

TOWN OF WINTER PARK

ORDINANCE NO. 439  
SERIES OF 2010

AN ORDINANCE AMENDING TITLE 7 – ZONING  
OF THE WINTER PARK TOWN CODE

WHEREAS, the Zoning Code is periodically reviewed by the Town Planning Commission and Town Council to insure conformity with the Comprehensive Plan; and

WHEREAS, Section 7-10-1 of the Winter Park Town Code permits Zoning Code amendments to be initiated by the Town Council only after the Town Planning Commission studies and recommends approval of each amendment and a Public Hearing is held on the proposed amendment; and

WHEREAS, the Town of Winter Park Planning Commission reviewed and studied all proposed revisions to the Zoning Code during a public meeting on May 25, 2010 and recommended approval of the amendments; and

WHEREAS, a Public Hearing was posted as required by Section 7-10-1 of the Winter Park Town Code; and

WHEREAS, the Town Council held a Public Hearing on June 1, 2010.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF WINTER PARK, COLORADO, THAT:

The following amendments are proposed to the Zoning Code: red = addition / blue = deletion

**Section 7-2-3 Definitions:**

**OUTDOOR VENDOR** – The act of selling or offering for sale, wares, goods, merchandise, food or services with or without a display apparatus, for a temporary period, from a location outside of a building on private property.

**STREET VENDOR** – The act of selling or offering for sale, wares, goods, merchandise, food or services with or without a display apparatus, for a temporary period, on public right-of-way or public property.

**Section 7-5B-2B D-C Destination Center Districts**

B. Uses Subject To Special Use Permit: The following uses are permitted in the D-C district subject to the provisions of this title and upon the issuance of a special use permit:

Commercial parking lots or structures.

Drive-through business.

Gasoline convenience stores.

Loading docks.

Mall and shopping center.

Outdoor storage.

Outdoor vendors.

Street vendor

Permanent outdoor sales and storage.

Public utilities. (Ord. 423, Series of 2009)

**Section 7-9-1: Authority:**

The town council shall hear and decide each application for special use permit. When a person applies to the town for a special use permit, the application shall be referred to the planning and zoning commission for recommendation and the procedure shall be as provided in this chapter. (Ord. 423, Series of 2009)

Street vendor applications shall not be referred to the planning and zoning commission for review and shall be referred directly to the town council. The town council shall follow the same procedures as outlined in this chapter with the exception that section 7-9-2D and 7-9-3B-3 of this chapter shall not apply to such applications.

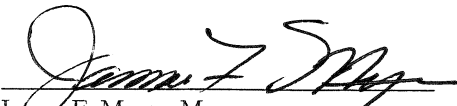
**Section 7-9-6: Revocation of Permit:**

A. The town council may revoke a use permit for any of the following grounds:

1. Violation of this title.
2. Violation of the conditions of the permit after notice of the violations.
3. Causing or allowing a nuisance in connection with the premises.
4. Conviction of a violation of state law in connection with the operation of the permitted use.
5. Failure to use such permit within six (6) months of issuance.

INTRODUCED, APPROVED ON FIRST READING, AND ORDERED PUBLISHED IN SUMMARY this 1<sup>st</sup> day of June, 2010. A public hearing shall be held at the regular meeting of the Town Council of the Town of Winter Park, Colorado, on the 15<sup>th</sup> day of June, 2010 or as soon thereafter as possible, at the Winter Park Town Hall.

TOWN OF WINTER PARK

  
James F. Myers, Mayor

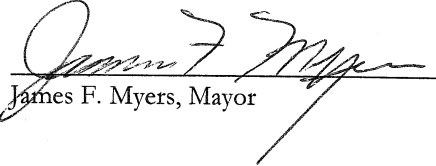
ATTEST:

  
Cat Petersen, Town Clerk




READ, ADOPTED AND ORDERED PUBLISHED IN SUMMARY on second and final reading  
by a vote of 6 to 0 on the 15<sup>th</sup> day of June, 2010.

TOWN OF WINTER PARK

  
James F. Myers, Mayor

ATTEST:

  
Cat Petersen, Town Clerk

