpose of community engagement is to:

- (1) Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts the proposed project may have on the community.
- (2) Ensure that citizens have an adequate opportunity to learn about projects that may affect them and to work with applicants to resolve concerns at an early stage of the review and decision-making process.
- (3) Facilitate ongoing communication between the applicant, interested citizens, city staff, appointed and elected officials throughout the application review process.
- (4) The community engagement meeting is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision-making.

(b) Applicability.

(1) Every application for the following projects shall include evidence of a community engagement meeting, which must be conducted at least fourteen (14) days prior to the first public meeting conducted by the City, changes to the application as a result of the community meeting do not require subsequent community meetings:

- a. Any development that requires a comprehensive plan future land use map and/or zoning amendment of lakefront property from a residential use to a commercial use, mixed-use, medium-density residential use, or high-density residential use.
- b. Any development that requires a comprehensive plan future land use map and/or zoning amendment that changes the use of property from a residential category to a non-residential category, except that this subsection does not apply to changes from a residential use to a public, quasi-public or recreational use.
- c. Any development that requires a comprehensive plan text or map amendment or Land Development Code amendment that increases the maximum allowed residential units per acre (density) or floor area ratio (intensity) by more than 25 percent (25%) from the existing maximum allowed residential units per acre or floor area ratio; in evaluating floor area ratio increases for the purposes of this provision, parking garage square footage is included.
- d. Projects with a residential component of twenty-five (25) or more residential dwelling units, regardless of density.
- e. Any project with a total building size 18,000 square feet or greater.
- f. Any project requiring a Conditional Use that is adjoining or directly across the street from any residential property.

(c) Community Meeting Notice Requirements. In addition to the required notice requirements provided under Chapter 58, Article III, Zoning, Section 58-89(c)(2), all applicable projects must provide written notice of the time and place of such meeting and the proposed action to be taken shall be mailed to all owners of record of property within 500 feet (including the City's Planning & Zoning Department) of a proposed project at least 15 days prior to the community meeting. The applicant must provide the list of properties that the notice was sent to the Planning & Zoning Department along with a signed affidavit that the notices were sent.

(d) Community Meeting Location Requirements. The community meeting shall take place at a location within the city limits, in a location that is easily accessible to the public (i.e. public library, church, or community center).

(e) Evidence of Meeting. Evidence of a community engagement meeting shall be submitted to the Planning and Zoning Department to be included within the

Planning & Zoning Board's agenda packet within 10 days of the first public hearing and must include:

- (1) Information demonstrating how the public was noticed consistent with the courtesy notice procedures set forth in subsection (c) above. The applicant's notice shall clearly:
 - a. Designate the party sending the notice; and
 - b. State the times and dates of the scheduled public meetings being conducted by the City.
- (2) A copy of the written notice that introduces the application and describes the impact it may have on the surrounding properties. A copy of the site plan and building elevations, if part of the application, shall be available at the community engagement meeting. The notice should include: a contact name, phone number, address where parties may address questions and location of the community engagement meeting.
- (3) A community engagement meeting sign-in sheet that indicates the number of people in attendance.
- (4) A report including the following information, at a minimum:
 - a. Summary of the substance of concerns, issues and problems expressed during the process.
 - b. Description of how the applicant has addressed, or intends to address, the concerns, issues and problems expressed during the process.
 - c. Identification of concerns, issues and problems the applicant is unwilling or unable to address, if any, and a statement as to why the issue cannot or will not be addressed.

SECTION 2. CODIFICATION. Section 1 of this Ordinance shall be incorporated into the City of Winter Park Code of Ordinances.

SECTION 3. SEVERABILITY. The divisions, sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, subsection, section, or division of this Ordinance shall be declared invalid, unconstitutional or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such invalidity, unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, sections, and divisions of this Ordinance. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 4. CONFLICTS. In the event of a conflict between this Ordinance and any other ordinance of the City of Winter Park, this Ordinance shall control to the extent of such conflict.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and in accordance with Florida law.

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 July, 2024.

By: _____
Mayor Sheila DeCiccio

ATTEST:

By: _____
Rene Cranis, City Clerk