



City Commission Regular Meeting

Agenda

August 10, 2022 @ 3:30 pm

City Hall - Commission Chambers
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

1. Meeting Called to Order**2. Invocation**

- a. Reverend Kathy Beasley, Unity of Central Florida 1 minute

Pledge of Allegiance**3. Approval of Agenda****4. Mayor Report****5. Citizen Budget Comments****6. City Manager Report**

- a. City Managers Report 5

7. City Attorney Report**8. Non-Action Items**

- a. Review of Transportation Mobility Impact Fee status. 20 minutes
- b. Budget Presentations 40 minutes
- Fire Department
 - Information Technology

9. Public Comments | 5 p.m. or soon thereafter

(if the meeting ends earlier than 5:00 p.m., the citizen comments will be at the end of the meeting)

(Three minutes are allowed for each speaker)

10. Consent Agenda

- a. Approve the minutes of the regular meeting, July 27, 2022 1 minute
- b. Approve the minutes of the work session, July 28, 2022. 1 minute
- c. Approve the following piggyback contract: 1 minute
1. ABM Industry Groups, LLC - Pasco County Contract #IFB-TB-16-131 - Janitorial Services & Equipment; Approval of an Amendment for a monthly base price increase to \$58,525.00 per month for the remainder of the Agreement through 2/28/2023. The previous monthly base price was \$31,178.62. Consumables will stay at an estimated \$10,000 per month.

11. Action Items Requiring Discussion

- a. Consider transitioning stormwater utility charges from the City utility bill to non-ad valorem assessments on the property tax bill 15 minutes

12. Public Hearings: Quasi-Judicial Matters

(Public participation and comment on these matters must be in-person.)

13. Public Hearings: Non-Quasi Judicial Matters

(Public participation and comment on these matters may be virtual or in-person.)

- a. Ordinance amending Chapter 58, Section 58-95 and add Section 58-170 governing artificial turf requirements. (1st Reading) 30 minutes
- b. Ordinance 3249-22- Amending Chapter 58 "Land Development Code" Article III, "Zoning Regulations" Section 58-72 "Office (O-1) District" and Section 58-76 "Commercial (C-3) District" so as to amend the development standards regarding setbacks. (2nd reading) 5 minutes
- c. Ordinance 3250-22- codifying the charter amendments approved by referendum on March 8, 2022. (2nd reading) 5 minutes
- d. Ordinance 3251-22 - amending Chapter 114, Lakes and Waterways, modifying maximum boat length. (2nd reading) 5 minutes

14. City Commission Reports

15. Summary of Meeting Actions

16. Adjournment



City Commission **agenda item**

item type Invocation	meeting date August 10, 2022
prepared by Kim Breland	approved by
board approval	
strategic objective	

subject

Reverend Kathy Beasley, Unity of Central Florida

motion / recommendation

background

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type City Manager Report	meeting date August 10, 2022
prepared by Jennifer Guittard	approved by Peter Moore, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

City Managers Report

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

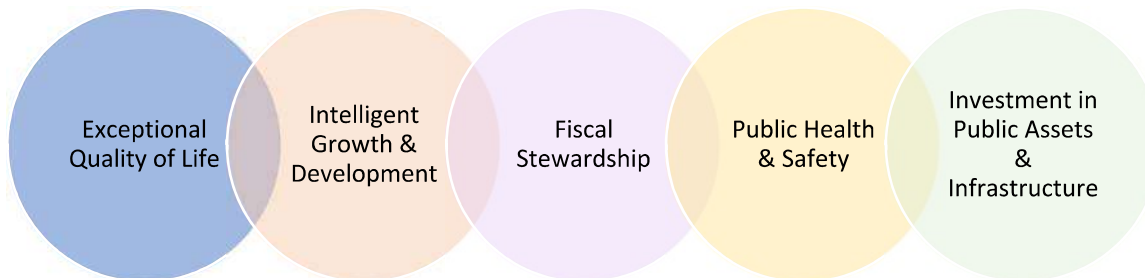
[City Managers Report 8.10.22.pdf](#)



90-Day Report

This outline provides a timetable for issues and items that are planned to come before the commission over the next three months as well as the status of initiatives that do not have any determined completion date. These are estimates and will be updated on a monthly basis.

City of Winter Park Strategic Objectives



Upcoming Commission Items

Title 1: Intelligent Growth & Development

Item	Description	Item Department	Item Date
Arhaus – Winter Park Village Conditional Use	Conditional use request to demolish the Ruth Chris restaurant in the Winter Park Village and construct a new Arhaus (furniture company) location.	Planning & Transportation	Sept
Single-Family Code Modernization	Modernization of the single-family zoning codes.	Planning & Transportation	Sept
Stormwater Code updates	Updates to the stormwater section of the city's codes.	Planning & Transportation	Oct

Title 2: Investment in Public Assets & Infrastructure

Item	Description	Item Department	Item Date
Sewer Capacity	Purchase of additional sewer capacity at Altamonte Springs.	Water & Sewer	Aug

Title 3: Fiscal Stewardship

Item	Description	Item Department	Item Date
Budget and Millage Ordinance Adoption	At the City Commission meetings on September 14th & 28th, the first and second readings of the ordinance adopting the budget and millage rate, will be approved in accordance with statute.	Administration	Sept

Additional Items of City Interest

Title 4: Intelligent Growth & Development

Item	Description	Item Department
Sustainability Plan	Roadmap to renewal energy: groundwork to establish a roadmap for the City. Distributed generation (dGen) modeling, greenhouse gas emission efficiency study, and City building efficiency study costs compiled. RFP may require Commission approval based upon available budget.	Natural Resources & Sustainability

Title 5: Investment in Public Assets & Infrastructure

Item	Description	Item Department
Electric Undergrounding	Miles of Undergrounding performed Project J: 2.72 miles 45% complete Project L: 9.57 miles 59.6% complete Project R: 4.31 miles (34% complete) Commission approved advancement TOTAL so far for FY 2022: 5.62 miles	Electric

Upcoming Advisory Board Meetings

This report provides a summary of upcoming board meetings currently scheduled on the calendar for the next month.

Additional information relating to all of the City's boards such as meeting schedules, agendas, minutes, and board membership can be located on the City website at: <https://cityofwinterpark.org/government/boards/>

August Board Meetings

Advisory Board	Meeting Date	Meeting Time
Civil Service Board	8/2/22	4 p.m.
Lake Killarney Advisory Board	8/3/22	10 a.m.
Winter Park Police Officers' Pension Board	8/4/22	4 p.m.
Winter Park Firefighters' Pension Board	8/4/22	6 p.m.
Winter Pines Golf Course Advisory Board	8/8/22	8 a.m.
Economic Development Advisory Board	8/9/22	8:15 a.m.
Lakes & Waterways Board	8/9/22	9 a.m.
Historic Preservation Board	8/10/22	9 a.m.
Public Art Advisory Board	8/15/22	Noon
Transportation Advisory Board	8/15/22	4 p.m.
KWPB & Sustainable Advisory Board	8/16/22	11:45 a.m.
Board of Adjustments	8/16/22	5 p.m.
Parks & Recreation Advisory Board	8/17/22	5:30 p.m.
Utilities Advisory Board	8/23/22	Noon
Tree Preservation Board	8/23/22	4:30 p.m.
Community Redevelopment Advisory Board	8/25/22	5:30 p.m.

Upcoming Work Sessions

This report provides a summary of upcoming work sessions currently scheduled on the calendar for the next three months.

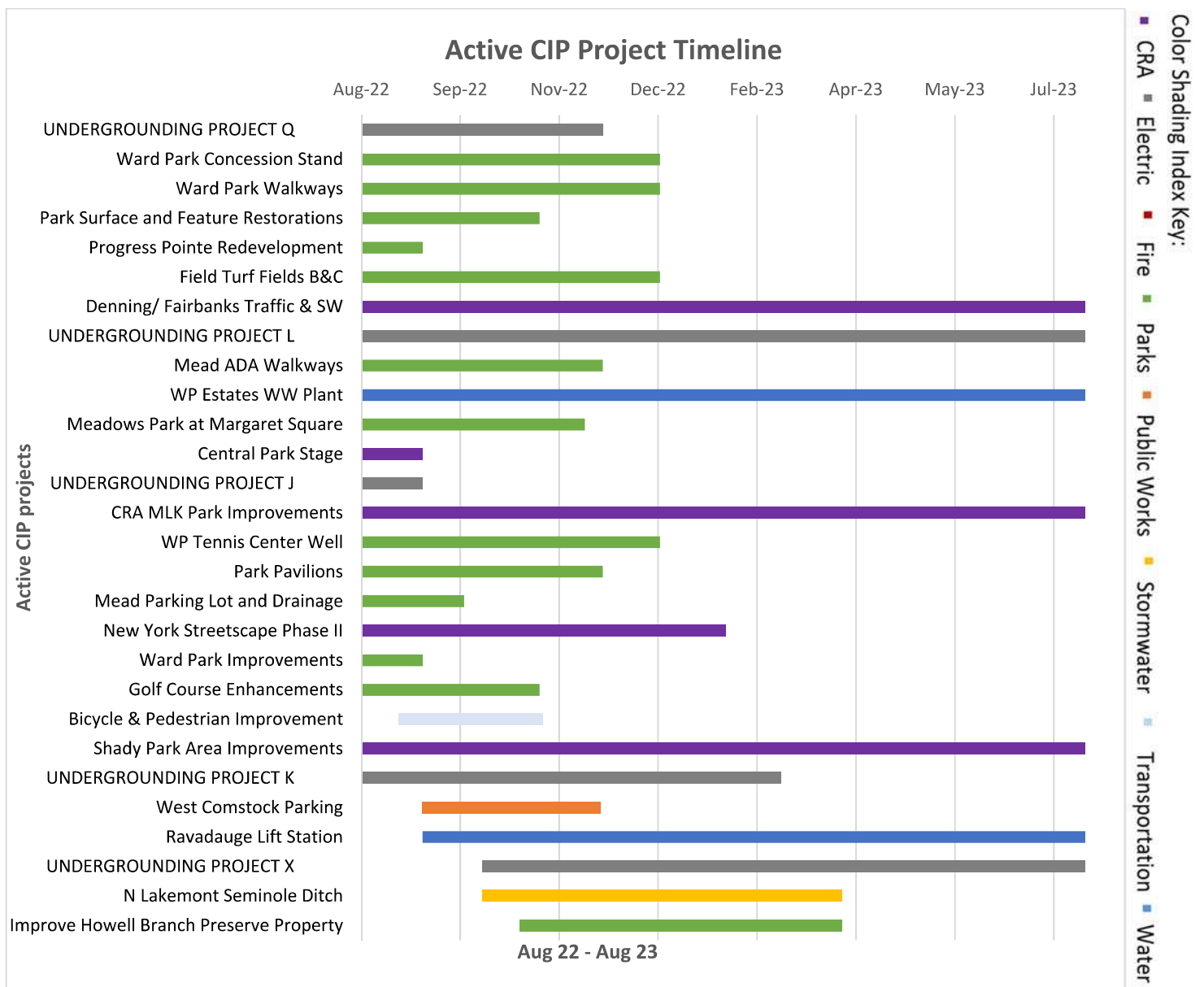
Work Sessions	Meeting Date	Meeting Time
City Commission Special Meeting	8/11/22	1 p.m.
Broadband & Smart City Ad Hoc Committee	8/18/22	9 a.m.
Planning & Zoning Board work session	8/23/22	Noon
City Commission Work Session	8/25/22	1 p.m.



This report is updated monthly to monitor capital projects occurring throughout the city and to provide information about recently completed projects. The project status options have been adjusted to (Planning, Active, Pending). To define; all projects in design, research, or review are in the Planning status. All projects with purchases, construction, and implementation are in the Active status. The remaining projects have a Pending status that have stopped the planning or active work of a project such as pending review and approval, additional funding, and scheduling.

Count by Status

Project Status	Planning Status	Active Status	Pending Status
Count Total 56	23	14	19



Title 1: Planning Status

Project	Project Update	Strategic Objective	Division
1792 Streetscape Imp.	MOU amendment approved at CRA meeting 1/27/20. Design review underway by FDOT and staff including lighting and landscaping. FDOT in process of due diligence and potential ROW acquisition.	Intelligent Growth & Development	CRA
Bicycle & Pedestrian Improvement	Camellia Avenue sidewalk project has been designed, and city staff held a public meeting with the residents on Thursday, July 21, 2022. Construction will start around end of August and tentatively to be completed by October.	Exceptional Quality of Life	Transportation
Central Park Stage	Construction documents complete and permits pulled. Fencing around the stage is installed, demolition complete, and construction started. Staff has sent notification cards to all CRA stakeholders with two supplemental articles within the Winter Park Update periodical. Construction is expected to last into September.	Exceptional Quality of Life	CRA
CRA MLK Park Improvements	Board and CRA Agency approved design concept for several aspects of the park including fields and MLK memorial corner. Consultant provided concept design, and led/assisted with multiple stakeholder meetings. Joint meeting by the Parks and CRA Advisory Board occurred in May with two community meetings on 6/13 and 7/19. Updated costs are expected mid-August in anticipation of elevated pricing prior to CRA budget meeting on 8/24.	Exceptional Quality of Life	CRA
Denning/ Fairbanks Traffic & SW	Purchase of both 901 and 919 W. Demolition of both properties complete. Laydown of sod to take place in the coming weeks. Staff is working with Kimley Horn consultant on the development of construction plans for improvement to the intersection. Design is underway. plans sent for comment to FDOT, and include a separate southbound right turn lane to ease traffic congestion. Physical improvements would be pending cost consideration by the CRA/City Commission. CRA Advisory Board recommended budgeting these improvements for funding as part of their 7/28 meeting.	Investment in Public Assets & Infrastructure	CRA

Project	Project Update	Strategic Objective	Division
Downtown Enhancements	Small scale improvements complete including repainting of light poles and replacement of trash and recycling cans. Coordination with Parks Department for new irrigation system in Central Park underway. Park Avenue parking sensor project pilot underway. Pucks installed with monitoring over the next 30 days through August. Pending project outcome, CRA board may wish to implement technology in other areas.	Exceptional Quality of Life	CRA
FDOT 17-92 UT Line Relocate	Preliminary design in progress.	Investment in Public Assets & Infrastructure	Water & Sewer
Fire Safety Equipment	The current Emergency Dispatch CAD vendor is designing a software update to support the new alerting system. Estimated update from the CAD vendor & beta testing is anticipated to begin within the next 45 days.	Public Health & Safety	Fire
Golf Course Enhancements	Pavers will be received mid August with hardscape and tee 1 work commencing late August and complete by late September.	Exceptional Quality of Life	Parks
Improve Howell Branch Preserve Property	The initial treatment of invasive species at the Howell Branch Preserve Trail Grant project properties has taken place and quarterly treatment has begun as well. A Public stakeholder meeting was held on May 3rd with approximately 65 residents in attendance. A one year extension of the grant agreement has been received.	Investment in Public Assets & Infrastructure	Parks
Kennedy Rd Wide Force Mn	Met with Orange County and other Utility Agency Owners (UAOs) in mid-July 2022 to review updated plans and utility location issues. Orange County to send updated plans to UAOs for coordination of utility relocations. Roadway project split into 2 phases. City force main within Phase 2 which is scheduled to begin July 2026.	Investment in Public Assets & Infrastructure	Water & Sewer
Lift Station R&R	Designing upgrades for Lift Station #47 (Ranger) and #23 (Solana). Reviewing lift station conditions for future rehabilitations next fiscal year.	Intelligent Growth & Development	Water & Sewer
MLK Regional Stormwater	Lake Mendsen (Lake Island) was included as part of CRA Stormwater plan and staff is working to coordinate improvements with MLK Park enhancements to better	Investment in Public Assets & Infrastructure	CRA

Project	Project Update	Strategic Objective	Division
	leverage funding. The plan includes the more passive areas of MLK Park to the north which is currently slated for funding in the CRA's CIP through FY24. Staff is proposing budgeted funding for this project as part of the overall MLK Park plan at their CRA meeting on 8/24.		
N Lakemont Seminole Ditch	The Survey and Design are underway and is estimated to be complete by late summer. Permitting will follow and construction package will be generated for a start of construction early 2023.	Investment in Public Assets & Infrastructure	Stormwater
Park Pavilions	Working with Mead Gardens on design and needs of new pavilion with tentative start in Winter 2022.	Investment in Public Assets & Infrastructure	Parks
Progress Pointe Redevelopment	Approved concept and final budget at 7/28 commission meeting.	Investment in Public Assets & Infrastructure	Parks
Ravadauge Lift Station	Developing task order with design consultant for final design. Lift station site and force main route currently being surveyed.	Investment in Public Assets & Infrastructure	Water & Sewer
Richard Crotty Pkw	Roadway project pushed back by Orange County to begin construction Spring 2025. Water and wastewater utilities design 95% complete.	Investment in Public Assets & Infrastructure	Water & Sewer
Shady Park Area Improvements	Splash pad area demolition complete. Public outreach complete and reviewed favorably by advisory boards. Design approved by CRA Agency in February 2022. RFP process vetted through selection committee and artist chosen. Proposal reviewed by CRA, Parks and Recreation, and Public Art Advisory Board members. Contract anticipated for City Commission in August. Timeline for fabrication, installation of the art piece, and remaining amenity enhancements currently estimated at 12-14 months.	Exceptional Quality of Life	CRA
UT Lines 434 Road Widening	Design is 90% complete. FDOT has delayed roadway project bid until July 2026.	Investment in Public Assets & Infrastructure	Water & Sewer
Ward Park Improvements	Planning new baseball field fencing for Summer 2022 installation.	Exceptional Quality of Life	Parks
Winter Park Sports Complex	Baseball Field 6 completed; field 7 and 8 underway.	Investment in Public Assets	Parks

Project	Project Update	Strategic Objective	Division
		& Infrastructure	
WP Estates WW Plant	Generator delivered mid-June 2022. Finalizing installation procurement package for bidding.	Investment in Public Assets & Infrastructure	Water & Sewer

Title 2: Active Status

Project	Project Update	Strategic Objective	Division
Cemetery Improvements	Structures are currently being fabricated and should be delivered and installed in early Spring 2022. Site preparations and landscape/greenscreen install is underway.	Investment in Public Assets & Infrastructure	Parks
EL Substation upgrades	An agreement has been reached with OUC to maintain City substations. Inspections and equipment evaluation began in January. There is a 1 year trial period to determine effectiveness. No major upgrades planned at this time.	Investment in Public Assets & Infrastructure	Electric
Electric Undergrounding Project	Miles of Undergrounding performed Project J: 2.72 miles 45% complete Project L: 9.57 miles 59.6% complete Project R: 4.31 miles (34% complete) Commission approved advancement TOTAL so far for FY 2022: 5.62 miles	Investment in Public Assets & Infrastructure	Electric
ERP Software Project	Utility Billing Go Live is now scheduled for August 2022. Code Enforcement is being configured for September 2022 Go Live. Next step is to ensure the City can run a full bill cycle in the new software. After that, there will be staff training and parallel testing.	Fiscal Stewardship	IT
Facility Capital Improvements	Scheduling HVAC replacements for the remaining water plants with installs to be completed over the next couple of months. Evaluating HVAC replacement plans for Emergency Operations. Country Club has been painted. Building 10 are scheduled to be painted over the next month. Farmers Market brick pointing is ongoing. Welcome center HVAC rooftop unit replacement week of 8/8.	Investment in Public Assets & Infrastructure	Public Works
Improve Mead Garden	City and Mead are coordinating major CIP projects related to ADA restrooms, parking lot improvements, and ADA pathways. Parking lot renovations have begun with overflow lot completed. ADA	Exceptional Quality of Life	Parks

Project	Project Update	Strategic Objective	Division
	restrooms construction is nearing completion with improvement to adjacent amphitheater and landscape scheduled for June 2022.		
IT Infrastructure Upgrade	Funding being utilized for modernization of IT infrastructure.	Fiscal Stewardship	IT
Post Office Acquisition	Awaiting response from Post Office regarding their opinion of the two Commission approved potential sites.	Investment in Public Assets & Infrastructure	CRA
Signalization Upgrade	Two of the wireless infrastructures have been installed. The wireless infrastructure at both intersections successfully communicated back to the City's network. City staff is looking into cost estimates to upgrade all signals on a City-Wide scale. City staff purchased new controllers and are waiting for delivery. The four intersections that are being tested will be converted to the new controllers that are consistent with FDOT's controllers. In addition, city staff is working with FDOT on testing some of the new vehicle detection technology on Fairbanks Avenue and New York Avenue.	Investment in Public Assets & Infrastructure	Transportation
Solar Awning Construction	Advanced roofing was selected for the contractual services. Construction began in April. Construction was delayed due to a problem with drilling foundations. Construction has resumed with an end of August completion outlook.	Intelligent Growth & Development	Electric
Stormwater Rehab	Several in-house drainage improvement projects to be scheduled for FY'23. Pinetree Rd and Via Amalfi drainage system replacement is complete and restored.	Investment in Public Assets & Infrastructure	Stormwater
Ward park pond	Ward Park ponds construction is complete. Estimated completion of the ponds and necessary piping is September.	Investment in Public Assets & Infrastructure	Stormwater
Water Treatment Plants R&R	Replacement sodium hypochlorite tanks at Magnolia, Aloma and Swoope WTPs have been purchased and delivered. Installation underway. One tank at both Swoope and Magnolia WTPs installed (2 of 6 total). Waiting to refill plant mechanic position for installation of remaining tanks. Considering contracting work out.	Investment in Public Assets & Infrastructure	Water & Sewer

Project	Project Update	Strategic Objective	Division
WP Pines Golf Course	Purchase and initial updates of clubhouse completed. Scheduling of ADA restroom update and plumbing pending. New carts to arrive mid-August.	Investment in Public Assets & Infrastructure	Parks

Title 3: Pending Status

Project	Project Update	Strategic Objective	Division
Cady Way Pool Improvements	Replacement of filtration system is being scheduled for Winter 2022.	Exceptional Quality of Life	Parks
CRA Small Projects	Canton & Garfield pedestrian connection project is now on hold due to unforeseen added cost. Process moving forward is to evaluate in conjunction with other improvement opportunities such as Central Park Stage project within the downtown for maximum benefit. Stage project close out will determine funding availability.	Intelligent Growth & Development	CRA
Decorative Lights and Trees in CRA	140 total decorative lights have been installed. Coordination with Electric Utility on assessment of light replacements/additions as needed.	Intelligent Growth & Development	CRA
Denning Dr. Intersection	Approved project complete. Extension to railroad north of Webster under consideration. Early extension estimated at \$4-500k. Design concept drafted in house. Recommended for funding by CRA Advisory Board on 7/28. Will be brought forward as part of the CRA budget on 8/24.	Investment in Public Assets & Infrastructure	CRA
Dinky Dock Renovations	Concept approved by PRAB and work will commence Fall/Winter 2022.	Exceptional Quality of Life	Parks
East OC Service Improvement	Pending in house availability to planning redirection of flow to East plant. Anticipated priority for summer 2022.	Investment in Public Assets & Infrastructure	Water & Sewer
EL Meter Replacement	The replacement of electric meters is pending the go-live date for the utility billing software so that compatibility with meter types can be tested. Due to extremely long lead times the city has proactively ordered meters but is still awaiting receipt. Currently the go-live date is scheduled for August of this year.	Investment in Public Assets & Infrastructure	Electric
Lake Bell Weir Improvements	Pending monitoring assessment.	Investment in Public Assets & Infrastructure	Stormwater

Project	Project Update	Strategic Objective	Division
Meter Data Management Upgrade	Implementation of new cloud based software and integration with Tyler. This is dependent upon Tyler's schedule for the Utility Billing module. There is some coordination involved between Harris SmartWorks MDM software and Tyler Munis. Harris is waiting for information from Tyler and are on hold until Tyler provides it.	Investment in Public Assets & Infrastructure	Water & Sewer
New York Streetscape	Phase I construction complete (Intersection of Fairbanks and New York Avenue) to improve turning lanes, ADA improved pedestrian crosswalks, and mast arm construction. Coordination on Phase II (New York Avenue to Morse Blvd intersections) streetscape and ADA enhancements are being coordinated.	Intelligent Growth & Development	CRA
Park Surface and Feature Restorations	Phelps Park Playground- Kompan structure received and installed Miracle structure has been ordered with expected install date of October 2022.	Exceptional Quality of Life	Parks
Sewer Capacity	Contract negotiations complete; sending to Commission for approval.	Investment in Public Assets & Infrastructure	Water & Sewer
Sewer Main Extensions	Extension of sewer mains to support new development or redevelopment.	Investment in Public Assets & Infrastructure	Water & Sewer
Showalter Improvements	Pad and structure installed. Commercial grill installed and operational. Prep tables and lighting will be installed mid August.	Exceptional Quality of Life	Parks
St. Andrews Trail	o Design completed for which the City has been reimbursed by the FDOT. Due to the 250% increase in construction materials, this project has been delayed to FY2026-FY2027 per Metroplan Orlando.	Investment in Public Assets & Infrastructure	Transportation
Storage Building Cemetery/Golf	Property swap in progress. Work TBD	Exceptional Quality of Life	Parks
Tennis Center Upgrades	Pending project scope for replacement of pickleball space with block hitting wall and installation of well for clay court maintenance/irrigation.	Investment in Public Assets & Infrastructure	Parks
Upgrade Water Mains	Upgrading water mains.	Investment in Public Assets & Infrastructure	Water & Sewer
West Comstock Parking	Layout and grading changes are being performed. Pending permitting anticipated	Investment in Public Assets	Public Works

Project	Project Update	Strategic Objective	Division
	by the end of September. An extension to the Library parking lot is currently being designed. Location to be determined for the installation of a rectangular rapid flashing beacon on Harper Street.	& Infrastructure	

Recently Completed Projects

Parks Department

The Parks Department completed the installation of LED lights at Ward park baseball field 1 and WP Tennis Center soft courts as part of the Exceptional Quality of Life strategic objective.

The Parks Department completed the construction of the Meade Gardens ADA restrooms as part of the Exceptional Quality of Life strategic objective.





City Commission **agenda item**

item type Non-Action Items	meeting date August 10, 2022
prepared by Jeffrey Briggs	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Review of Transportation Mobility Impact Fee status.

motion / recommendation

Information Update

background

The City Commission has asked for an update on how the City's transportation mobility impact fee compares to those of Orange County and the City of Orlando.

In terms of the transportation impact fee comparisons, Winter Park has the exact same fees as Orange County. Orlando is providing notice that they intend to increase their fees in 2023. See the attached table for comparison of the most commonly used categories both for today and after the anticipated 2023 increase. After the increase, Orlando's fees will still be less than Winter Park/Orange County's current fee structure, at about 75%-80% of the Winter Park/Orange County fees.

It is important to point out that legally, "impact fees" must provide a 'credit' for the existing building that is on-site. Government can only charge for the NET new 'impact', be it water/sewer/transportation, etc. As a result, in most scenarios, in our already built-out City, there would be credits given for the previous impact on public facilities. For example, the new Ferguson Plumbing building approved at 1133 W. Morse Blvd. will be getting credits for the water/sewer usage of the previous 11,000 sq. ft. SESCO office. Similarly, the City provides a credit for transportation impact fees based on the traffic that the previous 11,000 sq. ft. building generated.

Residential projects, especially the apartment driven ones like those in Ravaudage, and projects on previously vacant land, such as the Enclave at Winter Park Christian Church are the ones paying the largest impact fees. They pay impact fees of transportation, water and sewer, but also those impact fees tailored just for residential development for parks and especially school impact fees. The "housing fee" and the proposed "public art

fee” are NOT ‘impact fees’ and do NOT provide any net credits.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

[MMTIF Orlando Comparison.pdf](#)

I-4/Fairbanks Area Potential Redevelopment: MMTIF WP/Orlando Comparison							
	WP Unit	WP Fee	Orlando Unit	2022 Orlando Fee ¹	2022 Net Diff.	2023 Orlando Fee	2023 Net Diff.
Low-Rise Multi-Family Housing²	DU	\$5,937	DU	\$2,729	\$3,208	\$4,568	\$1,369
Mid-Rise Multi-Family Housing³	DU	\$4,395	DU	\$2,729	\$1,666	\$3,014	\$1,381
General Office⁴: ≤ 50,000 sf	1,000 sf	\$8,133	1,000 sf	\$4,576	\$3,557	\$6,489	\$1,644
General Office: 50,001-100,000 sf	1,000 sf	\$7,953	1,000 sf	\$4,576	\$3,377	\$6,489	\$1,464
Retail: ≤ 50,000 sfgla	1,000 sfgla	\$10,051	1,000 sfgla	\$6,766	\$3,285	\$4,613	\$5,438
Quality/Fine-Dining Restaurant	1,000 sf	\$27,456	1,000 sf	\$15,723	\$11,733	\$27,178	\$278
High-Turnover Restaurant	1,000 sf	\$31,605	1,000 sf	\$20,327	\$11,278	\$30,533	\$1,072

1) 2022 and 2023 fees are the calculated rates for the Orlando Multi-Modal Impact Fee **City North** Assessment Zone

2) Low-Rise: Winter Park (1-2 floors); Orlando (1-3 levels)

3) Mid-Rise: Winter Park (3-10 floors); Orlando (4+ levels)

4) Orlando does not differentiate General Office into square footage categories



City Commission **agenda item**

item type Non-Action Items	meeting date August 10, 2022
prepared by Rene Cranis	approved by
board approval	
strategic objective	

subject

Budget Presentations

item list

- Fire Department
- Information Technology

motion / recommendation

background

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type Consent Agenda	meeting date August 10, 2022
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Approve the minutes of the regular meeting, July 27, 2022

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CC20220727 minutes.pdf](#)



City Commission Regular Meeting Minutes

July 27, 2022 at 3:30 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Mayor Phil Anderson, Commissioners Marty Sullivan, Sheila DeCiccio, Kris Cruzada and Todd Weaver; City Manager Randy Knight; City Attorney Kurt Ardaman and Deputy City Clerk Kim Breland.

1) Called to Order

Mayor Anderson called the meeting to order at 3:30 p.m.

2) Invocation

The invocation was provided by Greg McClellan of Action Church followed by the Pledge of Allegiance.

3) Approval of Agenda

Motion made by Commissioner DeCiccio to approve the agenda; seconded by Commissioner. Motion carried with a 5-0 vote.

4) Citizen Budget Comments

5) Mayor Report

a. Recognition of Winter Park High School Athletes

Mayor Anderson presented a Certificate of Recognition the Boys Varsity Volley Ball Team members, Coach Jesse Day and Athletic Director Andy Chiles on becoming State Champions. Coach Day thanked the city for the recognition and support.

Mayor Anderson recognized the Girls' Crew Team members, Coach Mike Vertullo and Athletic Director Andy Chiles on becoming national champions and placing second in the Henley Royal Regatta in England. A proclamation declaring July 27, 2022 as Winter Park Crew Day was read and presented to team members and coach. Coach Vertullo and Director Chiles thanked the city for its recognition of its student athletes.

b. Green Business Award: Cypress Bank

Sustainability Specialist Mia Brady spoke about the reinstated Green Business Recognition Program to recognize local businesses' efforts to be more sustainable. She announced the award to Cypress Bank & Trust and thanked them for their efforts. Mayor Anderson presented the award to Cypress Bank representatives.

c. Establishment of Auditor Selection Board

Mr. Knight advised that the charter requires the commission to appoint an auditor selection board every three years to review proposals from auditors and to appoint one member of the commission and four residents to the selection board.

Motion made by Mayor Anderson to nominate Commissioner Cruzada to the selection board, seconded by Commissioner Sullivan. Motion carried unanimously with a 5-0 vote.

Motion made by Commissioner Weaver to approve the appointment of Mike Baldwin, David Moore, Cecilia Kelly and Paula Satcher to the board; seconded by Commissioner Sullivan. Motion carried unanimously with a 5-0 vote.

6) City Manager Report

a. Meet Your Department: Public Works

Acting Director of Public Works Don Marcotte gave a presentation on the Public Works Department. He introduced the Public Works teams responsible for maintenance of streets, lighting and signs; stormwater treatment and run-off; and facilities. He spoke about the department's ability and capability to complete surveying, engineering and design of projects in-house and showed a video of the department's work. Mayor Anderson thanked staff for their efforts, especially the high quality of the lakes.

b. City Manager's Report

Mr. Knight reminded the commission of the work session on Parks projects on July 28th and asked for approval to change the August 11th work session on the Old Library RFP to a special meeting in the event the Commission wants to take action. **Motion made by Mayor Anderson to change the August 11th work session to a special meeting; seconded by Commissioner DeCiccio. Motion carried unanimously with a 5-0 vote.**

7) City Attorney Report

8) Non-Action Items

a. Board Appointment: Transportation Advisory Board - Mayor Anderson

Mayor Anderson appointed Ruben Paige to the Transportation Advisory Board.

b. Budget Presentations:

Director of Electric Utility Dan D'Alessandro reviewed the department's mission, responsibilities, projects and performance measurements. He advised of recent power outage incidents and impacts and explained causes of transformer shortages faced by the entire country and strategies. He noted that upon completion of undergrounding, their focus will return to services. He reviewed a comparison of rates and performance

standards with area electric utilities and summarized the department's accomplishments, spending, next year's goals and projects. He spoke on issues related to costs and impact to customers. Mr. D'Alessandro responded to questions.

Director of Water and Wastewater Utilities David Zusi gave a presentation on the department's responsibilities and programs and showed a service area map and reviewed key performance indicators, last year's accomplishments, summary of spending and next year's goals. He responded to questions regarding working capital and projects.

9) Public Comments | 5 p.m. or soon thereafter (taken after recess)

10) Consent Agenda

- a. Approve the minutes of the regular meeting, July 13, 2022
- b. Approve the minutes of the work session, July 14, 2022.
- c. Approve the following piggyback contracts:
 1. Danus Utilities Inc. - City of Clermont Contract #RFB 17-040 - Lift Station Rehabilitation Services; Amount: \$500,000 for services on an as-needed basis through the duration of the term of the contract.
 2. Fausnight Stripe & Line, Inc. - Seminole County Contract #IFB-603176-18/BJC - Roadway Markings, Striping & Brick Surfacing; Amount: \$100,000 for services on an as-needed basis through the duration of the term of the contract.
 3. Public Consulting Group, Inc. - Palm Beach County Contract #19-20-SS - PEMT Assistance; Amount: \$20,000 for services on an as-needed basis for the remainder of the contract term through August 19, 2024.
 4. CDW Government - NASPO Contract #AR3227 43220000-NASPO-19-ACS - Data Communication Products & Services; Amount: \$250,000 for goods and services on an as-needed basis for the remainder of the contract term through September 30, 2024.
- d. Approve the following contracts:
 1. DRMP, Inc. - RFQ20-18 - Professional Survey Consulting Services; Amount: \$150,000 for services on an as-needed basis for the current term of the contract.
 2. Parsons Transportation Group, Inc. - FY22-31 - Water & Wastewater Engineering Services; Amount: \$250,000 for services on an as-needed basis for the current term of the contract.
- e. Approval of Interlocal Agreement with the Town of Eatonville allowing Winter Park to execute Safe Routes to School - Hungerford work plan in the Eatonville rights of way.

Motion made by Commission Weaver to approve the Consent Agenda; seconded by Commissioner DeCiccio. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

A recess was held from 4:47 to 5:01.

9) Public Comments | 5 p.m. or soon thereafter (None)

11) Action Items Requiring Discussion

a. Public Art Dedicated Funding Source

Assistant Director of Communications Craig O'Neil explained that the Public Art Advisory Board is looking for guidance on a dedicated funding source for public art projects. He cited Florida municipalities that have a dedicated funding source. He noted that the city has been relying on grants and fundraising efforts and reviewed the proposal to establish a fee on commercial renovation or new construction projects or to install art equal in dollar value on their project and uses of funding for maintenance, new art and collaborative projects. With commission approval, an ordinance will be presented for adoption in August.

Staff responded to questions on the commitment to Dr. Phillips Center for Performing Arts which expires in three years, fee calculation and revenue.

Mayor Anderson questioned whether building permits are the appropriate funding source and because of the recently implemented transportation impact fee, he feels a continuous funding source within the general fund budget is more sensible. Mr. O'Neil advised that Orange County funds at 1% of capital improvement projects and other cities fund from permits.

Commissioner DeCiccio asked whether the general fund can be used in lieu of a permitting fee. Mr. Knight said an adjustment would have been made in the budget.

Assistant Division Director of OMB Peter Moore noted that there is approximately \$30 to \$40k of unallocated funding for FY23 that could be used as a funding source.

Mayor Anderson said he would like to discuss, after the November penny sales tax vote, the link between transportation impact fees, the penny sales tax and a revenue source attached to permitting fees and requested staff obtain additional information about Orange County and Orlando's programs. He would like to consider a matching fund program. The commission confirmed its support for public art and after discussion on the fees, sales tax and use and amount of funding, consensus was to schedule for further discussion.

b. Budget Discussion & Set Tentative Millage Rate

Mr. Moore stated that the budget was prepared with the same millage rate for the 15th year and that revenue projections will be updated after the State sales tax projections are made available in late August.

Mr. Knight said the budget is balanced at 4.0923 mills and a voted debt service of .2647 mills for the Library and Events Center bond issue. Staff believes that the budget will remain balanced regardless of state revenue changes.

Mayor Anderson summarized the budget stating operating expenses increased approximately 6%, which is unusually high for an inflationary period, but the city has successfully managed its pension plans which helped to offset some of the inflation. He noted that materials and employment resources are an issue and have increased costs to complete projects and maintain superior levels of service. On the other hand, sales tax revenue has rebounded and real estate values have increased which result in increased revenues.

Motion made by Mayor Anderson to adopt the tentative millage rate of 4.0923 mills, seconded by Commissioner Weaver.

Motion made by Mayor Anderson to amend the motion to adopt the tentative millage rate of 4.0923 and a voted debt service millage of 0.2647, seconded by Commissioner Weaver. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

c. Progress Point Park Plan and Design

Director of Parks and Recreation Jason Seeley said that staff is requesting approval of the plan and/or guidance on the plan and approve additional costs. He noted that with inflationary costs, the project was scaled back to stay within budget of \$3M. He referenced the base budget projections and add alternates for consideration with Parks and Recreation Advisory Board (PRAB) recommending the Commission consider the upgraded Orange Avenue trellis (\$150k), public restrooms (\$425k), shade canopies (\$10k) and intermittent brick sidewalk accents (\$150k).

Commissioner DeCiccio proposed transferring \$1M from Parks Acquisition Fund that has been allocated to the Post Office to fund Progress Point since there is not likely to be any movement toward the relocation of the Post Office in the near future. This will allow for the trellis, brick Palmetto (\$247k), cabanas (\$10k), decorative boulders (\$19,200), original landscape materials (\$56,028). She requested that releasing the RFP for the building with restrooms so the city is not paying for the construction or maintenance, which will result in significant savings, time and effort.

Commissioner Sullivan agreed with the PRAB to move forward with recommended alternate items totally \$735k. He expressed concern about moving forward with building construction at this time. He questioned whether the public restroom could be designed so that it could be incorporated into a building in the future since he feels restrooms are needed.

Commissioner Cruzada asked whether staff is confident the Post Office is not interested. Mr. Knight advised that the post office is not responding to the city.

Commissioner Cruzada supported the add alternates and feels restrooms are needed. Staff responded to questions regarding the bricking of Palmetto and boulders.

Commissioner Weaver expressed his concerns about bicycle and pedestrian safety and driver visibility due to the location of the bike path close to parking spaces on Palmetto and would prefer that it to be closer to the parking lot and elevated over the retention ponds. Aesthetically, he feels the restrooms should be put in the "island" to block view of parking lot. He supported the recommended add-alternates and reallocating needed funds from the Parks Acquisition, but not \$1M.

Mayor Anderson supported the RFP for the building but questioned the timing. He expressed his reservation about designating funding without an understanding of plans and budget for MLK and other parks. He agreed with Commissioner Sullivan's comments and said further discussion is needed on the funding source.

Staff responded to questions and discussion was held on alternates and costs: interactive spray feature (not supported by PRAB at Progress Point), boardwalk through stormwater dry ponds (not considered – needs to be evaluated), bricking Palmetto, public restrooms (RFP, timing and location) and landscaping.

Scott Weber, ACi, responded to comments by the commission. He said that the restroom location was selected so the service entrance is out of view and suggested more landscaping around the building.

Ray Waugh, Land Design, spoke about the design of the park and orientation of building relative to other elements including the realignment of Palmetto, trails and park (handicap) access, functional drainage. In response to comments, he stated that the design can be modified and would not recommend decking over anything (swales or depressions).

Mayor Anderson said he feels the commission would like to see a different solution with a separation of the bike path. Discussion followed on the design (width) and safety of the bike path. Mr. Waugh noted that a multi-use path for bikes and pedestrians should be 12 feet which can be accomplished.

Commissioner Weaver restated his objection to the current bike path design.

Further discussion was held on the location of the bike path and barriers between path and on-street parking.

Kristen Sweatland, Land Design, responded to questions regarding the landscaping plan and proposed materials. The add alternate maintaining the original landscape materials (\$56,028) will provide more mature and larger plants and create a bigger impact.

Mayor Anderson summarized his understanding of consensus is the bike path realignment with separation between the path and sidewalk.

After additional discussion, consensus was reached to include the upgraded trellis (\$150k), cabanas (\$10k), restrooms (\$425k), accent brick sidewalks/elements (\$150).

Consensus was not to include decorative/architectural boulders, original landscaping budget (mature landscaping), interactive spray and bricking Palmetto.

Discussion returned to funding. Mr. Knight noted that there are two funding sources – one is for parks acquisition or improvements and the other is strictly for park acquisition. He stated city policy provides for a percentage of reserves to be designated for parks which allows flexibility for park-related use.

Motion made by Commissioner DeCiccio to allocate \$800k (from parks funds) for items agreed to by consensus and also for landscaping upgrades that can be accomplished within the \$800k), seconded by Commissioner Weaver.

Motion made by Commissioner Weaver to approve the park plan and design subject to modification of the bike path: realign and separate the bike path from sidewalk and parked cars and to cross the curve driveway mid-way for maximum visibility, seconded by Mayor Anderson.

Commissioner DeCiccio suggested adding an additional trellis to the area behind the Buttermilk Baker, Foxtail and Reel Fish businesses as an option for shade if there were any funds remaining from the \$800k. Mayor Anderson suggested staff find out what add-alternate options (including costs) would provide shade for the area.

There were no public comments.

Upon a roll call vote on the motion to approve the design with modifications, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson, voted yes. Motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the motion approving the add alternates, Commissioners Sullivan, DeCiccio and Weaver and Mayor Anderson voted yes. Commissioner Cruzada voted no. Motion carried with a 4-1 vote.

Mr. Seeley noted that some residents are not fond of the name "Progress Point Park" and suggested bringing to PRAB for consideration. Commissioner Weaver suggested a

naming competition or that the PRAB recommend names to be voted on by the public and that the Communications Department oversee the contest. Agreed to by consensus.

A recess was held from 6:55 p.m. to 7:02 p.m.

12) Public Hearings: Quasi-Judicial Matters (Public participation and comment on these matters must be in-person.)

- a. Request of Marilyn King for:
 - Subdivision approval to split the property at 358 Virginia Drive, zoned R-1A, to create a new single-family lot on the vacant rear property fronting on East Lake Sue.
 - RESOLUTION 2263-22 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 358 VIRGINIA DRIVE, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Director of Planning and Transportation Jeff Briggs reviewed this request for a lot split and to designate the existing home at 358 Virginia Drive as a historic landmark. He showed the proposed lots and new home fronting on Lake Sue Avenue, which conform with city code. The only variance is for the five-foot setback at the rear of the current home, which is permitted when designating a home to the historic register.

City Attorney Ardaman read the resolution by title.

Motion made by Commissioner Weaver to approve the lot split and adopt the resolution, seconded by Commissioner Sullivan. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

13) Public Hearings: Non-Quasi-Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)

- a. Ordinance amending Chapter 58 "Land Development Code" Article III, "Zoning Regulations" Section 58-72 "Office (O-1) District" and Section 58-76 "Commercial (C-3) District" so as to amend the development standards regarding setbacks. (1st reading)

City Attorney Ardaman read the ordinance by title.

Assistant Director of Planning and Transportation Allison McGillis summarized the changes made by this ordinance to setbacks along Fairbanks Avenue in the O-1 zoning district, the rear setbacks in the O-1 and C-3 zoning district abutting residential areas and changing side setback variance authority to Board of Adjustments. She showed slides depicting these setbacks and responded to questions.

Motion made by Commissioner Sullivan to approve the ordinance on first reading; seconded by Commissioner DeCiccio. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

- b. Ordinance codifying the charter amendments approved by referendum on March 8, 2022. (1st reading).

Attorney Ardaman read ordinance by title.

Mr. Briggs explained that this ordinance places the charter amendments regarding supermajority votes approved by the voters on March 8th into the zoning regulations.

Attorney Ardaman confirmed the charter was amended to allow the commission to adopt an ordinance requiring supermajority votes and also established supermajority vote on certain requests.

Motion made by Commissioner Sullivan to approve the ordinance on first reading, seconded by Commissioner DeCiccio. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

- c. Ordinance amending Chapter 114, Lakes and Waterways, modifying maximum boat length. (1st reading)

Attorney Ardaman read ordinance by title.

Motion made by Commissioner Weaver to approve the ordinance on first reading, seconded by Commissioner DeCiccio. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

14) City Commission Reports

Commissioner Sullivan –

- Showed a slide on city greenway connections between the city’s major parks which he feels will be transformational and said he is looking forward to future discussions.

Commissioner DeCiccio –

- Addressed the issue of the unstable parking lot at the Library and expressed her concern about litigation and safety. Mr. Knight said the city has engaged a geo technical engineer to assess why the lot is sinking and the contractor, Brassfield and Gorrie, has been notified of the issue.
- Asked for an update on the turn lanes at Denning and Fairbanks. Mr. Marcotte the design is at 60% completion and is being reviewed by FDOT.
- Advised of complaints about the condition of Pennsylvania Avenue. Mr. Knight stated it was purposely bricked for traffic calming, which has been effective but the

volume creates divots and a rough road. Mr. Marcotte noted that staff continues to look at and repair specific areas.

Commissioner Cruzada –

- Stated that a community meeting was held on the proposed rezoning of 2300 S. Semoran. Orange County Commissioner Bonilla attended the meeting and after hearing residents' concerns, she indicated she would not support rezoning. The Orange Planning Zoning meeting was not held due to lack of quorum.

Commissioner Weaver –

- Advised of Lisa Tinker Marsh's desire to serve on the Public Art Advisory Board and said he will provide her contact information.
- Spoke about alum stations and impact of phosphate. He suggested that the city promote phosphate-free fertilizer through a progressive public campaign.
- Said he conducted research on short term rentals and found that a Chamber survey revealed the need for more hotels, but he feels more rooms are needed and would prefer that city residents get revenue from room rental versus hotels. He provided information on other agency's regulations which he consolidated and prepared a proposed ordinance which he provided to Mr. Knight. He suggested that the fees would be good revenue source to provide funding public art.
- Spoke about climate action and extreme heat-related failures of homes, vehicles and equipment.

Mayor Anderson –

- Reported that FDOT will be funding the Brewer Curve study and that staff will be working on the scope next week. He and Mr. Knight are coordinating a meeting with FDOT District V Manager to discuss the city's participation in safety initiatives.

16) Adjournment

The meeting was adjourned at 7:59 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission **agenda item**

item type Consent Agenda	meeting date August 10, 2022
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Approve the minutes of the work session, July 28, 2022.

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CC20220728 ws.pdf](#)



City Commission Work Session Minutes

July 28, 2022 at 1:00 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Mayor Phil Anderson; Vice-Mayor Todd Weaver; Commissioners Marty Sullivan, Sheila DeCiccio and Kris Cruzada; Assistant City Manager Michelle Del Valle; Deputy City Clerk Kim Breland.

1) Call to Order

The meeting was called to order at 1:00 p.m.

2) Budget Presentation - Parks and Recreation

Director of Parks and Recreation Jason Seeley explained the department's organizational chart, responsibilities and key performance indicators. He listed major projects and accomplishments including re-accreditation. He said the budget increase was due to the acquisition of the Winter Pines Gold Course, but anticipates revenue will offset those increases. He reviewed strategic goals and objectives for 2023, capital projects and costs. He responded to questions stating that the personnel budget increase was largely due to the acquisition of the golf course and renovation the golf course. He stated that there are still some plumbing upgrades to be made but beyond that there are no plans for further upgrades at this time.

3) Discussion Item(s)

a. Parks and Recreation Department Capital Improvement Projects

Mr. Seeley responded to questions regarding the Swoope property land swap. He explained that \$1M from the sale would cover the cost of the maintenance facility improvements, but the city would have to fund the columbarium improvements. He noted that there is money in the Cemetery Perpetual fund to cover the costs. He reviewed the list of capital projects that are in progress or completed and upcoming projects.

Mr. Seeley presented the Howell Branch Preserve Conceptual Map design and explained that grant funding only allows work to be done at specific areas near Lake Waumpi (northeast section) and Temple Colony (east of Temple Trail) and the west of Temple Trail (at the rear Temple Colony and Dommerich Cove). He stated that there is funding available for trails and conservation and any reallocation of the funds would have to be approved by the state. He said the focus of this meeting should be on proposed improvements to the Lake Waumpi Trail System and the connector, invasive species

removal and reforestation in the northwest quadrant of the Preserve near Howell Creek. Staff is seeking direction on whether to focus on building trails on Lake Waumpi with phasing in the rest of the improvements as funding becomes available or use the funds toward conservation work.

Commissioner Weaver addressed emails the commission from residents concerned about the proximity of trails to residential homes. He proposed an overlook with a small observation deck off the trail at Lake Waumpi, as opposed to a boardwalk, and changing the trail route near Howell Creek (near Public Works).

Mr. Seeley stated that he didn't receive many complaints from residents about a kayak launch, but did receive questions on whether a launch is necessary since it cannot be accessed at certain times during the year. He pointed out potential locations for kayak launch points and stated there would be an increase in boat traffic, but none of the access points would impact residents. He added that he did receive emails from residents near Lake Waumpi and Lake Howell (mostly from Seminole County) regarding concerns about increased boat traffic.

Mr. Seeley advised that the Fire Department has expressed concern about the proximity of the kayak launch near the north end of the Public Works compound to the proposed firefighter training facility. Ms. del Valle added that city stores equipment and supplies in this area, but with the fencing and security it would be possible to have a launch in that area. She noted including those elements would add significant costs to the project.

Commissioners spoke about resident concerns and ways to alleviate those concerns. Commissioner Sullivan suggested resident only access to Lake Waumpi. He spoke about resident concerns regarding improvements or redevelopment and supported improvements to the area, but questioned whether the city should move forward with anything other than environmental restoration.

Commissioner Weaver agreed and said he feels that the Dix-Hite plan is too expensive and too expansive. He feels the city should concentrate on the section of the Preserve that follows the creek southwest to northeast and not consider the other links except to the connector near Public Works facility.

Commissioner Cruzada said he feels improvements should be made since there is grant money available. He supported Commissioner Weaver's suggestion of moving the trail away from residents and off of Lake Waumpi, but wondered how the trails would be connected over time. He asked whether the funding could be split between wetland restoration and trail work considering there is opposition to the trails. Mr. Seeley stated that the city would have to ask the state how to reallocate the funds. Discussion followed on how the funds would be reallocated for improvements and reforestation.

Mayor Anderson said he sees this an opportunity to create a Florida native tree canopy and that residents would support that effort. He spoke about ways to add a riverwalk and how ways to achieve connectivity to different neighborhoods. He is hesitant to fund the northeast drop off point if there is no plan or funding to get access to it. Discussion was held on how much area would be needed for a riverwalk experience.

In-depth discussion followed on a plan to provide public access in the southeast area, connectivity, kayak launch locations, adding a loop trail near Lake Waumpi, parking and uses for the grant money.

During the discussion Commissioner Cruzada noted that the commission received an email stating more than 100 residents oppose any development of the trail. He suggested combining the trail with an observation point to show what wetland restoration and reforestation look like as an educational point and attraction.

Mr. Seeley stated that adding a trail connection at north side of the property (North of Temple Trail) would be approximately \$320K and a connection at Drum Street would be significantly less at approximately \$50K. Ms. del Valle noted that at one time the residents in the Dommerich Cove neighborhood were organizing against this plan because of concerns with traffic and parking in the neighborhood to access the trail. She stated that the city would work with the City of Maitland in coordinating any potential connectivity from the neighborhood.

Parks and Recreation Advisory Board Chairman Michael Perelman talked about issues related to walking and kayak access, the overall plan and individual elements of the plan. He offered suggestions for access points and connectivity and parking. He feels the city should find out if funds can be reallocated for reforestation and look into grants for connectivity. Discussion followed on a parking/vehicle access option on Drum Street.

Mayor Anderson said he could not support vehicular access through an existing neighborhood and feels access to the back area of the Preserve can be through the Public Works compound to the south, paralleling the Police Training Facility to the north, or using the existing Howell Branch Preserve parking as primary access.

In-depth discussion continued on public access options and boardwalk maintenance concerns.

Mayor Anderson said his motion would be to dedicate the grant funding to reforestation and tree canopy, and petition to expand the geography of the grant for environmental restoration, with other items (Howell Branch Preserve Park improvements, creation of a riverwalk and kayak access, retention pond improvements and parking near the kayak drops) phased in over time from private, grant or CIP funding. Discussion followed on the timeline to use the grant funds and restoration plan.

Commissioner Weaver feels the only area to provide public access with a kayak launch and parking is the parking lot near the Public Works facility and suggested budgeting for fencing. He stated that he is not opposed to making a public access area off of Drum Street. Discussion continued on public access options.

Mayor Anderson stated that if there were going to be two motions, the main motion would be to create a road off Drum Street to a kayak launch and loop trail (as suggested by Commissioner Weaver), and an amendment to the motion to have no bridge. He said he can support the loop trail but not the road off Drum Street or a bridge.

Commissioner Weaver suggested an alternative motion to fund a connection between Drum Street and the parking lot (near Public Works) and modified loop trail near Lake Waumpi. Mr. Perelman supported access via Drum Street and suggested adding a small gate for local access at the back of the Dommerich Forest neighborhood. Mr. Seeley recommended setting time for any Drum Street access point to be open/closed to prevent loitering at the park.

Commissioner Weaver clarified that the motions were presented only for discussion and direction to staff to explore options. Ms. del Valle summarized that direction from the commission is to:

- Move forward with grant funds to design a Lake Waumpi loop trail.
- Use the remaining grant money for restoration and reforestation.
- Evaluate development of an access point from Drum Street with parking and a trail with connectivity to the creek, walking path and circle. Funding for the Drum Street access point and connectivity will need to be privately funded, derive from new grant funding, or compete in the CIP.

There was no consensus to add a gate for local access at the back of the Dommerich Forests neighborhood.

Mr. Seeley gave an update on the MLK Park renovations. He explained that the unity corner timeline has been pushed forward and is moving at quicker pace than the rest of the project. He is hoping that the hardscape is in place by January and noted that the statue will take 12 to 14 months to complete. Final conceptual plans are anticipated to be provided to the commission at the second meeting in August. He explained that the projects for the fields, Unity Corner, Denning/Morse nodes for sidewalks connecting the library to the playground at the park are all on budget and anticipates the completed project to be around \$5M.

Mr. Seeley spoke about funding sources to complete work around the lake and along the ponds along Denning and Morse and anticipates needing between \$500K and \$1M to complete the project.

Mr. Seeley gave an update on the Mead Garden projects and funding and five and 15-year Capital Improvement Plan with the funding to be addressed by the Commission.

Lastly, Mr. Seeley addressed Winter Park Sports Complex and conversion of two fields to synthetic turf. He said the cost increased and presented options to complete the project: spend more money to turf the fields which makes them more resilient to weather conditions and play during cooler months but does not offer added capacity or leave Field B grassed but fix to ensure proper drainage, turf Showalter East 1 and the two adult softball fields and then convert one of those fields to multi-purpose fields which allows for another grass field and 800 additional hours of field capacity. Consensus was to move forward with option two.

Mayor Anderson stated that he would like to have an update on the non-recurring budget when it is time to discuss the MLK budget.

4) Adjournment

The meeting adjourned at 2:58 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission **agenda item**

item type Consent Agenda	meeting date August 10, 2022
prepared by Michael Hall	approved by Jennifer Maier, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective Fiscal Stewardship	

subject

Approve the following piggyback contract:

item list

1. ABM Industry Groups, LLC - Pasco County Contract #IFB-TB-16-131 - Janitorial Services & Equipment; Approval of an Amendment for a monthly base price increase to \$58,525.00 per month for the remainder of the Agreement through 2/28/2023. The previous monthly base price was \$31,178.62. Consumables will stay at an estimated \$10,000 per month.

motion / recommendation

Commission approve items as presented and authorize the Mayor to execute the Agreement.

background

1: The originating agency conducted a formal solicitation process to award this contract. The price increase is required to comply with Florida Minimum Wage Law, requiring the minimum wage be increased by one dollar through 2026 and the addition of new locations and services.

alternatives / other considerations

N/A

fiscal impact

Total expenditures included in approved budget.



City Commission agenda item

item type Action Items Requiring Discussion	meeting date August 10, 2022
prepared by Wes Hamil	approved by Wes Hamil, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Consider transitioning stormwater utility charges from the City utility bill to non-ad valorem assessments on the property tax bill

motion / recommendation

Provide direction regarding whether this is a course of action the City Commission would like staff to pursue

background

The City first established a stormwater utility fee via Ordinance 1832 adopted in 1989. That ordinance dictates the stormwater fee be collected using the City's utility billing system. This fee provides funding for management of stormwater runoff, reduce flooding, and improve water quality in the City's receiving water bodies (lakes, streams, and aquifer). The fee is based on the impervious surface area on developed property within the City.

Staff has been considering moving to the non-ad valorem assessment approach and would like feedback from the City Commission on whether to proceed with an amending ordinance and the necessary steps to use the assessment process. According to the Florida Stormwater Association's (FSA) Stormwater Utility Report, 38% of stormwater utilities invoice for stormwater fees are on the annual property tax bill. Locally, the cities of Orlando, Apopka, and Ocoee all use the property tax bill for stormwater fees.

Some of the pros of using the assessment process include:

1. Stormwater runoff seems more attributable to the property than to the tenant. Currently, tenants are billed for stormwater charges on the City utility bill. According to the FSA 2022 Stormwater Utility Report, 65% of stormwater utilities hold the property owner responsible for stormwater fees.
2. Property owner would be billed for services even when there was no active customer on a utility account.

3. Determining the appropriate stormwater fee based on GIS records would be more straight forward with a one account to one parcel ID ratio. Currently, if a property owner has multiple tenants on a single parcel ID, the City has to determine the allocation of stormwater charges between the utility accounts. If stormwater fees were invoiced on the property tax bill, all parcel IDs could be updated annually using GIS data from the Orange County Property Appraiser providing a more uniform framework for updating stormwater fees for improvements to a property.
4. Collections would be virtually assured even in situations where the customer does not receive water or electric service from the City.

Some of the cons to the assessment process include:

1. Commercial property owners will not like having to increase rents to cover stormwater charges. They are used to these being the responsibility of the tenant.
2. We would only be able to make adjustments for additional impervious surface area on a property or a change in fees once a year. Currently, if a pool, deck, or other structure is added to a property, the adjustment becomes effective in the month following completion of the improvement.
3. If the City were to transition to the assessment approach effective October 1, 2023, the City would bill stormwater utility fees through September 2023 on the utility bill and the property owner would see the non-ad valorem assessment for stormwater on the property tax bill they receive in October 2023. This could create a cash flow crunch in the short-term. This would likely not be an issue for a property with a mortgage since the property tax bill becomes part of the monthly escrow requirements.

alternatives / other considerations

Continue to bill stormwater fees on the utility bill

fiscal impact

Stormwater fees are approximately \$3.6M annually



City Commission **agenda item**

item type Public Hearings: Non-Quasi Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)	meeting date August 10, 2022
prepared by Allison McGillis	approved by Jeffrey Briggs, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance amending Chapter 58, Section 58-95 and add Section 58-170 governing artificial turf requirements. (1st Reading)

motion / recommendation

Recommendation is to approve the Ordinance as presented.

background

The City is proposing an amendment to the Zoning and Stormwater Codes to provide specific regulations for the types of artificial turf which will be considered as pervious or impervious and providing standards for the installation and maintenance of pervious artificial turf.

Summary

In March/April of 2021, this Ordinance outlining new regulations for artificial turf was recommended for adoption by the Planning and Zoning Board and approved on first reading by the City Commission. At the second reading, the Commission asked about the use of artificial turf in street front locations and whether setbacks were advisable. This revised Ordinance now prohibits the use of artificial turf in any street front yard or side street yard areas. It also requires a five-foot setback to any side or rear property line so that there is a buffer of grass/dirt just in case the permeability of the artificial turf is overwhelmed by the intensity of a storm event.

This Ordinance originated because City staff has been challenged with an increase in the number of permits for the installation of artificial turf and the challenges in determining the degree to which these products, after installation, function as pervious or impervious surfaces. The City staff has held a number of work sessions with the P&Z Board discussing

the variety of artificial turf products, the methods of installation and maintenance and how the different products and installation applications result in a large disparity in the degree to which they function as pervious surfaces.

The end result of the time spent with the P&Z Board on this topic has resulted in an Ordinance which clearly defines the types of artificial turf that can be considered as pervious (backing of a woven material versus solid with periodic holes) and the method and base upon which it is installed in order to function as a pervious surface. The ordinance also includes maintenance requirements in order to continue to function as a pervious surface.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

[Ord. for Artificial Turf Regulations 12-4-2020 \(002\).docx](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58, CITY OF WINTER PARK CODE OF ORDINANCES, LAND DEVELOPMENT CODE; AMENDING SECTION 58-95 AND ADDING SECTION 58-170 GOVERNING ARTIFICIAL TURF REQUIREMENTS; PROVIDING FOR DEFINITIONS; PROVIDING REQUIREMENTS FOR INSTALLATION AND MAINTENANCE OF IMPERVIOUS AND PERVIOUS ARTIFICIAL TURF; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Land Development Code currently limits the amount of impervious surface that may be utilized in residential and commercial development; and

WHEREAS, the City wishes to clarify that artificial turf, which is a grass mat manufactured with man-made materials used to replicate natural grass, can constitute an impervious surface subject to the relevant City regulations; and

WHEREAS, the City further wishes to clarify and enact regulations governing the installation of artificial turf; and

WHEREAS, the City finds that this Ordinance advances the interests of the public health, safety, and welfare.

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

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. Amendment of City Code. Section 58-95 of Chapter 58, Article III of the City Code of Ordinances is hereby amended, and a new Section 58-170 is hereby created in Chapter 58, Article V, Division 1 of the City Code of Ordinances, all as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; stars * * * * indicate breaks between sections, subsections, or paragraphs and do not indicate changes to the City Code; provisions not included are not being amended):

Sec. 58-95. - Definitions.

For the purposes of this article, certain terms or words used herein shall be interpreted as follows:

* * * *

Artificial Turf or synthetic grass means an artificial grass mat manufactured with man-made materials such as polypropylene, polyethylene, and/or other materials, which is used to replicate the appearance of natural grass.

* * * *

Impervious coverage means the percentage of the lot land area that is covered with impervious materials such as building, swimming pools (including pool water and pool decks), decks, patios,

driveways, etc. Artificial turf shall also be considered an impervious coverage unless specifically designed and permitted with the backing of a uniform (every square inch) woven material, which precludes the use of a solid backed material with periodic holes, and with a proper porous permeable underlying material such as gravel. Standard engineering coefficients of permeability shall be utilized for mixed surfaces. Land located across a street and separated from the building site shall not be included in the available land area calculation.

* * * *

Sec. 58-170. – Artificial Turf Installation. The following requirements shall govern the installation of artificial turf.

a) Impervious installations

- 1) A permit shall be required to install.
- 2) New total impervious area coverage to include the artificial turf shall be submitted with the permit application.
- 3) Proof of permeability is not required.
- 4) The first one inch of stormwater runoff from the artificial turf must be retained on site in accordance with Sec. 58-163.
- 5) Installations are not allowed under tree canopies.
- 6) Installations are not permitted in any front or side street facing yard areas and not allowed within five (5) feet of any side or rear property line.

b) Pervious installations

- 1) A permit shall be required to install.
- 2) Artificial turf shall have a backing of a uniform (every square inch) woven material, which precludes the use of a solid backed material with periodic holes.
- 3) The required minimum rate of permeability shall be thirty (30) inches per hour uniformly (every square inch) across the artificial turf.
- 4) Underlying material (gravel, drainfield rock, sand setting, fabric, etc.) shall be included in the design per the manufacturer's specifications to meet the minimum rate of permeability.
- 5) Prior to installation of artificial turf, the property owner shall enter into an agreement, with and in a form acceptable to the City, providing for property owner's and its successors' and assigns' scheduled maintenance activities and annual reports thereof to the City. Among other things, such agreement may provide for: (i) property owner's requirement to remove and/or replace the artificial turf in the future if the artificial turf ceases to function as designed and permitted, is not properly maintained and/or if the expiration of the artificial turf's life expectancy occurs; (ii) the City's remedies in the event property owner fails to comply with its maintenance, repair and replacement obligations; and (iii) property

owner's indemnification and hold harmless of the City and its officials and employees with respect to the artificial turf installation, maintenance and repair, including any drainage problem that may arise therefrom.

c) *Maintenance of artificial turf.* The property owner shall routinely maintain artificial turf, including cleaning, brushing, debris removal, repairing and replacement. Such maintenance activities shall ensure that artificial turf continues to function as designed and permitted. The property owner's failure to maintain, repair and/or replace artificial turf in compliance with this section or any agreement entered into with the City as required herein shall constitute a violation of this subsection.

SECTION 3. Codification. Section 2 of this Ordinance shall be codified 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 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida (the "Effective Date"), and shall apply to all applications for permits received on or after the Effective Date.

ADOPTED this ____ day of _____, 2022, by the City Commission of the City of Winter Park, Florida.

CITY COMMISSION
CITY OF WINTER PARK

Phillip Anderson, Mayor

ATTEST:

Rene Cranis, City Clerk



City Commission **agenda item**

item type Public Hearings: Non-Quasi Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)	meeting date August 10, 2022
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance 3249-22- Amending Chapter 58 “Land Development Code” Article III, "Zoning Regulations" Section 58-72 “Office (O-1) District” and Section 58-76 “Commercial (C-3) District” so as to amend the development standards regarding setbacks. (2nd reading)

motion / recommendation

Staff and P&Z Board recommendation is for approval of the Ordinance as presented.

background

This zoning text amendment is to amend the front setback for properties fronting on Fairbanks Avenue with Office (O-1) zoning, and rear setbacks for properties that are not abutting residential properties with Office (O-1) and Commercial (C-3) zoning citywide.

Front Setback Analysis

This amendment to change the front setback along Fairbanks Avenue in O-1 from 15 feet on the north side and 20 feet on the south side of Fairbanks Avenue to 10 feet on both sides will bring the front setbacks consistent along both sides of the street. Furthermore, this change was implemented in 2017 for properties along Fairbanks Avenue with C-3 zoning, but was overlooked for O-1 properties since there are far less properties with O-1 zoning fronting on Fairbanks Avenue.

The original desire for the larger front setback was when the city thought that additional easement on private property was needed for the electrical undergrounding project, but that is not the case and therefore the front setback along Fairbanks Avenue should be consistent on both sides of the street and the same as C-3 zoned properties.

Rear Setback Analysis

This amendment also includes a change the rear setback for properties zoned C-3 and O-1 from 30 feet to 10 feet, if the rear of the property is not abutting a residentially zoned property and if the building is oriented towards the front of the lot.

The original intent for the increased rear setback was to encourage development at the front of the lot with parking in the rear, and to provide a larger buffer when adjacent to residential properties. However, if the lot is not abutting residential, requiring a 10-foot setback (same as the front) is more reasonable. Also, sometimes with smaller lots that do not have much width, the larger 30-foot setback creates a problem in the rear of the lot. This amendment will allow a building to be oriented along one side of the lot and span the entire length of the lot (if not abutting residential) and still keep the majority of the parking lot hidden from the front.

Side Setback Analysis

The last portion of this amendment includes a removal of a section in the development standards for both O-1 and C-3, which permits a person constructing a building in either zoning district to combine the minimum side yard setbacks and provide them on only one side of the lot with approval from the Planning & Zoning Board. The procedure to do this is to submit a site plan showing the locations of the proposed building as well as the location of existing adjacent buildings to the Planning & Zoning Board for approval, as long as the property is not adjacent to a residentially-zoned parcel. The effect of striking this section gives this side setback variance authority back to the Board of Adjustments, the Board who normally approves this type of side setback variance.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Ordinance_Amending_O-1__C-3_setbacks \(1\).docx](#)

ORDINANCE 3249-22

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING REGULATIONS" SECTION 58-72 "OFFICE (O-1) DISTRICT" AND SECTION 58-76 "COMMERCIAL (C-3) DISTRICT" SO AS TO AMEND THE DEVELOPMENT STANDARDS REGARDING SETBACKS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND 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 58-72 "Office (O-1) District" is hereby amended as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

Sec. 58-72. Office (O-1) district.

(f) Development standards.

(1) Any building constructed within this district shall adhere to the following minimum or required setbacks for front, rear and side yards. The front setback from all streets shall be a minimum of ten feet from the property line and a minimum of 15 feet on Orlando Avenue ~~and on the north side of Fairbanks Avenue and 20 feet on the south side of Fairbanks Avenue~~. For properties along Orange Avenue, the front setback may be reduced to the average front setback of the existing buildings within that block if approved by the city commission. Side yard setbacks shall be a minimum of five feet from each property line unless the parcel shares a common line with a residentially-zoned parcel, then a 15-foot setback shall be observed. The rear setback shall be a minimum of 30 feet from the property line. The rear setback may be reduced to 10 feet from the property line if the rear yard does not abut a residentially zoned property, and if the

building is oriented towards the front of the property. However, within the Hannibal Square Neighborhood Commercial District area, as set forth in this section, new buildings shall have a required ten-foot front setback and may be permitted zero-foot side setbacks unless the parcel shares a common line with a residentially-zoned parcel, then a 15-foot side setback shall be observed. For any required front setback, the distance may be increased upon the determination by the public works director and police chief that a traffic sight distance safety problem may exist, to the extent required to remedy the problem.

~~(2) If a person constructing a building within this district desires to combine the minimum side yard setbacks and provide them on only one side of the lot, a site plan showing the locations of the proposed building as well as the location of existing adjacent buildings must be submitted to the planning and zoning commission for approval prior to the issuance of a building permit. This reduction to the required side setback, however, shall not be permitted if adjacent to a residentially-zoned parcel.~~

SECTION 2. That Chapter 58 "Land Development Code", Article III, "Zoning" of the Code of Ordinances, Section 58-76 "Commercial (C-3) District" is hereby amended as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

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

(e) Development standards.

(1) Any building constructed within this district shall adhere to the following minimum or required setbacks for front, rear and side yards. The front setback to all streets shall be a minimum of ten feet from the property line and a minimum of 15 feet on Orlando Avenue. For properties along Orange Avenue, the front setback may be reduced to the average front setback of the existing buildings within that block if approved by the city commission. Side yard setbacks shall be a minimum of five feet from each property line, unless the parcel shares a common line with a residentially-zoned parcel, then a 15-foot setback shall be observed. The rear setback shall be a minimum of 30 feet from the property line unless the rear yard abuts a residentially zoned parcel, then a 35-foot setback shall be observed. The rear setback may be reduced to 10 feet from the property line if the rear yard does not abut a residentially zoned property, and if the building is oriented towards the front of the property. However, within the Hannibal Square Neighborhood Commercial District area, as set forth in this section, new buildings shall have a required ten-foot front setback and may be permitted zero-foot side setbacks, unless the parcel shares a common line with a

residentially-zoned parcel, then a 15-foot setback shall be observed. For any required front setback, the distance may be increased upon the determination by the public works director and police chief that a traffic sight distance safety problem may exist, to the extent required to remedy the problem.

~~(2) If a person constructing a building within this district desires to combine the minimum side yard setbacks and provide them on only one side of the lot, a site plan showing the locations of the proposed building as well as the location of existing adjacent building must be submitted to the planning and zoning commission for approval prior to the issuance to a building permit to ensure sufficient compatibility with adjacent properties. This reduction to the required side setback, however, shall not be permitted if adjacent to a residentially-zoned parcel.~~

SECTION 3. CODIFICATION. Section 1 and Section 2 of this Ordinance shall be incorporated into the City of Winter Park Code of Ordinances.

SECTION 4. 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 5. 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 6. 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 August, 2022.

By: _____
Mayor Philip M. Anderson

ATTEST:
By: _____
Rene Cranis, City Clerk



City Commission **agenda item**

item type Public Hearings: Non-Quasi Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)	meeting date August 10, 2022
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance 3250-22- codifying the charter amendments approved by referendum on March 8, 2022. (2nd reading)

motion / recommendation

The Planning and Zoning Board recommended approval.

background

On March 8, 2022, the voters approved by referendum, Charter amendments that require approval by a minimum of four (4) votes for certain types of land development matters involving amendments to the Comprehensive Plan and/or Zoning Regulations. These provisions were effective immediately upon adoption.

While these provisions exist within the City Charter, they are not readily apparent for anyone reading the Chapter 58 Land Development Code provisions, which outline the procedures for amendments to the Comprehensive Plan or Zoning regulations. In order for these rules to be more readily apparent, and to avoid inconsistency (city charter says one thing but zoning code says another). it is desirable to codify these provisions within the city code sections concerning amendments to the Comprehensive Plan (Section 58-7) and Zoning Regulations (Section 58-89).

The staff has taken the verbiage directly from the Charter Amendment Ordinance. If there are any interpretation questions that arise in the future, those will be dealt with at that time.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[ORDINANCE_Codifying Charter Amendments.docx](#)

ORDINANCE 3250-22

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I, "COMPREHENSIVE PLAN" AND ARTICLE III, "ZONING REGULATIONS" TO CODIFY THE APPLICABLE CITY CHARTER AMENDMENTS ADOPTED ON MARCH 8, 2022 REGARDING SUPERMAJORITY VOTES NEEDED FOR CERTAIN COMPREHENSIVE PLAN AMENDMENTS AND ZONING REGULATION AMENDMENTS. PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park deems it necessary for the purpose of providing reference to the amendments to the city charter approved by voter referendum on March 8, 2002 via the codification of such matters in the land development code for ease of access for such matters to the public and in protection of due process and 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 and is intended to promote, enable and facilitate economic competition;

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 I "Comprehensive Plan", of the City of Winter Park Land Development Code is hereby amended by adding a new subsection 58-7 "Supermajority Voting Requirement", as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

Sec. 58-7. – Supermajority Voting Requirement.

Pursuant to Section 2.08(c) of the City Charter, the affirmative vote of at least four (4) members of the city commission shall be required for the approval of the following matters:

- (a) Comprehensive plan future land use map amendment or change in use of park land to a use that is not a recreational or park use;
- (b) Comprehensive plan future land use map amendment or change in use of land currently zoned public and quasi-public (PQP) district or zoned parks and recreation (PR) district;
- (c) Comprehensive plan future land use map amendment of lakefront property from a residential use to a commercial use, mixed-use, medium-density residential use, or high-density residential use;

(d) Approval of a comprehensive plan future land use map 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;

(e) Approval of 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 twenty-five (25) percent 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;

(f) Approving a development order authorizing development within "wetlands" as defined by Florida Statutes or the Florida Administrative Code.

SECTION 2. That Chapter 58 "Land Development Code", Article III "Zoning", Section 58-89 of the City of Winter Park Land Development Code is hereby amended by amending subsection 58-89 (g) as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

Sec. 58-89. Zoning changes and amendments, public notice requirements and procedures for zoning amendments and conditional uses.

(g) *Commission decisions.* The decision of the planning and zoning ~~commission~~ board and the city commission may be made to affirm or deny the original request of the applicant or it may modify the request to approve a portion of the request or alternative version of the zoning text or map amendment. The planning and zoning ~~commission~~ board may recommend and the city commission may impose conditions upon the approval of a zoning amendment. Such conditions may not restrict the range of permitted uses within a zoning district but such conditions may restrict or impose requirements upon the development or use of such land such as limitations on building size, height, setbacks or other site design or building design or use features,

The decision of the city commission on any zoning text or map amendment shall be by ordinance. Pursuant Section 2.08(c) of the City Charter, the affirmative vote of at least four (4) members of the city commission shall be required for the approval of the following matters:

(i) A rezoning or change in use of park land to a use that is not a recreational or park use;

(ii) A rezoning or change in use of land currently zoned public and quasi-public (PQP) district or zoned parks and recreation (PR) district;

(iii) A rezoning of lakefront property from a residential use to a commercial use, mixed-use, medium-density residential use, or high-density residential use;

(iv) A zoning map 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;

(v) A zoning map or text amendment or land development code amendment that increases the maximum allowed residential units per acre (density) or floor area ratio (intensity) by more than twenty-five (25) percent 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;

(vi) Approving a development order authorizing development within "wetlands" as defined by Florida Statutes or the Florida Administrative Code.

SECTION 3. CODIFICATION. Section 1 and Section 2 of this Ordinance shall be incorporated into the City of Winter Park Code of Ordinances.

SECTION 4. 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 5. 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 6. 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 August 2022.

By: _____
Mayor Phillip M. Anderson

ATTEST:

By: _____
Rene Cranis, City Clerk



City Commission **agenda item**

item type Public Hearings: Non-Quasi Judicial Matters (Public participation and comment on these matters may be virtual or in-person.)	meeting date August 10, 2022
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance 3251-22 - amending Chapter 114, Lakes and Waterways, modifying maximum boat length. (2nd reading)

motion / recommendation

background

For the Chain of Lakes only, City Code of Ordinances currently allows pontoon boats and sail boats to be 24 feet in length however motorboats are restricted to 21 feet. To provide consistency and accommodate newer and modern boat lengths, staff is recommending increasing the boat length to 24 feet (registered length) and a 8.5 feet width (beam). On June 14, 2022, Lakes and Waterways Advisory Board reviewed and unanimously recommended approval for the City Commission to adopt ordinance amending the City's motorized boat length regulation for the Chain of Lakes as such. Winter Park Police Department- Lakes Division has also reviewed and supports the change.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Ordinance- amending maximum boat length.docx](#)

ORDINANCE 3251-22

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 114 "WATERWAYS", ARTICLE IV "BOATING AND WATER SAFETY" TO MODIFY THE MAXIMUM LENGTH OF BOATS OPERATED ON THE CITY CHAIN OF LAKES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

RECITALS

WHEREAS, the numerous lakes and waterways, including the lakes which comprise the Winter Park Chain of Lakes, are located within jurisdictional boundaries of the City of Winter Park ("City"); and

WHEREAS, the City Code of Ordinances authorizes the regulation of motorboat lengths only within Winter Park's Chain of Lakes for the protection of shoreline erosion from wave impacts and safe boat passage within the canals; and

WHEREAS, the City Code of Ordinances currently allows pontoon boats and sail boats to be 24 feet in length however motorboats are restricted to 21 feet; and

WHEREAS, on June 14, 2022, the Lakes and Waterways Board reviewed the City's existing boat length ordinance and unanimously recommended approval for the City Commission to adopt an ordinance amending the City's motorized boat length regulation from 21 feet to 24 feet, registered length, with an 8.5-foot width (beam) within the Chain of Lakes only.

NOW THEREFORE, BE IN ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance as legislative findings.

Section 2. City Code Amendment. Sections 114-78 of the City of Winter Park Code of Ordinances are hereby amended and modified as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; provisions and sentences not included are not being amended; stars *** indicate separations between sections or subsections and do not represent Code amendments):

CHAPTER 114-WATERWAYS

Sec. 114-78. Size of Boats.

The maximum length of any boat to be launched or operated on the city chain of lakes only shall not exceed 21 feet, with the exception of pontoon boats and sail boats, which shall not exceed 24 feet in length as listed on boat registration, with the

exception of city vessels that is used for official business. No boat exceeding a width of eight 8.5 feet shall enter any canal. All power boat operators must comply with the maximum horsepower and maximum occupant capacity as stated on the manufacturer's capacity plate of that boat.

Section 3. Codification. Section 2 of this Ordinance will be incorporated into the WinterPark 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 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other Ordinance or provision of law, this Ordinance governs and controls to the extent of anysuch conflict.

Section 6. Directions to City Staff. City Staff under the direction of the City Manager are directed and authorized to take such actions as are necessary and advisable to effect and carryout this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective immediately after itsadoption by the City Commission of the City of Winter Park, Florida.

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 August, 2022.

Mayor Phillip M. Anderson

ATTEST:

Rene Cranis, City Clerk