



City Commission Regular Meeting

Agenda

January 25, 2023 @ 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. [Pastor Weaver Blondin, Mt. Moriah Missionary Baptist Church](#) 1 minute

Pledge of Allegiance**3. Approval of Agenda****4. Mayor Report****5. City Manager Report**

- a. [Report on Multimodal Transportation Impact Fees](#) 5 minutes

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

- a. [Presentation by Winter Park Library](#) 10 minutes
b. [Report on brick streets.](#) 5 minutes

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

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

(Three minutes are allowed for each speaker)

9. Consent Agenda

- a. [Approve the minutes of the regular meeting, January 11, 2023](#) 1 minute
b. [Approve the minutes of the work session, January 12, 2023](#) 1 minute
c. [Approve the following contract:](#) 1 minute
 1. 15Lightyears, Inc. - IFB18-21 - Residential & Commercial Energy Audit Services; Amount: \$100,000 for services on an as needed basis for the remainder of the current term through March 11, 2024.
d. [Approve the following piggyback contract:](#) 1 minute
 1. Graybar Electric Co. - OMNIA Partners Contract #EV2370 - Electrical, Communications & Security Solutions; For goods and services on an as-needed basis during the term of the Agreement through January 31, 2025; Amount: \$400,000.
e. [Appoint Michelle del Valle as alternate to the South Seminole](#) 1 minute

North Orange County Wastewater Transmission Authority Board (SSNOCWTA).

- f. Approve the letter outlining plans to update the Comprehensive Plan per Chapter 163.3191, Florida Statutes (Evaluation and appraisal notification to the Florida Department of Economic Opportunity). 1 minute

10. Action Items Requiring Discussion

11. Public Hearings: Quasi-Judicial Matters

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

12. Public Hearings: Non-Quasi Judicial Matters

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

- a. Ordinance 3259-23 - Amending Ordinance 3182-20 to keep as permanent the regulations concerning backyard chickens adopted by Ordinance 3182-20 as a pilot program (2nd reading). 5 minutes
- b. Ordinance 3260-23 - Adding a new Division 3 of Article VI, Chapter 2, providing for the assessment of third-party city consultant costs, expenses and fees incurred by the City of Winter Park related to the review, processing and regulation of development applications. (2nd reading) 5 minutes
- c. Ordinance 3261-23: Updating Section 58-87, lakefront and waterfront zoning regulations and amending Chapter 114, Lakes and Waterways to incorporate regulations concerning docks and boathouses. (2nd Reading) 5 minutes
- d. Ordinance - Vacating and abandoning portion of Elvin Avenue right-of-way (1st reading) **Tabled from January 11, 2022.** 10 minutes
- e. Ordinance - Amending Chapter 58, "Land Development Code", Article III, "Zoning", Section 58-94 "Appeals from interpretations and enforcement decisions of the building and zoning official", to modify the process for appeals (1st Reading) 10 minutes
- f. Ordinance - Amending Chapter 58, "Land Development Code", Article III, "Zoning" Section 58-84 "General provisions for nonresidential zoning districts", to ensure that no air traffic hazards will be created by structures and other appendages by following the heights detailed in the Orlando/Orange County Airport Zoning Regulations text and map. (1st Reading) 5 minutes
- g. **To be heard after 5:00 p.m.** - Ordinance Amending Chapter 58, 15 minutes

"Land Development Code", Article III, "Zoning" Section 58-72
"Office (O-1) district", to add a new permitted use for state
licensed establishments involved in the rendering of a personal or
business service limited to barber shops and hair salons, day
spas, and cosmetic treatments subject to certain conditions. (1st
Reading)

h. Resolution 2267-23 - Adopting Sustainability Action Plan

10 Minutes

13. City Commission Reports

14. Summary of Meeting Actions

15. Adjournment



City Commission **agenda item**

item type Invocation	meeting date January 25, 2023
prepared by Rene Cranis	approved by
board approval	
strategic objective	

subject

Pastor Weaver Blondin, Mt. Moriah Missionary Baptist Church

motion / recommendation

background

alternatives / other considerations

fiscal impact



City Commission agenda item

item type City Manager Report	meeting date January 25, 2023
prepared by Randy Knight	approved by Randy Knight
board approval Completed	
strategic objective	

subject

Report on Multimodal Transportation Impact Fees

motion / recommendation

None.

background

TRANSPORTATION IMPACT FEES

In accordance with Section 59-12 of the Winter Park Code of Ordinances we are to annually report to the Commission the status of our multimodal transportation impact fee collections.

1. For the 2022 calendar year, we have accumulated a total of \$266,228.03 in multimodal transportation impact fees. \$118,419.03 from 2 commercial projects and \$147,811.00 from 49 residential projects.
2. There have been no expenditures or encumbrances of multimodal transportation impact fees.
3. We do not have any official planned expenditures or encumbrances of multimodal transportation impact fees at this time.

alternatives / other considerations

N/A

fiscal impact



City Commission **agenda item**

item type Non-Action Items	meeting date January 25, 2023
prepared by Rene Cranis	approved by
board approval	
strategic objective	

subject

Presentation by Winter Park Library

motion / recommendation

background

Michael Voll, President of the Board of Trustees, and Mellissa Schneider, Interim Director, will give a presentation on the Library's accomplishments and goals.

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type Non-Action Items	meeting date January 25, 2023
prepared by Rene Cranis	approved by
board approval	
strategic objective	

subject

Report on brick streets.

motion / recommendation

background

Report will be given by Director of Public Works Charles Ramdatt.

alternatives / other considerations

fiscal impact



City Commission **agenda item**

item type Consent Agenda	meeting date January 25, 2023
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Approve the minutes of the regular meeting, January 11, 2023

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CC-min-2023-01-11.pdf](#)



City Commission Regular Meeting Minutes

January 11, 2023 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; Assistant City Manager Michelle del Valle; City Attorney Kurt Ardaman; City Clerk Rene Cranis

1) Meeting Called to Order

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

2) Invocation

The invocation was given by Father Jared Jones, All Saints Episcopal Church, followed by the Pledge of Allegiance

3) Approval of Agenda

Motion made by Mayor Anderson to approve the agenda, moving Item 5b after Item 10b. Motion carried unanimously with a 5-0 vote.

4) Mayor Report

5) City Manager Report

- Progress Point Park - Construction fence around the site is scheduled to be installed tomorrow which will have a banner with the park rendering. A construction manager at risk will be retained and relocation of Palmetto will begin shortly.
- Utility bill format – some changes will be seen shortly; however, programming changes are required for display of graph/usage and meter details and are expected in 90 days.
- Fairbanks/Denning turn lane – in the process of obtaining FDOT approval.

Mayor Anderson spoke about utility rates. impact of fuel costs and progress with new utility billing system. He thanked staff for their work during the transition.

Discussion of FY 2023 Second Quarter Work Session Schedule was moved to Item 10.

6) City Attorney Report

The city closed on the property exchange with Elevation Financial.

7) Non-Action Items

8) Public Comments | 5 p.m. or soon thereafter (taken after Item 10a)

9) Consent Agenda

- a. Approve the minutes of the regular meeting, December 14, 2022
- b. Approve the minutes of the work session, December 15, 2022
- c. Approve 360-day extension of the Broadband and Smart City Ad-Hoc Committee.
- d. Approve the following contracts:
 1. Xylem Water Solutions USA, Inc. - SS23-12 - Flygt Products; Amount: \$200,000 for goods on an as needed basis for the remainder of the current term through September 30, 2023.
 2. Matheson Tri-Gas, Inc. - Renewal of IFB16-21 - Purchase & Delivery of Liquid Oxygen; Amount: \$230,000 for goods on an as needed basis for the duration of the term through January 11, 2024.
 3. CJ's Sales & Service of Ocala, Inc. - Renewal of IFB3-20 - Auxiliary Generator Maintenance; Amount: \$300,000 for services on an as needed basis for the duration of the term through February 14, 2024.
 4. Kenick, Inc. - FY23-21 - Home Services Program; Amount: \$80,000 for services on an as needed basis for the duration of the term through January 11, 2025.
 5. Florida Municipal Power Agency - Power Sales Contract - FL Solar 7 REPPA - Amendment 1; Rate Adjustment (**Removed by Mayor Anderson**)
- e. Approve the following piggyback contracts:
 1. Home Depot USA, Inc. - US Communities Contract #16154 - Maintenance & Hardware Supplies; For goods on an as-needed basis during the term of the Agreement through December 31, 2026; Amount: \$275,000.
 2. Bayside Dredging LLC - City of Tampa Contract #101100422 - Outfall Maintenance Services; For services on an as-needed basis during the term of the Agreement through December 15, 2023; Amount: \$600,000.
 3. Monro, Inc. - State of Florida Contract #25172500-19-ACS - Tires, Tubes and Services (Goodyear); For goods on an as-needed basis during the term of the Agreement through March 31, 2024; Amount: \$175,000.

Mayor Anderson asked to remove Item d5.

Motion made by Mayor Anderson to approve the Consent Agenda except Item d5; seconded by Commissioner DeCiccio. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

Item d5 – At the request of Mayor Anderson, Electric Utility Director Dan D'Alessandro stated this adjustment is on 10 megawatts with two future adjustments at 10 megawatts each. He said costs have risen but will still be lower than the cost of natural gas.

Motion made by Mayor Anderson to approve Item d5; seconded by Commissioner DeCiccio. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

10) Action Items Requiring Discussion

- a. RFP18-22 Old Library Building Proposed Lease Consideration Deal Points and Presentation.

Director of Office of Management and Budget Peter Moore gave a brief summary of RFP process and negotiations.

Damien Madsen, proposer representing Harbert Realty, spoke about the process to this point. They are trying to adhere to the RFP for ground lease of the existing structure. However, costs have increased from \$8M to almost \$14M, partly because of renovation plans and partly due to code requirements which include a new elevator, relocation of restrooms, addition of at least one ADA compliant stairwell, replacement window glazing to improve wind load and additional windows. He explained the co-working concept and said they are very interested in doing this project despite staff's recommendation for denial. They would also be interested in purchasing the property if the city desires to sell.

He gave a presentation showing the existing site and noted that the proposal increases onsite parking to 78 spaces with an additional 20 secured from Rollins. The existing brick will be painted and outdoor architectural elements to modernize the building and two balconies will be added. He showed the proposed floor plan with the first floor focusing on health and wellness and the second and third floor plan, for which they have secured tenants. He showed conceptual plans for a new building they created after they learned of staff's recommendation for denial. The plan would allow for a more efficient site and parking plan. In addition, they developed a site plan with a one-level parking structure. They feel they are the right team and are prepared to move forward with any of the concepts presented. He spoke about the ground lease and asked that the city consider their \$14M investment.

Commissioner Weaver said he believes the Historical Museum is still interested and meets the civic requirement; however, the space in building is not large enough. Mr. Madsen said they offered 2500 s.f. and will provide additional space if needed. They have a concept with the Museum space having an entrance on New England and shared use of the restrooms. Commissioner Weaver said the relocation of the Museum will allow its current location at Farmers Market to be converted a bride/groom suite.

Mr. Madsen said the city moves forward with a sale, the new building scenarios would be of similar scale and be driven by parking requirements. He wants what is best and feels coworking concept will serve the Winter Park community well.

Mayor Anderson noted the reduced parking needs of some businesses (financial services) and asked for parking needs based on use and coworking space. Mr. Madsen provided details on different coworking and spaces which require less parking.

Commissioner DeCiccio said she feels the parking situation will only worsen with high use components such as wellness and the loss of parking with upcoming Rollins development projects nearby. She believes the building needs to be demolished to maximize the property and have an energy-efficient building.

Mr. Madsen spoke about the cost to renovate versus the cost to demolish and rebuild and options that would alleviate parking needs.

In response to questions by Commissioner Sullivan, Mr. Knight said staff's opinion is that the RFP would have to be reissued if the parameters, (demolition of the building or sale of the property), were changed. Mr. Ardaman agreed.

Mr. Madsen said he is not in favor of releasing new RFP. If demolition is a consideration, they feel they should have first right, but understands selling the property would require a different approach. His team still wants to make it work under current guidelines; however, there is a difference between the rent they can pay and the rent the city would like to receive. He explained that because of increased costs, they cannot pay as much for the ground lease. He said they are willing to negotiate the ground lease amount in order to move forward.

Commissioner Weaver suggested adding a civic element by giving a portion of it to the Historical Museum. He believes the building is structurally sound; however, if the building is demolished and replaced, he supported parking on the first floor.

Mayor Anderson said the question is whether to accept best and final offer and if not, should negotiations continue toward something different or should it be taken in another direction. He asked whether this could be discussed further in a work session and how it would impact negotiations. Mr. Knight said a work session could be scheduled for January 26 with the commission as the negotiator. Discussion was held on options for moving forward, alternate uses and parking.

Mr. Ardaman said this could be continued in a work session with a vote taken in a regular meeting.

Mayor Anderson summarized the discussion that the financial terms are better with a new building than the existing building and options are worthy of additional discussion. Mr. Madsen agreed and asked whether the commission would consider putting Restoration Hardware in that location. Mayor Anderson noted the intent to move away from high traffic commercial use due to the proximity to residential neighborhood and its gateway to downtown. Discussion followed showrooms and parking and traffic impact.

Commissioner Sullivan recalled previous discussions to provide a type of arts and culture amenity or start-up business - something that does not exist today.

Motion made by Mayor Anderson to decline the current proposal on the table and move toward a negotiating work session in the next couple of weeks (January 26) to see if there is framework that could produce an acceptable result; seconded by Commissioner Weaver.

Commissioner Weaver withdrew his second because his preference is to continue negotiations based on keeping the existing building. Commissioner DeCiccio seconded the motion.

Mayor Anderson clarified that the work session would be a discussion of all options as a way to move forward and then continue negotiations with Mr. Madsen toward a plan that aligns with the city. Commissioner DeCiccio requested figures for different scenarios, which Mr. Madsen agreed to provide.

Robert Poynter, 1540 Grove Terrace, real estate appraiser, said if the city has a valid civic need then the city should move forward. If not, then the property should be sold and the proceeds should go toward the reduction of bond issue for new library. He urged the commission to find a solution that is responsible and would benefit the citizens

Mayor Anderson said for the work session, a parking ratio/analysis is needed to determine what use would be most appropriate. He feels this process has proven that the building has no economic value in keeping the building and may be more valuable as vacant land. The value is likely to be improved if the building is demolished and converted to open space. He said that concepts and numbers are needed for both lease and sale options. Mr. Madsen said they will do a sensitivity analysis and present models in the work session.

Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

A recess was held from 5:20 to 5:36 p.m.

8) Public Comments | 5 p.m. or soon thereafter

David Williams, 209 Tyree Lane, said he feels the city has failed to provide services on a scheduled basis and protect residential neighborhoods from unnecessary tree trimming which result in the destruction of trees. Mayor Anderson noted he has met with Mr. Williams, toured his neighborhood and has discussed issues with Mr. Knight.

Mary Jane Fries, 1123 Fairway Drive issues, spoke about flooding issues on Fairway Drive and asked for the city's help to eliminate standing water on Fairway Drive. Mayor Anderson noted this will be part of the discussion in tomorrow's work session.

John Thompson, 1124 Fairway Drive, said there is ongoing flooding with stormwater on occasions not caused by hurricanes. He said it is typical for stormwater to flow through system and if there is blockage in storm system then it needs to be cleared.

Michael Perelman, 1010 Greentree Drive, asked for the timeline for putting utility usage history back on utility bills. Mr. Knight advised that the city is working with the vendor on billing issues which should be resolved in approximately 90 days.

b. 2023 State Legislative Priorities

Mr. Knight noted this list was formulated with the assistance of the city's lobbyist and include those that have the highest opportunity to be funded.

Motion made by Mayor Anderson to approve the priorities with the addition of acceleration of the Fix 426 Project; seconded by Commissioner DeCiccio. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

11) Public Hearings: Quasi-Judicial Matters

12) Public Hearings: Non-Quasi-Judicial Matters

a. Ordinance - Vacating and abandoning portion of Elvin Avenue right-of-way (1st reading)

Attorney Ardaman read the ordinance by title.

Assistant Director of Public Works Don Marcotte reviewed the request of Dan Bellows for vacation of Elvin Avenue with Ravaudage.

Assistant Director of Planning Allison McGillis advised that there are no existing development applications for this section Ravaudage and understand this is planning for utilities and infrastructure for future projects.

Mayor Anderson asked if a vacation can be granted contingent upon approval of specific project. Mr. Ardaman said if additional information is needed, the commission should request the applicant to provide that information rather than placing conditions on the vacation.

Mrs. McGillis said per the Ravaudage development order this is part of the potential vacated road network.

Commissioner Weaver expressed his concern about the road network and the scale of the development which is almost all draining to Lake Gem. He would prefer to defer and allow the developer to complete other items in the original agreement. He showed pictures of existing conditions in this project - overgrown vegetation and condition of sidewalks and said he would like improvements to be made before vacating. He said he believes the original development agreement involved some improvements at Bennett and Lee Road and that the permitted improvements make the intersection worse.

Motion made by Commissioner Weaver to postpone this indefinitely until things are brought up to Winter Park standards; seconded by Mayor Anderson. (Failed for lack of second.)

Commissioner Sullivan agreed the conditions do not conform to Winter Park Standards but does not agree with denying or postponing the vacation.

Motion made by Mayor Anderson to amend the motion to table this to the next meeting, January 25, 2022.

Troy Attaway, Sydgan Company, explained this portion of Elvin goes to dead end and the vacation is being requested now because the developer now owns both parcels on either side of the road and is working on final infrastructure plans that will finish Ravaudage development.

Motion on amendment seconded by Commissioner Sullivan.

Discussion followed on utility improvements including stormwater treatment.

Mayor Anderson withdrew his motion to amend and second to the main motion.

Motion made by Commissioner Weaver to postpone indefinitely failed for lack of second.

Motion made by Mayor Anderson to table this to January 25, 2023; seconded by Commissioner Weaver. Upon a roll call vote, Commissioners Sullivan, DeCiccio Cruzada and Mayor Anderson voted yes. Commissioner Weaver voted no. Motion carried with a 4-1 vote.

5) City Manager Report (continued)

b. FY 2023 Second Quarter Work Session Schedule

Motion made by Commissioner Weaver to approve the proposed schedule for work sessions January - March 2023 with the addition of the Old Library RFP on January 25, 2023; seconded by Commissioner Sullivan. Motion carried unanimously with a 5-0 vote.

13) City Commission Reports

Commissioner Sullivan

- Asked for a public celebration onsite at Progress Point to let the public know what is happening. Approved by consensus.

Commissioner DeCiccio

- Asked that the Library make a presentation in the next meeting. Approved by consensus.

- Asked if there are any plans to repair brick roads in poor condition. Mr. Knight said staff with research and give report in next meeting.

Commissioner Cruzada

- Reported the appointment of Jay Trent to Community Redevelopment Advisory Board.

Commissioner Weaver

- Spoke about the inability of two boats to pass each other on Venetian Canal and suggested using the city's boathouse lots to widen the canal so boats can pass on the canal. Consensus was to present this to the Lakes and Waterways Board.
- Wished everyone well in 2023.

Mayor Anderson

- Reported that he met with and walked with Mr. David Williams in his neighborhood and was found some unkempt commercial property. He spoke with Mr. Knight about civic pride and suggested working with the Chamber and businesses to improve civic pride. He will be discussing these matters with Mr. Knight.

14) Summary of Meeting Actions

- Approved the Consent Agenda
- Rejected the old library proposal and scheduled it for a work session on January 26.
- approved legislative priorities with the addition of the acceleration of Fix 426 project.
- Tabled Elvin Avenue vacation to January 25, 2023
- Approved the 2nd quarter work session schedule with the addition of the old library discussion on January 26.
- Approved a celebratory event to kick-off of Progress Point Park renovation.
- Invite the Library to give a presentation in the January 25, 2023 meeting.

15) Adjournment

The meeting was adjourned at 6:27 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission **agenda item**

item type Consent Agenda	meeting date January 25, 2023
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Approve the minutes of the work session, January 12, 2023

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CC-min-2023-01-12ws.pdf](#)



City Commission Work Session Minutes

January 12, 2023 at 1:00 p.m.

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

Present

Mayor Phil Anderson, Commissioners Marty Sullivan, Sheila DeCiccio, Kris Cruzada, Todd Weaver; City Manager Randy Knight; Assistant City Manager Michelle del Valle; City Attorney Kurt Ardaman; City Clerk Rene Cranis

1) Call to Order

Mayor Anderson called the meeting to order at 1:00 p.m.

2) Discussion Item(s)

a. Stormwater and Flood Management Presentation

Mr. Knight gave an update on post-storm management efforts and said the Stormwater and Lakes divisions have resolved some of the issues that occurred during Hurricanes Ian and Nicole. Staff is evaluating infrastructure, equipment and policy changes to determine what is needed for stormwater management improvements.

Assistant Public Works Director Don Marcotte stated that Hurricane Ian resulted in 15-18" of rainfall in the city and while there were some conveyance issues, the significant contributor to flooding was the volume of rainfall. He reviewed the storm preparedness process including maintenance of sewers, ditches and outfalls and lowering bodies of water where the city is allowed to do so.

Mr. Marcotte presented a map of reported areas of flooding throughout the city and spoke about how impacts to lake levels and several neighborhoods. He said staff continues to collect data on flood damage to homes and businesses and will be performing studies to consider permanent interconnections between Lake Sylvan to Lake Mizell and Lake Knowles to Lake Maitland. He noted drainage improvements have begun for College Point Phase II and that Temple Drive and Canton Avenue drainage improvements are part of the five-year plan.

Mr. Marcotte showed images of flooding from the MLK Pond and Lake Killarney basins and Lake Bell to Lee Road. He reviewed a schematic showing the drainage process for Lake Killarney and its interconnection to MLK pond and spoke about pre-storm efforts to lower lake levels. He reviewed future mitigation plans to increase storage for Lake Killarney, MLK pond and Lake Bell.

Mr. Marcotte explained that as part of lake monitoring efforts, staff discovered that levels for Lake Grace had increased. He said a pump was used to reduce lake levels and the city may want to consider purchasing a similar pump for water mitigation in the future. He showed images of flooding in the Little Econ Basin which includes Winter Pines Golf Course and spoke about improvements to the area including dredging the ditch systems throughout the golf course and cleaning ponds which will improve street drainage. He reviewed future flood mitigation considerations.

Mr. Knight gave an update on the Community Rating Service (CRS) program and said the city is still evaluating the membership process. Staff has spoken with agencies currently in the program, FEMA, and program representatives who created a "What-if" report for the city, which outlines the fiscal impact of being a member. He explained the eligibility process and rating system and said the main benefit of the program provides a discount for residents who have flood insurance. He reviewed the statistics of eligible properties for discount and said at best, it would save roughly 400 customers about \$26,000 in total or \$63 on average per customer. He said this data alone may not support being part of CRS. Staff is looking for a compelling reason to join other than for the benefit of 400 customers and waiting for the results from FEMA on the Community Assistance Visit report which will be received in 60-90 days.

Mr. Knight said membership in CRS is not typically found as a requirement for grant funding. Discussion followed on basis of membership and whether it is financially feasible. Mayor Anderson addressed CIP projections and spoke about the need for a project manager who could manage the 5-year plan projects as well as the CRS plan.

Mayor Anderson spoke about flood prevention and the time frame by which 15-18 inches of stormwater entered homes. He said the goal is to prevent this type of water from going into homes and the city needs a plan that cuts out the last ten inches. In-depth discussion followed on project cost, design criteria for stormwater mitigation and flood prevention, and impacts to future development and permitting. Director of Natural Resources and Sustainability Gloria Eby addressed future development and recurrent flooding and noted the city has been awarded an FDEP grant for climate resiliency with flooding mitigation being a part of the grant.

Discussion followed on regulations for building homes. Mr. Knight explained that the city follows FEMA rules for building in flood zones and Building Official Gary Hiatt added that the current standard is to build homes one foot above base floor elevation for construction. He said the city can implement, by ordinance, a higher standard but must keep in mind the floor height of adjacent properties.

Mayor Anderson feels the city needs to invest in a simulator model that looks at all drainage basins and replicates flooding to determine what can be prevented. Ms. Eby said there is an expectation that flooding and resiliency will be a part of the climate resiliency grant. Mayor Anderson said the city should not wait for the grant money to do

the simulator model. Ms. Eby stated that staff is moving forward and will be focusing on an RFP for the simulator once some of the post-hurricane work is completed.

Commissioner DeCiccio said storms exposed problems with infrastructure and feels the city needs a full assessment of issues and to determine the cost for improvements as soon as possible.

Director of Public Works and Transportation Charles Ramdatt explained that the grant will help to understand what needs to be done at a macro level and then a micro model to determine existing and future storage needs. He spoke about impacts to the St. John's River and said the water management district will be conducting a macroscopic model as well which will give insight into how the city should move forward. He noted that staff has discussed a program to comprehensively assess parks and roadways and determine what needs to be fixed and will prioritize improvements from that plan. He said staff is looking at creating additional storage for Lake Bell and will provide that information to the commission as soon as possible.

Mr. Ramdatt responded to questions. He said staff will be discussing whether an outside expert is needed to assist with some of the microscopic modeling and will come back to the commission with a plan of action. Staff is looking at a number of strategies for improvements across the city and Lake Rose is included in those plans. In-depth discussion continued on strategies and studies of stormwater mitigation throughout the city. Mr. Ramdatt said staff is working with different agencies on ways to create additional storage. Ms. Eby spoke about future pre-hurricane efforts. She said a related policy is being developed that will be presented to the Lakes Boards and the Commission.

Commissioner Weaver spoke about flooding and noted that an outfall (weir) in the Howell Creek basin that runs through the Lake Maitland chain of lakes, is not adjustable. He feels if the city had control over that weir, it would alleviate issues with dropping lake levels ahead of storm events. Mr. Marcotte said that the weir has been studied twice by the St. John River Management District (District) and concluded that adjusting the weir would have adverse effects downstream, thus the District decided not to adjust the weir. Mr. Ramdatt said he is confident that the state will do a comprehensive study of the impact to the St. Johns River and staff intends to engage with the District on a regional modeling effort. Discussion continued on flood prevention and storage capacity.

Mr. Ramdatt said staff is in discussions with city management to determine what, if anything, is needed and Mr. Knight will follow up with the commission when those talks are complete. Mr. Knight added that staff will move forward with smaller items/equipment purchases within his authority.

Mayor Anderson would like to have a preparedness plan and interim capital plan outlining connectivity between lakes and noted that a long-term plan should include

simulator modeling. He said staff should aim for July 1st as the deadline for a Hurricane Preparedness Policy and a certification report of conditions.

Mr. Ramdatt said he and Director of Water and Wastewater David Zusi are meeting on a regular basis and monthly with staff to discuss issues related to the crossover between stormwater and wastewater. Mayor Anderson addressed sanitary sewer infrastructure and feels there should be open check regulatory waiver that allows the city to control pressure.

Mr. Ramdatt said he was very impressed with the teamwork between departments after the storm, especially the 7/day a week commitment from staff. Mayor Anderson echoed his comments.

Commissioner DeCiccio asked that the preparedness plan be distributed to all departments so it can be followed by everyone. Mr. Ramdatt confirmed that the plan is being worked on by every department.

In response to questions regarding plans for MLK park, Mr. Ramdatt said staff will come back to the commission with a path forward for pursuing grants.

Commissioner Weaver noted that he spoke to staff about impacts to Lake Mendesen. He suggested that staff ask the District to allow a lower well level in exchange for the city dredging the lake.

Mayor Anderson commended and thanked staff for their hard work and dedication after the storm.

3) Adjournment

The meeting adjourned at 2:24 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



City Commission agenda item

item type	Consent Agenda	meeting date	January 25, 2023
prepared by	Michael Hall	approved by	Jennifer Maier, Michelle del Valle, Randy Knight
board approval	Completed		
strategic objective	Fiscal Stewardship		

subject

Approve the following contract:

item list

1. 15Lightyears, Inc. - IFB18-21 - Residential & Commercial Energy Audit Services; Amount: \$100,000 for services on an as needed basis for the remainder of the current term through March 11, 2024.

motion / recommendation

Commission approve item as presented and authorize Mayor to execute Agreement.

background

1: A formal solicitation was issued to award this contract.

alternatives / other considerations

N/A

fiscal impact

Total expenditure included in approved budget.



City Commission **agenda item**

item type Consent Agenda	meeting date January 25, 2023
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. Graybar Electric Co. - OMNIA Partners Contract #EV2370 - Electrical, Communications & Security Solutions; For goods and services on an as-needed basis during the term of the Agreement through January 31, 2025; Amount: \$400,000.

motion / recommendation

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

background

1: The originating agency conducted a formal solicitation process to award this contract.

alternatives / other considerations

N/A

fiscal impact

Total expenditure included in approved budgets.



City Commission **agenda item**

item type Consent Agenda	meeting date January 25, 2023
prepared by Randy Knight	approved by Randy Knight
board approval Completed	
strategic objective	

subject

Appoint Michelle del Valle as alternate to the South Seminole North Orange County Wastewater Transmission Authority Board (SSNOCWTA).

motion / recommendation

Appoint Michelle del Valle as alternate to the South Seminole North Orange County Wastewater Transmission Authority Board (SSNOCWTA).

background

The City is a member of SSNOCWTA, which is a governmental agency created by the legislature in the late 70's as the entity to oversee the regional sewage transmission system carrying flows from Seminole County, Casselberry, Maitland and Winter Park to the Iron Bridge Regional Sewage Treatment Facility. The enabling act calls for each of these entities to appoint a representative and alternate to serve on SSNOCWTA's governing board. Randy Knight, City Manager, serves as the appointed representative. The City Manager of Winter Park has traditionally served as the city's primary representative to the Board over the years. The current alternate is David Zusi. As part of the city manager succession planning it is important for Ms. del Valle to gain the experience of serving on SSNOCWTA so she can become familiar with the issues of this important regional Board. As alternate, she would attend the SSNOCWTA meetings and serve as our representative when the City Manager cannot attend.

alternatives / other considerations

The City Commission can appoint any employee, a Commissioner, or a city resident to this position.

fiscal impact

None.



City Commission **agenda item**

item type Consent Agenda	meeting date January 25, 2023
prepared by Allison McGillis	approved by Jeffrey Briggs, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Approve the letter outlining plans to update the Comprehensive Plan per Chapter 163.3191, Florida Statutes (Evaluation and appraisal notification to the Florida Department of Economic Opportunity).

motion / recommendation

Recommend approval of the attached letter outlining plans to update the Comprehensive Plan per Chapter 163.3191, Florida Statutes.

background

Chapter 163.3191, Florida Statutes requires that every seven years, cities and counties notify the Florida Department of Economic Opportunity (FDEO) by letter of their intent to amend and/or update the adopted Comprehensive Plan. The City's Comprehensive Plan was adopted in April of 2017, and according to FDEO the city's notification to amend the Comprehensive Plan this round is due by February 1, 2023. Staff has prepared a letter for the Mayor's signature stating that the need exists to amend the adopted Comprehensive Plan to reflect changes in State requirements and local conditions since the last time the city's Comprehensive Plan was updated and adopted. Staff will review each element of the Comprehensive Plan and determine what data needs to be updated. The update to the Comprehensive Plan will be due one year from the date of the letter.

A work session on the Comprehensive Plan update process is scheduled for March 9, 2023.

alternatives / other considerations

fiscal impact

ATTACHMENTS:



401 South Park Avenue • Winter Park, Florida 32789

407-599-3234 • 407-599-3436 fax
cityofwinterpark.org

**Office
of the City
Commission**

January 25, 2023

**Barbara Powell
Plan Processing Administrator
Florida Department of Economic Opportunity
The Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, Florida 32399**

RE: Winter Park Evaluation and Appraisal Notification Letter

Dear Ms. Powell:

In accordance with the Evaluation and Appraisal Notification Schedule, the City of Winter Park is required to transmit a Notification Letter by February 1, 2023. The City has conducted its evaluation and determination, and finds that it will be necessary to amend the City of Winter Park's Comprehensive Plan in order to be consistent with the changes in State requirements and local conditions. The City understands that these Comprehensive Plan amendments must be transmitted to the FDEO by February 1, 2024, and are subject to the State Coordinated Review Process.

Should you require any further information regarding this matter, please contact Allison McGillis, AICP, Planning & Zoning Assistant Director, at 407-599-3665 or at amcgillis@cityofwinterpark.org

Sincerely,

Phil Anderson
Mayor

cc: Winter Park City Commissioners
Randy Knight, City Manager
Kurt Ardaman, City Attorney
Jeffrey Briggs, Planning & Zoning Director



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 January 25, 2023
prepared by Victoria Tabor	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance 3259-23 - Amending Ordinance 3182-20 to keep as permanent the regulations concerning backyard chickens adopted by Ordinance 3182-20 as a pilot program (2nd reading).

motion / recommendation

Approve the ordinance.

background

The Backyard Chicken Program was established in 2020 as a pilot program. Upon conclusion, the program was proven to be successful. Staff is recommending approving amendment to the ordinance implementing the Backyard Chicken Program as permanent program.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Ordinance 3259-23 Backyard_Chicken Program.pdf](#)

ORDINANCE 3259-23

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ORDINANCE 3182-20 TO KEEP AS PERMANENT THE REGULATIONS FOR THE ISSUANCE OF BACKYARD CHICKEN PERMITS AND THE KEEPING OF BACKYARD CHICKENS ADOPTED BY ORDINANCE 3182-20; AMENDING SECTION 18-18 OF THE CITY CODE CONCERNING GENERAL CONDITIONS FOR THE KEEPING OF BACKYARD CHICKENS; AMENDING SECTION 58-71(i)(11) OF THE CITY CODE CONCERNING BACKYARD CHICKEN ACCESSORY STRUCTURES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park established a backyard chicken pilot program pursuant to Ordinance 3182-20 adopted on September 9, 2020; and

WHEREAS, Section 3 of Ordinance 3182-20 provided for a 24-month expiration of the backyard chicken pilot program after the September 9, 2020 adoption of Ordinance 3182-20; and

WHEREAS, the City has determined that the backyard chicken pilot program has been successful and now desires to incorporate the backyard chicken program permanently into the City Code;

WHEREAS, the City desires to keep in place and codified into the City Code the backyard chicken program regulations adopted by Ordinance 3182-20; and

WHEREAS, the Winter Park City Commission hereby finds and declares that this Ordinance is in the best interest of the public health, safety, and welfare.

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

SECTION 1. Recitals. The above recitals are incorporated herein by reference and form an integral part of this Ordinance.

SECTION 2. Expiration of Backyard Chicken Program Deleted. Section 3 of Ordinance 3182-20 is hereby amended to delete the 24 month expiration of the backyard chicken program so that the provisions of the City Code adopted by Ordinance 3182-20 into Section 1-24, Section 18-16, Section 18-18 and Section 58-71(i)(11) remain codified in the City Code, valid, effective and unexpired. The allowance of chickens in single-family residential zoning designations (R-1A, R-1AA, and R-1AAA) pursuant to the regulations of the backyard chicken program and other applicable code provisions remain in place. Except as amended by this Ordinance, Ordinance 3182-20 is hereby ratified and remains valid and effective.

SECTION 3. CODE AMENDMENT. Chapter 18, Animals, Article I, Section 18-18 "General Conditions for the keeping of backyard chickens" is hereby amended as shown below (underlined language are additions; ~~stricken through~~ language are deletions):

Sec. 18-18. – General Conditions for the keeping of backyard chickens pilot program.

Any person keeping chickens as an accessory to an occupied dwelling shall be subject to the following restrictions:

- 1) Permit Required. A Backyard Chicken permit (hereinafter “permit”), is required for the keeping of chickens. The permit is personal to the permittee and may not be assigned. If the person applying for the permit is not the fee simple owner of the subject property, the fee simple owner must provide owner authorization and written consent to the application. The fee for the permit will be set by Resolution of the Winter Park City Commission.
- 2) The applicant shall include written consents/approval of the keeping of chickens on their premises from all abutting residential property owner(s). Upon receipt of a permit application, the Building Official shall determine if the application is complete and contains the required consents/approvals. For the purposes of this subsection, “abutting property owner(s)” means those private property owner(s) owning fee simple interest in property sharing a boundary line with the applicant’s property that is the subject of the application. The requirements of this subsection shall be reviewed and evaluated for potential amendment on or about February 2025.
- 3) During the pilot program, The City of Winter Park staff shall be permitted to perform follow-up inspections on the premises where permits have been issued for the keeping of chickens. Inspections shall be to ensure that all of the program criteria are being met. Staff will keep a record of the progress and conditions for evaluation at the end of the 24-month program. In the event the City Commission does not act to continue the program prior to said termination date, all persons with backyard chickens shall be grandfathered and be able to keep their chickens so long as no new ones are added and the guidelines and regulations of the pilot as set forth herein are maintained.
- 4) Up to four chickens may be kept at an occupied single family residence upon receiving a permit from the City.
- 5) Ducks, geese, turkeys, peafowl, male chickens/roosters, pigeons, or any other poultry or fowl are not allowed.
- 6) Chickens are not allowed on duplex, triplex, townhomes, multifamily properties, community gardens, or any other uses.
- 7) Chickens must be secured within a covered chicken coop, chicken tractor, or fenced pen/run area at all times and are not allowed to run at large upon any public properties or off the premises of the owner. Chickens must have access to food and water at all times. The coop and pen/run area must be completely secured from predators with hardware cloth or similar material. Chicken wire shall not be used.
- 8) The coop and pen/run area must be cleaned regularly and kept free of insects and rodents. Odors from chickens, chicken manure, or other items associated with the keeping of chickens must not be perceptible at the property boundaries. Chickens must not be permitted to create a nuisance consisting of noise or pests, or contribute to any other nuisance condition.
- 9) No manure may be allowed to accumulate on the floor of the coop or ground. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with rodents or other pests shall be kept in a rodent and pest-proof container.

- 10) Composting of chicken manure is allowed in an enclosed bin. The composting bin shall be kept at least 20 feet away from all property lines. Waste materials (feed, manure and litter) not composted must be bagged and disposed of in the trash.
- 11) Chickens must be kept for personal use only. Selling chickens, eggs, feathers, or chicken manure, or the breeding of chickens is prohibited.
- 12) Chickens may not be slaughtered on premises.
- 13) Any person who violates any provision of the article will, upon conviction, be punished as provided in Section 1-7 of this Code. Additionally, the building official has the sole discretion to revoke the permit and require that the chickens be removed within 10 days if he or she determines that the permittee is in violation of the requirements of the Code.
- 14) Violation of this section or other requirements of the backyard chicken program shall constitute a class II civil infraction in accordance with section 1-24, City Code. A repeat citation for a violation of this section will incur double the penalty of the first infraction. A third citation for a violation will result in the participant being removed from the program.

SECTION 4. CODE AMENDMENT. Chapter 58, Land Development Code, Article III, Zoning, Subsection 58-71(i)(11), City of Winter Park Code of Ordinances is hereby amended as follows (underlined language are additions; ~~stricken-through~~ language are deletions; provisions not included are not being amended):

- (11) Backyard Chicken Coop Accessory Structures.
 - a) Chicken coops, pens or chicken tractors must be located in the side or rear yard (~~behind the rear of the home~~) and be set back a minimum of ten (10) feet from the rear and a minimum of ~~seven and a half~~ ten (10) feet from the side lot lines. Coops must be screened at grade from adjacent properties with a solid 6 foot fence or wall. No coop will be allowed in any front or side yard.
 - b) The coop, pen, or chicken tractor must be a minimum of 20 feet from any pre-existing neighboring residential principal structure, at least 5 feet from the principal structure on the subject property, and at least 5 feet from any property line. No setback is required between a coop and another accessory structure on the subject property.
 - c) Chicken coops must be less than 50 square feet and may have an attached run. The coop must also be tied down for wind resistance.
 - d) The maximum height of a coop shall be six (6) eight (8) feet, as measured from the existing grade to the highest part of the coop.
 - e) An applicant for a permit must demonstrate compliance with the criteria in the Code in order to obtain a permit. The application for a permit must be submitted to the building official. Applicants must submit photos of the proposed site of the coop/run areas, a to scale survey/site plan of the subject property showing the location, and proof of successful completion of a University of Florida Agricultural Extension Service class or an equivalent class approved by the building official, completed within the last year.

f) A building official determination is required for a permit. The building official is authorized to implement reasonable rules and regulations regarding backyard chickens. The building official must not approve locations with outstanding code violations.

g) No more than 25 permits will be issued citywide. Permits will be issued on a first-come, first-served basis. Participants choosing to leave the program must provide notice to the City. The City is then authorized to re-issue the permit to another qualified applicant. If a participant is removed from the program due to violations of the terms of this ordinance. The permit may also be re-issued to another qualified applicant.

SECTION 5. CONFLICTS. The provisions of this Ordinance shall prevail in the event of conflict with the provisions of any existing ordinance.

SECTION 6. CODIFICATION. The city clerk and the city attorney shall cause the Code of the City of Winter Park, Florida, to be amended as provided by Section 3 and Section 4 of this Ordinance and may renumber, re-letter, and rearrange the codified parts of this Ordinance if necessary to facilitate the finding of the law and/or consistency with the Code.

SECTION 7. SCRIVENER'S ERROR. The city attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the city clerk.

SECTION 8. SEVERABILITY. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 9. EFFECTIVE DATE. This Ordinance is effective upon adoption.

DONE, THE FIRST READING, by the City Commission of the City of Winter Park, Florida, at a regular meeting, the ____ day of _____, 2022.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Winter Park, Florida, by the City Clerk of the City of Winter Park, Florida, the 15th day of January 2022.

DONE, THE SECOND READING, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of Winter Park, Florida, at a regular meeting, the 25th day of January, 2022.

Phillip M. 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 January 25, 2023
prepared by Rene Cranis	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance 3260-23 - Adding a new Division 3 of Article VI, Chapter 2, providing for the assessment of third-party city consultant costs, expenses and fees incurred by the City of Winter Park related to the review, processing and regulation of development applications. (2nd reading)

motion / recommendation

Recommendation is to approve the Ordinance as presented.

background

This Ordinance is being presented to the City Commission in conjunction with the review of the City Attorney's contract also on this agenda. Due to the fact that the City Attorney's cost of services has increased, this Ordinance was written by the City Attorney and staff as a way to help offset a portion of that increase by passing through the fees generated by their time reviewing applications and proposals for development onto those responsible for such.

The City incurs substantial costs, expenses and fees, directly and solely caused by and related to the review, processing and regulation of development applications pursuant to development proposals that often exceed the application fees charged and collected by the City. Therefore, the costs, expenses, and fees incurred by the City that are caused directly and solely by such development should be incurred by those responsible for said development and not by the taxpayers in general. As a result, this Ordinance requires that in addition to the required Application Fee, a Review Deposit in the amount of three thousand (\$3,000) dollars or in an amount as may be established by the City Commission in the adoption of the city fee schedule shall be made payable to the City of Winter Park at the time of submission of each Application for review or approval, of a preliminary subdivision plan, subdivision/plat, conditional use, planned development, rezoning,

comprehensive plan amendment, text amendment to the land development regulations, development agreement, developer's agreement, other development related agreement, annexations, or any development order or permit application requiring review by the City's attorney or a City consultant.

It is important to note that the costs, expenses, and fees recoverable by the City under this Ordinance are less than the costs, expenses, and fees actually incurred by the City for review, inspection, processing and regulation of development, but will cover a substantial portion of the third-party costs, expenses, and fees incurred for the review, processing, and regulation of development borne by those responsible for such. Furthermore, this type of pass-through fee is common practice throughout Florida in municipalities similar to Winter Park's size with contracted city attorneys to help cover attorney review fees for development proposals. Examples of such municipalities are Winter Garden, Mount Dora, Casselberry, and Longwood.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Ordinance 3260-23 Pass_Through_Development_Review_10.25.22_edits_-_jgc_-_clean \(3\).doc](#)

ORDINANCE 3260-23

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, ADDING A NEW DIVISION 3 OF ARTICLE VI, CHAPTER 2, OF THE CITY OF WINTER PARK CODE OF ORDINANCES, PROVIDING FOR THE ASSESSMENT OF THIRD PARTY CITY CONSULTANT COSTS, EXPENSES AND FEES INCURRED BY THE CITY OF WINTER PARK IN REVIEWING, PROCESSING AND REGULATING PROPOSED PLATS, LOT SPLITS, SITE PLANS, REZONINGS, CONDITIONAL USES, VARIANCES, DEVELOPER'S AGREEMENTS, COMPREHENSIVE PLAN AMENDMENTS, ANNEXATIONS AND OTHER DEVELOPMENT ORDER AND PERMIT REQUESTS AND DEVELOPMENT RELATED MATTERS; PROVIDING FOR REVIEW DEPOSITS, PROCEDURES FOR HANDLING REVIEW DEPOSITS AND CITY INVOICES; PROVIDING FOR FAILURE OF APPLICANTS TO PAY INVOICES; DEFINING ASSESSABLE COSTS, EXPENSES AND FEES; PROVIDING FOR ADMINISTRATIVE PROCEDURES; PROVIDING FOR FEE SCHEDULES; PROVIDING FOR OBJECTIONS AND APPEALS, PROVIDING FOR AMENDMENTS; SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park (hereinafter referred to as the "City") pursuant to the Land Development Code and State law has the authority to review applications and proposals for development, such as subdivisions, planned developments, site plans, rezoning, conditional uses, variances, development agreements, plat approvals, comprehensive plan amendments, annexations, lot splits, lot consolidations, development orders and permits, and projects relating to development (hereinafter collectively referred to as "Proposals") and to consider the impacts of development which may occur pursuant to such Proposals on the citizens, infrastructure, lands, businesses and well-being of the City and to ensure that conditions required for approval have been met; and

WHEREAS, the City has the authority to review, inspect, process and regulate the foregoing; and

WHEREAS, the City incurs substantial costs, expenses and fees, directly and solely caused by and related to the review, processing and regulation of development applications pursuant to Proposals that often exceed the application fees charged and collected by the City; and

WHEREAS, in order to efficiently and effectively carry out the review of such Proposals and the processing and regulation of development, it is necessary that the City contract with or otherwise engage competent contractors and professional consultants to perform such services; and

WHEREAS, the City Commission of the City finds that the costs, expenses, and fees incurred by the City that are caused directly and solely by such development should be incurred by those responsible for said development and not by the taxpayers in general; and

WHEREAS, the costs, expenses, and fees recoverable by the City under this Ordinance are less than the costs, expenses, and fees actually incurred by the City for review, inspection, processing and regulation of development; and

WHEREAS, the City Commission of the City has determined that this Ordinance is necessary and appropriate to have a substantial portion of the third-party costs, expenses, and fees incurred for the review, processing, and regulation of development and Proposals borne by those responsible for such; and

WHEREAS, to accomplish the objectives of this Ordinance and to fairly and properly assess the costs, expenses, and fees incurred by the City due to development, the framework set forth in this Ordinance is necessary; and

WHEREAS, the City Commission has determined that this Ordinance is necessary for the protection of the health, safety and general welfare of the citizens of Winter Park, Florida.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION I: AMENDMENT. A new Division 3 of Article VI of Chapter 2 of the City of Winter Park Code of Ordinances is hereby created to read as follows:

DIVISION 3.- DEVELOPMENT REVIEW EXPENSE.

Section 2-195.6. – Authority. The City is hereby authorized to assess and collect fees, deposits, costs, and expenses relating or pertaining to the review, and regulation of development related activities pursuant to this chapter.

Section 2-195.7. – Definitions.

The following words, terms, phrases, when used in this chapter, shall have the meanings set forth below unless otherwise indicated by the context:

“Applicant” means and refers to an Owner or an Owner’s Authorized Agent, who submits a Application or project to the City.

“Application” means and refers to an application or petition or proposal submitted to the City for review or approval of (i) a preliminary subdivision plan, (ii) a subdivision plan or plat, including any replat or other revisions to a previously approved or existing subdivision plan or plat, (iii) an annexation, (iv) a rezoning, (v) a comprehensive plan amendment, (vi) a variance, (vii) a conditional use, (viii) a planned development, (ix) a site plan, (x) any other development order or permit, (xi) a

development agreement, developer's agreement, or other agreement relating to a development project, (xii) a lot split, lot consolidation, or lot line readjustment, (xiii) an applicant request for text change to the land development regulations, (xiv) a duplex modified yard project, and/or (xv) a development review application submitted to the Development Review Committee.

"City Consultant(s)" means and refers to those corporations, companies, consultants, governments, individuals, partnerships, and other entities under contract with the City to provide services to or for the City or who provide technical or professional advice, representation, expertise or other work or assistance to or for the City in connection with the review or processing of an Application, including, but not limited to, planners, architects, accountants, attorneys, (including the city attorney) engineers, biologists, economists, and surveyors.

"Development Review Fee" means and refers to the combination of the Application Fee established by the City and the Review Costs to be paid by an Applicant.

"Owner" means and refers to an Owner or group of Owners of fee simple title to a particular lot, tract, or parcel of real property.

"Owner's Authorized Agent" means and refers to an agent of the Owner duly authorized to submit and process an Application. If the applicant is not the property owner, a proper authorization must accompany the Application. Such authorization shall be evidenced by a power of attorney signed by the Owner and notarized specifically authorizing the agent to represent the Owner in connection with the Application and as to the Owner's real property, which is the subject of the Application. The authorization must include an agreement of the Owner to be bound by the actions of the Owner's Authorized Agent and the provisions of this division.

"Review Deposit" means and refers to the review deposit, as established by this Section and as established from time-to-time by resolution of the City Commission, to be paid by an Applicant at the time of the filing of an Application in those circumstances where Review Costs are paid by the Applicant under the provisions of this division.

Section 2-195.8. – Review Deposits.

Required review deposits. In addition to the required Application Fee, a Review Deposit in the amount of three thousand (\$3,000) dollars or in an amount as may be established by the City Commission in the adoption of the city fee schedule shall be made payable to the City of Winter Park by money order, personal or company check, or cashier's check drawn on a financial institution authorized to do business in Orange County, Florida, and shall be delivered to and collected by the Planning Director or his/her designee at the time of submission of each Application for review or approval, of a preliminary subdivision plan, subdivision/plat, conditional use, planned development, rezoning, comprehensive plan amendment, text amendment to the land development

regulations, development agreement, developer's agreement, other development related agreement, annexations, or any development order or permit application requiring review by the City's attorney or a City consultant. If the amount of the costs, expenses, and fees relating to the City Consultants' review, processing, and regulation of such as estimated by the Planning Director, based on information provided by city staff and the Applicant, will exceed the Application Fee and are likely either to be less than or more than the Review Deposit, then the Planning Director may adjust the Review Deposit to the minimum extent supported by the Planning Director's estimate. The Planning Director may waive the requirement of a Review Deposit if, based upon information provided by city staff and the Applicant, the amount of the costs, expenses and fees relating to the review, processing, and regulation of such as estimated by the Planning Director will not involve the use of City Consultant services that exceed the Application Fee.

No review of any Application may commence until the Application Fee and Review Deposit, if applicable, are paid. The Review Deposit must be forwarded to the Planning Director or his/her designee prior to the end of the second business day following the submittal of an Application for review or approval. Any portion of the Review Deposit that exceeds the actual costs incurred in reviewing the Application will be returned to the Applicant after completion of the matter for which the Application was submitted or after withdrawal of such Application. No interest will be paid on any Review Deposit.

The City Commission is hereby authorized to adopt by resolution a fee schedule setting forth the amount of Application Fees, Review Deposits, and any other fees authorized herein.

Section 2-195.9. – Project account.

Once an Application has been submitted to the City and the applicable Application Fee and Review Deposit have been collected, the Planning Director or his/her designee shall establish an individual project account through which all costs, expenses, and fees incurred by City Consultants that are associated with the Application will be monitored. The project account will be maintained throughout the entire review, processing, and regulation process until the later of: (i) final action (after all appeal periods have run) by the City Commission has occurred with respect to the Application; (ii) no further involvement of one or more City Consultant(s) is likely; and (iii) the City has been paid all of the amounts due under this division and the City Code. Costs, expenses, and fees for the City Consultant time directly related to the review, processing, inspection, or regulation of an Application or development pursuant to this division, the City Code, and Florida Statutes and directly related expenses, including, but not limited to, advertising, legal, drafting agreements, inspection, and engineering costs will be charged to the project account.

Section 2-195.10. – City invoices.

(a) *Payment.* The Planning Director or his/her designee may periodically, up until, and shall prior to, the City's final approval of each Application and the project for which a Review Deposit is required, total the costs, expenses, and fees incurred by the City for such Application and project and send an invoice to the Applicant for payment. The Applicant shall have twenty (20) days from the date of the invoice to pay to the City the invoiced amount. Thereafter, if payment is not received in the required time, the Planning Director or his/her designee shall apply the Review Deposit toward payment of the invoiced amounts. If the total costs, expenses, and fees incurred by City Consultants for such Application and project exceed the Review Deposit and payment is not received in the required time, the Planning Director or his/her designee shall apply the Review Deposit to the invoiced amount and send a notice of non-payment to the Applicant and to all City Consultants associated with the Application or project. The notice will instruct the City Consultants to cease all work relating to such unless and until further notified by the Planning Director or his/her designee.

If the City issues a final approval of an Application but it is later determined that additional modifications or amendments to the Application or Project requiring additional City Consultant time, then the Planning Director or his/her designee may require an additional Review Deposit commensurate with the estimated costs in City Consultant time of any such modifications or amendments and issue additional invoices consistent with the procedures outlined for standard invoices. Similarly, if the total costs, expenses, and fees incurred by the City for any such modifications or amendments exceed the Review Deposit and payment is not received in the required time, the Planning Director or his/her designee shall apply the Review Deposit to a portion of the invoiced amount and send a notice of non-payment to the Applicant and to all City Consultants associated with the Application or project. The notice will instruct City Consultants to cease all work relating to such unless and until further notified by the Planning Director or his/her designee.

If payment of the balance of the invoice is not received within the required time, then work by city staff and the City Consultants will cease and not be reactivated on any Application or project. No building permits, certificates of completion, or certificates of occupancy will be issued with respect to such Application or project or real property related to the Application or project until such time as all outstanding fees, costs, and expenses due under this division and the City Code are paid in full and a new Review Deposit for the Application or project, if applicable, is paid to the City in an amount determined by the Planning Director. Review of any future Application or project with respect to the real property for which payment was not made will not be undertaken by the City until such time as all outstanding costs, expenses, and fees due under this division are paid in full and a new Review Deposit is paid to the City.

(b) *Deficiency and liens.* Any deficiency owed to the City will bear interest from the date of the aforementioned notice of non-payment at the lower of (i) the rate of eighteen percent (18%) per annum or (ii) the highest rate allowed by law, until paid. The amount of any such deficiency owed to the City will, together with interest and the costs of collection as hereinafter provided, be the personal obligation of the Applicant and constitute a continuing lien on the real property related to the Application or project under review. Any subsequent or new owner of the real property related to the Application or project takes title subject to the obligations of the Applicant under the terms of this Section and is jointly and severally liable for such obligations; provided, however, that an Applicant may not escape liability for the deficiency by abandonment of the Application or project, withdrawal of the Application, or sale of the real property with respect to which such Application has been submitted. If the initial or subsequent invoice(s) is/are not timely paid and the invoiced amount exceeds the amount of the Review Deposit, the City may take whatever legal means it deems appropriate to collect the deficiency, including, but not limited to, retaining the services of a collection agency or attorney, initiating legal proceedings for the collection thereof, recording a Notice of Lien as hereinafter provided, and foreclosing same in the same fashion as mortgage liens are foreclosed. To give the public notice of the deficiency, the City Manager may (but shall not be obligated to) record a Notice of Lien in the Public Records of Orange County, Florida, stating the description of the real property related to the Application or project, the name of the owner of the real property and the amount then due and owing to the City.

Section 2-195.11. – Required payments.

Payment of costs, expenses and fees incurred by the City under this division is a requirement for the City's final approval of the applicable Application and project.

Section 2-195.12. – Assessable costs, expenses, and fees.

All costs, expenses and fees incurred by the City relating directly to the review, inspection, processing, and regulation of an Application or project, including, but not limited to, the time of the City Consultant(s), as well as those relating directly to advertising, and other costs, expenses and fees, shall be assessed to the Applicant. The costs, expenses, and fees for the City Consultants will be invoiced to the Applicant without any markup by the City to those invoiced amounts. To the extent that the costs, expenses, and fees required under this division are assessed and paid pursuant to other provisions of the City Code, assessment and payment under this division will not occur.

Section 2-195.13. – Fee collection.

Application Fees in addition to any Review Deposit required pursuant to Section 2-195.8. shall be paid by the Applicant and delivered to the Planning Director or his/her designee upon submittal of any Application to the City. The Planning Director or his/her

designee shall ensure the required Application Fee is collected, and, if applicable, the Review Deposit (collectively referred to as "Development Review Fee") is posted to an account for said Application. The Planning Director or his/her designee or other appropriate city staff or City Consultants, shall receive all Applications with proof of payment of the Application Fee and Review Deposit, if applicable. The Application Fee is nonrefundable and covers only a portion of the minimum cost incurred by the City in accepting, reviewing and processing an Application.

If the Planning Director or his/her designee determines that the required Review Deposit for an Application is inadequate to cover the reasonably anticipated costs, expenses and fees to be required by the City, the Planning Director or his/her designee shall increase the minimum deposit to the minimum extent necessary to cover such reasonably anticipated costs, expenses, and fees.

Section 2-195.14. – Objections/appeal.

Any objection to any invoice or to any matter set forth in this division must be set forth in writing and addressed and delivered to the City Manager on or within ten (10) days of the date of the relevant invoice. If the City Manager denies the objection or request, the applicant will have ten (10) days after the date of the City Manager's decision to file an appeal or reconsideration of such decision with the City Manager or his/her designee. All objections and appeals must set forth in detail the reasons and evidence upon which the objection and appeal are based. Failure of the applicant to establish beyond a preponderance of the evidence that an invoice, decision, or other matter objected to or appealed is not appropriate and is not based upon competent substantial evidence, shall result in a denial of the objection and appeal or reconsideration.

Section 2-195.15. - Attorney's Fees in the Event of Failure to Pay Review Costs.

If the City takes legal action to enforce this division, then the City is entitled to recover from the Applicant all costs and expenses incurred, including, but not limited to, its reasonable attorneys' fees, paralegal fees, and other costs and expenses, whether incurred prior to, during or subsequent to court proceedings or on appeal.

Section 2-195.16. – Change of Ownership.

An Applicant shall provide prompt written notice to the Planning Director in the event of a change in ownership of all or a portion of a lot, tract, or parcel of real property with respect to an Application or project is pending before the City. Such notice must be on a form approved by the City and include the name, address, and phone number of the new Owner and a legal description of the lot, tract, or parcel of real property now owned by the new Owner. Any such new Owner (i) is not entitled to utilize or draw upon any Review Deposit previously paid to the City by the original Applicant, (ii) is liable to the City for all costs, expenses, and fees related to the lot, tract,

or parcel of real property that arise subsequent to the date the new Owner acquires title to such real property, and (iii) may be required by the City to pay a separate Review Deposit in the same manner as a new Application, in which case, a separate project account will be opened in the name of the new Owner or the new Owner's Authorized Agent. If a separate Review Deposit is required, no work may be undertaken by the City with respect to the lot, tract or parcel of real property then owned by the new Owner until a separate Review Deposit is paid to the City. Until such time as the City receives such written notice of a change in ownership, the original Applicant will be jointly and severally liable to the City for all costs, expenses, and fees associated with the Application or project that may subsequently be incurred by the City in connection with the activities of the new Owner; provided, however, that upon receipt by the City of such a notification of change of ownership, the original Applicant will not be liable to the City for any further costs, expenses, and fees incurred by the City that arise solely out of the Application or project of the new Owner, and the new Owner will be solely liable to the City for all such costs, expenses, and fees associated with the Application or project activities of the new Owner or the new Owner's Authorized Agent subsequent to the date of receipt by the City of such notification.

Section 2-195.17. – Agreement to be Bound by this Division.

Execution of an Application constitutes the consent and agreement of the Applicant and the Owner if the Application is being executed by the Owner's Authorized Agent to be bound by the provisions of this division. Without waiving the foregoing, the Community Development Director is authorized to require Applicants to sign a written agreement to be bound by the terms and conditions of this division before processing an Application for review and approval (or denial).

Section 2-195.18. – Amendments.

This division will be reviewed periodically and may be amended by ordinance, however, any fees and fee schedules authorized in this division may be amended by resolution.

SECTION II: Severability — If any portion of this Ordinance is determined to void, unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

SECTION III. Codification. Section I of this Ordinance shall be codified and made a part of the City of Winter Park Code of Ordinances; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; the word "Ordinance" may be changed to "Section," "Article," "Division" or other appropriate word. The City Clerk is given liberal authority to correct scriveners errors, such as incorrect Code cross references, grammatical, typographical and similar or like errors when codifying this Ordinance.

SECTION IV: Effective Date — This Ordinance shall take effect upon adoption by City Commission and shall apply to costs, expenses, and fees incurred by the City with regard to Applications and projects submitted after the effective date of this Ordinance.

PASSED AND ADOPTED on first reading this 14th day of December, 2022.

PASSED AND ADOPTED on second reading this 25th day of January, 2023

Phillip M. 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 January 25, 2023
prepared by Jeffrey Briggs	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance 3261-23: Updating Section 58-87, lakefront and waterfront zoning regulations and amending Chapter 114, Lakes and Waterways to incorporate regulations concerning docks and boathouses. (2nd Reading)

motion / recommendation

The P&Z Board and Staff recommend approval.

background

The City's history with regard to the review of waterfront (lakes/canals/streams) construction including boathouses/docks began in 1975 when the Zoning Code was amended to require the Planning and Zoning Commission to approve all new construction and substantial redevelopment on waterfront properties including homes, boathouses/docks etc. Over the ensuing years, the Zoning Code was amended from time to time to address issues with the implementation of those waterfront plan reviews but there has not been a major update in 15+ years.

In 1985, the authority for the review and approval of any waterfront seawalls or retaining walls was transferred to the Lakes and Waterways Board. In 2000, the authority for the review and approval of boathouses and docks on waterfront properties was transferred to the Lakes and Waterways Board. That change was very beneficial since both the Lakes Division staff and the Lakes Board are the experts on all things being done in the water.

It also helped significantly for the Lakes Division staff to be aware of all of the boathouse/dock permits, and conditions of approval for such, as the Lakes staff was frequently watching the progress of construction of boathouse/docks and seawalls while doing their normal responsibilities on the lakes.

Updates to the Responsibilities for Boathouse/Dock Approvals:

One major change proposed in the Ordinance is to transfer the development regulations for waterfront boathouses/docks /gazebos from the Chapter 58 “Zoning” to Chapter 118 “Waterways” in order to give the Lakes and Waterways Board and the Lake Killarney Advisory Board complete authority over those structures. The complication is that since the boathouse regulations are codified within the Zoning Chapter, it is the Board of Adjustment that must grant variances. Today an applicant for a variance must receive an approval from the Lakes Board and then they need the variance from the Board of Adjustment. The reality (in practice) is that the Board of Adjustment always trusts the judgment of the Lakes Board in making their decision. If the Lakes Board denies the request due to the variance, then the Board of Adjustment can’t over-ride that decision. If the Lakes Board approves with the variance then the Board of Adjustment never second guesses the Lake Board. The applicants can’t understand why if they go to the Lakes Board and are granted an approval, inclusive of a variance, why it needs to be approved a second time by the Board of Adjustment. Both actions are quasi-judicial in nature.

Other changes to the Waterfront Development Regulations:

The P&Z Board and Planning staff have also updated the waterfront regulations for the following topics:

1. Improving storm water grading regulations to prevent issues with drainage onto adjacent properties.
2. Clarifies the lakefront setbacks for fences and walls.
3. Clarifies the permitted pools/patios deck heights above natural grade on the lakefront lots and the location of pool cabanas
4. Clarifies the location of pools/patios decks on lakefront lots with walk-out basements.

With respect to improving storm water grading regulations, these code modifications strengthen language to ensure that storm water runoff does not runoff onto adjacent properties. This includes a requirement for homes to construct stem walls in order to maintain existing grades within side setback areas and allows for the requirement for inlets and pipes to convey runoff down to the waterfront and to require retaining walls, if necessary, to keep drainage on the property.

With respect to clarifying lakefront setbacks for walls and fences, the new text insures that open privacy fences on side lot lines are setback of 75-feet from the high-water line before a solid fence or wall can be built and that fences within 75-feet of the high-water line must be substantially open.

With respect to clarifying permitted heights of pools/patios decks on lakefront lots and regulations for accessory structures such as pool cabanas, the Code is keeping 3-foot maximum for pool decks above existing natural grade. On properties with significant grade drops that require more than the 3-feet, a new home may request up to 5-feet

above existing grade so long as a minimum of 2-feet of step-downs are within the principal structure or from the finished floor elevation down to the swimming pool/deck. This provision would not be allowed to have any exception or variance, so that negotiations with P&Z do not occur creating different decisions on one property versus another. Also, accessory structures (such as pool cabanas) that are permitted when utilizing this exception, must conform to the setbacks of the principal structure.

With respect to clarifying floor level location of pools/patios decks, the Code still will permit walkout basements, however, swimming pools and decks must be located only on the lowest living area level, in line with the existing natural grade. This limits the possibility for large stem/retaining walls for swimming pools/decks by avoiding placement of the pool/deck on a second floor level with a three story home on the lakefront (two floors plus walkout basement) far above the natural grade.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

[Ordinance 3261-23 Updating Lakefront Zoning Regs FINAL.docx](#)

ORDINANCE 3261-23

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING REGULATIONS" SECTION 58-87 "LAKEFRONT LOTS, CANALFRONT LOTS, STREAMFRONT LOTS, BOATHOUSES AND DOCKS" PROVIDING FOR UPDATES AND MODERNIZATION TO THE CURRENT REGULATIONS, AND AMENDING CHAPTER 114 "WATERWAYS" TO INCORPORATE THE REGULATIONS CONCERNING DOCKS AND BOATHOUSES, 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 environmental protections for the City in the management of construction on waterfront properties on lakes, canals and streams and to update and modernize the waterfront zoning regulations and to clarify the authority of the appointed boards having jurisdiction in the review of waterfront construction and of docks, boathouses and gazebos and in furtherance of the protection of due process and the general welfare of the City 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 III "Zoning Regulations, Section 58-87 "Lakefront lots, canalfront lots, streamfront lots, boathouses and docks" of the City of Winter Park Land Development Code is hereby amended as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

- **ARTICLE III ZONING REGULATIONS.**

- **Sec. 58-87. - Lakefront lots, canalfront lots, streamfront lots, boathouses and docks other waterfront properties.**

(a) *Purpose and intent.* It is the intent of this section to insure that buildings and structures on waterfront properties including canalfront lots, lakefront lots and streamfront lots are ~~not~~ constructed or placed such that no boating hazards will be created, that construction shall be compatible with the natural grade of the property; precluding large stem walls, large swimming pool/patio walls, terraces or retaining walls on the waterfront, facing the water that are significantly above existing grade; that water pollution from stormwater runoff and other sources will be minimized by

providing adequate stormwater retention and conveyance; that views of water from adjoining waterfront properties will not be unduly impaired; that existing trees shall be preserved to the degree reasonably possible and that the appearance of the property and the shore when viewed from the water will be kept as natural as reasonably possible. The city's lakes, canals and streams are among the city's greatest assets, and it is in the public interest to require that their aesthetic appeal and water quality be maintained and enhanced when possible.

(b) *Building plans.*

(1) A building permit shall not be issued for any new structure or building, addition over five hundred (500) square feet to any existing structure or building, ~~fence or wall~~ or significant change to an existing property on a lakefront, canalfront or streamfront lot until satisfactory building plans are reviewed and approved by the Planning and Zoning Board that are deemed in compliance with the objectives established in the aforementioned purpose and intent and the specific requirements of this section. The ~~p~~Planning ~~d~~Deartment shall review all such plans and provide a recommendation to the ~~P~~Planning and ~~Z~~Zoning ~~B~~Board. A decision by the Planning and Zoning Board shall be done at a public hearing after review of comments from city staff and notification of the adjacent waterfront property owners.

(2) In cases involving the construction of swimming pools (without screen pool enclosures), or patios, or hardscape additions of under one thousand (1,000) square feet, the ~~p~~Planning ~~d~~Deartment shall provide an administrative review which will result in approval, approval with conditions or denial of the permit. In such cases, the owner may appeal the ~~p~~Planning ~~d~~Deartment's determinations to the ~~P~~Planning and ~~Z~~Zoning ~~B~~Board.

(3) In all other cases, the ~~P~~Planning and ~~Z~~Zoning ~~B~~Board shall review and approve construction upon lakefront lots, canalfront lots and streamfront lots when deemed in compliance with the objectives established in the aforementioned purpose and intent.

~~(4) The lakes and waterways board shall review and approve construction of boathouses, docks, gazebos over the lakes or other water bodies. However, review and approval by the lakes and waterways board of boathouses, docks and gazebos shall not be required if the structure is replacing an existing boathouse, dock or gazebo and is in the same location and is meeting the code requirements set forth in this section. The review and approval by the lakes and waterways board is only required when variances are requested or when there is not an existing boathouse, dock or gazebo on the property/water or when the location of the boathouse, dock or gazebo is being changed by more than five feet from the current location.~~

~~(4)(5) The requirements of this section are minimum requirements, and the Planning and Zoning Board or the lakes and waterways board may impose more restrictive requirements and conditions on the height, bulk, location and any other aspect of the proposed development where necessary in order to accomplish the purpose and intent of this section. Review by the planning and zoning board or the lakes and waterways board shall be at a public hearing following notification of adjacent waterfront property owners.~~

~~(c) Docks and boathouses. The following minimum or maximum standards shall apply to all construction or renovation of docks and boathouses:~~

~~(1) Before a building permit is issued, the plans for docks and boathouses shall be approved by the lakes and waterways board after review of comments from city staff and notification of the adjacent lakefront property owners.~~

~~(2) The total area of docks and boathouses built at the water's edge over land and water shall not exceed 600 square feet. In the case of canalfront lots (other than boathouse lots on canals as set forth in subsection (f) hereafter), the maximum total area of docks, boathouses, decks, stairs and any other attachments shall be based on the length of the canal frontage as follows:~~

~~a. Seventy-five feet or less of frontage, 450 sq. ft.~~

~~b. Seventy-six feet to 100 feet of frontage, 500 sq. ft.~~

~~c. Over 100 feet of frontage, 550 sq. ft.~~

~~d. The maximum width of canal boathouses shall be 20 feet.~~

~~(3) All new docks and boathouses shall be constructed ten feet from a side lot line. This side setback can be reduced to five feet if written approval is presented from the adjacent property owners.~~

~~(4) All new docks and boathouses shall not extend over 30 feet into the water from the elevations specified in this section. However, on Lake Killarney the maximum distance may be 50 feet.~~

~~(5) The highest point of a boathouse or gazebo roof or any railing shall not exceed 11 feet and the roofs must be pitched so as to eliminate flat roofs and use of such areas as sundecks. The height shall be measured from the surface of the dock or floor to the highest point of the roof or railing. In addition, the surface of any dock, sundeck or floor of any boathouse, gazebo, etc., shall not be more than two feet above the elevations specified in this subsection.~~

~~(6) In order that all docks or boathouses be utilized only for boating and other recreational activities and not as living space, there shall be no bathrooms or cooking facilities permitted in them, nor as an improvement to any existing boathouse. There also shall not be any enclosed rooms over water except for storage rooms limited in size to a maximum of 80 square feet.~~

~~(7) Only one boathouse shall be permitted for each lakefront property owner. In the case of common ownership of lakefront property such as in a condominium arrangement or property owned by a subdivision, there shall only be one boathouse permitted.~~

~~(8) The sale or lease of a portion of lakefront after January 1, 1980, shall be construed as a subdivision and shall not enable the owners to make application for a dock and boathouse unless that subdivision has received the approval of the city commission.~~

~~(9) Canal boathouses shall be located so as not to interfere with navigation and to result in the minimum loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. On lots that are divided by a public street, landscape buffering shall be required to substantially cover 50 percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not detract from the natural surroundings. Off-street parking areas shall remain without asphalt, concrete, brick, gravel, grass paver or other improved surface.~~

~~(10) As a condition for a permit to build or repair any lakefront dock or boathouse, the lakefront water area along shorelines that do not meet the vegetation standards of subsection [114-6\(a\)](#) of this Code shall be required to be planted so that no more than 50 feet, or 50 percent (whichever is less) of the shoreline remains clear of vegetation.~~

(c) Submission requirements. Applications shall require the following submissions:

(1) Existing conditions survey including the existing contours or spot elevations at the side property lines and as otherwise occur regularly on the property. The survey shall also include the location of existing trees having a diameter of six (6) inches or greater measured two (2) feet from the ground and the approximate locations of the adjacent building corners and swimming pool deck corners closest to the lake.

(2) Site plan showing the location of all existing or proposed buildings, structures, pool decks, retaining or terrace walls, hardscape and paved areas, drives and curb cuts. The site plan shall include indications of the trees proposed to be removed. The site plan shall also indicate the proposed first floor elevation and the elevation of all exterior patio/lanai/pool decks, retaining walls, etc. The site plan shall include the proposed front, side, and waterfront setbacks measured from the ordinary high-water elevation to the principal structure and to the furthest edge of any patio/lanai/pool deck.

(3) Statistical table to indicate the square footage of the property as measured to the ordinary high water elevation, square footage of the building elements and square footage of the combined impervious surfaces.

(4) Building elevations of the proposed principal and accessory structures including pool cabanas. The elevations shall include the existing ground level to indicate extent of retaining or stem walls proposed.

(5) Drainage plan (which may also be included on the site plan) showing the method of conveyance of storm water drainage and the areas designed for storm water retention including any curbs or walls necessary to contain drainage on-site or swales, inlets and pipes necessary for conveyance.

(d) ~~Other~~ *sStructures on lakefront, canalfront or streamfront lots.* The following standards shall apply to all construction on lakefront, canalfront or streamfront lots:

(1) *Stormwater retention.* Lakefront, canalfront and streamfront lots shall be developed to maximize the amount of natural rainfall which is percolated into the soil via retention systems and to prevent minimize-direct overland runoff into the water or onto adjoining properties. With the exception of boathouses, docks or other over-water construction, storm water runoff from structures and other impervious surfaces shall be directed into swales or terraces on the lot or restrained by berms so as to provide for the on-site retention and percolation of the first one inch of runoff. Properties being developed or redeveloped shall eliminate any direct piped discharges of storm water into the water, so that this runoff is directed to the on-site retention and percolation areas. The ~~P~~lanning and ~~Z~~oning ~~B~~oard may require, as conditions necessitate, the submission of soil and water table information, topographic detail, drainage calculations and professionally designed plans so as to insure these requirements are met. All storm water retention compliance shall prioritize the preservation of existing trees and the impacts of fill or excavation on tree root systems shall be minimized and the ~~P~~lanning and ~~Z~~oning ~~B~~oard shall have the authority to require berm or alternative retention methods and volumes including waiving the need for such storm water retention where deemed advisable to protect the root systems and survivability of existing oak and cypress trees. Storm water retention/swales shall be setback from existing trees based on the same separation distances as required for tree barriers during demolition/construction. In addition, the City may require for proper conveyance of storm water, the implementation of inlet and pipe drainage systems incorporated into the property so that runoff is properly conveyed down the side setback areas.

(2) No lakefront, canalfront or streamfront lot owner shall grade the lot in such a way as to interfere with the natural drainage of adjoining lots or in a way that diverts drainage from their lot onto adjoining lots. In order to prevent stormwater runoff onto adjacent properties, new construction on sloping sites shall require stemwall construction in order to maintain the existing grades within the side setback areas. The ~~P~~lanning and ~~Z~~oning ~~B~~oard ~~commission~~ may also require, as conditions necessitate, the construction of physical features, such as curbs, walls or

~~inlets grading, swaling and piping of roof gutters so as to ensure that runoff on a lot does not negatively impact adjoining lots.~~

(3) Views of Neighbors. Structures on lakefront, canalfront or streamfront lots shall, to the extent reasonably possible, be designed and located to minimize their obstruction or degradation of traditional views to and through the property to the water from adjoining waterfront properties. ~~Structures in this context shall also include fences and walls. Structures shall also be located so that existing trees shall be preserved to the degree reasonably possible.~~ The ~~P~~planning and ~~Z~~oning ~~B~~oard, may as conditions necessitate, reduce the height of structures, alter their location, size and design so as to accomplish these objectives. The ~~P~~planning and ~~Z~~oning ~~B~~oard shall also have limited authority to grant exceptions to the front and side setback standards when deemed necessary to accomplish these objectives.

(4) Tree Preservation. Structures on lakefront, canalfront or streamfront lots shall be developed and landscaped so that when viewed from the water, those structures are as unobtrusive as is reasonably possible. Structures shall also be located so that existing trees shall be preserved to the degree reasonably possible. When a lot is being redeveloped, or a lot's structure is being extended or altered, the ~~P~~planning and ~~Z~~oning ~~B~~oard ~~commission~~ may require the planting of new trees and other landscaping in order to achieve this objective. The Planning and Zoning Board shall also require the preservation of shade trees whenever possible in order to keep the lakefront environment as natural as reasonably possible.

(5) Views from the lake. To the extent practical, vehicles shall not be visible from the lake, canal or stream. To achieve this objective, the parking of vehicles in any area between the rear of the principal building and the water shall be prohibited. Driveways and other parking surfaces for vehicles ~~shall not be when located on the waterfront side of lots closer to the water than the first one third of the length of the home and driveways on the side of homes leading to basement parking garage areas shall not be permitted.~~ ~~shall be screened by walls or fences (not including wood fences) or landscaping at least four feet in height that can effectively screen the view of the vehicles from the lake.~~ This shall not apply to driveways and parking areas in the front of the lot that may be situated such that vehicles are visible from the water lake.

(6)(5) Structures on lakefront lots require the approval of the ~~P~~planning and ~~Z~~oning ~~B~~oard prior to the issuance of a building permit. As conditions necessitate, the ~~P~~planning and ~~Z~~oning ~~B~~oard ~~or city commission~~ may impose increased setbacks in concert with their waterfront review ~~or conditional use authority as necessary to~~ accomplish the objectives in this section. Structures in this context shall also include parking lots, driveways, swimming pools, cabanas, gazebos, screen enclosures, tennis

courts and other outdoor recreational facilities, and other accessory buildings and structures.

a. *Setbacks - Single family/duplex.* The setback from the water's ordinary high-water elevation for single family and duplex buildings and any other accessory structures on those properties (other than boathouses, docks, over the water gazebos or retaining walls) shall be the average water front setback to the principal structure established by the adjacent water front properties within 200 feet of the subject property, or fifty (50) feet, whichever is greater. That average lakefront setback determination shall be the point at which construction is permitted. The ~~P~~lanning and ~~Z~~oning ~~B~~oard shall have the authority to approve water front setbacks less than the average determined above to a minimum of fifty (50) feet in accordance with their water front review authority based upon the determination by the Planning and Zoning Board that such construction does not unduly impair the views of water of adjoining waterfront properties.

b. *Setbacks - Multi-family/non-residential/mixed use.* The water front setback from the ordinary high-water elevation for multi-family (three or more units) or non-residential or mixed-use buildings and any other accessory structures on those properties (other than boathouses, docks, over the water gazebos or retaining walls) shall correspond to the height of the proposed structure. For buildings and structures thirty-five (35) feet in height or less, the water front setback shall be a minimum of seventy-five (75) feet. As the height of the building or structure increases, for each one-foot increase in height over thirty-five (35) feet in height, the water front setback shall increase by two and one-half (2½) feet. Parking lots, driveways, swimming pools or other accessory structures shall be—half setback a minimum of fifty (50) feet from the ordinary high-water elevations below. The Planning and Zoning Board shall also have limited authority to grant exceptions to the water front setback standards when new construction replaces an existing structure(s) that are nonconforming to the current required lakefront setbacks but may not increase that nonconformity.

c. *Ordinary high-water elevations.* For convenience, the ordinary high-water elevations of the city's principal lakes are listed below. These elevations have been determined by the Florida Department of Environmental Protection (FDEP) Bureau of Survey and Mapping. All elevations reference NGVD (88 datum). For the canal and stream front locations, the ordinary high-water elevations are to be provided by the ~~p~~Public ~~w~~orks ~~d~~epartment.

1. Lake Berry69.4 feet
2. Lake Killarney82.0 feet.
3. Lake Maitland65.7 feet.
4. Lake Mizell65.7 feet.
5. Lake Osceola65.7 feet.

6. Lake Sue70.7 feet7.
7. Lake Sylvan71.2 feet.
8. Lake Virginia65.7 feet.
9. Lake Bell88.6 feet.
10. Lake Spier89.7 feet.
11. Lake Forrest100.0 feet.
12. Lake Grace100.8 feet.
13. Lake Rose87.8 feet.
14. Lake Tuscany69.1 feet.
15. Lake Baldwin90.7 feet.
16. Lake Temple66.6 feet

~~(7)(6)~~ Structures on canalfront or streamfront lots require the approval of the ~~P~~lanning and ~~Z~~oning ~~B~~oard prior to the issuance of a building permit. Other than boathouses, the waterfront setback shall be at least fifty (50) feet from the canal bulkhead or stream. Structures in this context shall also include driveways, parking lots, swimming pools and pool decks, screen enclosures, tennis courts and other outdoor recreational facilities, cabanas and other accessory buildings and structures. A structure shall be interpreted as any object higher than three (3) feet above grade whether permanently affixed to the ground or not and shall include poles, flags, play equipment, etc. which are not permitted in the fifty (50) foot lakefront setback except as permitted below for canalfront or streamfront locations. Swimming pools and decks on canalfront or streamfront lots may be permitted a minimum of twenty-five (25) feet from the canal bulkhead or stream ordinary high-water elevation, provided the swimming pool has an elevation of no more than two (2) feet above the existing grade on the side closest to the canal or stream. The ~~P~~lanning and ~~Z~~oning ~~B~~oard may require, as conditions necessitate, the imposition of increased setbacks to accomplish the objectives in this section.

~~(8)(7)~~ Fences or walls on lakefront, canalfront, or streamfront lots.

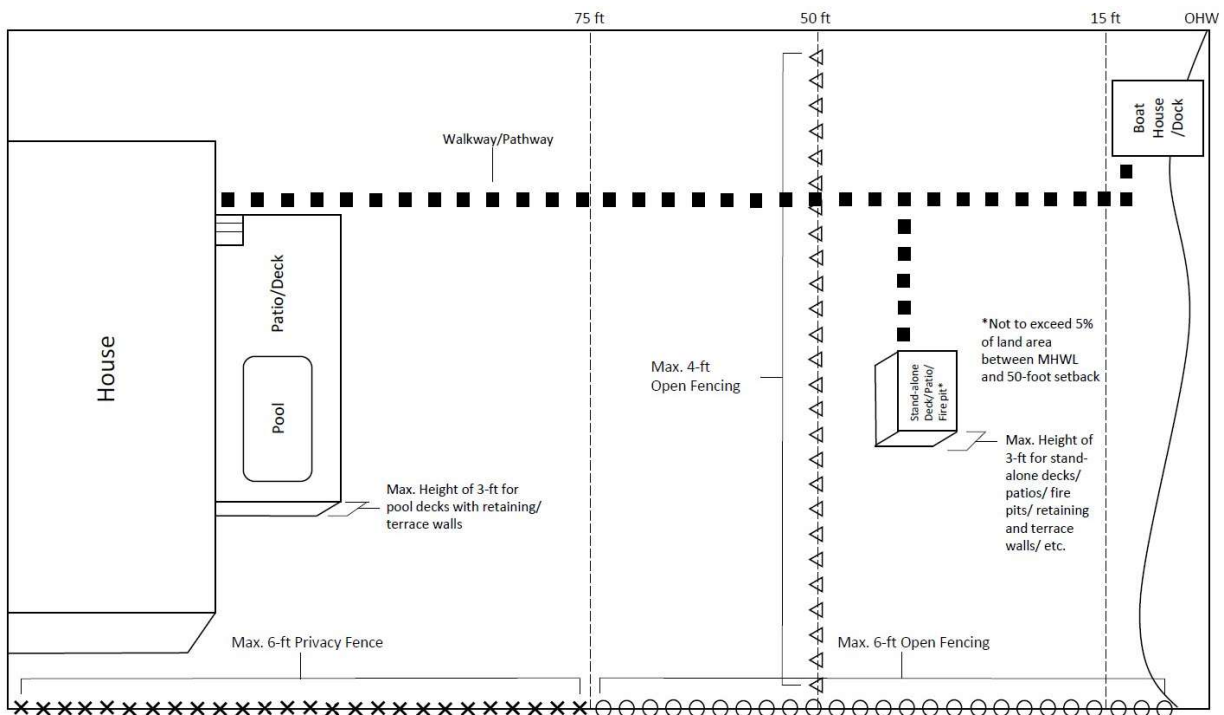
a. Fences or walls on lakefront, canalfront, or streamfront lots shall not be permitted to extend into the water beyond the ordinary high-water elevation or into a canal beyond the bulkhead. Fences and walls shall not be permitted which run parallel to or across the lakefront, canalfront or streamfront property anywhere within the fifty (50) foot setback from the ordinary high-water elevation.

b. Fences that are seventy-five percent (75%) open, such as aluminum picket, wrought iron, or green or black clad vinyl chain link, but not walls or nonopaque-any fences, of solid materials such as wood or vinyl may be permitted which run parallel to or across the lakefront, canalfront or streamfront on only that portion of the land between the rear of the main structure and the

fifty (50) foot setback provided such fence does not exceed four (4) feet in height above existing grade.

c. Retaining walls, terrace walls, standalone decks and patios, railings or other structures higher than three (3) feet above existing grade shall not be permitted within the fifty (50) foot setback. Other accessory structures or improvements, that do not exceed three (3) feet in height within the fifty (50)-foot setback such as walkways, railings, standalone patios and, decks, fire pits, etc., shall not cover more than five percent (5%) ten percent of the land area within that fifty (50)-foot setback. Standalone patios, decks and fire pits shall have a minimum setback of fifteen (15) feet from the ordinary high-water elevation.

d. In order to maintain water views across properties, Fences running down the sides of properties up to seventy-five (75) feet setback from the ordinary high-water line, shall be permitted a height of up to six (6) feet. within the 50-foot setback or parallel to or across the waterfront Fences within the seventy-five (75) foot setback, shall be seventy-five percent (75%) substantially open, fences limited to the materials such as aluminum picket, wrought iron, or green or black clad vinyl chain link, which allow visibility across property lines and to the water. Wood shadow box fences shall not qualify as open fencing. The pPlanning and zZoning bBoard may permit fences closer than the fifty (50) feet but only on canalfront or streamfront lots as necessary to enclose swimming pools. The following figure provides a summarized example of the overall requirements provided in the subsections above.



(e)(8) *Conformance to grades.* Many waterfront lots have existing grade slopes down to the water that are otherwise uncommon in the region. The typical home design with a finished first floor level and the swimming pool and patios decks at the same level cannot be accomplished on these sloping sites.

(1) The design of the floor levels and swimming pool or patio decks must conform to the terrain and natural slope of the property.

(2) Swimming pool and spa decks, patios and terraces shall not be constructed more than three (3) feet in height above the average existing grade elevation on the lakeside edge of the deck, patio, or terrace. The height shall be measured from the existing natural grade and not the finished grade; and shall be measured from the average or midpoint of existing grade when a property slopes from side to side across the width of the pool deck, patio or terrace. The three (3) feet height limit shall be measured to the level of the predominant swimming pool deck elevation, patio or terrace elevation and cannot be mitigated with the construction of retaining walls or negative/infinity edge water collection areas or landscape terrace walls in front of the predominant pool/patio elevation.

(3) The facade of exposed retaining walls taller than three (3) feet above grade facing the lake shall be screened with landscape plantings materials across the length of the retaining wall except for any sections involving steps stairs down to the lakefront.

(4) On lots with severe grade drops of over seven (7) feet throughout the length of the house, as measured by the contours starting at the front of the main structure to the end of the proposed structure, the Planning and Zoning Board may approve swimming pool and spa decks, patios and terraces higher than three (3) feet above existing grade on the water side to a maximum of five (5) feet above existing grade. This approval is subject to the project design including step-downs within the principal structure and/or from the first-floor elevation down to the swimming pool, patio, or terrace deck, that at a minimum shall be equal to the number of feet requested above the three (3) foot allowance. if approved by four members of the planning board. For example, a swimming pool deck, patio or terrace deck height requested at five (5) feet above existing grade, shall have a minimum of two (2) feet of step-downs within the principal structure and/or from the finished floor elevation down to the swimming pool deck, patio or terrace deck or a combination of both. This restriction or limitation on the maximum height above existing grade shall not be provided any exception or variance.

(5) Walk-out basement levels on waterfront homes that create three floors of living area, or usable basement areas for garage/storage, etc. on the waterfront side of the home shall be permitted where grades permit. However, swimming pools and associated decks and patios, shall be located only on the lowest living area level, and shall be in accordance with the height requirements as set forth in this section.

(6) The height of accessory structures on waterfront homes is measured to existing grade; this shall be inclusive of any elevation decks/patios, etc.

(f)(10) Any property that requests and is permitted a swimming pool, patio or terrace deck elevation in excess of three (3) feet above existing grade on the waterfront side, shall not be permitted to construct an accessory structure on that elevated swimming pool, patio or terrace deck unless such accessory structure meets the required lakefront and side setbacks of the principal residence. This restriction shall not be provided any exception or variance.

(g)(e) Retaining walls or seawalls. Retaining walls shall not exceed a maximum width of thirty-six (36) inches. The construction of retaining walls or seawalls shall be done in accordance with the Lakeshore Protection regulations within this Code of Ordinances.

~~(f) Boathouse lots on canals. The boathouse lots which exist along the canals interconnecting the lakes within the city were platted and accepted by the city under the premise that these lots would serve as lake access for the residents of that subdivision. As such, the purpose and intention of these boathouse lots is to serve as accessory lots to the main residential properties within that subdivision. In accordance with the policies contained within the comprehensive plan, the following regulations shall apply:~~

~~(1) The buildability and use of all canal boathouse lots, which are determined to be accessory lots, shall be restricted to the owners of real property within the subdivision in which these accessory boathouse lots were platted.~~

~~(2) Canal boathouse lots which are held January 1, 1981, by property owners residing outside of the subdivision for which they are platted shall be nonconforming boathouse lots which may still be used for constructing a boathouse and for lake access. However, any canal boathouse lots owned by real property owners on January 1, 1981, in the subdivision for which they were platted, shall only be buildable and used to serve the lake access needs of residents of that subdivision.~~

~~(3) Minimum lot widths shall be 50 feet.~~

~~(4) Canal boathouses shall be constructed a minimum of five feet from side lot line. There shall be no front setback.~~

~~(5) The highest point of a canal boathouse shall be no more than ten feet above the ordinary high-water elevation of the closest lake as detailed in this section.~~

~~(6) Canal boathouses shall not exceed 400 square feet in size for all areas of boathouses, stairs, and decking.~~

~~(7) Canal boathouses shall be located so as not to interfere with navigation and to result in the minimum of loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. Landscape buffering shall be~~

~~required to substantially cover 50 percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not detract from the natural surroundings. Off-street parking areas shall remain without asphalt, concrete, brick, gravel, grass paver or other improved surface.~~

~~(h)(g)~~ *Wetlands*. Located adjacent to certain streams, lakes and canals are wetland areas, as defined by the Florida Department of Environmental Protection (FDEP) and St. Johns River Water Management District (SJRWMD) methodology, soil types, hydrological requirements and vegetation types in which no adding of soil or other fill materials shall be permitted. In addition, the use of these wetland areas for any structure shall be permitted only as a conditional use granted only upon the affirmative vote of four members of the City Commission and said structures shall be limited to elevated boardwalks or gazebos. The criteria utilized to evaluate such conditional use requests shall include, but not be limited to: the effect on the wetland's function; environmental impacts on the wetlands from the construction process; the loss of environmentally sensitive areas and the precedent for similar construction in other such wetland areas including conformance to the comprehensive plan. For any other building or structure(s) there shall be a fifty (50) foot minimum setback required from the edge of such designated wetlands.

SECTION 2. That Chapter 114 "Waterways", is hereby amended by establishing a new Section 114-31 in order to transfer the existing regulation of boathouse and docks from the Chapter 58, "Zoning Regulations" to the Chapter 114, "Waterways" Section 114-31 as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

Sec. 114-31 – Regulations for boathouses, docks and other waterfront structures.

(a) Boathouses, docks and other waterfront structures. It is the intent of this section to insure that boathouses, docks, gazebos and any other structures on the waterfront of properties including canalfront lots, lakefront lots and streamfront lots are constructed or placed such that no boating hazards will be created, that views of water from adjoining waterfront properties will not be unduly impaired; that existing trees shall be preserved to the degree reasonably possible and that the appearance of the property and the shore when viewed from the water will be kept as natural as reasonably possible. The city's lakes, canals and streams are among the city's greatest assets, and it is in the public interest to require that their aesthetic appeal. The following minimum or maximum standards and procedures shall apply to all construction or renovation of boathouses, docks and other waterfront structures.

(1) Before a building permit is issued, the plans for boathouses, docks and any other waterfront structures shall be approved by either the Lakes and Waterways Advisory Board or Lake Killarney Advisory Board pursuant to their jurisdictions. This shall be done at a public hearing after review of comments from city staff and

notification of the adjacent lakefront property owners. However, review and approval of boathouses, docks and gazebos shall not be required if the structure is replacing an existing boathouse, dock or gazebo and is in the same location and is meeting the code requirements set forth in this section. The review and approval by the Lakes and Waterways Board or Lake Killarney Advisory Board is only required when variances are requested or when there is not an existing boathouse, dock or gazebo on the property/water or when the location of the boathouse, dock or gazebo is being changed by more than five feet from the current location.

(2) The total area of boathouses, docks and any other waterfront structure built over land and/or water shall not exceed six hundred (600) square feet. In the case of canal-front lots (other than the Venetian Canal boathouse lots as set forth in subsection (b) hereafter), the maximum total area of docks, boathouses, decks, stairs and any other attachments shall be based on the length of the canal frontage as follows:

(a) Seventy-five feet or less of frontage, 450 sq. ft.

(b) Seventy-six feet to 100 feet of frontage, 500 sq. ft.

(c) Over 100 feet of frontage, 550 sq. ft.

(d) The maximum width of canal boathouses shall be 20 feet.

(3) All new docks and boathouses shall be constructed no closer than ten (10) feet from a side lot line. This side setback can be reduced to five (5) feet if written approval is presented from the adjacent property owners.

(4) All new docks and boathouses shall not extend over thirty (30) feet into the water from the elevations specified in this article. However, on Lake Killarney the maximum distance may be fifty (50) feet.

(5) The highest point of a boathouse or gazebo roof or any railing shall not exceed eleven (11) feet and the roofs must be pitched with a minimum 2:12 slope on all sides of the peak, so as to eliminate flat roofs and use of such areas as sundecks. The height shall be measured from the surface of the dock or floor to the highest point of the roof or railing. In addition, the surface of any dock, sundeck or floor of any boathouse, gazebo, etc., shall not be more than two (2) feet above the elevations specified in this subsection.

(6) In order that all boathouses or other waterfront structure, be utilized only for boating and other recreational activities and not as living space, there shall be no bathrooms or cooking facilities permitted in them, nor as an improvement to any existing boathouse. There also shall not be any enclosed rooms over water except for storage rooms limited in size to a maximum of eighty (80) square feet.

(7) Only one (1) boathouse shall be permitted for each lakefront or waterfront property owner. In the case of common ownership of lakefront property such as in

a condominium arrangement or property owned by a subdivision, there shall only be one (1) boathouse permitted. However, based upon the relative lake frontage of a multi-family residential the respective board may consider that factor in the consideration of variances.

(8) The sale or lease of any portion of lakefront or waterfront, shall be construed as a subdivision and shall not enable the owners to make application for a dock and boathouse unless that subdivision has received the approval of the City Commission.

(9) Canal boathouses shall be located so as not to interfere with navigation and to result in the minimum loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. On waterfront lots that are separated by a public street, landscape buffering shall be required to substantially cover fifty (50%) percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not detract from the natural surroundings. Off-street parking areas shall remain without asphalt, concrete, brick, gravel, grass paver or other improved surface.

(10) As a condition for a permit to build or repair any lakefront dock or boathouse, the lakefront water area along shorelines that do not meet the vegetation standards of subsection [114-6\(a\)](#) of this Code shall be required to be planted so that no more than fifty (50) feet, or fifty (50%) percent (whichever is less) of the shoreline remains clear of vegetation.

(b) *Boathouse lots on the Venetian Canal and Kraft Gardens.* The Kronenberger subdivision boathouse lots which exist along the Venetian Canal interconnecting Lake Osceola and Lake Maitland or that exist on Lake Maitland adjacent to Kraft Gardens were platted and accepted by the city under the premise that these lots would serve as lake access and accessory uses only for the residents of that subdivision. As such, the purpose and intention of these boathouse lots is to serve as accessory lots to the main residential properties within that subdivision. In accordance with the policies contained within the comprehensive plan, the following regulations shall apply to these properties:

(1) The buildability and use of all canal boathouse lots, which are determined to be accessory lots, shall be restricted to the owners of real property within the Kronenberger subdivision in which these accessory boathouse lots were platted.

(2) Such canal or lake boathouse lots which are held January 1, 1981, by property owners residing outside of the subdivision for which they are platted shall be nonconforming boathouse lots which may still be used for constructing a boathouse and for lake access. However, any such canal or lake boathouse lots owned by real property owners on January 1, 1981, in the subdivision for which

they were platted, shall only be buildable and used to serve the lake access needs of residents of that subdivision.

(3) Minimum lot widths shall be fifty (50) feet.

(4) Canal boathouses shall be constructed a minimum of five (5) feet from side lot line. There shall be no front setback.

(5) The highest point of a canal boathouse shall be no more than ten (10) feet above the ordinary high-water elevation of the closest lake as detailed in this section.

(6) Canal boathouses shall not exceed four hundred (400) square feet in size for all areas of boathouses, stairs, and decking. Lake lots shall be permitted the typical lake dimensions.

(7) Canal boathouses shall be located so as not to interfere with navigation and to result in the minimum of loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. Landscape buffering shall be required to substantially cover fifty (50%) percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not detract from the natural surroundings. Off-street parking areas shall remain without asphalt, concrete, brick, gravel, pavers, or other improved surface. The remainder of the boathouse lot shall remain composed entirely of landscape materials which shall preclude gravel, fire pits, patios, sheds, storage bins or any other accessory structure or use, other than landscaped area.

(c) *Retaining walls or seawalls.* The construction of retaining walls within fifteen (15) feet of the ordinary high-water elevation or seawalls shall be done in accordance with the Lakeshore Protection regulations within this Code of Ordinances.

SECTION 3. CODIFICATION. Sections 1 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 on March 1, 2023 upon its passage and in accordance with Florida law. Any project which has received an approval from the Planning and Zoning Board prior to that date or has submitted an application for an approval by the Planning and Zoning Board prior to that date shall be vested under the previous code related to waterfront lots.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida held in City Hall, Winter Park, on this 25th day of January, 2023.

Phillip M. 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 January 25, 2023
prepared by Melissa Meade	approved by
board approval	
strategic objective	

subject

Ordinance - Vacating and abandoning portion of Elvin Avenue right-of-way (1st reading) **Tabled from January 11, 2022.**

motion / recommendation

Approve motion to vacate portion of Elvin Ave right-of-way. Staff agrees this right-of-way section is appropriate to vacate. All pertinent utility signoff's have been reviewed.

background

The city received a request from the developer of Ravaudage to vacate the portion of Elvin Ave adjacent to 1451 Elvin. As the portion of Elvin as already been vacated as well as Loren Avenue, the city is supportive of this request.

alternatives / other considerations

Not approve Request to Vacate

fiscal impact

No direct financial impact as part of this action.

ATTACHMENTS:

[Elvin Avenue Partial Vacation Ordinance 12-28-2022.doc](#)

ATTACHMENTS:

[Exhibit A to Elvin Ave Vacation Ordinance.pdf](#)

ATTACHMENTS:

[Letter to Don Marcotte, PE](#)

ATTACHMENTS:

[WP electric sign off Elvin 09.10.2022.pdf](#)

ATTACHMENTS:

[Spectrum Elvin Ave.08.17.2022.pdf](#)

ATTACHMENTS:

[WP waste water and water Elvin Ave Vacation Request.Elvin.pdf](#)

ATTACHMENTS:

[TECO sign off 2nd Elvin ave 09.10.2022.pdf](#)

After Recording Return To:
City of Winter Park, City Clerk's Office
401 Park Avenue South
Winter Park, Florida 32789

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING A PORTION OF THE ELVIN AVENUE RIGHT-OF-WAY, DEDICATED BY HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "M", PAGE 97, OF THE PUBLIC RECORDS OF ORANGE COUNTY, MORE PARTICULARLY DESCRIBED IN EXHIBIT A; PROVIDING FOR CONFLICTS, RECORDING AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park has authority to adopt this Ordinance by virtue of its home rule powers and Charter with respect to abandoning and vacating rights of way no longer needed for public purposes, and the City Commission has made such a determination; and

WHEREAS, the adjacent property owner has requested the right-of-way vacation and abandonment set forth herein and the City has determined that portion of Elvin Avenue right-of-way being vacated and abandoned by this Ordinance is no longer needed by the City of Winter Park.

BE IT ENACTED by the People of the City of Winter Park, Florida as follows:

Section 1. The City Commission of the City of Winter Park, Florida hereby vacates and abandons that certain portion of the Elvin Avenue right-of-way legally described in that certain legal description and sketch of description attached hereto as **Exhibit "A"**.

Section 2. In the event of any conflict between this Ordinance and any other ordinance or portions of ordinances, this Ordinance controls.

Section 3. After adoption, this Ordinance shall be recorded in the public records of Orange County, Florida.

Section 4. This Ordinance shall take effect immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the _____ day of _____, 2023.

Phil Anderson, Mayor

ATTEST:

Rene Cranis, City Clerk

SKETCH OF DESCRIPTION (THIS IS NOT A SURVEY)

EXHIBIT "A"

DESCRIPTION:

A PORTION OF ELVIN AVENUE, HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK M, PAGE 97, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 29 EAST; THENCE, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 29 EAST, N89°23'36"E, A DISTANCE OF 314.04 FEET; THENCE, DEPARTING SAID SOUTH LINE, S00°36'24"E, A DISTANCE OF 425.25 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ELVIN AVENUE; SAID POINT BEING THE POINT OF BEGINNING. THENCE, ALONG SAID NORTH RIGHT-OF-WAY LINE, S89°27'45"E, A DISTANCE OF 118.13 FEET; THENCE, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, S00°32'15"W, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ELVIN AVENUE; THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, N89°27'45"W, A DISTANCE OF 117.70 FEET; THENCE, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, N00°02'30"E, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING APPROXIMATELY 5,896 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. The lands as shown hereon lie within Section 1, Township 22 S., Range 29 E., Orange County, Florida.
2. Bearings shown hereon are assumed relative to south right-of-way line of Elvin Avenue, bearing N89°27'45"W assumed.
3. This is not a survey.

\\SERVER\Projects\Ravaudage - Phase 3\dwg\ELVIN.dwg

SHEET 1 OF 2

HLSM, LLC

Henrich-Luke-Swaggerty-Menard
Professional Surveyors & Mappers
Licensed Business No. 7276

302 Live Oaks Boulevard
Casselberry, Florida 32707
P. (407) 647-7346

Survey@HLSM.US

Job No: M-287
Date: 8/18/22
Drawn By: JJR
Scale: 1"=30'

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. 55625


William F. Menard
Professional Surveyor & Mapper
Florida Registration #5625

SKETCH OF DESCRIPTION (THIS IS NOT A SURVEY)

EXHIBIT "A"

LEGEND:

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
R/W RIGHT-OF-WAY

POC

NW CORNER OF THE
NW 1/4 OF THE NE 1/4 OF
SECTION 1-22-29

N89°23'36"E 314.04'

SOUTH LINE

SOUTHEAST 1/4

SECTION 36-21-29

MONROE AVENUE
(RIGHT-OF-WAY VARIES)

S00°36'24"E 425.25'

HOME ACRES
PLAT BOOK M, PAGE 97

LOT 1
BLOCK P

LOT 16
BLOCK P

POB

S89°27'45"E 118.13'

NORTH R/W LINE

N00°02'30"E 50.00'

ELVIN AVENUE

(50' RIGHT-OF-WAY)

5,896 ± SQUARE FEET

SOUTH R/W LINE

S00°32'15"W 50.00'

N89°27'45"W 117.70'

HOME ACRES
PLAT BOOK M, PAGE 97

LOT 10
BLOCK L

LOT 11
BLOCK L

SHEET 2 OF 2

\\SERVER\Projects\Ravaudage - Phase 3\dwg\ELVIN.dwg



HLSM, LLC

Henrich-Luke-Swaggerty-Menard
Professional Surveyors & Mappers

Licensed Business No. 7276

302 Live Oaks Boulevard
Casselberry, Florida 32707
P. (407) 647-7346

Survey@HLSM.US

Job No: M-287
Date: 8/18/22
Drawn By: JJR
Scale: 1"=30'

NOT VALID WITHOUT THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER.

SEE SHEET 1 OF 2
FOR SIGNATURE & SEAL

August 22, 2022

Don Marcotte, P.E.
City of Winter Park
1409 Howell Branch Rd.
Winter Park, FL 32789

Dear Don,

I would like to request the city vacate the portion of Elvin Avenue adjacent to 1451 Elvin consistent with our development plan and Annexation Agreement with the City. Letters of "No Objection" are currently being received from the affected public utilities and will be forwarded to you prior to public hearing. This requested right-of-way vacation has no negative impact on access or traffic as the road is currently a dead end (resulting from previous right-of-way vacations of Elvin and Loren Avenues). Please find attached an area map, Sketch and Description of the area requested to be vacated. I appreciate your review of this request and placement on an upcoming public hearing agenda as required by law.

Sincerely,



Daniel B. Bellows

SKETCH OF DESCRIPTION

(THIS IS NOT A SURVEY)

DESCRIPTION:

A PORTION OF ELVIN AVENUE, HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK M, PAGE 97, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 29 EAST; THENCE, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 29 EAST, N89°23'36"E, A DISTANCE OF 314.04 FEET; THENCE, DEPARTING SAID SOUTH LINE, S00°36'24"E, A DISTANCE OF 425.25 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ELVIN AVENUE; SAID POINT BEING THE POINT OF BEGINNING. THENCE, ALONG SAID NORTH RIGHT-OF-WAY LINE, S89°27'45"E, A DISTANCE OF 118.13 FEET; THENCE, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, S00°32'15"W, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ELVIN AVENUE; THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, N89°27'45"W, A DISTANCE OF 117.70 FEET; THENCE, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, N00°02'30"E, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING APPROXIMATELY 5,896 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. The lands as shown hereon lie within Section 1, Township 22 S., Range 29 E., Orange County, Florida.
2. Bearings shown hereon are assumed relative to south right-of-way line of Elvin Avenue, bearing N89°27'45"W assumed.
3. This is not a survey.

\\\\SERVER\\Projects\\Ravaudage - Phase 3\\dwg\\ELVIN.dwg

HLSM, LLC

Henrich—Luke—Swaggerty—Menard
Professional Surveyors & Mappers

Licensed Business No. 7276

302 Live Oaks Boulevard
Casselberry, Florida 32707
P. (407) 647-7346

Survey@HLSM.US

Job No: M-287
Date: 8/18/22
Drawn By: JJR
Scale: 1"=30'

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. 55625

STATE OF FLORIDA
William E. Menard
Professional Surveyor & Mapper
Florida Registration #5625

SHEET 1 OF 2

SKETCH OF DESCRIPTION (THIS IS NOT A SURVEY)

LEGEND:

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
R/W RIGHT-OF-WAY

POC

NW CORNER OF THE
NW 1/4 OF THE NE 1/4 OF
SECTION 1-22-29

N89°23'36"E 314.04'

SOUTH LINE

SOUTHEAST 1/4

SECTION 36-21-29

MONROE AVENUE
(RIGHT-OF-WAY VARIES)

S00°36'24"E 425.25'

HOME ACRES
PLAT BOOK M, PAGE 97

LOT 1
BLOCK P

LOT 16
BLOCK P

POB

S89°27'45"E 118.13'

NORTH R/W LINE

N00°02'30"E 50.00'

ELVIN AVENUE

(50' RIGHT-OF-WAY)

5,896 ± SQUARE FEET

SOUTH R/W LINE

S00°32'15"W 50.00'

N89°27'45"W 117.70'

HOME ACRES
PLAT BOOK M, PAGE 97

LOT 10
BLOCK L

LOT 11
BLOCK L

SHEET 2 OF 2

HLSM, LLC

Henrich-Luke-Swaggerty-Menard
Professional Surveyors & Mappers

Licensed Business No. 7276

302 Live Oaks Boulevard
Casselberry, Florida 32707
P. (407) 647-7346

Survey@HLSM.US

Job No: M-287
Date: 8/18/22
Drawn By: JJR
Scale: 1"=30'

NOT VALID WITHOUT THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER.

SEE SHEET 1 OF 2
FOR SIGNATURE & SEAL

\\SERVER\Projects\Ravaudage - Phase 3\dwg\ELVIN.dwg



DESCRIPTION:

A PORTION OF ELVIN AVENUE, HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK M, PAGE 97, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 29 EAST; THENCE, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 29 EAST, N89°23'36"E, A DISTANCE OF 314.04 FEET; THENCE, DEPARTING SAID SOUTH LINE, S00°36'24"E, A DISTANCE OF 425.25 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ELVIN AVENUE; SAID POINT BEING THE POINT OF BEGINNING. THENCE, ALONG SAID NORTH RIGHT-OF-WAY LINE, S89°27'45"E, A DISTANCE OF 118.13 FEET; THENCE, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, S00°32'15"W, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ELVIN AVENUE; THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, N89°27'45"W, A DISTANCE OF 117.70 FEET; THENCE, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, N00°02'30"E, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING APPROXIMATELY 5,896 SQUARE FEET, MORE OR LESS.

City of Winter Park
401 Park Avenue South
Winter Park, FL 32789
407-691-7801
Attn: Mourad Belfakih

July 21, 2022

Dear Mo,

I am in the process of requesting that the City of Winter Park vacate a portion of ELVIN AVENUE between Lewis Drive and Bennett ave, as shown on the copy of the enclosed tax map highlighted in RED.

The site address is 1451 ELVIN AVENUE and lies within a subdivision found in Plat Book M, Page 97 on the Home Acres Subdivision. In order to have this action heard, I must provide letters of no objection from utility companies who may have utilities within this Rights of way. Please note the remainder of Elvin Avenue to the west has been previously vacated.

Please review your records, complete the form below, and return this letter to me. If you have any questions, please contact DAN BELLOWS at (407) 644-3151.

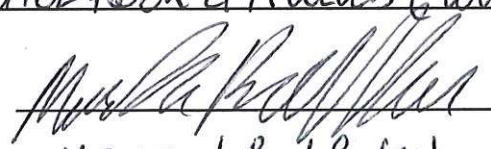
Sincerely yours,


Daniel B. Bellows
Sydgan Corporation
P.O. Box 350
Winter Park, FL 32790

☒ The subject parcel is not within our jurisdiction. (Electric only)

☐ The subject parcel is within our jurisdiction. We **do/do not** (circle one) have any facilities within the easement/right of way. We have no objection to the vacation.

Additional Comments: No Electrical Facilities, Please check with other Winter Park utilities (water/sewer/water)

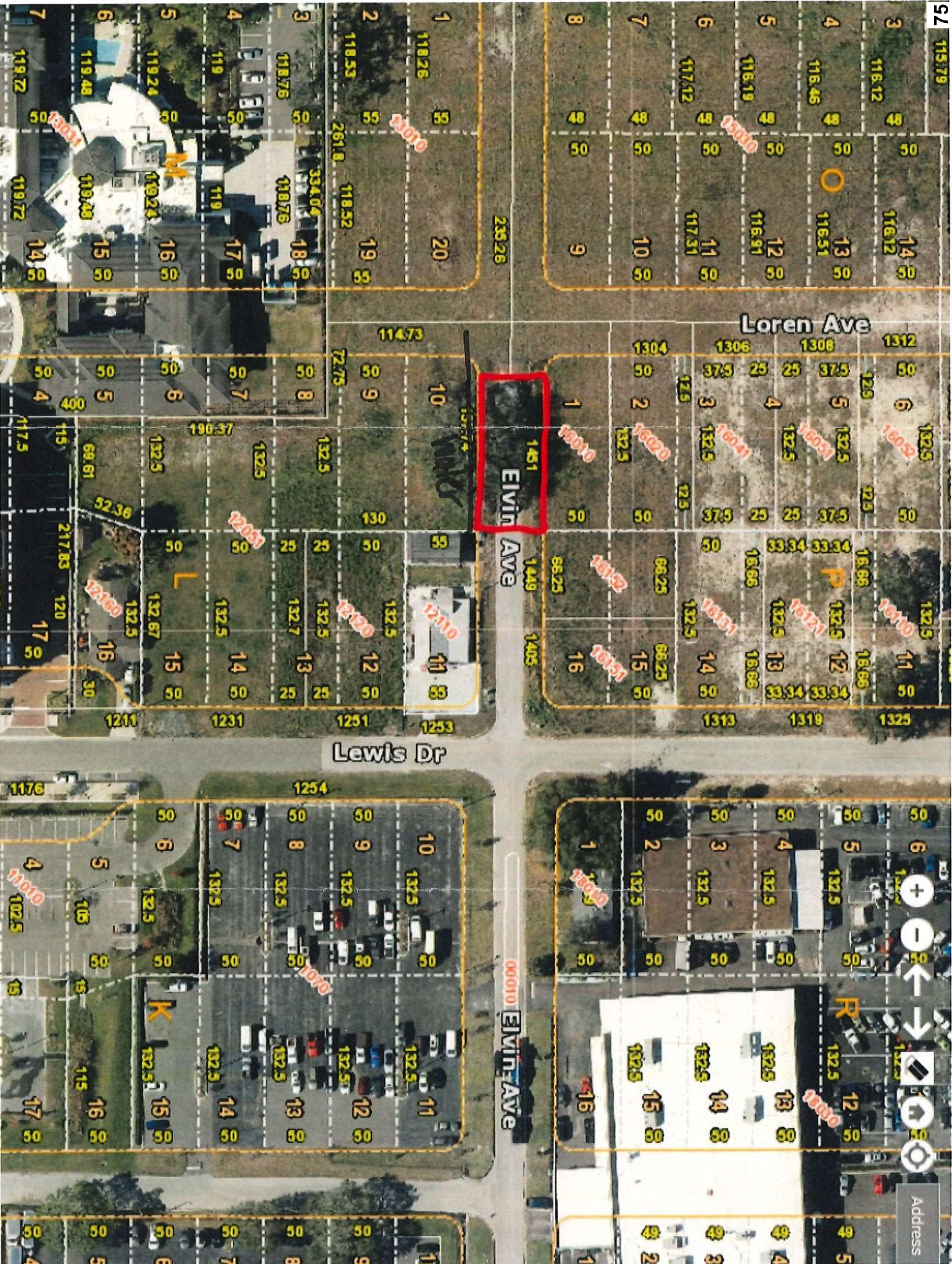
Signature: 

Print Name: MOURAD BELFAKIH

Title: Senior Electrical Engineer

Date: 8-31-2022

Phone Number: 407-691-7801



Construction Department
3767 All American Blvd
Orlando Fl. 32810



August 17, 2022

Dan Bellows
Sydgan Corparation
P.O. Box 350
Winter Park, Fl. 32790

Re: Request for a Vacate of a portion Elvin Ave Right of Way
1451 Elvin Avenue

Dear Mr. Bellows:

Charter Spectrum has reviewed your request to vacate this portion of right of way and have no objection to the vacation as shown in this highlight drawing below.



If you need and additional information, please contact me at my office 407-532-8511.

Sincerely,
Tracey Domostoy
Tracey Domostoy
Construction Supervisor
Charter- Spectrum

Cc: w1454@aol.com

City of Winter Park
401 Park Avenue South
Winter Park, FL 32789
407-599-3355
Attn: Jason Reigler

July 21, 2022

Dear Mr. Reigler,

I am in the process of requesting that the City of Winter Park vacate a portion of ELVIN AVENUE between Lewis Drive and Bennett ave, as shown on the copy of the enclosed tax map highlighted in RED.

The site address is 1451 ELVIN AVENUE and lies within a subdivision found in Plat Book M, Page 97 on the Home Acres Subdivision. In order to have this action heard, I must provide letters of no objection from utility companies who may have utilities within this Rights of way. Please note the remainder of Elvin Avenue to the west has been previously vacated.

Please review your records, complete the form below, and return this letter to me. If you have any questions, please contact DAN BELLOWS at (407) 644-3151.

Sincerely yours,


Daniel B. Bellows
Sydgan Corporation
P.O. Box 350
Winter Park, FL 32790

☐ The subject parcel is not within our jurisdiction.

☒ The subject parcel is within our jurisdiction. We do ~~do not~~ (circle one) have ~~any~~ facilities within the easement/right of way. We have no objection to the vacation.

Additional Comments:

City has an existing 2" steel water main within the proposed ROW vacation area. Conditional approval of this request is granted based on the following:

1. City will cut and cap existing water main at the east side of the vacation request area and abandon water main within the vacation request area.
2. Owner is responsible for removal of abandoned water main.

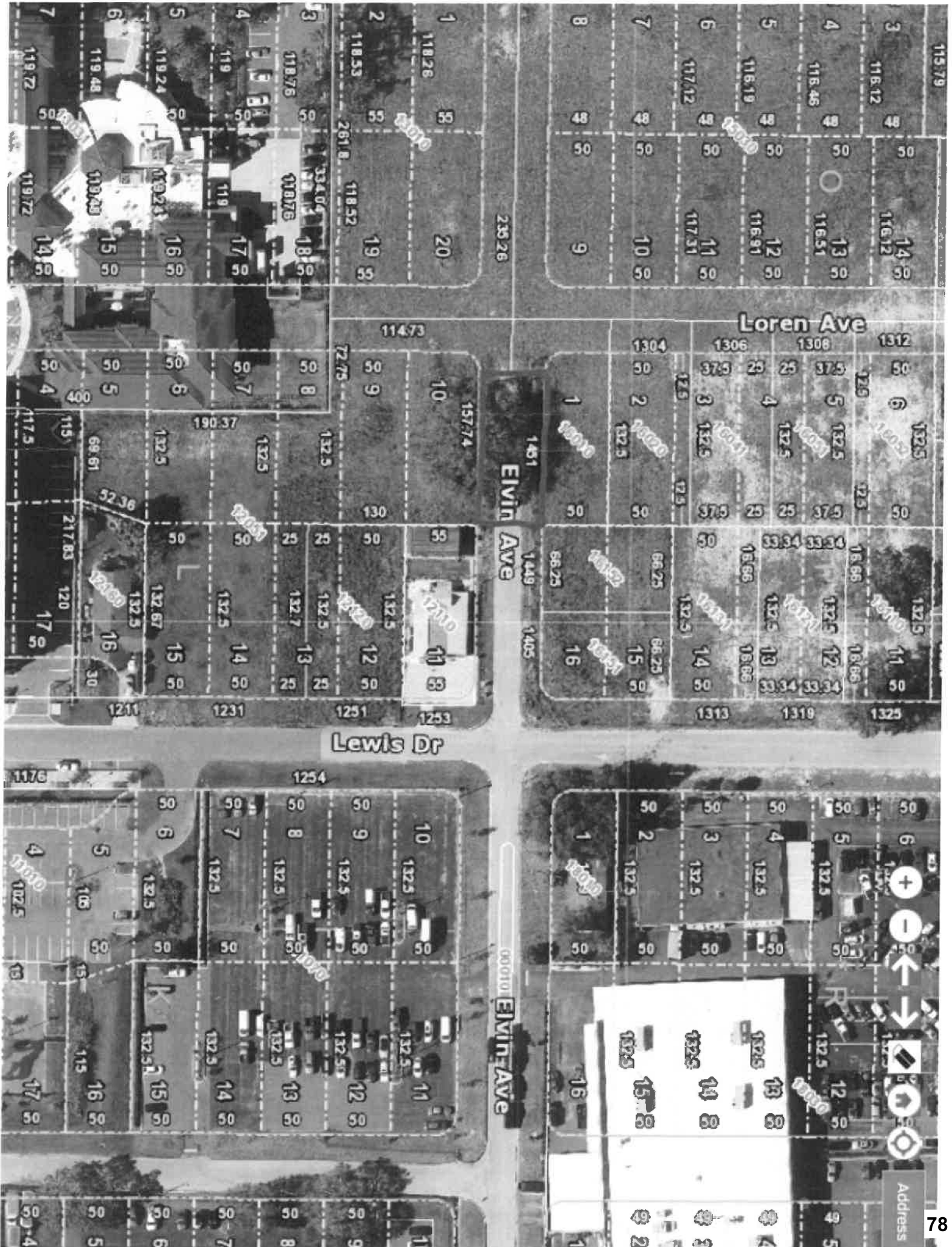
Signature:  _____

Print Name: Jason Riegler, P.E.

Title: Assistant Director
Water and Wastewater Department

Date: August 29, 2022

Phone Number: 407-599-3355



TECO/Peoples Gas
600 w Robinson
PO Box 2433
Orlando, FL 32802
407-420-6663
Attn: Shawn Winsor

July 21, 2022

Dear Mr/Ms. Winsor,

I am in the process of requesting that the City of Winter Park vacate a portion of ELVIN AVENUE between Lewis Drive and Bennett ave, as shown on the copy of the enclosed tax map highlighted in RED

The site address is 1451 ELVIN AVENUE and lies within a subdivision found in Plat Book M, Page 97 on the Home Acres Subdivision. In order to have this action heard, I must provide letters of no objection from utility companies who may have utilities within this Rights of way. Please note the remainder of Elvin Avenue to the west has been previously vacated.

Please review your records, complete the form below, and return this letter to me. If you have any questions, please contact DAN BELLOWS at (407) 644-3151.

Sincerely yours,


Daniel B. Bellows
Sydgan Corporation
P.O. Box 350
Winter Park, FL 32790

☐ The subject parcel is not within our jurisdiction.

☒ The subject parcel is within our jurisdiction. We do/do not (circle one) have any facilities within the easement/right of way. We have no objection to the vacation.

Additional Comments: Existing 1 1/4" Coated Steel (6m) 22ft
within vacate parcel area (ELVIN Ave)

Signature: 

Print Name: Shawn Winsor

Title: Gas Design Project Manager

Date: 8-24-2022

Phone Number: 407-420-6663





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 January 25, 2023
prepared by Allison McGillis	approved by Jeffrey Briggs, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance - Amending Chapter 58, "Land Development Code", Article III, "Zoning", Section 58-94 "Appeals from interpretations and enforcement decisions of the building and zoning official", to modify the process for appeals (1st Reading)

motion / recommendation

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

background

Recently the FAA undertook a survey asking for our code and we discovered it had been accidentally repealed. This will reinstate it into the Code. Staff is proposing a minor edit to Section 58-84 "General provisions for nonresidential zoning districts" to add back a provision into this section of the zoning code that was originally in this section in the 1990s and was unintentionally removed. This provision states that, "To ensure no air traffic hazards will be created, no structure, antenna, tower or appendage to a building may exceed the heights detailed in the Orlando/Orange County Airport Zoning Regulations text and map."

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Non-Res._Air Traffic Ordinance.docx](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SECTION 58-84 "GENERAL PROVISIONS FOR NONRESIDENTIAL ZONING DISTRICTS", TO ENSURE THAT NO AIR TRAFFIC HAZARDS WILL BE CREATED BY STRUCTURES AND OTHER APPENDAGES BY FOLLOWING THE HEIGHTS DETAILED IN THE ORLANDO/ORANGE COUNTY AIRPORT ZONING REGULATIONS TEXT AND MAP, PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

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

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

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

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

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" of the Code of Ordinances, Section 58-84 "General Provisions for Nonresidential Zoning Districts" is hereby amended as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

Sec. 58-84. General provisions for nonresidential zoning districts.

(c) *Architectural towers, spires, chimneys, or other architectural appendages, etc.*

- (1) Any architectural tower, spire, chimney, flag pole or other architectural appendage to a building shall conform to that districts height limit. However, when necessary to meet the building code requirements, chimneys may exceed the height by that minimum required distance.
- (2) If provided for within the respective nonresidential zoning district, architectural appendages, embellishments and other architectural features may be permitted to exceed the roof heights specified in that section, on a limited basis encompassing no more than 30 percent of the building roof length and area, up to eight feet of additional height upon approval of the city commission, based on a finding that said features are compatible with adjacent

projects. For any such approval not part of a conditional use request, the planning and zoning commission will review the plans at a public hearing after notification of such request is mailed to all owners of property within 500 feet. The planning and zoning commission will make a recommendation to the city commission for their final decision.

- (3) See subsection 58-427(b)(7) for the regulations for alternative cell tower structures.
- (4) To ensure no air traffic hazards will be created, no structure, antenna, tower or appendage to a building may exceed the heights detailed in the Orlando/Orange County Airport Zoning Regulations text and map.

(g) *Corner lot setbacks.*

- (1) *Front of lot.* For corner lots, each side with street frontage shall be considered a street front for setback purposes. On such lots with two street frontages, the lot shall have two front setbacks and two side setbacks on the interior property lines. On lots with three street frontages, the lot shall have three front setbacks and one side setback on the interior property line.
- (2) *Through-lots.* In case of through-lots, front yards shall be provided on all street frontages.
- (3) *Lots of unusual shape.* For any lots of unusual shape, not forming part of a general rectangular lot pattern, the zoning official~~building director~~ shall prescribe front, side and rear yard setbacks as applicable.

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

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

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

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

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida held in City Hall, Winter Park, on this ____ day of _____ 2023.

By: _____
Mayor Phil 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 January 25, 2023
prepared by Allison McGillis	approved by Jeffrey Briggs, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Ordinance - Amending Chapter 58, "Land Development Code", Article III, "Zoning" Section 58-84 "General provisions for nonresidential zoning districts", to ensure that no air traffic hazards will be created by structures and other appendages by following the heights detailed in the Orlando/Orange County Airport Zoning Regulations text and map. (1st Reading)

motion / recommendation

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

background

The city attorney has recommended the attached changes to the section of the land development code regarding appeals from interpretations and enforcement decisions of the building and zoning official. Currently, any person may appeal a decision by the building or zoning official that is "aggrieved by any decision". These changes set up the process for obtaining such a decision, and clarifies the process for an appeal. In particular, the ordinance proposes criteria for who has standing to appeal and the timing for such appeals. The city attorney will discuss in more detail at the meeting.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Appeals Ordinance.docx](#)

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE
III, "ZONING" SECTION 58-94 "APPEALS FROM
INTERPRETATIONS AND ENFORCEMENT DECISIONS OF THE
BUILDING AND ZONING OFFICIAL", TO MODIFY THE PROCESS
FOR APPEALS, PROVIDING FOR CODIFICATION, SEVERABILITY,
CONFLICTS AND AN EFFECTIVE DATE.**

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

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

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

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

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" of the Code of Ordinances, Section 58-94 "Appeals from interpretations and enforcement decisions of the building and zoning official." is hereby amended as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

Sec. 58-94. - Appeals from interpretations and enforcement decisions of the building and zoning official.

- (a) A property owner may request a written decision from the building and zoning official setting forth the interpretation rendered in the application or enforcement of the code to that property owner's property in the event that (i) the property owner is unsure of his/her/its rights under this article and wants an interpretation of this article as applied to that property owner's property; or (ii) property owner desires to challenge an interpretation, application or enforcement of this article as applied to that property owner's property. The property owner's request for a written decision under this section should explain the circumstances and the applicable code provisions at issue in sufficient detail to give the building and zoning official adequate information to issue a written decision. Upon the receipt of a sufficient request for a written decision on the interpretation, application or enforcement of this article, the building and zoning official must issue a written decision within ten (10) days and send the same to the requesting property owner and to the owners of the properties adjacent to the requesting property owner's property. This section does not apply to final decisions

~~on or the issuance of development orders or building permits. Appeals concerning interpretation or enforcement of this article may be taken to the planning and zoning commission by any person aggrieved by any decision of the building and zoning official enforcing or interpreting this article. Such appeals shall be taken within 30 days of rendition in writing of that decision by the building and zoning official. Upon written request of a person aggrieved, the building and zoning official shall forthwith render in writing any previously unwritten decision. Appeals shall be commenced by filing with the building and zoning official a notice of appeal specifying the ground thereof. The building and zoning official shall within seven days of such an appeal being filed transmit to the planning and zoning commission all papers constituting the record upon which the decision appealed from was made by him.~~

- ~~(b)~~ A written decision issued by the building and zoning official under this section may be appealed by the property owner that sought the written decision or by any person aggrieved by the written decision by filing a written notice of appeal with the building and zoning official within fifteen (15) days from the rendition of the written decision. The written notice of appeal must state the grounds of the appeal and articulate in detail why the building and zoning official's written decision (or a portion thereof) is incorrect. The appeal will be transmitted to the planning and zoning board for a hearing.
- ~~(b)~~ The planning and zoning board ~~commission~~ shall hear the appeal at their first regular meeting ~~next that is scheduled in the period between 20 days and 45 days~~ after the filing of the appeal providing sufficient time for notice of such hearing to be distributed in the same manner as for variances to this article. Such notice shall reflect that the decision of the planning and zoning board ~~commission~~ is subject to appeal by the city commission. The appellant shall pay to the city a fee prescribed by the city commission to cover the administrative costs of such an appeal. At the hearing the aggrieved person and parties in interest may appear in person or by agent or attorney. The building and zoning official may be represented by the city attorney or by such city official as he may designate.
- (c) Review of the decision of the planning and zoning board ~~commission~~ may be taken in the manner described below to the city commission.
- (d) On written application by the person aggrieved, the building and zoning official, the city manager or any member of the city commission, the city commission shall schedule a public hearing to review in such manner as the city commission may choose the decision of the planning and zoning board ~~commission~~ on such an appeal.
- (e) Such application shall be filed in writing with the building and zoning official within 15 days of the rendition of the planning and zoning board ~~commission~~'s decision on the original appeal. Notice of the hearing shall be mailed to the person aggrieved and to all owners of property within 200 feet of the property affected.
- (f) At the conclusion of the public hearing, the city commission may affirm the decision of the planning and zoning board ~~commission~~ or override that decision and either reinstate the original decision of the building and zoning official or substitute its own

decision for that of both the planning and zoning board ~~commission~~ and the building and zoning official.

- (g) An appeal to the planning and zoning board ~~commission~~ and an application for review before the city commission shall stay all proceedings in furtherance of the decision appealed from or from which review is sought, unless the building and zoning official certifies to the city manager after the notice of appeal or application for review is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property.

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

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

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

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

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida held in City Hall, Winter Park, on this ____ day of _____ 2023.

By: _____
Mayor Phil 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 January 25, 2023
prepared by Allison McGillis	approved by Jeffrey Briggs, Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

To be heard after 5:00 p.m. - Ordinance Amending Chapter 58, "Land Development Code", Article III, "Zoning" Section 58-72 "Office (O-1) district", to add a new permitted use for state licensed establishments involved in the rendering of a personal or business service limited to barber shops and hair salons, day spas, and cosmetic treatments subject to certain conditions. (1st Reading)

motion / recommendation

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

background

Staff is proposing to add a new permitted use to the Office (O-1) zoning district to allow State licensed establishments involved in the rendering of a personal or business service, with certain restrictions/limitations. There has been a recent increase, especially post pandemic, in these types of cosmetology establishments requesting to locate within small-sized suites within, one-two story, office buildings with O-1 zoning. Primarily, the landlords of these smaller office buildings with small suites plead their case to staff and state that they cannot lease their building to any other office-type user other than a beauty care business. The majority of the smaller office users have switched to a work-from-home business model, and in return leaves the smaller office tenant spaces vacant.

In response to this interest from several small businesses and landlords of smaller office buildings, staff is proposing that the permitted use be defined as the following: "State licensed establishments involved in the rendering of a personal or business service limited to barber shops and hair salons, day spas, and cosmetic treatments. There shall be no sale of merchandise unless it is ancillary to the main use. Nail salons and tattoo shops/body art are prohibited (unless the only service provided is permanent makeup). These licensed establishments are further limited to one- and two-story buildings only,

and must occupy a space less than 1,000 square-feet in size."

The limitations proposed are intended to be geared towards small businesses (not chains like Hair Cuttery, Great Clips, etc.) and prohibit business that have a strong odor that could be disruptive to other offices in the same building. The businesses also have the same parking requirements as office spaces, and oftentimes have similar business hours to a regular office user.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Salons in O-1 Ordinance.docx](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SECTION 58-72 "OFFICE (O-1) DISTRICT", TO ADD A NEW PERMITTED USE FOR STATE LICENSED ESTABLISHMENTS INVOLVED IN THE RENDERING OF A PERSONAL OR BUSINESS SERVICE LIMITED TO BARBER SHOPS AND HAIR SALONS, DAY SPAS, AND COSMETIC TREATMENTS SUBJECT TO CERTAIN CONDITIONS, PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

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

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

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

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

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" of the Code of Ordinances, Section 58-72 "Office (O-1)" 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.

(a) Purpose and intent.

- (1) The purpose and intent of this office district is to provide areas in the city to accommodate business and professional offices as well as residential development if the residential components are predominately located above the ground floor. Areas zoned for office use shall be appropriately located throughout the city to serve the general public and not create an adverse effect on adjacent residential areas. A mix of uses within buildings is permitted subject to the criteria specified in this district.
- (2) The city encourages the location of office structures in appropriate locations so that business and professional services can adequately and conveniently serve the city's residents.

(b) *Permitted uses.*

- (1) Hospitals (but not animal hospitals);
- (2) Professional offices, such as those of architects, medical doctors, interior designers, physical therapists, state-licensed massage therapists, dentists, engineers, attorneys, public accountants, stockbroker's offices, real estate offices, executive or administrative offices for business, insurance offices, travel agencies, and post offices;
- (3) Medical and dental laboratories;
- (4) Financial institutions, including banks, savings and loan associations and credit unions;
- (5) Off-street parking lots except those parking lots may not be used for the parking of construction equipment, trucks, drill rigs or by car/truck/van rental companies;
- (6) Professional services of photographic studios and photographic production when done in conjunction with photographic studios for their exclusive use;
- (7) Fine arts museums and fine arts instruction including: Art instruction limited to painting, sculpture, pottery and photography; dance instruction limited to ballet, tap, jazz and modern dance; music instruction limited to piano, symphony instruments, acoustic guitar but not electric guitar or other amplified instruments.
- (8) Churches, nonprofit organizations' offices, and schools less than 5,000 square feet in size. (see parking requirements for limitations).
- (9) Veterinary clinics (but not 24-hour veterinary hospitals) provided that they are located in single-tenant buildings and located at least 200 feet from the nearest residential building measured building to building. In addition, there shall be no overnight or weekend boarding of animals and no outdoor kennels, runs or cages.
- (10) State licensed establishments involved in the rendering of a personal or business service limited to barber shops and hair salons, day spas, and cosmetic treatments. There shall be no sale of merchandise unless it is ancillary to the main use. Nail salons and tattoo shops/body art are prohibited (unless the only service provided is permanent makeup). These licensed establishments are further limited to one- and two-story buildings only, and must occupy a space less than 1,000 square-feet in size.

- (c) *Accessory uses permitted.* ~~The city commission~~City Commission, following a public hearing, may approve the location of the following accessory and ancillary uses within structures permitted in this district. These uses must be located within the primary office structure (not within a separate structure) and must be primarily for the use and convenience of occupants of the building. These uses shall not have separate public entrances to the outdoors nor separate outdoor advertising signs or any other advertising signs which encourage use by the general public. The city

~~commission~~City Commission may recommend other restrictions or requirements including a maximum floor area, which would allow these accessory commercial uses to be in harmony with the otherwise office environment and which would prevent these accessory uses from having an adverse effect on the surrounding area.

- (1) Restaurant or cafeteria;
 - (2) Newspaper, card and gift shop, florist, fitness center or health club.
 - (3) Pharmacy store within a medical office building which sells prescription and nonprescription drugs, medicines and medically related equipment only.
- (d) *Conditional uses.* The following uses may be permitted after review by the ~~planning and zoning board~~Planning and Zoning Board and approval by the ~~city commission~~City Commission in accordance with the provisions of this article. See section 58-90, conditional uses.
- (1) Drive-in/~~drive-thru~~ components of any business.
 - (2) Buildings over 10,000 square feet or any addition over 500 square feet to an existing building over 10,000 square feet or additions over 500 square feet to existing buildings that result in a building over 10,000 square feet in size.
 - (3) Any conditional use provided in the R-3 or R-4 districts utilizing and limited to the site and improvement regulations of this district for those conditional uses.
 - (4) Fitness facility, exercise or health club.
 - (5) Any building with residential units as a component of the building. However, time shares are not permitted.
 - (6) Churches, nonprofit organizations' offices, and schools 5,000 square feet or larger in size. (See parking requirements for limitations).
 - (7) Buildings within the Central Business District with a third floor up to 40 feet in height provided that such conditional use approvals require two public hearing approvals by the ~~city commission~~City Commission.
 - (8) Restaurants (as defined in the definitions section of the LDC), cafes, coffee shops and other food and beverage establishments (but not including bars, taverns and lounges), provided the following criteria are met:
 - a. Limited to adaptive reuse of existing O-1 properties with existing parking in excess of code requirements.
 - b. Such establishment may only be located on the ground floor within buildings of a minimum of three stories in height and having greater than 20,000 square feet of building. Such establishment may not occupy more than 25 percent of the floor area of the entire office building.
 - c. Proposed restaurants must include a compliant commercial kitchen.

- d. The doors or any outdoor (covered or open) area that serves customers and the associated parking shall be located at least 300 feet from any single-family residential use.
 - e. A parking plan shall be submitted, which shows how parking will be accommodated on the site, including hours of operation.
 - f. No outdoor speakers, music or televisions shall be allowed.
 - g. Drive-thru or pickup windows shall not be allowed.
 - h. Delivery areas shall not be located within 300 feet of any single-family residential properties.
 - i. Dumpsters shall not be located within 300 feet of any single-family residential use and shall be screened, using materials to match the building.
 - j. Any restaurant signage shall be approved as part of the conditional use.
- (e) *Minimum building site.* There shall be no minimum building site size except that each site shall have a minimum frontage of 50 feet on a publicly dedicated right-of-way.
- (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. 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~~ 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 ten 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) Reserved.
 - (3) The maximum floor area ratio and building lot coverage shall be 45 percent. The floor area ratio shall include the floor area of any attached or detached above-grade private parking garage. The 45 percent floor area ratio and

building lot coverage may be increased by an additional five percent if the parking for the increased five percent floor area ratio is located entirely underground beneath the building's footprint or if the building's upper floor(s) are cantilevered over such parking. The city may allow an increase in floor area ratio (FAR), not to exceed 0.98 percent including parking garage, for the redevelopment of the property at 2005 Mizell Avenue, in order to encourage the redevelopment of a community asset that provides health and wellness related uses. Such additional FAR will only be considered by ~~city commission~~City Commission if said development improves the road network, provides enhancements to the city parks and additional parking options in the sub-area. The additional FAR may only be granted through a conditional use permit and shall be limited to the floor area of the parking garage.

- (4) Exclusively residential buildings are not permitted. Residential units are not permitted on the first or ground floor. When residential units are included on the second floor or above, the floor area ratio of the project may be up to 60 percent FAR, but the maximum floor space that can be devoted to nonresidential (office) uses is 45 percent floor area ratio. Limited residential use of the first or ground floor of such buildings may be permitted when such space is limited to the functions of entrance lobby/elevator/stair access, leasing or management office, or residential amenity spaces, such as health/fitness, meeting/activity room or storage. However, in no case shall more than 15 percent of the first or ground floor be devoted to these ancillary residential uses (not counting the area of parking garages).
- (5) The maximum floor area ratios outlined above are not an entitlement and are not achievable in all situations. Many factors may limit the achievable floor area ratio including limitations imposed by the maximum height map, concurrency management/level of service standards, physical limitations imposed by property dimensions and natural features as well as compliance with applicable code requirements such as, but not limited to, parking and internal circulation, setbacks, landscaping requirements, impervious lot coverage, design standards and on-site and off-site improvements and design amenities required to achieve land use compatibility. Land located across a street and/or separated from the building site shall not be included in the floor area ratio calculations.
- (6) The maximum residential density shall not exceed 17 units per acre.
- (7) Building heights shall not exceed the height limits imposed by the maximum height map. For those properties shown with a two-story maximum, the maximum building height shall be 30 feet; for those properties shown with a three-story maximum height, the maximum building height shall be 42.5 feet unless the property is located within the central business district, where the maximum height for three stories shall be 40 feet. Variances for more than three stories in the central business district are prohibited. For those properties shown with a four-story maximum height, the maximum building height shall be 55 feet; for those properties shown with a five-story maximum height, the

maximum building height shall be 65 feet, and for the properties shown permitting up to eight stories, the maximum height shall be 95 feet. Unless specifically approved by the ~~city commission~~City Commission as a conditional use, buildings developed with less than the maximum building stories shall conform to the height for the applicable stories. For example, if a two-story building is developed within an area permitting a four-story building, the two-story building shall conform to the 30-foot height limit. Parking garage levels shall be counted as stories for each level except for any basement level or the open roof level.

- (8) Parapet walls, or mansard roofs functioning as parapet walls, may be added to the permitted building height but in no case shall extend more than five feet above the height limits in this subsection. Mechanical penthouses, mechanical and air-conditioning equipment, elevator/stair towers and related nonoccupied structures may be permitted to extend up to ten feet above the height limits in this subsection. Upon approval of the City Commission, Architectural appendages, embellishments and other architectural features may be permitted to exceed the roof heights specified in this section, on a limited basis, encompassing no more than 30 percent of the building roof length and area, for up to eight feet of additional height, upon approval of the city commission, based on a finding that said features are compatible with adjacent projects.
- (9) For properties not shown on the maximum height map located adjacent to four-lane roadways, the maximum height shall not exceed 55 feet, and the maximum height shall not exceed 42.5 feet for properties located adjacent to two-lane roadways. For corner properties adjacent to both four-lane and two-lane roadways, the maximum height shall be 55 feet.
- (10) Terracing and articulation providing additional setbacks are required to create relief to the overall massing of the building facades. Such design features of building facade articulation are required at least every 60 feet, on average, along the primary building facades facing streets, or along the building frontage where the building fronts the primary parking lot area. For any building over two stories in height and over 200 feet in length, there shall be a 35-foot break on at least the first floor, the design of which shall be a component of the architectural review process required for conditional use. For any building over two stories or 30 feet in height, a significant portion comprising at least 75 percent of the top floor shall be terraced and stepped back from the exterior face of the next lower floor by at an average of at least five feet. Parking structures are exempt from this terracing requirement.
- (11) Development shall not exceed 85 percent impervious coverage in this district.
- (12) Whenever the rear or side property lines within this district share a common property line with parcels zoned residential, either a solid wall or fence (other than wood) shall be provided along the entire common line. The wall or fence shall be six feet in height; except that such wall or fence shall be only three

feet in height from the front setback line of the adjoining parcel to the front property line of the adjoining parcel.

- (13) Other code sections related to development that should be referenced include, but are not limited to, off-street parking regulations, maximum height map, general provisions, definitions, sign regulations, (article IV), environmental protection, (article V) (this section includes division 1, stormwater; division 6, tree preservation; division 8, landscape regulations; division 9, irrigation regulations; and division 10, exterior lighting), subdivision regulations (article VI), historic preservation (article VIII) and concurrency management regulations (article II).

(g) *Hannibal Square Neighborhood Commercial District.*

- (1) The Hannibal Square Neighborhood Commercial District (HSNCD) area in this context shall be restricted to the following areas:
- a. Properties abutting Morse Boulevard between Capen Avenue and Virginia Avenue;
 - b. Properties abutting New England Avenue between Pennsylvania and New York Avenues;
 - c. Properties abutting Pennsylvania Avenue between Lyman and Garfield Avenues, including those existing commercial properties just north of Garfield Avenue; and
 - d. Properties abutting Hannibal Square East.
- (2) In order to implement the comprehensive plan and the community redevelopment area (CRA) plan, there are established special provisions for the development of buildings and other improvements in this area which shall take precedence over other provisions of this article as henceforth specified.
- (3) In this HSNCD area, third floors shall be restricted and limited to residential use only, and a deed restriction to that effect, enforceable by the city, shall be required to be recorded as a condition of obtaining a building permit for the construction of a third floor.
- (4) Building heights on the north end of Pennsylvania Avenue shall be two stories maximum when transitioning to residential.
- (5) Development approvals must ensure that compatible land use relationships occur, particularly between land uses within perimeter areas of the HSNCD and areas 500 feet outside this area so as to protect the surrounding residential areas and institutional uses.
- (6) In this HSNCD area, all new buildings and building additions over 500 square feet shall require site and building plan approval by the ~~city commission~~City Commission at a public hearing. Prior to that hearing, the ~~planning and zoning board~~Planning and Zoning Board shall also review such site and building plans at a public hearing and shall provide their recommendation.

- (7) Notwithstanding the limitations otherwise imposed by this O-1 district, for any lots fronting on New England Avenue from Virginia to New York Avenues, development may be permitted with enhanced density and intensity up to a maximum 100 percent floor area ratio (FAR) provided the following development standards are complied with:
- a. No parking garages would be permitted.
 - b. The street front building setback shall be ten feet.
 - c. The redevelopment plans would require rear alley access out to Virginia Drive or provisions shall be made for that rear alley access to be phased in over time as the properties individually redevelop.
 - d. The maximum building width along New England Avenue shall be 125 feet before a 15-foot separation is required to break up the mass and create a separate building.
 - e. The redevelopment plans on the north and south side of New England Avenue require a 50-foot rear setback from the center lot line of the block as a buffer protection to adjacent residential properties. The 50 feet also provides room for parking along the alley as outlined above.
 - f. There shall be a one-foot setback for each one foot of floor height for any third floor and building corner visibility setbacks as deemed necessary.

(h) *Morse Boulevard design guidelines.*

- (1) The Morse Boulevard designated area is defined as those properties fronting Morse Boulevard between New York Avenue and Denning Drive and additionally the properties in the blocks bounded by Morse Boulevard, Denning Drive, Canton Avenue and Harper Street.
- (2) In addition to the other requirements and regulations of the O-1 zoning district and prior to the issuance of a building permit for the construction, renovation or remodeling of any building or building exterior facade fronting on a street within the Morse Boulevard designated area, an applicant is required to obtain approval of the plans by the planning department.
- (3) For purposes of this subsection, replacements, renovations or changes to canopies or awnings and to signage on walls, canopies or awnings shall be considered remodeling of the building facade.
- (4) Building elevation drawings and other plans shall be submitted with sufficient detail to indicate the building materials, composition, color, etc., so that the visual appearance of the resultant work is readily apparent.
- (5) The planning department shall render a decision on all applications for building permits for building facade construction, renovation or remodeling. The decision of the planning department shall be made within ten working days, excluding holidays, of the receipt of a complete set of plans and application

materials, unless referred to the ~~planning and zoning commission~~Planning and Zoning Board for review as outlined below.

- (6) The planning department's decision shall be either an approval, an approval with conditions or denial. Any applicant for building facade approval may elect to appeal a decision of the planning department to the ~~planning and zoning commission~~Planning and Zoning Board for their consideration.
- (7) Decisions by the planning department and/or the ~~planning and zoning commission~~Planning and Zoning Board shall be made based on the conformance of plans and application materials to the Morse Boulevard design guidelines and criteria adopted by the ~~city commission~~City Commission.
- (8) The decision of the ~~planning and zoning commission~~Planning and Zoning Board shall be the final decision of the city, except where a building project also requires conditional use or other land development approval by the ~~city commission~~City Commission. In that case, the decision of the ~~planning and zoning commission~~Planning and Zoning Board shall be a recommendation with the final decision made by the ~~city commission~~City Commission.

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

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

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

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

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida held in City Hall, Winter Park, on this ____ day of _____ 2023.

By: _____
Mayor Phil 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 January 25, 2023
prepared by Victoria Tabor	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Resolution 2267-23 - Adopting Sustainability Action Plan

motion / recommendation

background

The Sustainability Action Plan is presented for resolution adoption. The purpose of the Sustainability Action Plan is to create a roadmap for the City of Winter Park to achieve sustainable goals and targets. The Sustainability Action Plan is supported by the Keep Winter Park Beautiful and Sustainable Advisory Board.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Resolution 2267-23 - SAP.docx](#)

ATTACHMENTS:

[Sustainability Action Plan 2022](#)

RESOLUTION 2267-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, ADOPTING A SUSTAINABILITY ACTION PLAN; PROVIDING FOR SEVERABILITY, NON-LIMITATION OF AUTHORITY, AND AN EFFECTIVE DATE.

WHEREAS, in 2015, the City adopted a definition of sustainability that promotes, “responsible and proactive decision-making that minimizes negative impacts and maintains balance between social, environmental, and economic growth to ensure a desirable planet for all species now and in the future”; and

WHEREAS, the purpose of the Sustainability Action Plan is to create a roadmap depicting where the City is today and where it would like to be in the future, in regards to achieving sustainability goals and targets by a specific time frame; and

WHEREAS, the Sustainability Action Plan is supported by the Keep Winter Park Beautiful and Sustainable Advisory Board; and

WHEREAS, the Sustainability Action Plan is a living document intended to evolve over time and is divided into eight categories: **Climate Resiliency, Energy, Water, Community Engagement & Green Economy, Local Government Operations, Natural Resources, Transportation and Urban Form, and Waste Management**; and

WHEREAS, the Sustainability Action Plan contains long term objectives and short-term actions for helping the City achieve targets related to sustainability; and

WHEREAS, the objectives are intended to be quantifiable so that progress can be measured on an annual basis and reported to decision makers and stakeholders.

NOW, THEREFORE, be it resolved by the City Commission of the City of Winter Park, Florida that:

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

SECTION 2. Sustainability Action Plan. The City Commission hereby adopts the Sustainability Action Plan attached to this Resolution in order to achieve sustainable goals.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Resolution 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 Resolution.

SECTION 4. Non-limitation of Authority. This Resolution shall not be construed to limit City Commission authority or discretion over whether or how to budget, allocate, or spend moneys for any purpose.

SECTION 5. Effective date. This Resolution and the Procurement Policy shall become effective immediately upon adoption of this Resolution 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 held in City Hall, Winter Park on this 25th day of January, 2023.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis



Winter Park Sustainability Action Plan

2022 Update

Presented by:

Gloria Eby, Natural Resources and Sustainability Director

Sara Miller, Sustainability Manager

Mia Brady, Sustainability Specialist

Keep Winter Park Beautiful & Sustainable Advisory Board

Contents

Background	3
Vision and Purpose.....	3
History	3
About the 2022 SAP Update.....	4
Overview.....	4
2021 SAP Update Community Engagement Process.....	5
Keep Winter Park Beautiful & Sustainable Advisory Board.....	5
Highlights and Accomplishments.....	5
Climate Resiliency.....	7
Energy.....	13
Water	16
Community Engagement & Green Economy.....	19
Local Government Operations	21
Natural Resources.....	27
Transportation and Urban Form.....	33
Waste Management.....	36
Glossary	40

Background

Vision and Purpose

The 2022 Sustainability Action Plan (SAP) updates and expands upon the City of Winter Park's 2015 SAP. The purpose of the SAP remains the same, to create a roadmap depicting where the city is today and where it would like to be in the future, in regard to sustainability.

The city defines sustainability as responsible and proactive decision-making that minimizes negative impact and maintains balance between social, environmental, and economic growth to ensure a desirable environment for all species now and into the future.

By integrating elements of this plan, Winter Park will:

- Increase quality of life while improving individual and community health
- Become more independent from energy derived from fossil fuels
- Protect and enhance air quality, water quality, and natural systems
- Save money
- Increase economic value

It is the intention of this document to provide high level objectives that are conceptually approved by the City Commission and leadership. The actions listed under each category are put forth as possible avenues for achievement of the approved goals, and do not represent required or prescriptive measures. The plan is a living document intended to evolve over time as the city experiences both progress and challenges.

A progress report will be presented to the City Commission on an annual basis. This annual report will include:

- Summary of progress made toward the previous year's indicators and actions
- Proposed project/action list
- Estimated project costs
- City staff and budget allocations
- Outside funding opportunities

History

On January 14, 2008, the Winter Park City Commission passed a resolution stating the City would pursue measures to become a certified Green Local Government through the [Florida Green Building Coalition](#) (FGBC). In 2009, Public Works Director Troy Attaway hired Tim Maslow to coordinate the city's sustainability efforts and to develop a plan for achieving the certification. In 2011, after working with each department on a multitude of new projects, policies and programs, the city was officially certified as a Green Local Government at the Gold level, also earning the highest score for a local government that year. The SAP was originally drafted based upon the structure provided by the Green Local Government certification.

In 2012, the city's Environmental Review and Keep Winter Park Beautiful (Keep America Beautiful affiliate since 1993) boards merged with a shared focus of improving community sustainability and achieving the Green Local Government Platinum certification. The new Keep Winter Park Beautiful and Sustainable (KWPB&S) Advisory Board held monthly workshops in addition to their regularly scheduled monthly board meetings in an effort to develop and refine the SAP with community involvement. The 2015 SAP, presented by Kris Stenger, Assistant Director of Building, Permitting and Sustainability and Abby Gulden, Sustainability and Permitting Coordinator, was accepted by unanimous vote of the City Commission on February 9, 2015.

2012-2013 KWPB&S Board Members		2014-2015 KWPB&S Board Members	
Mary Dipboye, Chair	James (Bob) Robinson	Michael Poole, Chair	Mark Roush
Stephen Pategas, V. Chair	Pat Schoknecht	Stephen Pategas, V. Chair	Bruce Thomas
Michele Hipp	Julia Tensfeldt	Michele Hipp	Steven DiClemente
Michael Poole	Kent Tse	Raymond Randall	Mary Dipboye
Raymond Randall	Laura Walda	Pat Schoknecht	John Tapp
John Rife	Carol Kostick	Julia Tensfeldt	Fred Kosiewski
Lucy Roberts	Mark Roush	Laura Walda	Cathy Blanton
Joseph Robillard		Carol Shenck (Kostick)	

About the 2022 SAP Update

Overview

The year 2020 was the first target year for many of the 2015 SAP metrics. Due to the COVID-19 pandemic, data from 2020 is not comparable to previous years. For this reason, trend data for the 2021 document were only expressed through the year 2019 (pre-COVID-19 pandemic). The city's progress toward the 2015 SAP Objectives, Indicators, and Actions through 2020 is provided in the 2020 Annual Report available at cityofwinterpark.org/sap.

The 2021 SAP revises baselines, where necessary, for more complete and accurate data collection and analysis. It also includes a new category, Climate Resiliency, to help the City better understand and withstand weather and climate-related risks and vulnerabilities. The update also includes actions to apply a [racial equity lens](#) to ensure a future where race can no longer be used to predict life outcomes and where outcomes for all groups are improved.

During 2021, many programs and goals were suspended due to prior sustainability staff no longer employed at the city. In 2022, the Sustainability Program was moved to the newly created Natural Resources and Sustainability Department. The 2022 SAP revision contains edits made to the 2021 SAP being implemented by the Sustainability Division consisting of the Sustainability Specialist, Sustainability Manager, and Natural Resources and Sustainability Director.

In addition, as a result of the above-mentioned delays, the Department of Natural Resources and Sustainability conducted a comprehensive inventory of all SAP metric indicators to benchmark city status in effort to give the new Department a starting point on data trend and analysis moving forward. This information is presented in subsequent tables labeled as “**2021 Status**”.

2021 SAP Update Community Engagement Process

The 2021 SAP integrates discussion and feedback from joint virtual KWPB&S Advisory Board work sessions, which allowed for public comments, with the following city advisory boards and respective staff liaisons: Economic Development, Lakes and Waterways, Parks and Recreation, Tree Preservation, Planning and Zoning, and Transportation and Utilities. Additional community input on SAP priorities were gathered using an online survey that had over 200 respondents (over two-thirds were identified as residents). Community input was also gathered from community organizations via an online survey from Hannibal Square Heritage Center, Ideas for Us Orlando, League of Women Voters Orange County, The Nature Conservancy, Winter Park Garden Club, Winter Park History Museum, and Winter Park Public Library.

Keep Winter Park Beautiful & Sustainable Advisory Board

The mission of Keep Winter Park Beautiful and Sustainable (KWPB&S) Advisory Board is to make recommendations to the city commission concerning matters to improve the quality, health, sustainability and aesthetics of our environment in order to create a healthier, more beautiful place to live, work, and play.

2022 KWPB&S Board Members	Appointed By	End of Term
Ben Ellis, Vice Chair	Mayor Anderson	2024
Carey Bond	Commissioner DeCiccio	2023
Mark J Yonker	Commissioner Cruzada	2025
Kay Hudson, Chair	Mayor Anderson	2024
Stephen Pategas	Commissioner Weaver	2025
Rishona S Teres	Commissioner Sullivan	2023
Laura Gustafson-Hullinger	Mayor Anderson	2024

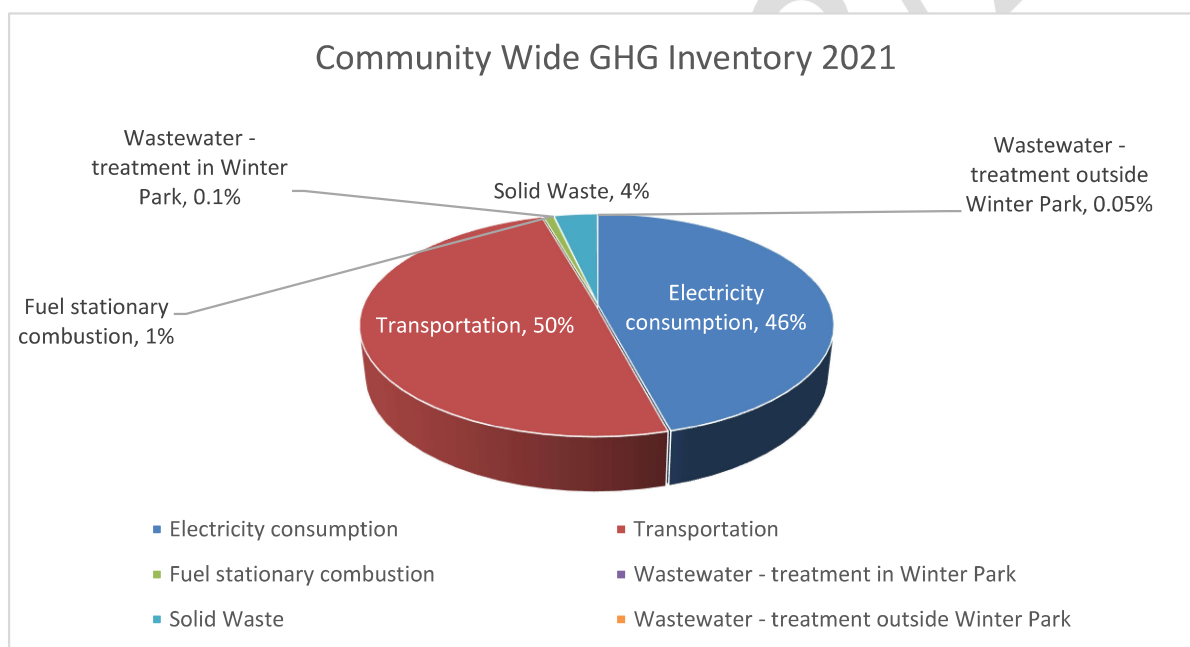
Highlights and Accomplishments

- [East Central Florida Regional Resilience Collaborative](#) Partner and Regional Greenhouse Gas Reduction Advisory Committee Member
- [Solar United Neighbors](#) Partner
- [America In Bloom's](#) 2020 Outstanding Achievement Award for Environmental Efforts
- [SolSmart](#) Gold Designee
- EV Charging Infrastructure Readiness Ordinances ([3203-21](#), [3204-21](#))
- Backyard Chicken Permit Pilot Program Ordinance ([3182-20](#))
- Single-use Products Policy for City Facilities Pilot Program Resolution ([2238-20](#))
- Electrified the Building & Permitting Department's entire fleet
- Purchased 20MW of utility-scale solar, expanding the city's renewable portfolio
- Launched [Green Business Recognition Program](#)
- Collaborations with UCF and Rollins College students on energy benchmarking and Green Business recruitment
- [Rollins College Bonner Leaders Program](#) Partner

- Awarded over \$100,000 in Florida Department of Transportation Keep America Beautiful Florida Affiliates Grants
- Single-stream Residential Recycling Program including [Schedule Reminding and Waste Lookup Tool Digital Service](#)
- Electric Vehicle Charging Stations available to the public throughout the city at no cost
- Residential audit and rebate programs encouraging [energy](#) and [water conservation](#)
- Sustainability Program moved to the Natural Resources and Sustainability Department where the Program now is addressed as a Division to work collaboratively with Lakes and other Departments
- Sustainability Specialist position was increased from part-time to full-time in order to help the Sustainability Manager and Natural Resources and Sustainability Director fulfill the goals of the SAP
- Awarded \$100,000 from the Department of Environmental Protection to go towards the City's Climate Risk Vulnerability Assessment

Climate Resiliency

The [Climate Resiliency](#) category outlines long-term objectives and short-term actions focused on improving the city's capacity to cope with [climate change](#) impacts and to respond in ways that allow the city to maintain its essential functions while also maintaining the capacity for adaptation, learning, and transformation. In 2021, the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report asserts that human activities are estimated to have caused approximately 1°C of global warming to date and further warming of 1.5°C and 2.0°C will be exceeded during the 21st century unless deep reductions in CO₂ and other [greenhouse gas](#) emissions occur in the coming decades. Warming at this level is projected to increase the mean temperature of most land and ocean regions, increase hot extremes in most inhabited regions, and increase climate-related risks to health, livelihoods, food security, water supply, human security, and economic growth.



The city's Community-wide Greenhouse Gas (GHG) Emissions Inventory consists of all major direct and indirect GHG emissions generated and occurring within the City of Winter Park's organizational boundary. Transportation-related (50%) and electricity consumption-related (46%) activities contribute the largest proportion of greenhouse gases emissions in the city. As a municipally owned-utility, the Electric Utility is uniquely situated to increase the percentage of its energy portfolio coming from renewable and clean alternative sources. Transitioning to 80% [renewable energy](#), for all electricity and transportation may be more feasible and accessible for the City of Winter Park than many of its neighbors given that it has purchasing power over its electricity and is implementing policies that will ready future developments for a transition to electric vehicles.

[illegible]

1. Increase the city's resiliency to the impacts of climate change, ensuring a healthy, livable and sustainable community for present and future generations
2. Ensure a robust and resilient technology infrastructure with high-speed communications available for all
3. Increase proportion of renewable energy in Winter Park Electric Utility's Energy portfolio
4. Reduce community wide greenhouse gas emissions

5. Encourage on-site renewable energy generation for residential and commercial buildings
6. Ensure access to affordable, healthy food options for food security (community gardens, grocery stores or farmers markets)
7. Increase residential and commercial customers knowledge of city's renewable energy portfolio and opportunities for reducing their [carbon footprint](#)
8. Benchmark all indicators to current state of the city given pandemic and operational delays

The Department of Natural Resources and Sustainability conducted a comprehensive inventory of all SAP metric indicators to benchmark city status in effort to give the new Department a starting point on data trend and analysis moving forward. This information is presented in all subsequent tables labeled as “**2021 Status**”.

INDICATORS

	Indicator Description	2012 Baseline	2021 Status	2025 Target	2035 Target
CR-1	Proportion of renewable energy in Winter Park Electric Utility's Energy portfolio – Baseline Year: 2012 includes Covanta	4%	22%	40%	80%
CR-2	Community wide greenhouse gas emissions [Tons of carbon dioxide equivalent] ¹ – Baseline Year: 2018	398,919	405,394	10% less than baseline year	35% less than baseline year
CR-3	WP Electric Utility customers with Solar – Baseline Year: 2012	7	139	200	250
CR-4	Proportion of Residents within 1/2 mile of affordable, healthy food options – Baseline Year: 2012	-	46%	50%	75%

¹2018 is the earliest year of available transportation emissions data using [Google EIE tool](#)

²The baseline for this updated indicator will be calculated in 2023, previous indicator did not include “affordable” identifier

ACTIONS

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2022	Conduct Renewable Energy Feasibility Study	5.25.22 commission approved to move forward	Initiated	Sustainability Division, Quanta, & WP Electric Utility, Public Works
2023	Establish community grants for food security and sustainability initiatives	No	None	Sustainability Division

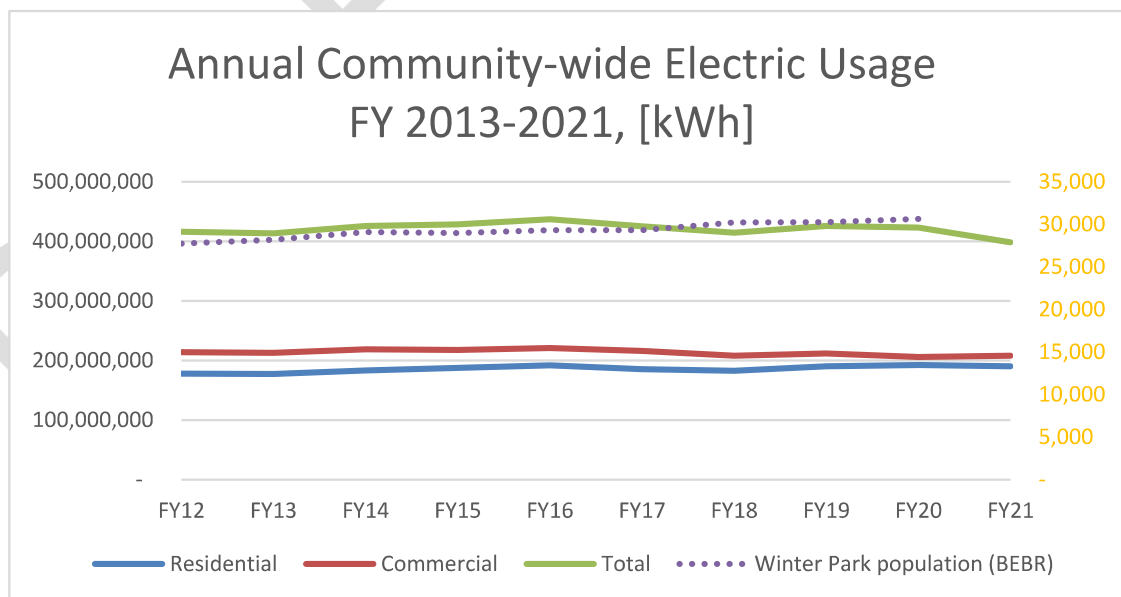
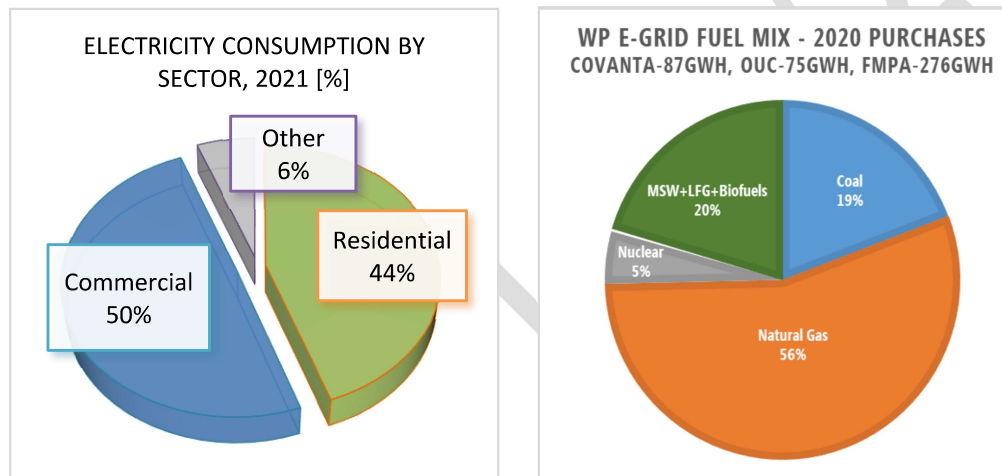
Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2022	Implement an Artificial Turf Ordinance which will help mitigate the number of houses that have artificial turf by addressing stormwater and sustainability concerns	No	None	Sustainability Division, Public Works
2022	Adopt Backyard Chicken Program (exp. September 2022) to evaluate program outcomes and possibility of expanding and extending the program	No	Initiated	Sustainability Division, Planning & Transportation
2023	Upon feasibility study results, pass resolution committing the City to at least 80% of all electricity consumed in the City to come from renewable energy resources by feasible target date	No	Initiated	Sustainability Division, WP Electric Utility
2023	Conduct a Climate Risk and Vulnerability Assessment via FDEP Resilient Florida Program \$100K grant. Upon completion, create Climate Mitigation and Adaptation Plan (CMAP) to include creating resilience hubs within the city reducing impacts of climate change on human health, esp. for most vulnerable communities	No	Initiated	Natural Resources & Sustainability Dept., Emergency Management Team, Pubic Works, IT
2023	Build a community based sustainable food system which includes education and outreach that promotes seed access, growing edible gardens at home, encourages community supported agriculture, and local food consumption	No	None	Sustainability Division, Communications
2023	Implement a food security policy. Must have community garden/ farm near most vulnerable areas and educate on reducing consumption of carbon-intensive foods	No	None	Sustainability Division, GIS

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2024	Research and design policies to increase green building standard requirements in residential & commercial developments	No	None	Sustainability Division, Planning & Transportation, Building & Permitting, Economic Development
2024	Update Land Development Code, to allow food processing and handling in accordance with F.S. 500.80 (Cottage Food Operations) as a home occupation to encourage local food production	No	None	Planning & Transportation, Economic Development, Sustainability Division
Continue Annually	Develop a policy to replace gas-powered leaf blowers with electric alternatives	Yes	Completed	Sustainability Division, Economic Development
Continue Annually	Evaluate potential for increasing Winter Park Electric Utility's Energy Portfolio coming from renewable resources	Yes	Ongoing	Sustainability Division, WP Electric Utility
Continue Annually	Conduct Community-wide Greenhouse Gas Emissions Inventory and track proportion of renewables in the WP Electric Utility's portfolio. Continue to report to CWP	Yes	Ongoing	Sustainability Division
Continue Annually	Participate in Regional Sustainability and Resilience Professional Networks (Urban/Southeast/Florida Sustainability Directors Networks, East Central Florida Regional Resilience Collaborative, Good Food Central Florida Regional Policy Council, etc.)	Yes	Ongoing	Department of Natural Resources & Sustainability Dept.
Continue Annually	Provide green building best practices (e.g., energy/water efficiency, tree conservation, waste management) education to building professionals and residents	Yes	Ongoing	Building & Permitting, Sustainability Division, Urban Forestry

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
Continue Annually	Energy Conservation Rebate Program	Yes	Ongoing	Sustainability Division
Continue Annually	Develop recommendations to City Commission that would allow for broadband availability, expanding public WiFi, and enhanced public safety and security	Yes	Ongoing	IT, Sustainability Division, Planning & Transportation, Police Dept., Public Works
Continue Annually	Explore opportunities for smart street lights able to gather local environmental data, optimize light energy consumption, and improve public safety	Yes	Ongoing	IT, WP Electric Utility, Planning & Transportation, Police Dept., Sustainability Division
Continue Annually	Work with Planning & Transportation Department to ensure Comprehensive Plan Update incorporates sustainability and resilience related goals, objectives and policies	Yes	Ongoing	Planning & Transportation, Sustainability Division

Energy

The Energy category focuses on measures that can reduce the environmental consequences of the construction, reconstruction and operation of buildings and infrastructure with a focus on energy efficiency, energy conservation, and clean energy sources. With buildings' energy usage contributing to nearly half of all of the community-wide greenhouse gas (GHG) emissions in 2021, implementing the prescribed actions is critical to achieving a more sustainable city. Electricity is primarily being used to power buildings for commercial (50%) and residential (44%) activities, while a smaller fraction (%) is being used to power city scale infrastructure such as streetlights and transporting water and [wastewater](#). Between 2012 and 2021, electric usage remained generally stable.



All utility data is sourced from the city's Comprehensive Annual Financial Reports, which can be reviewed on the city's website.

OBJECTIVES

1. Increase energy efficiency of residential and commercial buildings
2. Increase energy conservation in residential and commercial sectors
3. Increase solar energy in residential and commercial sectors
4. Increase educational awareness for energy efficiency and conservation best practices
5. Maintain utility rates that are competitively low for consumers

INDICATORS

	Indicator Description	Baseline	2021 Status	2025 Target	2035 Target
E-1	Energy usage in residential buildings [kWh/customer/year] – Baseline Year: 2012	15,263	14,739	12,000	10,000
E-2	Energy usage in commercial buildings [kWh/customer/year] ¹ – Baseline Year: 2012	91,850	86,704	80,000	75,000
E-3	Residential building audits performed annually – Baseline: Average # of audits/yr and between 2017-2020	63	91	125	200
E-4	Residential Rebates provided annually – Baseline: Average # of audits/ yr and between 2017-2020	-	26	75	100

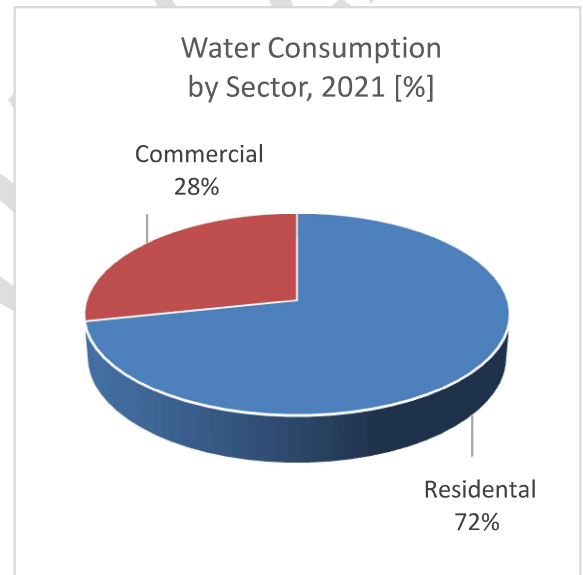
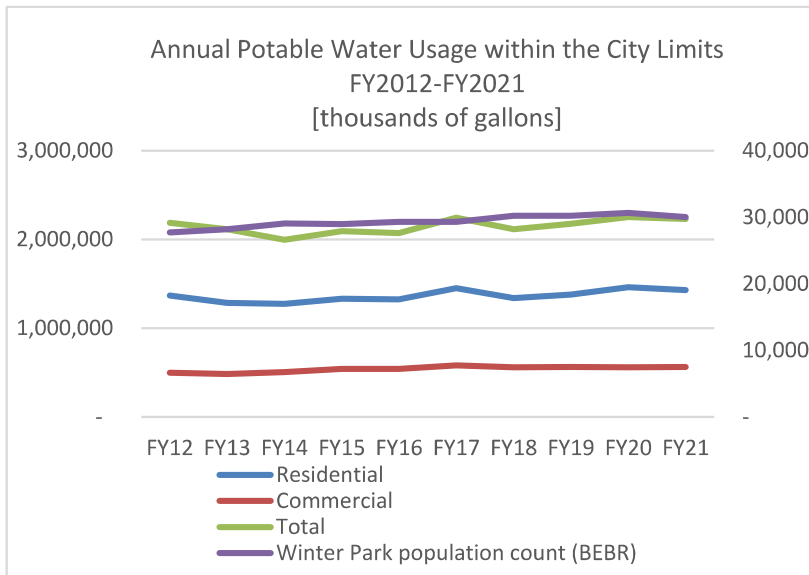
ACTIONS

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2023	Internal employee energy conservation training – reduction in energy and water use that provides incentives to help motivate conservation	No	None	Sustainability Division; Human Resources
2023	Conduct Energy Efficiency Study benchmarking city buildings utilizing 70% of city electricity portfolio and identify technology to improve energy efficiency	No	Initiated	Sustainability Division, WP Electric Utility, WP Water Utility
2023	Implement Energy Efficient Technologies based on Energy Efficiency Study i.e motion detection lighting and programmable thermostats	No	Initiated	Sustainability Division, WP Electric Utility, Public Works

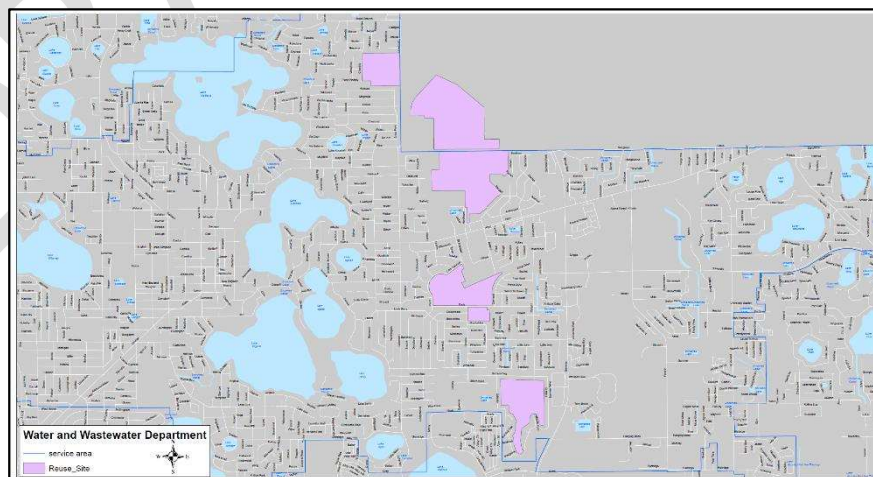
Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2023	Explore incentive programs for commercial customers that encourage energy conservation	No	None	Sustainability Division, WP Electric Utility, Economic Development
2024	Identify methodology for expressing energy use intensity in kWh per square foot for residential and commercial customers via Smart Works Technology and Energy Star	No	None	GIS, IT, WP Electric Utility, Sustainability Division
Continued Annually	Maintain competitive rates for WP Utility Customers	Yes	Ongoing	Sustainability Division, WP Electric Utility, WP Water Utility
Continue Annually	Promote Energy Conservation opportunities such as audits and rebates, providing energy conservation kits, and solar feasibility reports for customers that undergo energy audits including local schools	Yes	Ongoing	Sustainability Division, WP Electric Utility, Communications
Continue Annually	Provide technical assistance and education to commercial property owners and tenants on Energy Star Portfolio Manager	Yes	Ongoing	Sustainability Division
Continue Annually	Continue to pursue clean transportation options. Expanding City Fleet and EV Charging Stations for commuters	Yes	Ongoing	Sustainability Division, WP Fleet Services, WP Utility

Water

The Water category focuses on measures that can increase water efficiency and water conservation in residential and commercial sectors. In the City of Winter Park, residential and commercial customers use potable water for indoor and outdoor (irrigation) purposes. Over the last decade, potable water has remained generally stable, reflecting the minimal change in population growth over that time. The majority of potable water consumed in the city is used by residential customers (71%), with nearly half of residential water usage being spent on irrigation. Implementation of technological tools, such as Advanced Metering Infrastructure (AMI), will allow for effective monitoring of water usage, efficiency, and recognizing irregularities. The city hopes to continue promoting irrigation rebate incentives in addition to providing water conservation education for residential, commercial, and Winter Park schools.



All utility data is sourced from the city's Comprehensive Annual Financial Reports, which can be reviewed on the city's website.



Water and Wastewater Service area in Winter Park including reuse areas.

OBJECTIVES

1. Increase water efficiency of residential and commercial buildings
2. Increase water conservation in residential and commercial sectors
3. Increase residential and commercial customers knowledge of water efficiency and conservation best practices and benchmarking tools
4. Implementing smart technologies to aid in water conservation efforts

INDICATORS

	Indicator Description	2012 Baseline	2021 Status	2025 Target	2035 Target
W-1	Water usage in residential buildings [gallons/customer/year] ¹	127,777	130,849	TBD	TBD
W-2	Water usage in commercial buildings [gallons/customer/year] ¹	294,098	303,788	TBD	TBD
W-3	<u>Reclaimed water</u> usage [million gallons/year] ²	144.5	91.612	10% increase	30% increase
W-4	Residential Rebates provided annually	-	34	75	150

¹Targets will be determined upon the renewal of St. Johns River Water Management District Consumptive Use Permit in 2025

ACTIONS

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2022	Create water conservation education to residential and commercial customers through on-line, print campaigns, and social media including water wise check list	No	Initiated	WP Water & Wastewater Utility, Sustainability Division, Communications, Economic Development
2022	Increase public awareness of Florida-friendly landscaping and irrigation regulations for city (internal), residential, and commercial customers; i.e. raingardens	No	Initiated	Natural Resources & Sustainability Dept., Communications
2023	Implement Sewer Impact Fee Deferral Program throughout the city to reduce both residential and commercial customer upfront costs for connecting to the sewer system	No	None	WP Water & Wastewater Utility

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2023	Explore a code requirement for commercial customers that encourages water conservation	No	None	Sustainability Division, WP Water & Wastewater Utility, Economic Development
2023	Amend ordinance for grease trap collection for above ground unit collection & maintenance	No	None	Sustainability Division, WP Water & Wastewater Utility, Stormwater Div, Economic Development
2024	Identify methodology for expressing water use intensity in gallons per capita upon renewal of SJRWMD Consumptive Use Permit	No	None	WP Water & Wastewater Utility, Sustainability Division
2025	Upon renewal of SJRWMD Consumptive Use Permit, review inverted water utility rate structure to increase water conservation efforts	No	None	WP Water & Wastewater Utility
2025	Upon renewal of SJRWMD Consumptive Use Permit, expand reclaimed water system	No	None	WP Water & Wastewater Utility
Continue Annually	Explore grant opportunities for septic to sewer conversion projects	No	Initiated	WP Water & Wastewater Utility; PW; Sustainability Division
Continue Annually	Using AMI system to identify customers in non-compliance with SJRWMD irrigation policies and provide non-compliant customers with water conservation best practices	Yes	Initiated	WP Water & Wastewater Utility, Sustainability Division
Continue Annually	Promote existing water conservation educational opportunities such as audits and rebates including Schools	Yes	Initiated	WP Water & Wastewater Utility, Sustainability Division, Communications
Continue Annually	Replace Advanced Metering Infrastructure (AMIs) to allow for new, more effective monitoring of water usage, system efficiency, detecting malfunctions and recognizing irregularities	Yes	Initiated	WP Water & Wastewater Utility

Community Engagement & Green Economy

The Community Engagement and [Green Economy](#) category outlines long term objectives and actions focused on encouraging residents, business owners, schools and other organizations in the city of Winter Park to begin incorporating more sustainable solutions in their daily activities. To foster and build upon a culture that values health, environmental stewardship, and financial wellbeing, the city will support public engagement campaigns to educate, inspire and offer some of the most cost effective, healthy and easy solutions. The campaign will seek to engage diverse partners and sectors of the community; create a shared community vision, goals and progress indicators of a low-carbon future; connect individuals and organizations to education, tools and resources; and celebrate positive changes and successes. A fully engaged community is the key to successfully making the city a more sustainable community.

OBJECTIVES

1. Communicate, educate and motivate residents to begin incorporating more sustainable solutions in their daily actions to change their behaviors in ways that support the objectives of the Sustainability Action Plan
2. Engage businesses, offer sustainable solutions and recognition for greening their daily operations that support the objectives of the Sustainability Action Plan
3. Provide opportunities for schools to implement sustainable practices in their daily operations that support the objectives of the Sustainability Action Plan
4. Work collaboratively with community organizations to identify and implement sustainable solutions that support the objectives of the Sustainability Action Plan

INDICATORS

	Indicator Description	Baseline	2021 Status	2025 Target	2035 Target
CEGE-1	Volunteer hours for Community engagement events – Baseline Year: 2012	240	1,304	No less than 1,500	No less than 2,000
CEGE-2	Green Businesses Recognized per year – Baseline Year: 2012	0	26	No less than 10	No less than 10
CEGE-3	Green School Grant Funding – Baseline: Average amount of funding between 2017-2020	\$3,300	\$2,890.00	Equal or more than \$3,500/year	Equal or more than \$3,500/year

ACTIONS

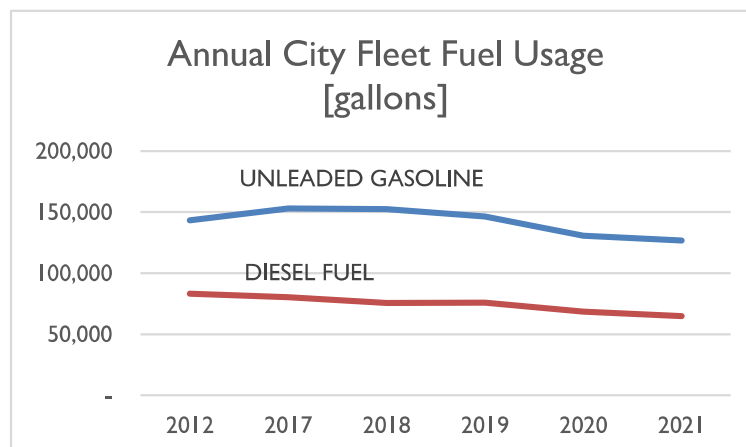
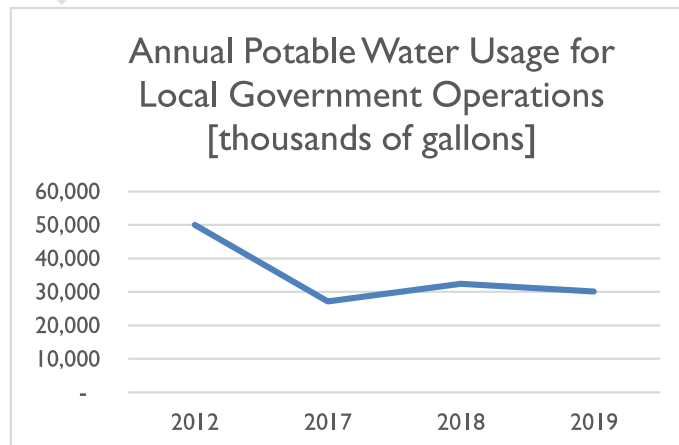
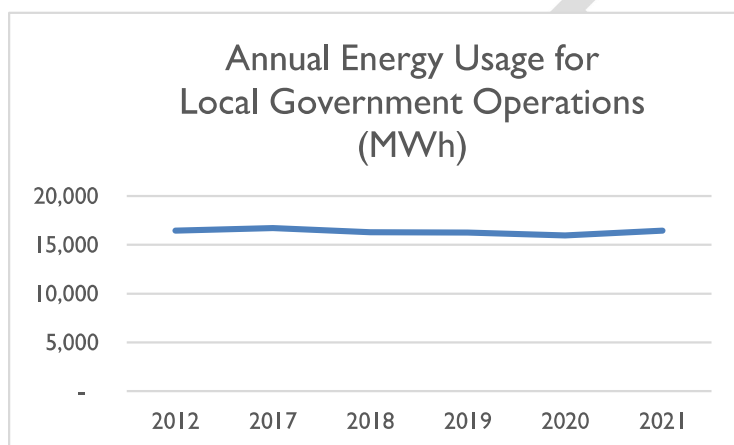
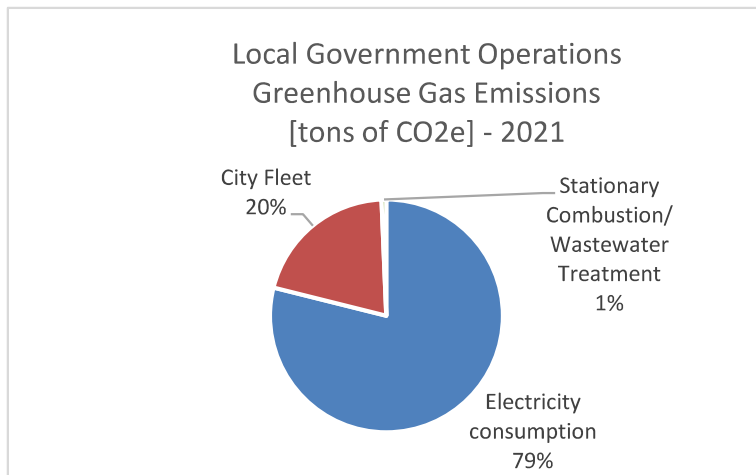
Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2022	Re-participate in America In Bloom's annual nationwide competition in addition to researching grant opportunities to help aid KVPBS&S	No	Yes	Sustainability Division, KWPBS Board, Communications

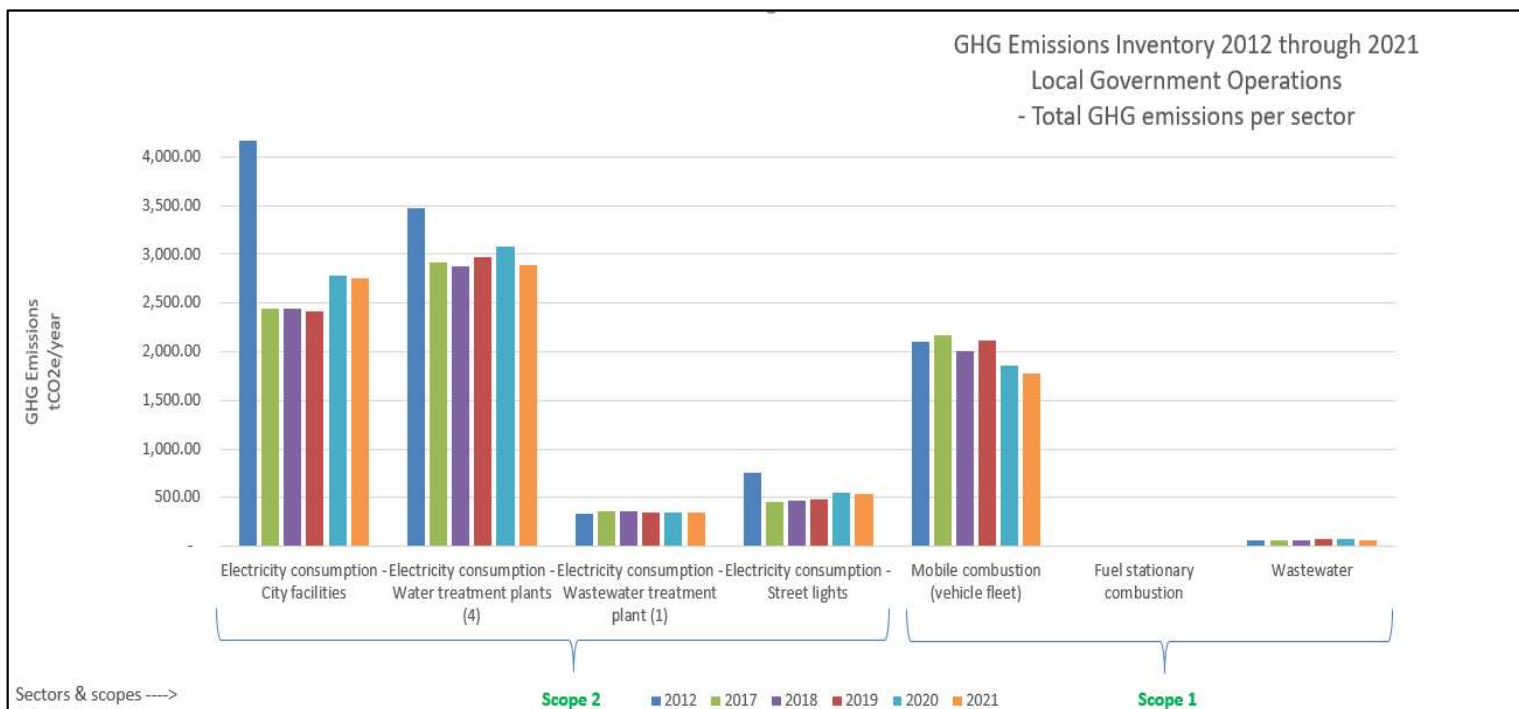
Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2023	Create Green Event Guide and Volunteer Program for city events	No	None	Sustainability Division, Parks & Recreation, Communications
Continue Annually	Promote sustainability program initiatives through various social media platforms and traditional print media, at in-person events, and maintain and update Program's website	Yes	Yes	Sustainability Division, Communications
Continue Annually	Administer Green Business Recognition Program and promote Green Business initiatives: Facilitate Green Business networking events	Yes	Yes	Sustainability Division, Communications, Economic Development
Continue Annually	Administer Green School Grant Program and Green Education opportunities for educators	Yes	Yes	Sustainability Division
Continue Annually	Partner with local universities (e.g., University of Central Florida, Rollins College) to provide educational trainings on sustainability-related subjects	Yes	Yes	Sustainability Division
Continue Annually	Ensure all requirements are met for remaining a Keep America Beautiful affiliate	Yes	Yes	Sustainability Division
Continue Annually	Provide volunteer opportunities for litter cleanups of city's lakes and rights-of-way and opportunities for beautification of city parks and greenspaces	Yes	Yes	Sustainability Division, Lakes Division, Parks and Recreation
Continue Annually	Provide education on Sustainability Division at Neighboring Community Events	Yes	Yes	Sustainability Division
Continually Annually	Create and implement environmental education opportunities at parks and city buildings (e.g., Mead Gardens, Howell Branch Creek, Dinky Dock and Fort Maitland)	No	Yes	Sustainability Division, Parks & Recreation, Communications

Local Government Operations

The Local Government Operations category outlines long term objectives and actions focused on reducing GHG emissions of municipal operations, increasing municipal facilities' resiliency to the impacts of climate change, and encouraging resource protection and conservation. Creating healthier and more comfortable environment for employees and building occupants are also anticipated benefits from the city renovating existing buildings and building new city facilities to meet high performance, green building standards.

The city's Local Government Operations GHG Emissions Inventory consists of all major direct emissions from the burning of fossil fuels by the City's fleet and indirect GHG emissions associated with the electricity consumption for local government operations. City Fleet-related (20%) and electricity consumption-related (79%) activities contribute the largest proportion of greenhouse gases emissions in government operations. Energy usage has remained generally stable since the baseline year of 2012.





Workforce commute also contributes to GHG emissions. City adoption of a flexible work plan to a four-day work week would decrease carbon emission. This provides both climate and employee well-being benefits.

Energy audits of city facilities would allow for projects to be selected that will provide the greatest energy reduction at the best return on investment. Several city parks use reclaimed water, lake or well water, reducing the amount of high-quality potable water being used by the city to irrigate. Efforts to expand the use of reuse water for park irrigation is planned.

City fleet gasoline and diesel consumption has remained generally stable since the baseline year of 2012. In 2020, there was a decrease in both unleaded gasoline and diesel due to the pandemic. We expect 2022 to jump back to average consumption with a goal to steadily decrease over the next decade with the establishment of a fleet electrification policy. By 2023, the City of Winter Park is committed to establishing a policy that creates a vehicle replacement and purchase tiered structure that prioritizes zero tail pipe emissions, high fuel efficiency vehicles would help further fleet electrification and fuel usage reduction. The city plans to expand EV charging stations that would be used for both city employees and for public use.

Sustainability education and incentivization for city employees also plays a vital role. By providing a green procurement guideline, the guesswork of selecting sustainable and compostable products is taken out while the city implements greener purchasing choices. City sponsored events, and hired vendors such as catering services, should be required to follow green event policies. While

green choices are made at the workplace, employees learning about these choices could help make greener choices at home.

OBJECTIVES

1. Increase the city's municipal facilities resiliency and energy use efficiency to the impacts of climate change
2. Improve city services and broaden public access to information about city performance
3. Reduce Local Government Operations (LGO) greenhouse gas emissions
4. Increase energy and water efficiency of existing and new city-owned and city-operated facilities
5. Encourage on-site renewable energy generation at city-owned and city-operated facilities
6. Reduce fossil fuel consumption by city fleet vehicles
7. Communicate, educate and motivate city employees to incorporate more sustainable solutions in their daily actions to change their behaviors in ways that support the objectives of the Sustainability Action Plan
8. Reduce the amount of waste generated from local government operations
9. Encourage reuse and other means of disposal that divert generated waste away from the landfill
10. Consider reducing carbon emission by implementing four-day work week where applicable

INDICATORS

	Indicator Description	Baseline	2021 Status	2025 Target	2035 Target
LGO-1	Local Government Operations greenhouse gas emissions [Tons of carbon dioxide equivalent]	11,315	8,735	40% less than baseline year	80% less than baseline year
LGO-2	Energy usage for Local Government Operations [MWh/yr]	16,471	16,443	5% less	15% less
LGO-3	City-owned and city-operated facilities audited	3	3	50%	100%
LGO-4	Potable water usage [thousands of gallons] ²	-	70,172	50% less	TBD
LGO-5	City Fleet fuel usage [gallons of unleaded gasoline] ³	143,268	126,747	Downward trend	TBD
LGO-6	City Fleet fuel usage [gallons of diesel fuel] ³	83,142	64,929	Downward trend	TBD

LGO-7	Number of city-owned Electric Vehicles ⁴	0	8	Increase	Increase
LGO-8	Number of Electric Vehicle charging Stations available for city business use [ports] ⁴	1	13	Increase	Increase

¹By the end of 2020, the city had 266kW of installed solar capacity (City Fleet Building, Aloma Water Treatment Plant)

²Target based on data received from utility reporting based on all city facilities meters

³By the end of 2020, the city had 6 electric vehicles (2% of total fleet) and 7 EV Charging Ports for Fleet Use

ACTIONS

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2022	Solicit proposals for energy conservation audits for all city facilities	No	Initiated	Public Works, Procurement, Sustainability Division, WP Electric Utility
2022	Conduct Renewable Energy Feasibility Study – 5.25.22 commission approved to move forward	No	Initiated	Public Works, Sustainability Division, Procurement, WP Electric Utility
2023	Pilot food waste collection program at a city facility (City Hall and or Center Street)	No	No	Sustainability Division
2023	Create & establish sustainable fleet policy that creates vehicle replacement EV hybridization	No	No	Fleet, Sustainability Division
2024	Develop educational programs for city employees on best practices for workplace energy & water conservation, sustainable transportation modes and waste management; include incentives like Sustainability Olympics/Challenges	No	No	Sustainability Division, Human Resources
2023	Reestablish Single Use Product Policy	No	No	Sustainability Division, City Administration, Parks & Recreation
2024	Research energy and water management software capable of identifying low-efficiency city facilities and early detection of usage anomalies	No	No	Sustainability Division, Public Works

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2023	Install high efficiency dishwashing machines and water bottle filling stations at city facilities to facilitate the reuse of dishware for city-business meetings and gatherings	No	No	Public Works, Sustainability Division
2023	City adoption of a flexible work plan to a four-day work week would decrease carbon emission	No	No	City Management, All City Departments
2024	Explore ways to quantify waste generated from city offices	No	No	Sustainability Division
2024	Design/implement a sustainability procurement policy that is fiscally responsible and aligns with sustainability goal that will include in the cities current comprehensive procurement policy	No	No	Procurement, Sustainability Division
2025	Upon renewal of SJRWMD Consumptive Use Permit, assess and identify opportunities for water conservation measures for all city facilities	No	No	WP Water & Wastewater Utility
2025	Ensure that all new, significantly renovated, occupied, city-owned buildings will be designed to incorporate measures that would allow them to be FGBC or minimum of <u>LEED</u> "Silver Certification" level	No	No	Public Works, Sustainability Division
Continue Annually	Use data and analytics to improve city services and broaden public access on information about city performance	Yes	Ongoing	IT, All City Departments
Continue Annually	Utilize racial equity lens to assess city policies, initiatives, programs, and budget issues	Yes	Ongoing	All City Departments
Continue Annually	Work with OMB annually to identify sustainability-related project needs and budget with city departments on Capital Improvement Plan	Yes	Ongoing	Office of Management & Budget, Sustainability Division, All City Departments
Continue Annually	Monitor city buildings' energy and water usage through ENERGY STAR Portfolio Manager	Yes	Ongoing	Sustainability Division
Continue Annually	Conduct Local Government Operations Greenhouse Gas Emissions Inventory	Yes	Ongoing	Sustainability Division
Continue Annually	Shift from fossil-fuel to electric powered landscaping equipment upon replacement; exception to leaf blowers with due date of 2024	Yes	Ongoing	Parks & Recreation

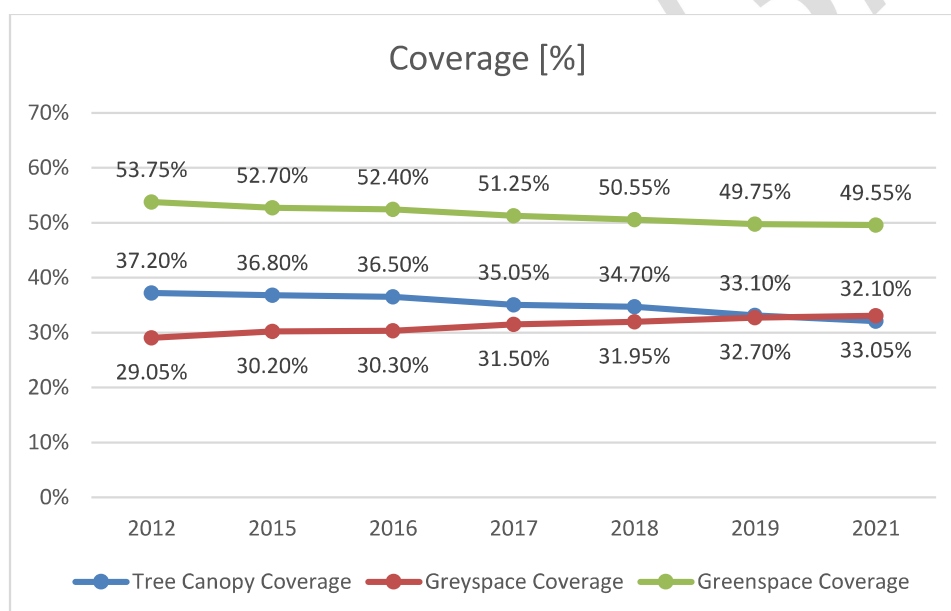
Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
Continue Annually	Continue to partner with FDOT's reThink Your Commute program to encourage employees' use of SunRail, Lynx, vanpools, bikes, and walking to work	Yes	Ongoing	Human Resources, Sustainability Division

DRAFT 10/3/22

Natural Resources

The Natural Resources category is focused on preserving and enhancing the City of Winter Park's valuable natural features that help make the city such a great place to live. The city is known for its lush tree canopy and pristine lakes. Both of these features provide a multitude of benefits including improved air quality, wildlife habitat, cooler temperatures through reduced [urban heat island](#) effect, beautification and increased property values. In recognition of a downward trend from 2012 to 2019, the target goals for tree canopy coverage and greenspace coverage reflect a commitment to reversing the trend.

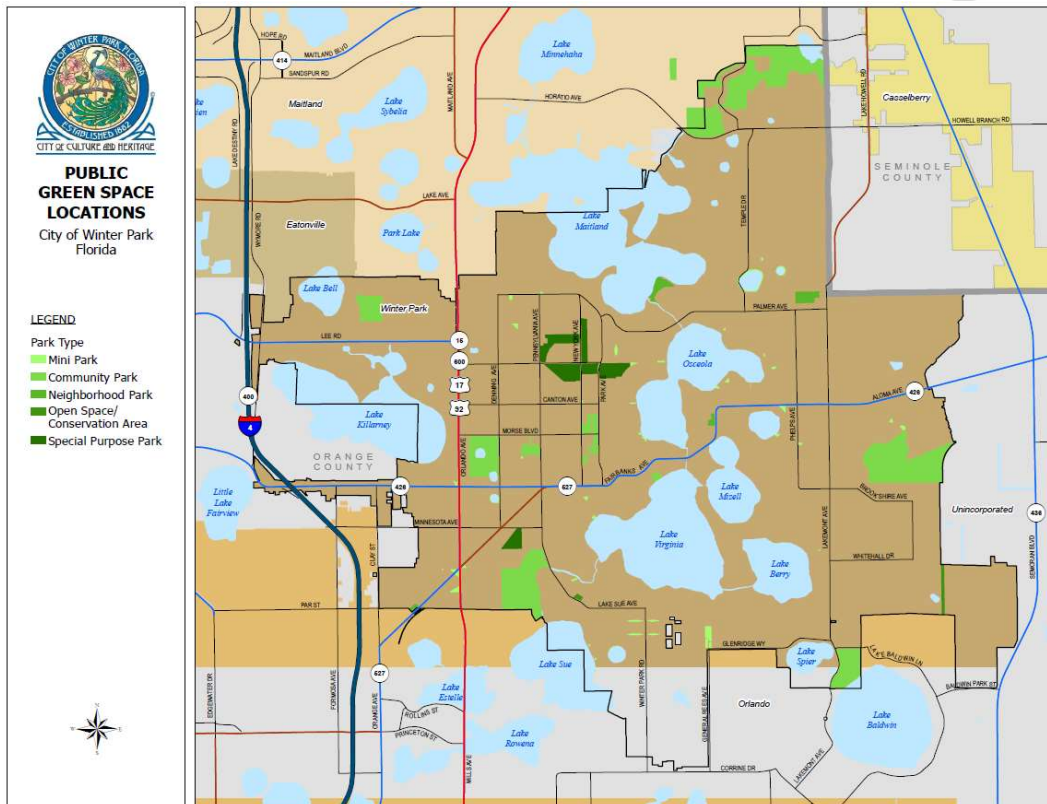
In 2020, the city's Urban Forestry Division began using [i-Tree Canopy](#). The online tool randomly lays points onto Google Earth imagery and then the user manually classifies what cover class (e.g., tree) each point falls upon. While 500-1,000 points are suggested, the Urban Forestry Division classified 2,000 points, increasing the accuracy of the estimates. Since the aerial imagery from Google Earth is normally about 2 years old, the assessment presented goes only through 2021.



Using i-Tree Canopy, Urban Forestry was able to determine the city's tree canopy coverage (includes trees and shrubs), greenspace coverage (includes trees, shrubs, grass and herbaceous cover) and greyspace coverage (includes impervious surfaces and buildings). A trend of gradual decline in tree canopy and greenspace coverage and gradual incline of greyspace coverage is evident during the reporting years. Tree canopy loss is most likely attributable to changes in land development use. Land development regulations and city programs that protect and expand the existing canopy are critical to ensure tree canopy coverage does not continue to decline.

City parks play a crucial role in residents and visitors mental and physical well-being and stimulate social cohesion. The city's Parks and Recreation Division has consistently exceeded its goal of

more than 10 park acres per 1,000 people. Maintaining the percentage of residents living within a half mile from park space will not only ensure that residents are within walking distance of places that are good for their mind and body, but these green areas also help mitigate localized air pollution and provide habitat for numerous animal and plant species. In addition, adding designated “no-smoking zones” to city parks and events reinforces clean air initiatives.



In 2021, the city’s Lakes Division will begin tracking the city’s Main Lakes meeting the “Good” Water Quality Standard [average annual [trophic state index \(TSI\)](#) below 60]. The city’s Main Lakes include Lakes Baldwin, Berry, Killarney, Maitland, Mizell, Osceola, Sue and Virginia. TSI is a classification system designed to “rate” individual lakes, ponds and reservoirs based on the amount of biological productivity occurring in the water. Using the index, one can gain a quick idea about how productive a lake is.

In 2022, the Natural Resources and Sustainability Department implemented discussions with Mead Botanical Garden in efforts to create a Comprehensive Plan. The Comprehensive Plan is intended to become a guiding document between Mead Garden, City of Winter Park, and Stakeholder groups (such as Winter Park Land Trust and Native Plant Societies). The plan would address projects, management plans (both removal and revegetation), and Howell Creek water

quality stabilization. This further illustrates the City of Winter Park’s partnership with Mead Botanical Garden in allowing for the further success of our current and future projects. Mead Botanical Garden not only brings tourism to our city, but provides environmental conservation and educational opportunities for our city to experience and enjoy.

The restoration and preservation of Howell Branch Preserve is equally vital to environmental conservation efforts. Continuing with invasive species management and restoring with native species, to include a robust reforestation plan, is key to the long term protection of this unique park/preserve system.

OBJECTIVES

1. Maintain and expand an equitable urban tree canopy
2. Increase overall greenspace
3. Increase parks and conservation space
4. Increase street trees within the city’s rights of way
5. Maintain number of lakes meeting good water quality standard
6. Increase residents’ and businesses’ knowledge of best practices for urban tree canopy maintenance
7. Increase residential awareness on pollution prevention of natural water resources, including impacts of stormwater runoff and over-fertilizing for Winter Park lakes
8. Designate “no-smoking zones” for city parks and events
9. Creating a Mead Botanical Garden Comprehensive Plan document

INDICATORS

	Indicator Description	Baseline	2021 Status	2025 Target	2035 Target
NR-1	Tree Canopy Coverage – Baseline Year: 2019	33.10%	32.10%	Maintain	5% more
NR-2	Greenspace Coverage – Baseline Year: 2019	49.75%	49.55%	Maintain	5% more
NR-3	Greyspace Coverage – Baseline Year: 2019	32.70%	33.05%	Maintain	5% less
NR-4	# of Trees Removed	-	120	Maintain	TBD
NR-5	# of Trees Planted	-	150	Increase trend	TBD
NR-6	Percentage of City of Winter Park’s Main Lakes ¹ meeting Good Water Quality Standard [Average Annual Trophic State Index (TSI) below 60] – Baseline Year: 2012	100%	100%	Maintain	Maintain

¹Lakes Baldwin, Berry, Killarney, Maitland, Mizell, Osceola, Sue and Virginia

ACTIONS

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2022	Provide education on pollution prevention of natural water resources (e.g., impacts of stormwater runoff and over-fertilizing) to residents and businesses through on-line, print campaigns, and social media	No	Initiated	Lakes Division, Sustainability Division, Communications
2023	Research establishing an Energy-Savings Tree Giveaway Program that delivers a diverse variety of canopy and understory trees to residents	No	No	Urban Forestry, Sustainability Division
2023	Explore opportunities to preserve existing trees on private property such as increase front set backs on septic for property owners and developers	No	No	Building & Permitting, Urban Forestry, Sustainability Division
2023	Conduct <i>tree equity score</i> study to determine if tree canopy cover is distributed in a way that all residents can experience the climate, health and other benefits that trees provide	No	No	Urban Forestry
2023	Develop a checklist of trees for residents to reference	No	No	Urban Forestry, Communications
2023	Incorporate opportunities to build a green infrastructure (bio-swales, rain gardens, green roofs, etc.) demonstration project within the city limits	No	No	Sustainability Division, Stormwater Division
2022	Adopt Artificial Turf Ordinance	No	Initiated	Natural Resources & Sustainability Dept., Public Works

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2023	Periodic Review for Natural Resources Protection. Increase policy to save more trees within building code – land development code	No	No	Urban Forestry, Natural Resources and Sustainability Dept., Building & Permitting
2023	Explore implementation of Tree Equity Score indexing	No	No	Urban Forestry & Sustainability Division
2023	Water quality data readily accessible for all WP citizens to utilize	No	Initiated	Communications , WP Electric Utility
2023	GIS Modeling to predict tree canopy	No	No	GIS & Urban Forestry
2023	Establish Lakes Newsletter to inform citizens on the importance of lake side living	No	No	Lakes Division, Communications
2023	Establish a lakeside living checklist for use when hiring lawn care/maintenance to prevent excess fertilizers and grass clippings from entering our waterways	No	No	Lakes Division, Communications
2023	Implement lake vegetation bioassessment to benchmark and track the health of WP's Shorelines	No	No	Lakes Division
2023	Add pollinator gardens to the initial landscape plan throughout the city	No	No	Parks & Recreation, Landscaping, Natural Resources & Sustainability
2024	Enhance tree canopy coverage via the urban forest management plan and update every 5 years	No	No	Urban Forestry, Natural Resources & Sustainability Dept.

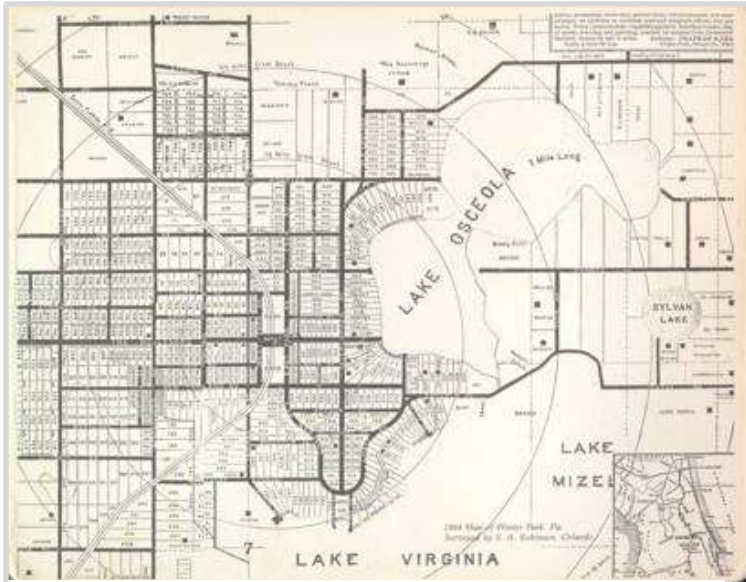
Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
Continue Annually	Increase beneficial native aquatic plant shorelines for all Winter Park Lakes	Yes	Ongoing	Natural Resources & Sustainability Dept.
Continue Annually	Explore funding to support green infrastructure and tree canopy development	Yes	Ongoing	Urban Forestry, Natural Resources & Sustainability Dept.
Continue Annually	Administer city's tree management program	Yes	Ongoing	Urban Forestry
Continue Annually	Consider the usefulness and availability of state and federal grant programs for the acquisition of lands for conservation areas or passive recreation	Yes	Ongoing	City Administration, Parks & Recreation, Planning & Transportation
Continue Annually	Administer integrated aquatic plant management program	Yes	Ongoing	Lakes Division
Continue Annually	Provide Tree Canopy Conservation education (e.g., environmental/health benefits, cost savings, aesthetics) to residents, building professionals, realtors and businesses through on-line, social media, print campaigns and in-person workshops	Yes	Ongoing	Urban Forestry, Sustainability Division, Building & Permitting, Communications
Continue Annually	Increase Watershed Clean Ups, Tree Plantings, and Shore Restoration Events	Yes	Ongoing	Natural Resources & Sustainability Dept., Urban Forestry

Transportation and Urban Form

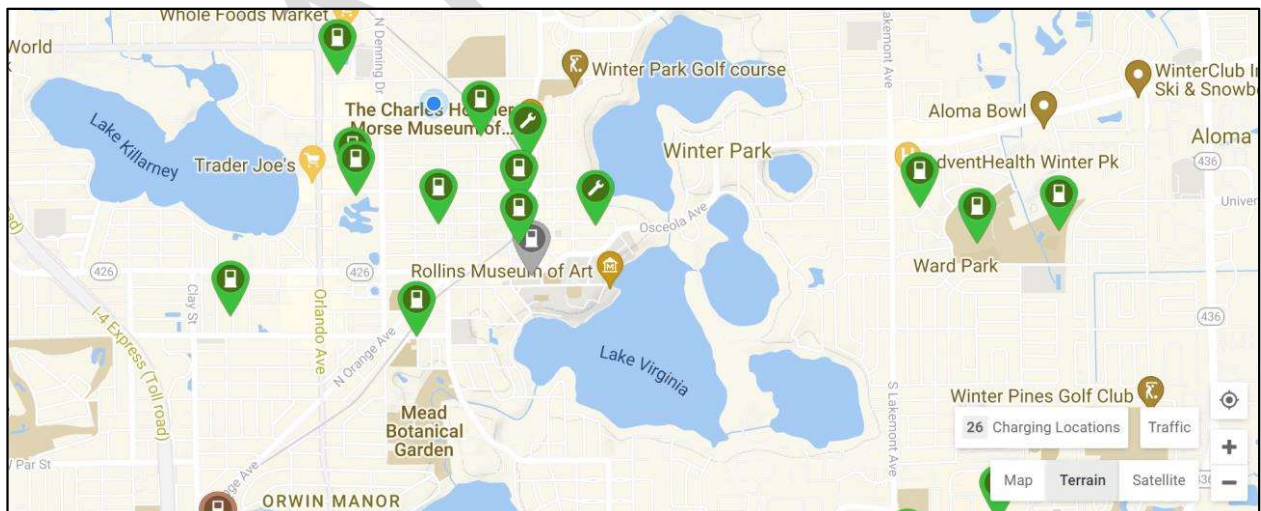
The Transportation and Urban Form category is focused on encouraging healthier, more active forms of transportation such as walking, bicycling and using mass transit such as LYNX bus and SunRail commuter rail and increased [connectivity](#). As the first planned community in Florida, the city was founded around the concept of walkability and human scaled urbanism. Since owning a car was a rarity in the 1880s, the city's founders designed the original plan around the Train Station which was the town's first constructed building. Future development was patterned off quarter mile walks around the station.

As discussed in the Climate Resiliency category, transportation is a significant (50%) contributor to the city's community-wide GHG emissions. Climate Resiliency emphasizes the need for people to choose more sustainable transportation options.

Common design elements of [complete streets](#) includes continuous sidewalks, bike lanes, landscaping, and shade trees. These design characteristics, combined with green infrastructure such as bio-swales and rain gardens, also help reduce stormwater runoff, enhance lakes water quality, and reduce the urban heat island effect.



The original Town Plan for Winter Park, FL placing the train station in the center with development planned around it. The circles represent quarter mile distances.



Map from PlugShare showing City of Winter Park's public charging stations in green.

OBJECTIVES

1. Improve pedestrian and bicyclist environments with sustainable and safe transportation infrastructure such as sidewalks, multimodal paths, and transit shelters
2. Encourage more complete streets in planning and development
3. Create an environment that encourages residents, businesses, and visitors to transition to electric and less carbon-intensive modes of transportation to achieve a level of air quality that is healthy for all residents and the natural environment (e.g., meeting and exceeding regional indoor and outdoor [air quality standards](#))
4. Increase residents' and businesses' knowledge of benefits and importance of sustainable transportation choices

INDICATORS

	Indicator Description	2012 Baseline	2021 Status	2025 Target	2035 Target
TUF-1	Sidewalk/Street improvements allowing for pedestrian and bicyclist use [Linear feet] ^{1,2} - Starting year 2022	-	930 LF	1 mile (cumulative)	3.5 miles (cumulative)
TUF-2	Pedestrian infrastructure improvements (enhanced crossings) [improved site/year] ² - Starting year 2022	-	5	10	25
TUF-3	Bicyclist infrastructure improvements (enhanced crossings, & bike racks) [improved site/year] ² - Starting year 2022	-	22	15	30
TUF-4	Improved transit stops (benches, transit shelters, waste receptacles, etc.) [improved transit stop/year] ² - Starting year 2022	-	0	2	4
TUF-5	Public and Private EV Charging Stations	7	156 current	30 additional	75 additional

¹e.g., converting a sidewalk to a mixed use trail or adding a bike lane to an existing road

²Targets for TUF-1, TUF-2, TUF-3 and TUF-4 will be determined and baseline adjusted upon completion of Mobility Plan

³As of 2020, the city has 14 EV Charging Ports for Public Use (info pulled from PlugShare)

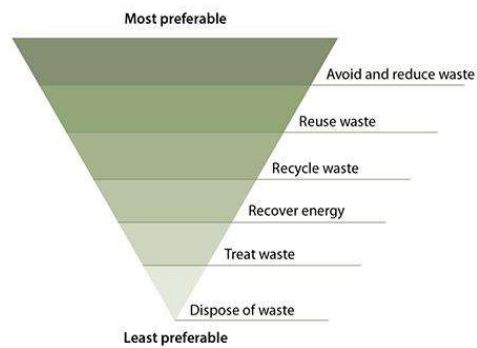
ACTIONS

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2023	Develop Mobility Plan, considering SunRail, Lynx, safe routes to schools, Complete Streets, and linkages of the City's trails with adjacent counties and municipalities	No	None	Planning & Transportation, Sustainability Division
2023	Explore feasibility of an incentive program for EV Charging Station installation in multifamily and commercial properties	No	None	Sustainability Division, Building & Permitting, WP Electric Utility

Projected Implementation Year	Action	Accomplished	Status	Responsible Department/ Division
2023	Develop EV infrastructure needs assessment and master plan	Yes	Ongoing	Sustainability Division, WP Electric Utility, Planning & Transportation
2023	Explore opportunities to pilot electric shuttle (Smart Bus)	No	No	City Administration, Economic Development, Planning & Transportation, Sustainability Division
2024	Implement public and private rideshare partnership opportunities that will promote the use of the cities SunRail System	No	No	Economic Development, Planning, Transportation, SunRail, Uber, & Lyft
Continue Annually	Maintain Electric Vehicle Charging Stations available to the public	Yes	Ongoing	Sustainability Division
Continue Annually	Encourage private developments to increase safety and ease of walking and cycling through site plan review process	Yes	Ongoing	Planning & Transportation
Continue Annually	Implement affordable & workforce housing within a quarter mile from major employers	No	Ongoing	Economic Development, Planning & Transportation
Continue Annually	Provide education on pedestrian and bicyclist safety, routes, and proximity to amenities to residents and businesses through on-line, social media, interactive map, and print campaigns	Yes	Ongoing	Planning & Transportation, Police Department, Communications
Continue Annually	Evaluate bus stop infrastructure for accessibility and amenities	Yes	Ongoing	Planning & Transportation
Continue Annually	Provide education on benefits and importance of sustainable transportation choices to residents and businesses through on-line, print campaigns, social media, and in-person events	Yes	Ongoing	Planning & Transportation, Sustainability Division, Communications
Continue Annually	Work with Sustainability Division to ensure Comprehensive Plan Update incorporates sustainability and resilience related goals, objectives and policies as it relates to transportation	Yes	Ongoing	Planning & Transportation, Sustainability Division

Waste Management

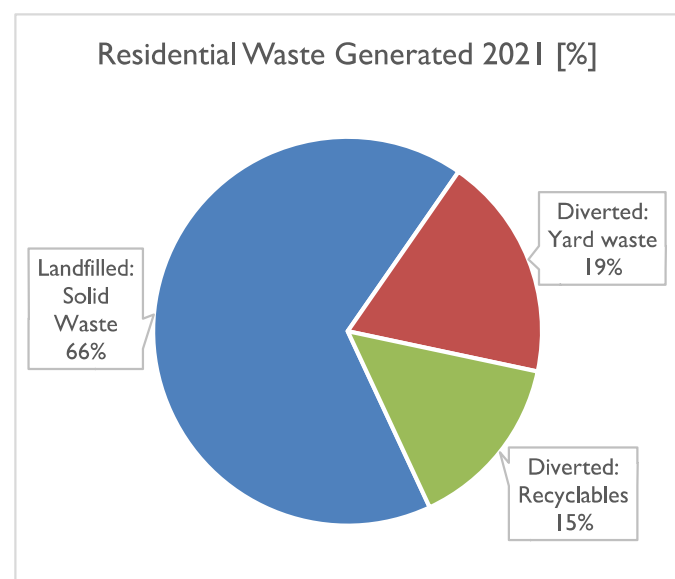
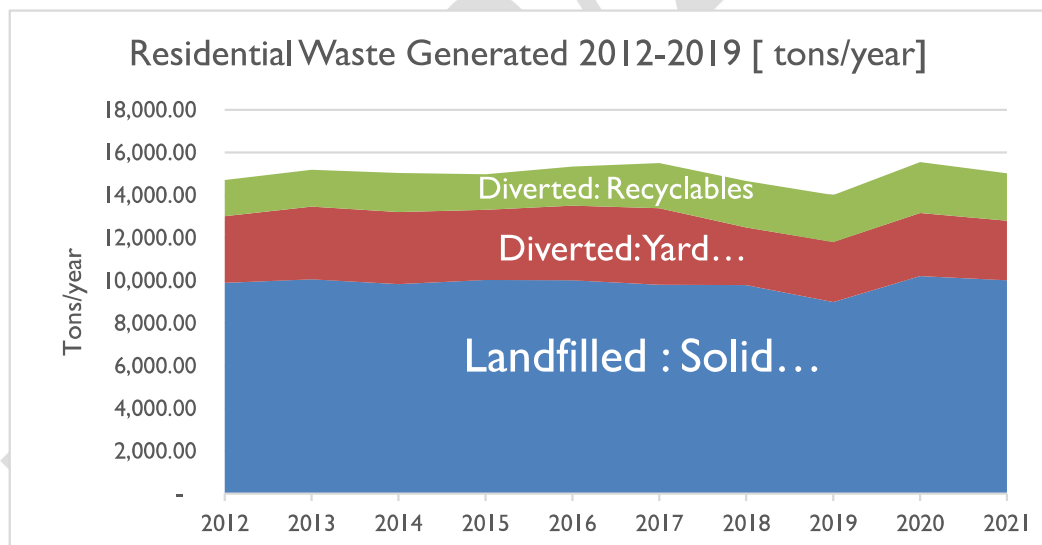
The Waste Management category is focused on reducing the amount of waste generated, encouraging the reuse and repair of products, and diverting waste from the landfill. The EPA developed the non-hazardous materials and [waste management hierarchy](#) in recognition that no single waste management approach is suitable for managing all materials and waste streams in all circumstances. The hierarchy ranks the various management strategies from most to least environmentally preferred.



The City of Winter Park has a franchise agreement with WastePro for hauling of solid waste, yard waste and recyclables from residential properties. Under this contract, WastePro hauls solid waste and yard waste to the Seminole County Transfer Station. Solid waste is landfilled and yard waste is used primarily as road cover at the landfill, allowing yard waste to be counted as diverted waste. WastePro hauls recyclables to the Orange County Transfer Station.

There, recyclables are graded by Waste Management as being “acceptable” or “rejectable” based on the level of contamination. Acceptable loads are transported to Waste Management’s sorting facility in Cocoa for sorting, baling and compaction and then prepared for market. Unacceptable loads are landfilled. Consistency in updating residents to what is acceptable and not acceptable in the recycling bin is key to keeping rejections low.

It is important to recognize that at the top of the waste management hierarchy is avoidance and reduction of waste. The city is leading by example with



its Single Use Product Policy Pilot program that prohibits plastic bags, plastic straws and styrofoam products at city facilities. The Green Business Recognition Program provides a way for businesses to receive recognition for switching from single-use to reusable and compostable alternatives. It is critical to reinforce the message that most environmentally preferable choice an individual can make in regards to waste is to not create it in the first place.

OBJECTIVES

1. Reduce the amount of waste generated
2. Increase repair, reuse and donation of materials
3. Divert waste generated away from the landfill
4. Increase residents and businesses' knowledge of the benefits and importance of waste prevention and reduction

INDICATORS

	Indicator Description	2012 Baseline	2021 Status	2025 Target	2035 Target
WM-1	Residential Waste Generated [tons] ¹	14,714	15,018	5% less	10% less from prior target
WM-2	Residential Solid Waste Landfilled [tons]	9,890	10,004	10% less	20% less
WM-3	Residential Waste Diverted from Landfill [tons] ²	4,824	5,014	10% more	20% more

¹Includes tonnage collected from residential households (solid waste, yard waste and recycling)

²Includes tonnage of waste diverted for other purposes (i.e., recyclables recycled and yard waste used for landfill cover)

ACTIONS

Projected Implementation Year	Action	Accomplished	Status	Responsible Department(s)
2022	Provide composting education and backyard composters to residents	Yes	Initiated	Sustainability Division
2022	Analyze implementation of a Food Waste Diversion Program for Center Street and Farmer's Market	No	Initiated	Sustainability Division

Projected Implementation Year	Action	Accomplished	Status	Responsible Department(s)
2023	Maintain the list of the city's Registered Haulers	No	Initiated	Sustainability Division
2023	Assist multi-family and commercial buildings with creating recycling education and outreach plans	No	No	Sustainability Division, Economic Development
2023	Increase recycling opportunities at city-owned public facilities and parks	No	No	Parks and Recreation, Sustainability Division
2023	Consider food scrap collection and Pay As You Throw options in Scope of Work description for Solid Waste Services Solicitation	No	No	City Administration, Sustainability Division
2023	Establishing an ordinance to ban all Styrofoam products city-wide	No	No	City Administration, Sustainability Division
2023	Consider a mandate for commercial ordinance for recycling and composting	No	No	City Administration, Sustainability Division
Continue Annually	Host "Fix It, Don't Pitch It" regional community repair event	Yes	Ongoing	Sustainability Division
Continue Annually	Provide residents with online waste management tool that provides collection schedules, reminders and look-up tool to determine how items should be disposed of	Yes	Ongoing	Sustainability Division
Continue Annually	Provide in-person, online and print education on waste management hierarchy (reduce, reuse, recycle)	Yes	Ongoing	Sustainability Division
Continue Annually	Participate in Florida Food Waste Prevention Week	Yes	Ongoing	Sustainability Division
Continue Annually	Hold Annual Household Hazardous Waste (HHW) and Electronics Waste Collection Event	Yes	Ongoing	Sustainability Division
Continue Annually	Increase availability of water bottle filling stations at city-owned public facilities and parks	Yes	Ongoing	Parks and Recreation, Sustainability Division

2022 Action Item Tracker List:

Climate Resiliency	Conduct Renewable Energy Feasibility Study
Climate Resiliency	Implement an Artificial Turf Ordinance which will help mitigate the number of houses that have artificial turf by addressing stormwater and sustainability concerns
Climate Resiliency	Adopt Backyard Chicken Program (exp. September 2022) to evaluate program outcomes and possibility of expanding and extending the program
Water	Create water conservation education to residential and commercial customers through on-line, print campaigns, and social media including water wise check list
Water	Increase public awareness of Florida-friendly landscaping and irrigation regulations for city (internal), residential, and commercial customers; i.e. raingardens
Community Engagement and Green Economy	Re-participate in America In Bloom's annual nationwide competition in addition to researching grant opportunities to help aid KWPB&S
Local Government Operations	Solicit proposals for energy conservation audits for all city facilities
Local Government Operations	Conduct Renewable Energy Feasibility Study – 5.25.22 commission approved to move forward
Natural Resources	Provide education on pollution prevention of natural water resources (e.g., impacts of stormwater runoff and over-fertilizing) to residents and businesses through on-line, print campaigns, and social media
Natural Resources	Adopt Artificial Turf Ordinance
Waste Management	Provide composting education and backyard composters to residents
Waste Management	Analyze implementation of a Food Waste Diversion Program for Center Street and Farmer's Market

Glossary

Air quality standards. The [Orange County Air Quality Management \(AQM\) section](#) ensures that the air quality of Orange County meets standards set forth in the Federal Clean Air Act and in the Florida Statutes. The goal of the [Florida Department of Health Indoor Air Program](#) is to improve the health of Floridians by reducing exposure to indoor air contaminants.

[Best Workplaces for Commuters](#) is an innovative membership program that provides qualified employers with national recognition and an elite designation for offering outstanding commuter benefits such as offering at least \$30 per month towards a transit pass to employees, employee shuttle to transit stations, etc.

[Carbon Footprint](#) The total amount of greenhouse gases that are emitted into the atmosphere each year by a person, family, building, organization, or company. A person's carbon footprint includes greenhouse gas emissions from fuel that an individual burns directly, such as by heating a home or riding in a car. It also includes greenhouse gases that come from producing the goods or services that the individual uses, including emissions from power plants that make electricity, factories that make products, and landfills where trash gets sent.

[Carbon-intensive foods](#) include beef (6.61 lbs. of CO₂e per serving), cheese (2.45 lbs. of CO₂e per serving), and other animal-based products.

[Climate change](#) refers to a change in the state of the climate that can be identified (e.g., by using statistical tests) by changes in the mean and/or the variability of its properties and that persists for an extended period, typically decades or longer. Climate change may be due to natural internal processes or external forcings such as modulations of the solar cycles, volcanic eruptions and persistent anthropogenic changes in the composition of the atmosphere or in land use.

[Climate Resilience](#) The capacity of social, economic and environmental systems to cope with a hazardous event or trend or disturbance, responding or reorganizing in ways that maintain their essential function, identity and structure while also maintaining the capacity for adaptation, learning and transformation.

[Complete Streets](#) are streets for everyone. They are designed and operated to prioritize safety, comfort, and access to destinations for all people who use the street, especially people who have experienced systemic underinvestment or whose needs have not been met through a traditional transportation approach, including older adults, people living with disabilities, people who cannot afford or do not have access to a car, and Black, Native, and Hispanic or Latino/a/x communities. Complete Streets make it easy to cross the street, walk to shops, jobs, and schools, bicycle to work, and move actively with assistive devices. They allow buses to run on time and make it safe for people to walk or move actively to and from train stations.

[Connectivity](#) reduces the distances traveled to reach destinations, increases the options for routes of travel, and can facilitate walking and bicycling. Well-connected, multimodal networks are characterized by seamless bicycle and pedestrian infrastructure, direct routing, accessibility, few dead-ends, and few physical barriers. Increased levels of connectivity are associated with higher levels of physical activity from transportation. Connectivity via transportation networks can also improve health by increasing access to health care, goods and services, etc.

[Florida Food Waste Prevention Week](#) raises awareness and inspires action to prevent food waste, save money, reduce hunger and protect the environment.

[Florida Green Building Coalition](#) has developed green certification programs that apply to construction projects and local government operations. Seeking FGBC certification demonstrates a commitment to providing your customers with products or services that are green and sustainable.

[Food Recovery](#) is the practice of collecting wholesome food that would otherwise go to waste and donating it to local food distribution agencies to help feed those in need.

[Google EIE](#) uses exclusive data sources and modeling capabilities in a freely available platform to help cities measure emission sources, run analyses, and identify strategies to reduce emissions — creating a foundation for effective action. Starting in 2021, the city's Greenhouse Gas emissions inventory uses Google EIE estimates for transportation emissions (baseline year 2018).

[Green Economy](#) is defined as an economy that is low carbon, resource efficient and socially inclusive. In a green economy, growth in employment and income are driven by public and private investment into such economic activities, infrastructure and assets that allow reduced carbon emissions and pollution, enhanced energy and resource efficiency, and prevention of the loss of biodiversity and ecosystem services.

[Green Infrastructure](#) includes a range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.

[Greenhouse gases](#) are those gaseous constituents of the *atmosphere*, both natural and *anthropogenic*, that absorb and emit radiation at specific wavelengths within the spectrum of terrestrial radiation emitted by the Earth's surface, the atmosphere itself and by clouds. This property causes the greenhouse effect. Water vapour (H₂O), carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄) and ozone (O₃) are the primary GHGs in the Earth's atmosphere.

[Integrated Aquatic Plant Management Program](#), established by the City of Winter Park, attempts to meet the challenges of maintaining beneficial plants while minimizing undesirable ones. The program includes chemical, biological and mechanical control methods.

[LEED](#) (Leadership in Energy and Environmental Design) is the most widely used green building rating system in the world. Available for virtually all building types, LEED provides a framework for healthy, highly efficient, and cost-saving green buildings. LEED certification is a globally recognized symbol of sustainability achievement and leadership.

[Pay As You Throw](#) is a system in which residents pay for municipal solid waste (MSW) services per unit of waste discarded rather than solely through a fixed fee or property tax.

[Racial Equity](#) occurs when race can no longer be used to predict life outcomes and outcomes for all groups are improved. For more detailed information review the GARE [Advancing Racial Equity and Transforming Government](#) Resource Guide.

[Racial Equity Lens](#) is the set of questions we ask ourselves throughout the decision-making process. The lens interrupts the impact of unintended consequences by taking into consideration the lived experiences and perspectives of the racially diverse communities we intend to serve.

[Reclaimed water](#) is wastewater that has been thoroughly treated to remove harmful organisms and substances, such as bacteria, viruses and heavy metals, so it can be reused.

[Renewable energy](#) is energy from sources that are naturally replenishing but flow-limited; renewable resources are virtually inexhaustible in duration but limited in the amount of energy that is available per unit of time. The major types of renewable energy sources are: Biomass, Hydropower, Geothermal, Wind and Solar.

[Resilience Hubs](#) are community-serving facilities augmented to support residents, coordinate communication, distribute resources, and reduce carbon pollution while enhancing quality of life. Hubs provide an opportunity to effectively work at the nexus of community resilience, emergency management, climate change mitigation, and social equity while providing opportunities for communities to become more self-determining, socially connected, and successful before, during, and after disruptions.

[Urban Heat Islands](#) occur when cities replace natural land cover with dense concentrations of pavement, buildings, and other surfaces that absorb and retain heat. This effect increases energy costs (e.g., for air conditioning), air pollution levels, and heat-related illness and mortality.

[Tree Equity Score](#) is an indicator of whether an area has a sufficient amount of tree canopy cover distributed in a way that all residents can experience the climate, health and other benefits that trees provide.

[Tree Management Program](#), established by the City of Winter Park, maintains existing vigorous trees, removes dead/diseased/dying trees, and replants with a diverse species. The Urban Forestry division is also responsible for maintaining trees in parks and around facilities, trees coexisting with electrical facilities, rights of way trees, and community outreach and education.

[Trophic State Index \(TSI\)](#) is a classification system designed to “rate” individual lakes, ponds and reservoirs based on the amount of biological productivity occurring in the water. Using the index, one can gain a quick idea about how productive a lake is.

Trophic State Index	Trophic State Classification	Water Quality
0-59	Oligotrophic through Mid-Eutrophic	Good
60-69	Mid-Eutrophic through Eutrophic	Fair
70-100	Hypereutrophic	Poor

Climate Risk & Vulnerability Assessment: a structured process that identifies ways in which a community is susceptible to harm from climate threats and identify corrective actions that can reduce or mitigate the risk of serious consequences due to climate change. This assessment will look at the City's critical facilities, water infrastructure, economic factors, our natural resources, people and socioeconomic statistics, property, transportation, and mobility. As a city that is mostly in land but surrounded by wetlands, Winter Park is still no stranger to climate events such as hurricanes, flooding, and extreme heat. As rapid growth in development continues, we continue to find ways to be adaptable to these climate changes. Within this assessment we will have key indicators which will allow us to keep track of this data for continued planning and prevention. These indicators include: GHG Emissions, Heat (Rising Temperatures and Extreme Heat), and Precipitation.

Waste Management Hierarchy: EPA developed the non-hazardous materials and waste management hierarchy in recognition that no single waste management approach is suitable for managing all materials and waste streams in all circumstances. The hierarchy ranks the various management strategies from most to least environmentally preferred. The hierarchy places emphasis on reducing, reusing, and recycling as key to sustainable materials management.

Wastewater is used water. It includes substances such as human waste, food scraps, oils, soaps and chemicals. In homes, this includes water from sinks, showers, bathtubs, toilets, washing machines and dishwashers.