



city commission work session agenda

**City Commission Work
Session
March 11, 2021
2:30 pm
Virtual**

mayor & commissioners				
seat 1 Marty Sullivan	seat 2 Sheila DeCiccio	Mayor Steve Leary	seat 3 Carolyn Cooper	seat 4 Todd Weaver

welcome

Welcome to the City of Winter Park City Commission meeting. The agenda for regularly scheduled Commission meetings is posted outside City Hall the Wednesday before the meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's website at cityofwinterpark.org.

agenda

*times are projected and
subject to change

1. Call to Order

2. Discussion Item(s)

- a. [Orange Avenue Overlay Discussion](#) 30 minutes
 - Comprehensive Plan Ordinance

3. Adjournment

appeals and assistance

"If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need 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)

"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."



City Commission Work Session

agenda item

item type Discussion Item(s)	meeting date March 11, 2021
prepared by Bronce Stephenson	approved by
board approval	
strategic objective	

subject

Orange Avenue Overlay Discussion

item list

- Comprehensive Plan Ordinance

motion / recommendation

background

At the last meeting, the Commission reviewed and offered input on the Comprehensive Plan element of the Orange Avenue Overlay. Staff has made changes based on this input and has provided it for Commission review.

Staff anticipates this meeting being a short meeting, mostly due to this being the last meeting before a new Mayor is seated. The Comp Plan changes from the last meeting (that had consensus) were made and the Commission can review. The meeting following this one will be the first OAO worksession for the new Mayor and staff is trying to allow the newly elected Mayor to have time to acclimate to the requirements of the position before coming to these worksessions. Staff will work with the new Mayor to get them caught up as much as possible to where the process currently stands, so that they have the opportunity to chair the meetings and work with the entire Commission to get the OAO to the finish line. The new Mayor may also have opinions or suggested changes that they should have the opportunity to present for discussion. We stand close to a finalized draft of the Zoning Code text, which will be presented at the next meeting, giving the new Mayor and all Commissioners time to review and to offer suggestions, edits or changes.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, AND THE COMPREHENSIVE PLAN SO AS TO ADOPT NEW GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE ELEMENT TO ESTABLISH THE ORANGE AVENUE OVERLAY DISTRICT; PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Creation of the Orange Avenue Overlay process was an extensive multi-year community planning effort that involved continuous opportunities for public input and unique collaborative opportunities, such as: a community walkshop, surveys, citizen boards and focus groups, educational videos, open houses, charettes, written-only visioning, work sessions and much more; and

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and voted to recommend adoption of these proposed amendments to the Zoning Regulations portion of the Land Development Code, having held a public hearing, which was noticed to every property Citywide, on _____; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held an advertised public hearing, which was noticed to every property Citywide, on _____ and will have a second advertised public hearing after review and compliance with any requested changes by required State Agencies, and provided for public participation in the process in accordance with the requirements of State law and the Comprehensive Plan; and

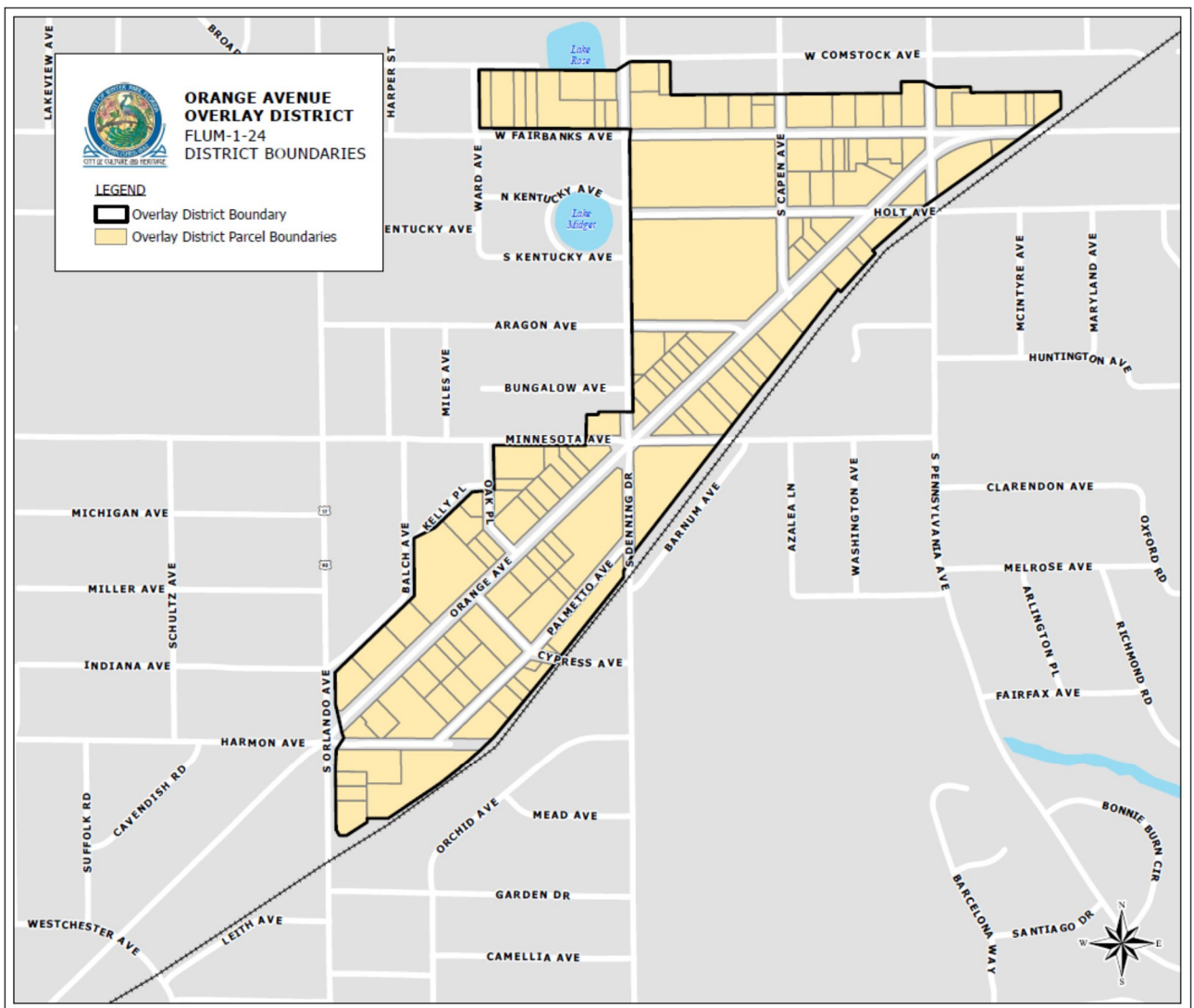
WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

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

SECTION 1. Amendment. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" is hereby amended by adding to the Goals, Objectives and Policies in the Future Land Use Element to read as follows:

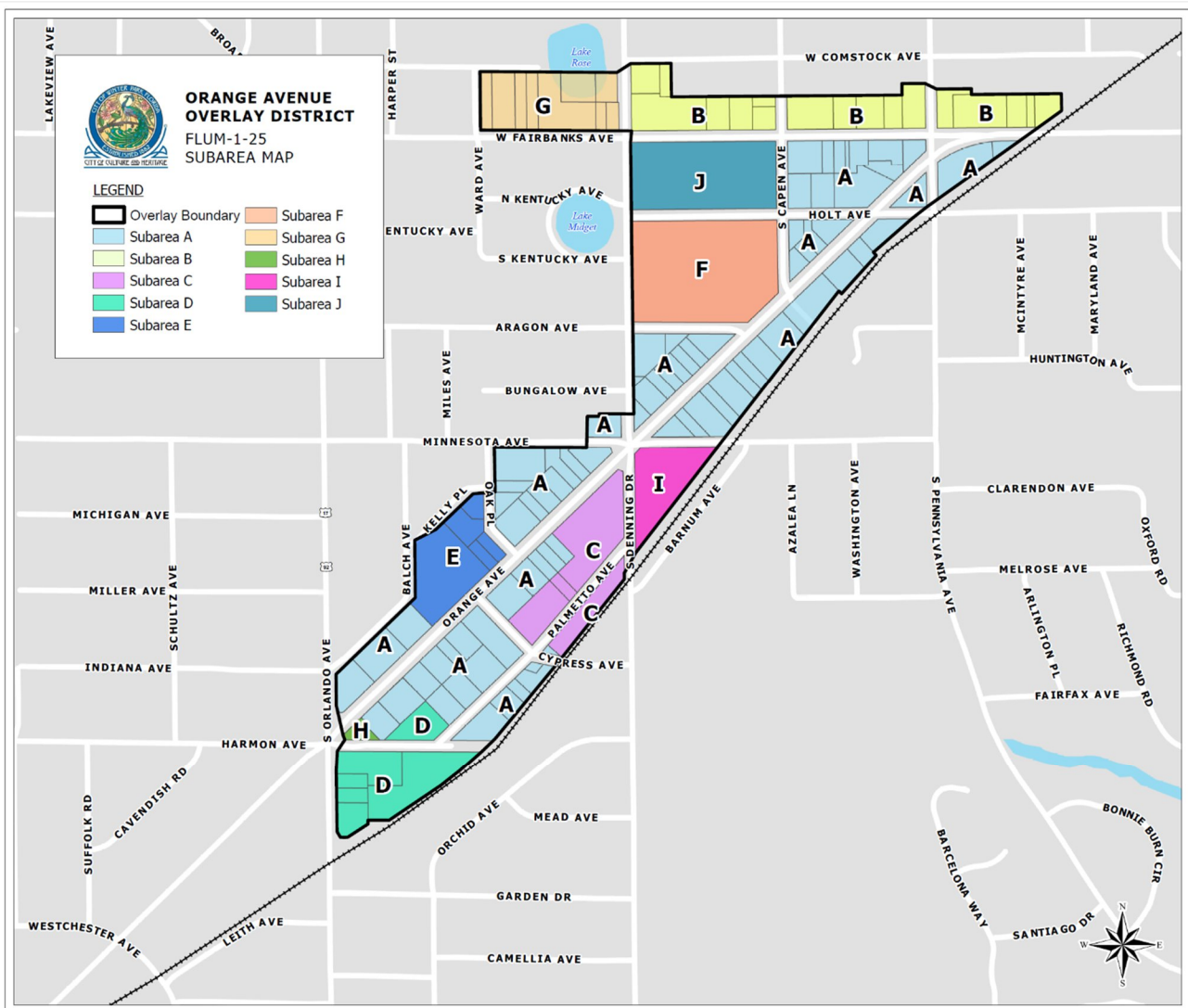
GOAL 1-8: Establishment of the Orange Avenue Overlay District. The City shall establish the Orange Avenue Overlay District in order to implement specific purposes, intents, and design standards, which shall be applied as additional standards to other regulations required by the City to an area defined as the Orange Avenue Overlay District.

OBJECTIVE 1-8.1: Orange Avenue Overlay District. The boundaries of the Orange Avenue Overlay District are identified in FLUM-1-24 and the Policies regarding this Overlay District shall be established as defined herein.



Policy 1-XXX: Conflicts and Inconsistencies. Where any Policies within this Comprehensive Plan, including any Planning Area Policies, are found to be in conflict with the Policies set forth for the Orange Avenue Overlay District, the following Policies found herein shall apply and shall supersede any language found to be in conflict.

Policy 1-XXX: Orange Avenue Overlay District Subareas. The Orange Avenue Overlay District Subarea Map, FLUM-1-25, shall delineate the different subareas and their specific development standards. Changes to the subarea map shall not be allowed. Each area has unique characteristics, issues and opportunities. The base and maximum achievable Floor Area Ratio (FAR), height and residential densities (if applicable) for each subarea are defined below. A percentage-based upgrade system is established for certain properties within the Orange Avenue Overlay District to possibly earn additional FAR up to their maximum achievable FAR, by providing certain public improvements and area-wide solutions is outlined in the Land Development Code.



- (1) Subarea A.
 - a. Base Floor Area Ratio: 45%
 - b. Maximum Achievable Floor Area Ratio: 60% (only with residential)
 - c. Maximum Height: 2 Stories for any properties abutting Orange Avenue and Minnesota Avenue, and 3 stories for all other properties within the subarea.
 - d. Maximum Residential Density: 17 units per acre
- (2) Subarea B.
 - a. Base Floor Area Ratio: 45%
 - b. Maximum Achievable Floor Area Ratio: 60% (only with residential)
 - c. Maximum Height: 3 Stories (but with maximum height of 35 feet)
 - d. Maximum Residential Density: 17 units per acre
- (3) Subarea C.
 - a. Maximum Floor Area Ratio: 25%
 - b. Maximum Floor Area Ratio of Parking Structure: 65%
 - c. Maximum Height: 2 stories, with possible rooftop area to be excluded from FAR calculations as approved by the City Commission.

- d. Maximum Height of Parking Structure: 3 levels, plus open top level.
 - e. Maximum Residential Density: 0 units per acre
- (4) Subarea D.
- a. Base Floor Area Ratio: 60%
 - b. Maximum Achievable Floor Area Ratio: 100%
 - c. Maximum Height: 4 Stories at current OAO standards or 5 stories if the building can be designed to stay within the maximum height allowed by a 4-story building.
 - d. Maximum Residential Density: 17 units per acre
 - i. The City Commission may permit the maximum density in this subarea to be exceeded by up to 10% per acre when such allowances are used exclusively for the construction of workforce housing maintained for a period of not less than 20 years. An agreement acceptable to the City Attorney shall be executed as part of the Conditional Use approval.
- (5) Subarea E.
- a. Base Floor Area Ratio: 45%
 - b. Maximum Achievable Floor Area Ratio: 60% (additional square footage only allowed for parking structure)
 - c. Maximum Height: 2 Stories
 - d. Maximum Residential Density: 17 units per acre
- (6) Subarea F.
- a. Base Floor Area Ratio: 20%
 - b. Maximum Achievable Floor Area Ratio: 20%
 - c. Maximum Height: 2 Stories
 - d. Maximum Residential Density: Residential uses shall not be permitted.
- (7) Subarea G.
- a. Base Floor Area Ratio: 45%
 - b. Maximum Achievable Floor Area Ratio: 45%
 - c. Maximum Height: 2 stories
 - d. Maximum Residential Density: 17 units per acre
- (8) Subarea H.
- a. Base Floor Area Ratio: 0%
 - b. Maximum Achievable Floor Area Ratio: 0%
 - c. Maximum Height: N/A
 - d. Maximum Residential Density: Residential uses shall not be permitted.
- (9) Subarea I.
- a. Base Floor Area Ratio: 45%
 - b. Base Floor Area with Residential: 60%
 - c. Maximum Achievable Floor Area Ratio: 100%
 - d. Maximum Height: 3 Stories
 - e. Maximum Residential Density: 17 units per acre
 - i. The City Commission may permit the maximum density in this subarea to be exceeded by up to 10% per acre when such allowances

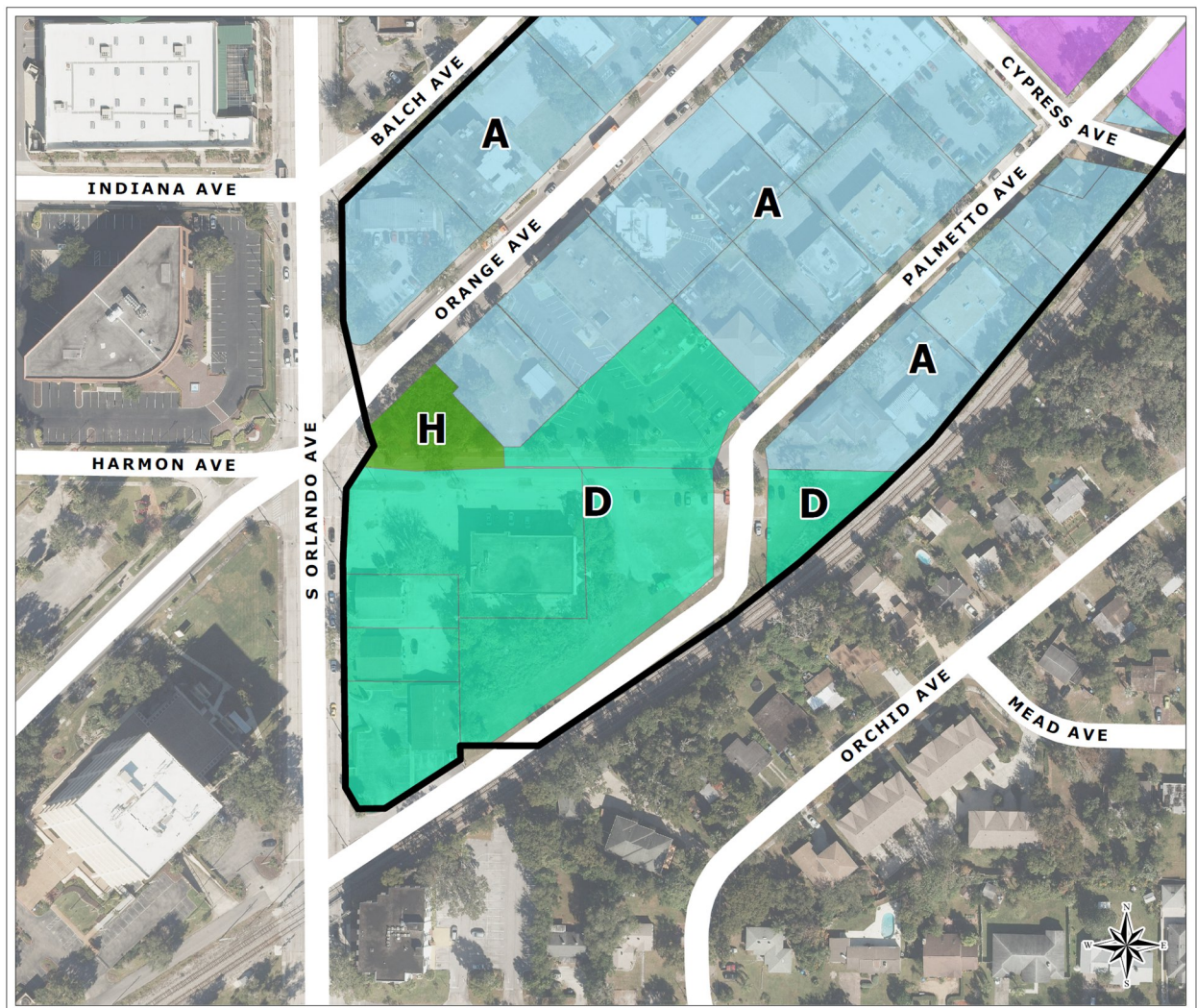
are used exclusively for the construction of workforce housing maintained for a period of not less than 20 years. An agreement acceptable to the City Attorney shall be executed as part of the Conditional Use approval.

(10) Subarea J.

- a. Base Floor Area Ratio: 60%
- b. Maximum Achievable Floor Area Ratio: 100%
- c. Maximum Height: 4 Stories
- d. Maximum Residential Density: 17 units per acre
 - i. The City Commission may permit the maximum density in this subarea to be exceeded by up to 10% per acre when such allowances are used exclusively for the construction of workforce housing maintained for a period of not less than 20 years. An agreement acceptable to the City Attorney shall be executed as part of the Conditional Use approval.

Policy 1-XXX: Meaningful Open Space Requirements. It is the intent of the OAO to ensure that the development and enhancement of properties includes the creation of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Where properties are planned for redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 2 acres in size and above, or any project covering 2 acres, that is redeveloped shall provide a minimum of 25% meaningful open space, which is open to and available to the public. At least 50% of required meaningful open-space areas provided shall be greenspace and at least 50% of hardscape areas shall be pervious or semi-pervious. Pervious areas such as retention ponds, parking lot islands or landscape planting areas around building bases shall not be counted as open space. Existing park space shall not count towards open space requirements. Open space shall be areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. At least 90% of the open space shall be provided at ground level.

Policy 1-XXX: Parallel Orange Avenue Access. Where Palmetto Drive, Vivian Drive and Harmon Drive provide secondary and primary access to properties within the OAO area, portions of these roadways may be considered to be closed, vacated or re-aligned, so long as a parallel access road, as dedicated right-of-way of the same width as the road proposed to be closed and vacated be approved by the City Commission and is maintained to allow vehicular access between Orlando Avenue and Denning Drive. Protection of on-street parking, maximizing ease of traffic flow for Palmetto Avenue and maintaining the existing 50 foot public right of way shall be matters of priority should re-alignment be requested. (see exhibit below)



Policy 1-XXX: Contribution to Transportation Infrastructure. Development and redevelopment within the OAO requiring a conditional use approval shall contribute to the cost of transportation improvements prior to permitting based upon the estimated cost to fund the design, engineering, permitting and construction of those transportation projects within or proximate to the OAO that are impacted by such development or redevelopment. The owner and developer of a project shall enter into an agreement with the City, as part of conditional use approval.

Policy 1-XXX: Appearance Review. In addition to meeting the architectural standards as set forth in this section. All external renovation or development projects within the OAO shall undergo Appearance Review prior to permitting.

Policy 1-XXX: Public Hearings for Conditional Uses. Two Public Hearings shall be required for all projects within the OAO that request a Conditional Use and involve new construction.

Policy 1-XXX: Floor Area Ratio for Parking Structures. Parking structures shall count towards the Floor Area Ratio (FAR) for any project/property within the Orange Avenue Overlay District, except for any unground levels, parking dedicated for public parking and the open top level. Additionally, the required 10% of parking spaces

provided above and beyond minimum code requirements (which is required to be leased to small businesses in the OAO) shall not count towards the FAR of a project.

SECTION 2. Vesting. In order to not adversely affect development projects that may be in process and for which expenditures have been made in reliance upon the existing code provisions, the City will allow certain developments to be subject to the underlying zoning of the property prior to the adoption of this Ordinance provided such development's site and building floor plans have been received and approved by the City prior to the effective date of this Ordinance. However, for any development project that received a conditional use approval from the City Commission prior to the effective date of this Ordinance, the expiration of that conditional use approval per Section 58-90 shall apply.

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. To the extent any provision or provisions of this Ordinance conflict with the provision or provisions of other Ordinances, the provisions of this Ordinance control.

SECTION 5. Codification. Section 1 of this Ordinance shall be codified and made a part of the City of Winter Park Comprehensive Plan, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 6. Effective Date. The Comprehensive Plan amendments provided for under this Ordinance and this Ordinance do not become effective until 31 days after adoption of this Ordinance. If timely challenged, this Ordinance and the comprehensive plan amendments may not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining that the adopted amendments are in compliance.

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

Mayor

Attest:

City Clerk Rene Cranis