



City Commission Work Session

Agenda

February 24, 2022 @ 1:00 pm

Virtual

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. **Call to Order**
 2. **Discussion Item(s)**
 - a. [Advisory Boards Direction and Missions](#) 2 hours
 3. **Adjournment**



City Commission **agenda item**

item type Discussion Item(s)	meeting date February 24, 2022
prepared by Randy Knight	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Advisory Boards Direction and Missions

motion / recommendation

Review and direct on advisory board missions. Attached you will find the citizen board ordinance and a summary of current mission statements by board.

background

The purpose of this work session is to discuss the missions of the citizen boards to provide direction on what the Commission wants each to work.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[City Code - Subsidiary Boards of the City.pdf](#)

ATTACHMENTS:

[advisory board missions.docx](#)

PART II - CODE OF ORDINANCES
Chapter 2 - ADMINISTRATION
ARTICLE III. - SUBSIDIARY BOARDS OF THE CITY OF WINTER PARK
DIVISION 3. DESCRIPTION, DUTIES AND PROCEDURES OF EACH CITY BOARD

DIVISION 3. DESCRIPTION, DUTIES AND PROCEDURES OF EACH CITY BOARD

Sec. 2-50. Board of adjustments.

There is established within the City of Winter Park, pursuant to the provisions hereof, a board of adjustments, subject to the following provisions:

- (1) *Membership.* The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 hereof.
- (2) *Quasi-judicial proceedings.* The board of adjustments shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the board of adjustments is in accordance with the requirements of Florida law.
- (3) *Authority.* The board of adjustments shall have the jurisdiction to hear appeals in specific cases where an owner or authorized owner's representative requests a variance from sections of the land development code. A request for variance shall be subject to the requirements of the public interest and the land development code, and may be appropriate where, because of special conditions, an interpretation of the provisions of the code relating to zoning or signs will result in an unnecessary hardship.
- (4) *Incorporation into land development code.* Subject to the provisions of this article, the requirements and procedures in chapter 58 of the City Code, including article III thereof for zoning, shall apply to the conduct of the business of the board of adjustments. The board of adjustments shall comply with the city's land development code, including the provisions concerning notice and procedures at sections 58-91 and 58-92. By this reference this section is incorporated into the city's land development code.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A))

Sec. 2-51. Civil service board.

There is established pursuant to the authority in Article 3, Section XIV of the Florida Constitution, and section 4.07 of the City Charter, a civil service board, subject to the following provisions:

- (1) *Membership.* Membership of the civil service board shall be as provided in section 74-52 of the City Code. The provisions of divisions 1 and 2 hereof shall apply to the extent those general provisions are not in conflict with section 74-52 of the City Code. In the event of any conflict between division 1 and section 74-52, the provisions of section 74-52 of the City Code shall control. The civil service board shall have seven members. Five members shall be appointed by a majority vote of the city commission, and such appointees shall be persons of different vocations residing in the city who are not employed by the city. The remaining two members shall be chosen, one by the members of the police department and one by the members of the fire department, according to election procedures set out in chapter 74, article III, section 74-51 et seq., of the City Code. The members of the civil service board shall be appointed in December and seated the next month in January. The chief of police and chief of the fire department shall be ex officio members of the civil service board and shall be permitted to address matters in any proceeding, but shall have no vote. The terms of all civilian members of the board will be three years and each term shall commence on the third Tuesday in January. The terms of the police

and fire department members shall be for one year. The remaining details concerning membership are set out in section 74-52 of the City Code.

- (2) *Quasi-judicial proceedings.* The civil service board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the civil service board is in accordance with the requirements of Florida law.
- (3) *Authority.* The civil service board shall have such authority and responsibility as set out in chapter 74, article III, section 74-51 et seq., of the City Code, which concerns the civil service board, and shall abide by the procedural and substantive requirements set out in said sections in chapter 74 relating to the board. To the extent the general provisions in divisions 1 and 2 hereof are not in conflict with chapter 74, then the provisions in divisions 1 and 2 shall control. The civil service board (less the two employee members) shall also serve as the independent personnel review board as provided in section 2-61 of the City Code.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3035-16 , § 2, 5-9-16; Ord. No. 3175-20 , § 2(Exh. A), 5-11-20)

Sec. 2-52. Code compliance board.

There is established within the City of Winter Park pursuant to F.S. § 162.05, and by the authority of the city commission, a code compliance board, subject to the following provisions:

- (1) *Membership.* The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 hereof. Members shall be residents of the city. In accordance with F.S. § 162.05(2), the membership of the code compliance board shall, whenever possible, include an architect, a businessperson, an engineer, a general contractor, a subcontractor, and a realtor.
- (2) *Quasi-judicial proceedings.* The code compliance board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the code compliance board is in accordance with the requirements of Florida law.
- (3) *Authority.* The code compliance board shall have the authority, responsibility and jurisdiction of a code enforcement board pursuant to F.S. ch. 162 and any other matters set forth in the City Code conferring authority or quasi-judicial responsibility on the code compliance board, including without limitation false fire alarm appeals, pursuant to subsection 46-29(d) and those matters provided for in sections 2-104 through 2-110 of the City Code. The code compliance board shall also serve as the nuisance abatement board as provided in section 2-81 of the City Code.

The provisions in divisions 1 and 2 of this article shall apply to the conduct of the code compliance board except for any provision thereof that conflicts with a provision in sections 2-104 through 2-110 of the City Code, in which case the conflicting provision in sections 2-104 through 2-110 shall control.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3035-16 , § 2, 5-9-16; Ord. No. 3206-21 § 2, 5-12-21)

Sec. 2-53. Community redevelopment agency.

There is established within the City of Winter Park pursuant to the provisions hereof, a community redevelopment agency, subject to the following provisions:

- (1) *Membership.* Pursuant to F.S. § 163.356, the term of office of the members of the community redevelopment agency shall be for four years, and the members are referred to as commissioners in said statute. The city commission shall serve as five commissioners on the community redevelopment agency, and the county shall have the right to appoint the sixth commissioner to the agency. The city commission may remove a commissioner of the community redevelopment agency for inefficiency, neglect of duty, or misconduct in office only after a hearing, and only if he or she has been given a copy of the charges at least ten days prior to such hearing and has had an opportunity to be heard in person or by counsel, as provided in F.S. § 163.356(4). Otherwise, the provisions in divisions 1 and 2 of this article shall govern the community redevelopment agency.
- (2) *Scope of authority.* The community redevelopment agency shall constitute a separate and distinct entity to the extent provided under Florida law, and shall have such powers as are provided to community redevelopment agencies as set out in F.S. ch. 163, pt. III, § 163.330 et seq., relating to community redevelopment.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A))

Sec. 2-54. Community redevelopment advisory board.

There is established within the City of Winter Park, pursuant to the provisions hereof, a community redevelopment advisory board, subject to the following provisions:

- (1) *Membership.* The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 of this article. Notwithstanding the general requirements stated in divisions 1 and 2 of this article, the membership of the community redevelopment advisory board shall include at least four members that are either residents or business owners within the community redevelopment area subject to the jurisdiction of this board. Each of the four city commissioners shall appoint a resident or business owner within the community redevelopment area and the mayor shall appoint three members at large, which may or may not be residents or business owners within the community redevelopment area.
- (2) *Advisory board.* The community redevelopment advisory board is an advisory body and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission related to the Winter Park Community Redevelopment Area Plan, as amended. The community redevelopment advisory board shall have no adjudicatory or enforcement authority.
- (3) *Procedures.* The procedures and rules for operation of the community redevelopment advisory board shall be in accordance with the general requirements stated in division 2 hereof.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3175-20 , § 2(Exh. A), 5-11-20)

Sec. 2-55. Construction board of adjustments and appeals.

- (a) *Membership.* The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 hereof. The construction board of adjustments and appeals is a "local

construction regulation board" as defined in F.S. § 489.105(12), which means a board composed of not fewer than three residents of the city, appointed to maintain the proper standard of construction within the City of Winter Park. To the extent reasonably possible, the construction board of adjustments and appeals shall include as members a practicing architect, a structural engineer, two licensed construction contractors, a master electrician, a master plumber, or a mechanical contractor or mechanical engineer. By state statute, this board is required to have at least one member who is either a fire protection contractor, a fire protection design professional, a fire department operations professional, or a fire code enforcement professional, which shall be one of the mayor's appointments to the board. A member of the board may be a nonresident when no qualified resident applies for the membership on the board.

- (b) *Quasi-judicial proceedings.* The construction board of adjustments and appeals shall comply with the requirements of Florida law in the conduct of quasi-judicial proceedings in all matters deemed quasi-judicial, including appeals from the enforcement of any provision of an applicable building code, and a request for a modification of an order of the building official. Upon request, the city attorney or city manager will provide technical support and advice to the construction board of adjustments and appeals for purposes of conducting quasi-judicial proceedings in accordance with the requirements of Florida law.
- (c) *Authority.* The construction board of adjustments and appeals shall have the power to hear appeals of decisions and interpretations of the building official of the Florida Building Code as modified by the City of Winter Park and interpretations of the fire code official (fire marshal) of the Florida Fire Prevention Code, and shall also have the authority to suspend or revoke the certificate of competency or certification to provide services within the City of Winter Park of any contractor, including any specialty contractor doing work in the city who is found by the construction board of adjustments and appeals to be guilty of one or more of the following acts or omissions:
 - (1) Fraud or deceit in obtaining a certificate of competency.
 - (2) Negligence, incompetence, or misconduct in the practice of contracting within the meaning of the City's Code, including its land development code.
 - (3) Willful and deliberate disregard of, or violation of the City's Code, including its building code, or of any state statute concerning contractor licenses.
- (d) *Incorporation into building code.* The requirements and procedures set out in the city's building code (chapter 22 of the City Code) shall apply to the conduct of the business of the construction board of adjustments and appeals. All activity of this board shall be as set out in the city's building code, subject to the requirements of this article. By this reference this section is incorporated into the city's building code.
- (e) *Building official and procedures for appealing decisions of the building official.* The position of the building official of the City of Winter Park, the scope of his authority on behalf of the city, and the procedures for filing an appeal from a decision of the building official are established in the city's building code, chapter 22 of the City Code.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3035-16 , § 2, 5-9-16; Ord. No. 3175-20 , § 2(Exh. A), 5-11-20)

Sec. 2-56. Economic development advisory board.

Pursuant to the authority of the city commission, there is established within the City of Winter Park, an economic development advisory board, subject to the following provisions:

- (1) *Membership.* The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 of this article. Two members of the board may be a non-resident owner of a business operating within the city.

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- (2) *Advisory board.* The economic development advisory board is an advisory board and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission concerning economic development. The economic development advisory board shall have no adjudicatory or enforcement authority.
 - (3) *Procedures.* The procedures and rules for operation of the economic development advisory board shall be in accordance with the general requirements stated in divisions 1 and 2 of this article.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3175-20 , § 2(Exh. A), 5-11-20; Ord. No. 3206-21 § 2, 5-12-21)

Sec. 2-57. Reserved.

Editor's note(s)—Ord. No. 2880-12, § 3, adopted Aug. 13, 2012, repealed § 2-57 in its entirety, which pertained to environmental review advisory board and derived from Ord. No. 2843-11, § 2, adopted June 13, 2011; Memo of Feb. 22, 2012(Att. A).

Sec. 2-58. Reserved.

Editor's note(s)—Ord. No. 3035-16 , § 2, adopted May 9, 2016, repealed § 2-58 in its entirety. Former § 2-58 pertained to ethics advisory board and derived from Ord. No. 2843-11, § 2, adopted June 13, 2011; and Memo of Feb. 22, 2012(Att. A).

Sec. 2-59. Historic preservation board.

There is established within the City of Winter Park, pursuant to the provisions hereof, a historic preservation board, subject to the following provisions:

- (1) *Membership.* The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 of this article and section 58-446 of the City Code.
- (2) *With exception this is an advisory board.* The historic preservation board is generally an advisory board with exceptions. With respect to its advisory role, after receiving information it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, the board shall give advice and recommendations to the city commission related to historic preservation. As an exception to the general rule that this is an advisory board, the city commission may, by ordinance or resolution, assign a quasi-judicial function to this board with respect to the approval of variances that are appropriate to the preservation of historic resources in conjunction with applications for certificates of review, and for other matters as determined by the city commission in ordinance or resolution.
- (3) *Quasi-judicial proceedings.* To the extent the city commission by ordinance or resolution shall provide, the board sits as a quasi-judicial body, then in such cases the board shall conduct the quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the board is in accordance with the requirements of Florida law. In such proceedings, the board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in the land development code (chapter 58) if applicable. The provisions hereof are deemed to be incorporated by reference into chapter 58 of the City Code relating to historic preservation.
- (4) *Functions, powers and duties of the historic preservation board.* The functions, powers and duties of the board shall be as set out in chapter 58, article VIII of the City Code.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3035-16 , § 2, 5-9-16)

Sec. 2-60. Housing authority board.

There is established within the City of Winter Park pursuant to the provisions hereof, a housing authority board subject to the following provisions:

- (1) *Membership.* The provisions of division 1 of this chapter and article shall apply to the membership and means of appointment thereof, subject to the provisions in F.S. ch. 421, including § 421.05.
- (2) *Independent authority.* The housing authority board is an independent housing authority established pursuant to F.S. ch. 421.
- (3) *Declaration of need.* Pursuant to F.S. § 421.04, the city declares that there is a need for the establishment of the housing authority board pursuant to the requirements and provisions of F.S. ch. 421.
- (4) *Authority and scope of responsibility.* The housing authority board shall perform such duties and have such functions as are provided under Florida law for housing authorities, including those requirements specified in F.S. ch. 421 and rules promulgated by administrative agencies of the State of Florida pursuant to chapter 421.
- (5) *Incorporation of divisions 1 and 2 of this article.* The provisions of divisions 1 and 2 of this article are incorporated herein, and shall apply except to the extent of any conflict with state law, in which event any conflicting provision of state law shall control.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A))

Sec. 2-61. Independent personnel review board.

There is established within the City of Winter Park, pursuant to the provisions hereof, an independent personnel review board pursuant to the requirements in Section 4.05 of the City Charter and chapter 74, article II, section 74-26 et seq., of the City Code, subject to the following provisions:

- (1) *Membership.* The independent personnel review board shall consist of the five non-city employee members of the civil service board.
- (2) *Quasi-judicial proceedings.* The independent personnel review board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law and chapter 74, article II, section 74-26 et seq., of the City Code. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the independent personnel review board is in accordance with the requirements of Florida law.
- (3) *Authority and responsibility.* The duties and responsibility of the independent personnel review board are set out in chapter 74, article II, section 74-26 et seq., of the City Code and Section 4.05 of the City Charter. These provisions in the Code and Charter are incorporated herein and shall control the operation of this independent personnel review board.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A))

Sec. 2-62. Keep Winter Park Beautiful and Sustainable Advisory Board.

Pursuant to the authority of the city commission, there is established within the City of Winter Park, a Keep Winter Park Beautiful and Sustainable Advisory Board, subject to the following provisions:

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- (1) *Membership.* The number of members and the procedures for appointment thereof shall be in accordance with the provision in divisions 1 and 2 of this article.
 - (2) *Advisory board.* The Keep Winter Park Beautiful and Sustainable Advisory Board is an advisory board, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission concerning matters related to the environmental, economic and social sustainable of the City of Winter Park. The Keep Winter Park Beautiful and Sustainable Advisory Board shall have no adjudicatory or enforcement authority.
 - (3) *Procedures.* The procedures and rules for operation of the Keep Winter Park Beautiful and Sustainable Advisory Board shall be in accordance with the general requirements stated in divisions 1 and 2 of this article.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 2880-12, § 4, 8-13-12; Ord. No. 3035-16 , § 2, 5-9-16; Ord. No. 3175-20 , § 2(Exh. A), 5-11-20)

Editor's note(s)—Ord. No. 2880-12, § 4, adopted Aug. 13, 2012, changed the title of § 2-62 from "Keep Winter Park Beautiful Advisory Board" to "Keep Winter Park Beautiful and Sustainable Advisory Board". This historical notation has been preserved for reference purposes.

Sec. 2-63. Lakes and waterways advisory board.

Pursuant to the authority of the city commission, there is established within the City of Winter Park a lakes and waterways advisory board subject to the following provisions:

- (1) *Membership.* The number of members and the procedures for appointment thereof shall be in accordance with the provisions of divisions 1 and 2 of this article.
- (2) *With exception this is an advisory board.* The lakes and waterways advisory board is an advisory board with one exception, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission related to the protection and improvement of the city's lakes and waterways, with the goal of fostering, maintaining and improving the public stewardship, protection, long-range planning and careful oversight of the implementation of improvement projects for lake and stormwater management. The city acknowledges that the lakes and waterways within the city are a natural resource of great significance. As an exception to the general rule that this is an advisory board, the city commission may, by ordinance or resolution, assign a quasi-judicial function to this board with respect to appeals of decisions related to stormwater fees and concerning review and approval of proposed docks and boathouses under section 58-87.
- (3) *Quasi-judicial proceedings with respect to stormwater fees and appeals thereof.* To the extent the city commission by ordinance shall provide that this board will sit as a quasi-judicial body and consider appeals from decisions related to stormwater fees, then in such cases the board shall conduct the quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the board is in accordance with the requirements of Florida law. In such proceedings, the board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in chapter 102, sections 102-156 through 102-164, as these provisions may be amended by the city commission. The provisions hereof are deemed to be incorporated by reference into chapter 102 of the City Code, relating to stormwater fees and appeals from decisions related to stormwater fees.

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- (4) *Quasi-judicial proceedings with respect to docks and boathouses.* To the extent the city commission by ordinance shall provide that the lakes and waterways advisory board will sit as a quasi-judicial body and consider approval of proposed docks and boathouses, then in such cases the board shall conduct the quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the lakes and waterways advisory board is in accordance with the requirements of Florida law. In such proceedings, the board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in chapter 58, section 58-87, as these provisions may be amended by the city commission. Any substantially affected person or persons aggrieved by any decision of the lakes and waterways advisory board (including, without limitation, the city) concerning a dock or boathouse, may apply to the circuit court for Orange County, Florida, for judicial relief within 30 days after rendition of the decision by the lakes and waterways advisory board. Review in the circuit court shall be by petition for writ of certiorari.
 - (5) *Procedures.* The procedures and rules for operation of the lakes and waterways advisory board shall be in accordance with the general requirements stated in divisions 1 and 2 of this article, and in accordance with the requirements under Florida law for quasi-judicial proceedings when the board hears appeals from stormwater fee decisions if such appeals are referred to the board pursuant to city ordinance or resolution.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3035-16 , § 2, 5-9-16)

Sec. 2-64. Parks and recreation advisory board.

There is established within the City of Winter Park, pursuant to the provisions hereof, a parks and recreation board, subject to the following provisions:

- (1) *Membership.* The parks and recreation advisory board shall be established in accordance with the requirements in divisions 1 and 2 of this article.
- (2) *Advisory board.* The parks and recreation advisory board is strictly an advisory board and shall have no adjudicatory or enforcement authority. If any provision of the Code requires processing of any matter through the parks and recreation advisory board, then the purpose of such requirement is for the parks and recreation advisory board to consider the request and to give advice to the city manager and the city commission (if the matter will reach the city commission). The purpose of such proceeding will not be quasi-judicial in nature.
- (3) *Purpose and duties.* The parks and recreation advisory board shall promote the parks and recreation programs of the city and will guide, advise and recommend to the city commission policies and actions regarding the promotion, planning, design, construction and utilization of city parks and recreation programs. The duties of the parks and recreation board will generally be to:
 - a. Advise and assist the city commission, the city manager and the various boards of the city in all matters involving or affecting parks and recreation.
 - b. The parks and recreation advisory board shall recommend policies for the improvement, creation, use and maintenance of city parks and recreation programs.
 - c. The parks and recreation advisory board shall recommend budgetary or special appropriations for parks and recreation programs.
 - d. The parks and recreation advisory board shall recommend plans for the future growth, development, use and beautification of city parks.

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- e. The parks and recreation advisory board shall periodically provide the city commission the public regarding the programs and facilities related to parks and recreation.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A))

Sec. 2-65. Transportation advisory board.

There is established within the City of Winter Park, pursuant to the provisions hereof, a transportation advisory board, subject to the following provisions:

- (1) *Membership.* The transportation advisory board shall be established pursuant to the provisions in divisions 1 and 2 of this article. To the extent reasonably possible, the membership shall include a transportation professional engineer with experience in developing construction plans and a professional planner with experience with projects involving transportation.
- (2) *Advisory board.* The transportation advisory board is an advisory board and shall have no enforcement or adjudicatory power or responsibility. The provisions of division 1 of this chapter and article shall apply with respect to the operations of the transportation advisory board.
- (3) *Function and responsibilities.* The transportation advisory board shall meet and provide for its internal governance procedures as provided in divisions 1 and 2 of this article. The responsibility of the transportation advisory board shall be the following:
 - a. To receive information and following deliberation, make recommendations and give advice to the city commission concerning opportunities for improvement, maintenance, construction and facilitation of transportation (pedestrian, bicycle, public transportation, automobiles, freight, etc.) methods, infrastructure and issues in the City of Winter Park.
 - b. The transportation advisory board, following receipt of information and deliberation, shall determine ways in which transportation methods may be improved, enhanced and made safer within the City of Winter Park.
 - c. Following the receipt of information and deliberation, the transportation advisory board shall recommend to the city commission ideas for promoting safe multi-modal transportation and complete streets in the City of Winter Park.
 - d. The transportation advisory board shall provide education to the public and the city commission concerning the current infrastructure for multi-modal transport and complete streets in the City of Winter Park and the ways in which that infrastructure may be used safely for the enjoyment and benefit of the citizenry.
 - e. The transportation advisory board shall serve the functions of the pedestrian and bicycle advisory board as set forth in policy 2-1.5 of the comprehensive plan and any implementing land development codes or regulations thereto.

(Ord. No. 3035-16 , § 2, 5-9-16)

Editor's note(s)—Ord. No. 3035-16 , § 2, adopted May 9, 2016, amended § 2-65 in its entirety to read as set out herein. Former § 2-65 pertained to pedestrian and bicycle advisory board and derived from Ord. No. 2843-11, § 2, adopted June 13, 2011; and Memo of Feb. 22, 2012(Att. A).

Sec. 2-66. Planning and zoning board.

There is established within the City of Winter Park, pursuant to F.S. § 163.3174 and section 58-3 of the City Code, a planning and zoning board, subject to the following provisions:

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- (1) *Membership.* The membership of the planning and zoning board shall be appointed pursuant to the provisions in divisions 1 and 2 of this article. Notwithstanding the general requirements in divisions 1 and 2 of this article, consideration in the appointment process will be given such that if reasonably possible, the membership of the planning and zoning board shall include a Florida licensed architect, a Florida licensed landscape architect, or a Florida licensed civil engineer.
 - (2) *Quasi-judicial proceedings.* The planning and zoning board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the planning and zoning board is in accordance with the requirements of Florida law.
 - (3) *Authority and responsibilities.* The planning and zoning board shall have such authority and responsibilities as are set out in the land development code, including the provisions in chapter 58 of the City Code, and section 58-88 et seq., of the Code. The procedures that the planning and zoning board shall abide by are those set out in the city's land development code, subject to the requirements of Florida law with respect to quasi-judicial proceedings involving land use decisions. By this reference, this section is incorporated into the city's land development code.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A))

Sec. 2-67. Public art advisory board.

There is established within the City of Winter Park, pursuant to the provisions hereof, a public art advisory board, subject to the following provisions:

- (1) *Membership.* The public art advisory board shall be established in accordance with the requirements of divisions 1 and 2 of this article. The procedures set out in divisions 1 and 2 of this article shall control the operation of the public art advisory board, subject to the specific provisions hereinafter provided. If reasonably available, consideration shall be given to include in the membership of the public art advisory board an architect, including a landscape architect, an artist, a representative from a museum or art gallery, an experienced business person and a resident representative of the residential community.
- (2) *Advisory board.* The public art advisory board is an advisory board and shall have no adjudicatory or enforcement responsibilities or authority.
- (3) *Responsibilities and function of the public art advisory board.* The public art advisory board shall set out its rules for conducting business in accordance with the requirements of divisions 1 and 2 of this article, and following the receipt of information and deliberation, the public art advisory board shall have the following responsibilities and scope of service:
 - a. Following the receipt of data from various sources and deliberation, the public art advisory board shall provide advice and recommendations to the city commission for the siting of public art, and in making these recommendations, the public art advisory board shall endeavor to perform visual inspections of sites to ascertain the physical, cultural and historical aspects of sites being recommended to the city commission.
 - b. The public art advisory board shall develop and facilitate a composite map identifying signature opportunities within the city for public art.
 - c. The public art advisory board shall interview and recommend public art projects and assist in the selection of artists for possible public art projects, but in such respect, the action shall be strictly as an advisory board for the purpose of making recommendations to the city commission.

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- d. The public art advisory board shall develop a public arts action plan and recommend the same to the city manager and city commission for the implementation of educational and organizational opportunities related to and concerning public art.
 - e. The public art advisory board shall establish and maintain liaison with other public and private agencies involved with public art.
 - f. The public art advisory board shall advise the city commission and city manager in all matters involving or affecting public art.
 - g. The public art advisory board shall periodically inform the city commission and the general public regarding programs involving public art within the City of Winter Park.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A))

Sec. 2-68. Tree preservation board.

Pursuant to the authority of the city commission, there is established within the City of Winter Park, a tree preservation board, subject to the following provisions:

- (1) *Membership.* The number of members and the procedures for appointment thereof shall be in accordance with the provisions of divisions 1 and 2 of this article.
- (2) *With exception, this is an advisory board.* The tree preservation board is generally an advisory board with exceptions, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission related to the protection and improvement of the city's trees, with the goal of fostering, maintaining and improving the public stewardship, protection, long range planning and careful oversight of the implementation of improvement projects for the maintenance, preservation, growth and enhancement of trees within the City of Winter Park. The city acknowledges that its trees and tree canopy are a natural resource of great significance.
 - a. Review and make recommendations on proposed code revisions and changes to the City of Winter Park Planting Guide and the City of Winter Park Urban Forestry Management Plan.
 - b. Prioritize, review and make recommendations on tree management plans for large city facilities (parks and public buildings).
 - c. Review and make recommendations on habitat management plans for natural areas.
 - d. Provide educational opportunities to engage the community in learning about the value and benefit of trees.

As an exception to the general rule that this is an advisory board, the city commission may, by ordinance or resolution, assign a quasi-judicial function to the tree preservation board. The provisions of this article concerning general procedures applicable to city boards and this section concerning the tree preservation board are incorporated by reference into section 58-283. These quasi-judicial functions include the assignment, in section 58-283 of the authority to hear and decide appeals from tree removal applications, appeals from conditions of approval for approved tree removal permits, appeals concerning a request for a waiver of parking spaces in multi-family residential and nonresidential parking lots, and cases involving the modification of building plans or variances relating to the preservation of trees.

- (3) *Quasi-judicial proceedings.* To the extent the city commission by ordinance provides that this board has quasi-judicial authority, the board shall conduct such quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and

resources upon request to assure that this quasi-judicial activity of the board is in accordance with the requirements of Florida law. In such proceedings, the board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in chapter 58, as these provisions may be amended by the city commission.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3035-16 , § 2, 5-9-16; Ord. No. 3175-20 , § 2(Exh. A), 5-11-20)

Sec. 2-69. Utilities advisory board.

There is established within the City of Winter Park pursuant to the provisions hereof a utilities advisory board, subject to the following provisions:

- (1) *Membership.* The utilities advisory board shall be established pursuant to the procedures in divisions 1 and 2 of this article. To the extent reasonably possible, the membership shall consist of licensed professionals without conflict of interest who have expertise in the utilities and infrastructure for provision of utility services, or the legal and business aspects of providing the subject utility services to the customers of the municipal utility systems within the City of Winter Park. One member shall be a nonresident customer of the water and sewer utility, which will be one of the mayor's appointments.
- (2) *Advisory board.* The utility advisory board is an advisory board and shall have no enforcement or adjudicatory authority or responsibility.
- (3) *Functions and responsibility.* The utility advisory board shall organize itself and develop rules for procedure in accordance with the requirements of divisions 1 and 2 of this article. Following the receipt of information and deliberation, the utility advisory board shall advise the city commission, city manager and the management of the various utility service departments and authorities servicing the City of Winter Park regarding the following matters:
 - a. The utilities advisory board shall make recommendations concerning opportunities for enhancement, expansion, maintenance, improvement and development of utility services within the City of Winter Park.
 - b. The utilities advisory board shall make recommendations regarding improvements to safety and procedures in the provision of utility services within the City of Winter Park.
 - c. The utilities advisory board shall make recommendations concerning the improvement of fiscal responsibility in connection with the provision of utility services, and will explore opportunities to make utility services available at a reasonable rate to the customers and residents of the City of Winter Park.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3035-16 , § 2, 5-9-16; Ord. No. 3175-20 , § 2(Exh. A), 5-11-20)

Sec. 2-70. Winter Park Firefighters' pension board.

There is established within the City of Winter Park a firefighters' pension board established pursuant to the requirements of section 74-153 et seq., of the City Code, subject to the following provisions:

- (1) *Membership.* The board of trustees of the firefighters' pension board shall consist of that number of members required by and be appointed pursuant to the provisions in section 74-153, City Code and F.S. § 175.041. Members appointed by the city commission shall be approved by a majority vote of the city commission.

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- (2) *Responsibilities and function.* The firefighters' pension board shall operate in accordance with the requirements of Florida law and section 74-153 et seq., of the City Code as the code relates to the firefighters' pension board and the duties and responsibilities of that board.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3175-20 , § 2(Exh. A), 5-11-20)

Sec. 2-71. Winter Park Police Officers' pension board.

There is established within the City of Winter Park a police officers' pension board established pursuant to the requirements of section 74-203 et seq., of the City Code, subject to the following provisions:

- (1) *Membership.* The board of trustees of the police officers' pension board shall consist of that number of members required by and be appointed pursuant to the provisions in section 74-203, City Code and F.S. § 185.05. Members appointed by the city commission shall be approved by a majority vote of the city commission.
- (2) *Responsibilities and function.* The police officers' pension board shall operate in accordance with the requirements of Florida law and section 74-203 et seq., of the City Code as the code relates to the police officers' pension board and the duties and responsibilities of that board.

(Ord. No. 2843-11, § 2, 6-13-11; Memo of 2-22-12(Att. A); Ord. No. 3175-20 , § 2(Exh. A), 5-11-20)

Sec. 2-72. Orange Avenue overlay appearance review advisory board.

Pursuant to the authority of the city commission, there is established within the City of Winter Park, an Orange Avenue Overlay (OAO) appearance review advisory board, subject to the following provisions:

- (1) *Membership.* There shall be five voting members of the OAO appearance review advisory board. Three of the five members of the board shall be licensed architects. Two of the five members of the board shall have or be retired from the following vocations: professional land planner, licensed landscape architect, or licensed professional engineer. The Mayor and the City Commissioners shall each have one appointment to the membership of the OAO appearance review advisory board. Given vocational requirements of board membership, residency within the city is preferred, but not a mandatory requirement for appointment to and service as a member of the OAO appearance review advisory board. Except as otherwise provided in this section, the procedures for appointment and removal of members to OAO appearance review advisory board will be in accordance with division 2 of this article.
- (2) *Advisory board functions and responsibility.* The OAO appearance review advisory board is an advisory board that is to review and make comments and recommendations on architectural details for proposed development projects as and when specified in the City's land development regulations. In making its comments and recommendations, the OAO appearance review advisory board should consider applicable City adopted architectural guidelines or standards. The comments and recommendations of board are to be transmitted to the Building Official, Director of Planning and transportation, planning and zoning board and city commission for consideration in rendering their respective recommendations and/or decisions on the applicable development project.
- (3) *Procedures.* Except as otherwise provided in this section or in the land development regulations governing the OAO appearance review advisory board, the procedures and rules for the operation of the OAO appearance review advisory board will be in accordance with the provisions of division 2 of this article.

(Ord. No. 3206-21 § 2, 5-12-21)

Editor's note(s)—Ord. No. 3206-21 § 2, adopted May 12, 2021, repealed the former § 2-72, and enacted a new § 2-72 as set out herein. The former § 2-72 pertained to golf course advisory board and derived from Ord. No. 3067-17 , § 2, adopted Feb. 27, 2017; and Ord. No. 3175-20 , § 2(Exh. A), adopted May 11, 2020.

Sec. 2-73. Lake Killarney advisory board.

There is established within the City of Winter Park as contemplated by Ordinance 2528-03, and by the authority of the city commission, a Lake Killarney advisory board. Except as may otherwise be provided in chapter 114, article III of the City Code, the provisions of divisions 1 and 2 of this article shall apply to the Lake Killarney advisory board and its members. The functions, procedures and duties of the Lake Killarney advisory board are as set forth in chapter 114, article III of the City Code.

(Ord. No. 3218-21 , § 2, 9-22-21)

Secs. 2-74—2-80. Reserved.

[Board of Adjustments](#)

The Board's objective is to assist the City in granting variances to the City Zoning Code, Sign Regulations and Floodplain Regulations for buildings and structures proposed to be built or modified on a specific piece of property by taking into account the special conditions or unique hardships that apply to the property under consideration.

[Code Compliance Board](#)

The Winter Park Code Compliance Board is established by City Ordinance and Florida law to promote, protect and improve the health, safety and welfare of the citizens of Winter Park. The Code Compliance Board hears cases involving alleged violations of the various codes and ordinances of the City of Winter Park.

[CRA Advisory Board](#)

The CRA Advisory Board provides recommendations to the Agency and staff on the context and guidance of the CRA plan's execution through fiscal stewardship, project evaluation and priority, and economic and social programming throughout the district.

[Community Redevelopment Agency \(CRA\)](#)

The board's objective is to improve the residential viability and livability of the neighborhoods within the CRA district by encouraging activities which empower residents to effect change and to enhance and improve the commercial areas of the CRA by encouraging and implementing activities that promote growth

[Construction Board of Adjustment and Appeals](#)

The mission of the Construction Board is to hear appeals of decisions and interpretations of the building code as determined by the building official (Director of Building) and render a final interpretation decision and shall make recommendations to City Commission regarding changes or updates to the city's administrative and technical amendments to the current version of the Florida Building Code. In addition, the Board shall render a determination whether to suspend or revoke the certificate of competency or state certification license (within the city) of any residential, building, general, roofing, swimming pool, electrical, plumbing, mechanical or other specialty contractor doing work in the city who is found by the board to be guilty of one or more of the following acts or omissions:

- (1) Fraud or deceit in obtaining a certificate of competency.
- (2) Negligence, incompetence or misconduct in the practice of contracting within the meaning of this code.
- (3) Willful and deliberate disregard of or violation of this code or of any state statute concerning contractor licensing.

[Economic Development Advisory Board](#)

The Economic Development Advisory Board (EDAB) provides recommendations on various elements to the city's economic landscape including but not limited to advising on industry and business trends, maintaining a healthy downtown core, enabling retention and recruitment opportunities, and facilitation and ombudsmanship.

[Historic Preservation Board](#)

It is the policy of the city to promote the educational, cultural, and economic welfare of the public by preserving and protecting historic structures, sites, portions of structures, groups of structures, manmade or natural landscape elements, works of art, or integrated combinations thereof, which serve as visible reminders of the history and cultural heritage of the city, state, or nation to achieve the following objectives, including by encouraging voluntary participation:

- a. Safeguard the heritage of the city by encouraging the preservation of historic resources representing significant elements of its history;
- b. Enhance the visual character of the city by encouraging the preservation of these buildings which make a significant contribution to the older neighborhoods of the city particularly to the designated historic register structures reflecting unique and established architectural traditions;
- c. Foster public appreciation of and civic pride in the beauty of the city and the accomplishments of its past;
- d. Strengthen the economy of the city by protecting and enhancing the city's attractions to residents, tourists and visitors;
- e. Promote the private and public use of historic resources for the education, prosperity and general welfare of the people; and
- f. Stabilize and improve property values within the city.

[Keep Winter Park Beautiful & Sustainable Advisory Board](#)

To improve the quality, sustainability and aesthetics of our environment in order to create a healthier, more beautiful place to live, work, and play for today's residents and future generations.

[Lakes and Waterways Advisory Board](#)

The mission of the Winter Park Lakes and Waterways Advisory Board is to protect and improve the City's greatest natural resource – our lakes and waterways, by fostering public stewardship, recommending protective measures, conducting long range planning and overseeing the implementation of improvement projects for lake and stormwater management.

[Parks and Recreation Advisory Board](#)

To enhance the quality of life for our community by providing outstanding parks, recreation, facilities, activities and services.

Public Art Advisory Board

The Winter Park Public Art Advisory Board (PAAB) is committed to exhibiting, collecting and conserving notable works of art, and implementing educational opportunities concerning art in public places. The PAAB will review and transmit recommendations from the Art & Culture Alliance.

Tree Preservation Board

The Tree Preservation Board provides advises and makes recommendations to the Urban Forestry Division, City Management, and, City Commission related to the protection and improvement of the city's urban forest and tree canopy, with the goal of maintaining and fostering public stewardship, enhancing preservation efforts, promoting the significance of trees, and ensuring the growth and vitality of a natural resource of significant importance to our City.

Utilities Advisory Board

The City of Winter Park will provide electric service:

- with top tier customer service
- with superior reliability
- in a fiscally prudent manner
- operating with a low physical and aesthetic impact on the environment
- at competitive rates

The Water and Wastewater Utility Department employees are dedicated to providing our customers with the highest quality water and utility service in a safe reliable and efficient manner, with care and concern for the environment.