



Planning & Zoning Board Regular Meeting

Agenda

October 5, 2021 @ 6:00 pm

City Hall Commission Chamber
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. **Call to Order**
 2. **Consent Agenda**
 - a. Approval of the September 7, 2021 Meeting Minutes. 1 minute
 3. **Staff Updates**
 - a. Sustainability Action Plan Update Draft 20 minutes
 4. **Citizen Comments (for items not on the agenda): Three minutes allowed for each speaker**
 5. **Non-Action Items**
 6. **Action Items**
 7. **Public Hearings**
 - a. SPR #21-09 Request of Ernest and Anne-Marie Jones for approval to construct a new, two-story single-family home located at 797 Pinetree Road on Lake Maitland, zoned R-1AAA. 10 minutes
 - b. SPR #21-10 Request of Matthew Morgan for approval to construct a new, two-story single-family home located at 1214 N. Park Avenue on Lake Maitland, zoned R-1AAA. 10 minutes
 - c. SPR #21-11 Request of Konkel Custom Homes for approval to construct a new, two-story single-family home located at 1395 Alberta Drive on Lake Osceola, zoned R-1AAA. 10 minutes
 - d. SPR #21-12 Request of Daryl Carter for approval of additions to the existing home at 740 Palmer Avenue to include a new garage, porte-cochere and swimming pool/cabana on Lake Osceola, zoned R-1AAA. 10 minutes
 - e. ANNEX #21-02; CPA #21-07; RZ #21-05 Request of the 3217 Corrine LLC to annex the Properties at 3303 and 3313 Corrine Drive and utilize the south 63 feet of 1813 Northwood Terrace Drive to establish Commercial (C-3A) and Parking Lot (PL) Future Land Use and Zoning in order to build a two-story, 8,750 sq. ft. commercial/office building on the combined properties. 30 minutes
THIS ITEM HAS BEEN TABLED TO THE NOVEMBER 2, 2021 REGULAR PLANNING & ZONING BOARD MEETING.
 - f. ZTA #21-02 Request of the City of Winter Park for an Ordinance to amend the zoning code related to superseding clauses. 5 minutes

g. [Request from the City of Winter Park:](#)

60 minutes

Consideration and appropriate action for the Ordinances to modify the the Land Development Code to create a Zoning Overlay District known as the Orange Avenue Overlay (OAO).

8. Board Comments

9. Adjournment



Planning & Zoning Board

agenda item

item type	Consent Agenda	meeting date	October 5, 2021
prepared by	Mary Bush	approved by	
board approval	Completed		
strategic objective			

subject

Approval of the September 7, 2021 Meeting Minutes.

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[P&Z September 7 draft.pdf](#)



Planning and Zoning Board Minutes

September 7, 2021 at 6:00 p.m.

401 S. Park Avenue | In-Person and Virtual | Winter Park, Florida

1. Present

Chairman Richard James called the meeting to order at 6:01 p.m. Present: Jim Fitch, Richard James, Michael Spencer, Melissa Vickers, Alex Stringfellow, and Vashon Sarkisian. Absent: David Bornstein. Also Present: City Attorney Dan Langley. Staff: Director of Planning and Transportation Bronce Stephenson, Principal Planner Jeff Briggs, Transportation Manager Sarah Walter, and Recording Secretary Kim Breland.

2. Approval of Minutes

Motion made by Alex Stringfellow, seconded by Vashon Sarkisian, to approve the August 3, 2021 meeting minutes.

Motion carried unanimously with a 6-0 vote. (David Bornstein was not present for the meeting.)

3. Guidelines and Best Practices for Meetings of the Planning and Zoning Board:

This item was postponed until the October 5, 2021 P&Z Regular Board Meeting.

4. Staff Updates:

Mr. Stephenson noted that he attended an American Planning Association conference in Miami, FL recently and completed some recruiting for the vacant Planner III position with the City.

5. Citizen Comments:

No one from the public wished to speak. The public hearing was closed.

6. Public Hearing:

- SUB #21-06. Request of Ron Scarpa for: Subdivision approval to split the property at 1832 Pineview Circle, zoned R-1A into two single-family building lots.

Mr. Briggs provided the Board a brief summary of the SUB #21-06 request. He reviewed the zoning and subdivision code criteria pertaining to the request. He presented photos of the property and 29 letters from neighbors who have signed in favor of the request including granting of the requested variances. He noted that the property has just over 18,000 square feet of lot area, which follows R-1A zoning code requirements. Dividing the property in half creates two 61 foot wide lots in lieu of the required 75 feet per zoning code, which creates the need for a variance. Mr. Briggs reviewed compatibility of the request with the surrounding neighborhood standards and existing conditions. He noted that the lots would be narrower than the average 70 feet of the surrounding properties, but the house size that can be produced on the lots is more aligned with the neighborhood's average house size. Mr. Briggs presented the site plans and prospective elevations for the project. He advised that it is the general practice of the City staff not to recommend approval of subdivision lot dimension variances.

Staff recommendation was for denial due to the requested variances.

The Board inquired about the original plat split of the lot, any variances requested for setbacks, and the substandard lot to the north of the property.

The Board heard public comment from the following resident:

Chuck Valence with Valence Realty Group of 2700 Westhall Lane #133, Maitland, FL 32751 addressed the Board. Mr. Valence noted that he was the broker to the seller of the property. He expressed that the neighbors were heavily brought into the idea of improving the neighborhood and the size of the split lots would not be far off from the average size of the surrounding homes.

The Board expressed approval of the request due to the increased compatibility with the neighborhood by splitting the lot, the number of neighbors shown to not have any issues with the request, and that the proposed plans align well with the original plat. Mr. Fitch commended the developer of the project for the proposed side entry garages.

Motion made by Melissa Vickers, seconded by Alex Stringfellow, for subdivision approval to split the property at 1832 Pineview Circle, zoned R-1A into two single-family building lots.

Motion carried unanimously with a 6-0 vote. (David Bornstein was not present for the meeting.)

- CPA #21-06. Request of the City of Winter Park for: Consideration and appropriate action for the Ordinances to modify the Comprehensive Plan and to modify the Land Development Code to create a Zoning Overlay District known as the Orange Avenue Overlay (OAO).

Mr. Stephenson provided a detailed overview of the CPA #21-06 request. He explained that the current meeting would satisfy the Orange Avenue Overlay (OAO) required district public hearing in front of the local Planning Agency, which is the Planning and Zoning Board. He mentioned that notice had been sent to the homes of all property owners within the City limits more than 30 days prior to the meeting. Mr. Stephenson then went on to explain that it has been close to three years that the OAO has been under discussion. He expressed gratitude for all of the participants involved in the OAO, including current and former Planning and Zoning Board members and staff, the City's attorneys, the City Commission, and various people in the community.

Mr. Stephenson noted the following as the intent of the OAO:

- To create the next great "Place" in Winter Park.
- To solve the issues that have led to over a decade of economic stagnation.
- For protection and creation of redevelopment opportunities of small businesses.
- To utilize the investment of private property owners on larger tracts of land to benefit area businesses and the community as a whole.
- To do what the City said it would do per the Comprehensive Plan Policy 1-2.4.14: Mixed Use Designation. The policy states that within one year from the adoption of the Comprehensive Plan, the City will create a mixed use overlay district for commercially designated parcels that would be intended to facilitate design and use flexibility to achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design.

Mr. Stephenson elaborated on the extensive public process and study portion of the development of the OAO. He explained that there had been almost three years of work sessions, regular meetings, public hearings, virtual charettes, opportunities for public input, and workshops for people who wanted to be involved in and educated about the process as well as why the area has not developed and grown. He noted that the dedicated Steering Committee worked on the base of the OAO document and then guided public input. He also noted the numerous studies had been completed on traffic, economics, and massing as well as discussions with local stakeholders, including large and small property owners, regarding their concerns and vision for the area.

Mr. Stephenson presented a current OAO Future Land Use Map to the Board. He explained that the current step for the Board to take was to act on the Comprehensive Plan element and then have it sent to Tallahassee for the formal review process. The time for the review would allow the Planning and Zoning Board to look into the Land Development Code elements.

Mr. Stephenson pointed out that notes had been kept on the changes that had been discussed with the Planning and Zoning Board at previous meetings and work sessions.

City Attorney Langley inquired if Mr. Stephenson was requesting the Board to continue the Land Development regulation to a future meeting. Mr. Stephenson responded yes and to a date and time certain to be proposed for the October 5, 2021 regular Planning and Zoning Board meeting at 6:00pm.

Motion made by Richard James, seconded by Michael Spencer, to continue the agenda item topic of modifying the Land Development Code to the October 5, 2021 regular meeting of the Planning and Zoning Board.

Motion carried unanimously with a 6-0 vote. (David Bornstein was not present for the meeting.)

The Board heard public comment from the following resident:

Robert Ullberg of 636 Dunblane Drive, Winter Park, FL 32789 addressed the Board. He noted that he has a business at 1318 Palmetto Avenue, Winter Park, FL 32789. Mr. Ullberg expressed that he was pushing to keep the integrity and history of Palmetto Avenue and speaking for the small business owners with concerns about the proposed development plans. He inquired about what problems with the vision were expressed to the City by stakeholders.

The Board noted that the area is not currently being affected by the OAO. The Board also clarified that the OAO is meant to be more of a vision of what could happen in the area and there is a specific focus on keeping existing business to allow for quality development consistent with historic Winter Park.

No one else from the public wished to speak. The public hearing was closed.

Mr. Stephenson reviewed the following changes made to the OAO ordinance by the Planning and Zoning Board:

- grammar changes,
- detailed explanation regarding the intent of the OAO,
- inclusion of the area with single-family homes to the north of Jewett Orthopedic Institute in Subarea A,
- detail of standards policy language in the OAO,
- created consistency in the language for Subarea C regarding maximum residential uses,
- increased the maximum achievable floor area ratio (FAR) from 100% to 125% and changed the Residential Density increase for workforce housing from 10% to 20% for Subareas D, I, and J,
- added policy language regarding required meaningful open space per property acre,
- removed language regarding Parallel Orange Avenue Access,
- revised the language regarding the transportation and mobility fee,
- removed Appearance Review language,
- revised language for policy regarding Public Hearings for conditional uses,
- added language for workforce housing to the FAR policy for parking structures,
- and revised the language for the Block Structure policy.

The Board briefly discussed the following:

- clarification on the area north of Jewett Orthopedic Institute and a recommendation for it to become part of Subarea A,
- the numbers for Progress Point in Subarea C not completely reflecting their current status,
- and how parking garages work in FAR calculation and its evolution over time.

City Attorney Langley advised to reword the mobility fee section. Brief discussion ensued on the exact wording to use.

Chairman James called for a recess at 7:22 p.m. and reconvened the meeting at 7:34 p.m.

The Board heard public comment from the following residents:

Michael Perelman of 1010 Greentree Drive, Winter Park, FL 32789 addressed the Board. He expressed support for the majority of the OAO as an opportunity for the City but wanted to focus on Subarea C. Mr. Perelman disagreed with staff's guidance on leaving decisions on how to handle Progress Point to the City Commission, which he felt would be an abrogation of the responsibilities laid upon the Board

to provide recommendations on which the City Commission would opine. He informed the Board that a petition signed by 500 residents had been presented to the City Commission for a push for increased green space in the Progress Point area. Mr. Perelman expressed that the OAO ordinance as currently presented would overwhelm the proposed park and run against the publicly demonstrated desires for the area. He does not see any urgency to allow more building at this point. Mr. Perelman encouraged the Board to restrict the allowable building space to the provision of bathrooms, which he feels would maximize the potential green space and public usability.

Tracey Florio of 1250 S. Denning Drive, Unit 114, Winter Park, FL 32789 addressed the Board. She inquired about whether or not wider sidewalks, a bike route, and a central parking garage would be a part of the plan. She also inquired about the pedestrian friendliness of the project, the location of green space, how traffic will be routed, plans for pedestrian lights, the types of businesses tagged for the project, and the estimated time for the project to begin. Ms. Florio's overall concern was for pedestrian safety and the potential impact to traffic.

Trippe Cheek of 329 Park Avenue North, Winter Park, FL 32789 addressed the Board. He stated that he represented WP Station Tower LLC, WP Station LLC, Wintergate LLC, Palmetto Building 2019 LLC all owned by Demetree. Mr. Cheek expressed that he has general objections to the OAO and feels that the development restrictions unnecessarily burden the property owners and do not permit the development of commercially reasonable and economically feasible projects. He noted that there was ongoing litigation regarding property owners' rights under the original OAO that is still pending and that his clients reserve all rights. Mr. Cheek also noted that he has reached out to the City and suggested meeting to figure out the impacts and possible positive resolutions.

Frank Hamner of 405 Balmoral Road, Winter Park, FL 32789 addressed the Board. He stated that he represents the Holler family which are the owners of the Subarea J property, most of the Subarea B properties, and a significant number of the Subarea A properties through various entities. Mr. Hamner objected to the OAO proposal and expressed that if the OAO is passed, the area will still be the same years from now and would not solve any problems. He recommended that the Board choose a specific number on the residential units because using a percentage of units would make it difficult to find someone to build less than one percent of a unit.

Beth Hall of 516 Sylvan Drive, Winter Park, FL 32789 addressed the Board. She thanked the Board and staff for the dedication and hard work put into devising the overlay. She also inquired about the greenspace requirements for two acre properties as opposed to the original number of 1.5 acres and how the change in maximum FAR from 100% to 125% was decided.

No one else from the public wished to speak. The public hearing was closed.

Brief discussion ensued and the Board requested to be provided a checklist of transportation projects that are ongoing as the code is established for the Transportation Master Plan. The Board also inquired about a requirement of pervious and impervious ratio for all properties in the overlay. Mr. Stephenson noted that code requires 15% of a property to be pervious.

Staff recommendation was for approval of the ordinances to create the Orange Avenue Overlay District and to amend the Comprehensive Plan to reflect the language of the Orange Avenue Overlay District with the changes as outlined by the Planning and Zoning Board.

Brief discussion ensued with the Board regarding RFP and process requirements and addressing the FAR for Subarea C.

City Attorney Langley recommended the following proposed motion language:

- I move to recommend approval of the Orange Avenue Overlay Comprehensive Plan Amendment Ordinance subject to the revisions set forth in the red line of the Ordinance contained in the agenda package with the additional changes to the Multi-Modal Impact Fee Policy to be restated as follows:
 - Policy title: Multi-Modal Impact Fee
 - It is the intent of the City to establish a Multi-Modal Impact Fee or other funding mechanism requiring development projects to make a contribution towards the cost of

designing, engineering, permitting, and construction of transportation and mobility projects.

Motion made by Alex Stringfellow, seconded by Michael Spencer, for approval of the Orange Avenue Overlay Comprehensive Plan Amendment Ordinance subject to the revisions set forth in the red line of the Ordinance contained in the agenda package with the additional changes to the Multi-Modal Impact Fee Policy to be restated as follows:

- o Policy title: Multi-Modal Impact Fee
- o It is the intent of the City to establish a Multi-Modal Impact Fee or other funding mechanism requiring development projects to make a contribution towards the cost of designing, engineering, permitting, and construction of transportation and mobility projects.

Motion carried with a 6-0 vote. (David Bornstein was not present for the meeting.)

7. Board Update and Comments:

No Board updates or comments.

8. Upcoming Meeting Schedule:

The next regular meeting will be held on October 5, 2021 and the next work session will be on September 28, 2021

Adjourn

Meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Mary Bush

Recording Secretary



Planning & Zoning Board

agenda item

item type Staff Updates	meeting date October 5, 2021
prepared by Bronce Stephenson	approved by Bronce Stephenson, Vanessa Balta
board approval Completed	
strategic objective	

subject

Sustainability Action Plan Update Draft

motion / recommendation

background

Sustainability staff is returning to the P&Z Board with the Sustainability Action Plan (SAP) update for your review and comments. Any amendments suggested by P&Z will be included in the draft being taken to the City Commission on the October 28, 2021 worksession.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[20211105 PZ Meeting SAP Update Agenda Item.pdf](#)

ATTACHMENTS:

[Sustainability Action Plan Update - Draft WM.pdf](#)



Sustainability Action Plan Update



- Revises baselines, where necessary, for more complete and accurate data collection and analysis, includes new category on Climate Resiliency, and includes actions related to racial equity.
- Integrates discussion and feedback from
 - Joint virtual KWPB&S Advisory Board work sessions
 - City staff follow-up discussions
 - Public comments and Community online survey responses from over 200 respondents (over two-thirds of which identified as residents)
 - Input from Community Organizations (Hannibal Square Heritage Center, Ideas for Us Orlando, League of Women Voters Orange County, The Nature Conservancy, WP Garden Club, WP History Museum and WP Public Library)
- Plans and polices from neighboring communities in FL and local government sustainability offices in the Southeast



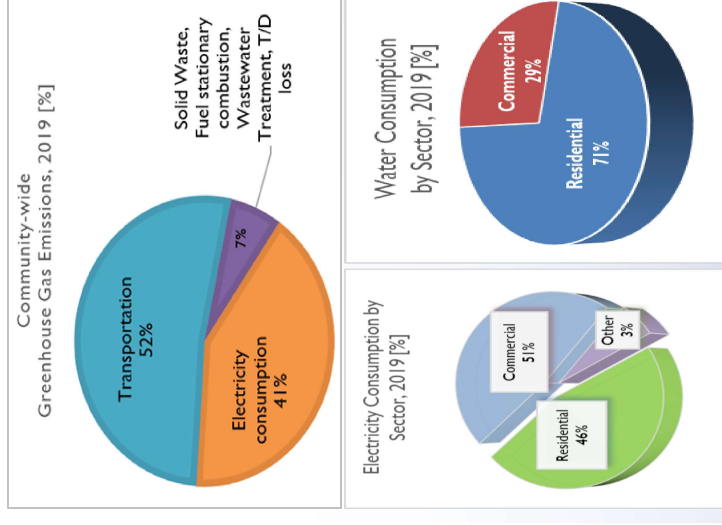
Sustainability Action Plan Update



People. Planet. Prosperity.

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

Sustainability Action Plan Update Planning & Zoning Board



• Sets long-term objectives

- **Climate Resiliency-** Increase the city's resiliency to the impacts of climate change, ensuring a healthy, livable and sustainable community for present and future generations; Reduce community wide greenhouse gas emissions
- **Energy & Water :** Increase energy & water efficiency and conservation in residential and commercial buildings
- **Natural Resources:** Maintain and expand an equitable urban tree canopy; Increase overall greenspace; Reduce grey space (including paved parking lot, street, sidewalk, rooftop, impermeable); Maintain percentage of residents living within a half mile from park space
- **Transportation:** Improve pedestrian and bicyclist environments with sustainable and safe transportation infrastructure such as sidewalks, multimodal paths, and transit shelters; Encourage more human scaled, compact, mixed use land use development and planning; Create an environment that encourages residents, businesses and visitors to transition to electric and less carbon-intensive modes of transportation; 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)

Sustainability Action Plan Update Planning & Zoning Board



➤ Tracks and sets targets

Climate Resiliency	Energy & Water	Natural Resources	Transportation
➤ Increase Proportion of Renewables in Electric Utility's portion ➤ Reduce community-wide greenhouse gas emissions	➤ Reduce energy usage intensity in residential and commercial buildings ➤ Reduce water usage intensity in residential and commercial buildings	➤ Increase tree canopy ➤ Increase greenspace coverage ➤ Reduce greyspace coverage ➤ Maintain high percentage of residents living within ½ mile from park space ➤ Maintain 100% of Main Lakes meeting "good" water quality standard	➤ Sidewalk/Street improvements allowing for bike/ped use ➤ Pedestrian infrastructure improvements ➤ Bicyclist infrastructure improvements ➤ Improved transit stops ➤ Public EV Charging Stations (Maintain vs. Increase)

Sustainability Action Plan Update

Economic Development Advisory Board



- Provides action items through 2025 to help meet long-term objectives

All City Departments	
LGO - Local Government Operations	
2024	* Utilize racial equity lens to assess city policies, initiatives, programs, and budget issues
Planning & Transportation	
CR - Climate Resiliency	
2022	* 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 * Revisit Backyard Chicken Pilot Program (exp. September 2022) to evaluate program outcomes and possibility of expanding and extending the program
2023	* Work with Planning & Transportation Department to ensure Comprehensive Plan Update incorporates sustainability and resilience related goals, objectives and policies * Research and design policies to increase green building standard requirements in residential & commercial developments
NR - Natural Resources	
Continue Annually	* Consider the usefulness and availability of state and federal grant programs for the acquisition of lands for conservation areas or passive recreation
TUF - Transportation and Urban Form	
Continue Annually	* Encourage private developments to increase safety and ease of walking and cycling through site plan review process * Publicize affordable & workforce housing located within a quarter mile from major employers * Provide education on pedestrian and bicyclist safety, routes, and proximity to amenities to residents and businesses through on-line and print campaigns * Provide education on benefits and importance of sustainable transportation choices to residents and businesses through on-line, print campaigns, and in-person events * Evaluate bus stop infrastructure for accessibility and amenities
2022	
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
	* Work with Sustainability Program to ensure Comprehensive Plan Update incorporates sustainability and resilience related goals, objectives and policies as it relates to transportation * Improve bike storage at SunRail Station (e.g., bike shelter) * Work with regional transit agencies to expand Lynx and SunRail service in the city
2024	* Research and implement a Complete Streets Project Design Checklist



Winter Park Sustainability Action Plan 2021 Update

Presented by:

Vanessa Balta, M.S., Urban and Regional Planning, Sustainability Program Manager
Agnieszka Tarnawska, M.E., Environmental Protection, Sustainability Program Specialist
Keep Winter Park Beautiful & Sustainable Advisory Board

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Background

Vision and Purpose

The 2021 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 planet for all species now and in the future.

By integrating elements of this plan, the will:

- Increase quality of life while improving individual and community health
- Become more energy independent
- 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 Sustainability Action Plan 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 Sustainability Action Plan with community involvement. The 2015 SAP, presented by Kris Stenger, Assistant Director of Building, Permitting & 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 2021 SAP Update

Overview

The year 2020 was the first target goal year for many of the 2015 SAP Metrics. Due to the COVID-19 Pandemic, data from 2020, in many cases, is not comparable to previous years. For this reason, many of the metrics' trend data in this document are expressed through the year 2019 (pre-COVID-19 pandemic). The City's progress toward 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 better understand and withstand weather and climate-related risks and vulnerabilities. The update also includes actions to assist the city in learning how to apply a racial equity lens to ensure a future where race can no longer be used to predict life outcomes and outcomes for all groups are improved.

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, Parks and Recreation, Tree Preservation, Planning & Zoning, Transportation and Utilities. Additional community input on SAP priorities were gathered using an online survey that had over 200 respondents (over two-thirds of which 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, WP Garden Club, WP History Museum and WP Public Library.

Keep Winter Park Beautiful & Sustainable Advisory Board

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

2021 Board Members	Appointed By	End of Term
Ben Ellis, Chair	Mayor Anderson	2024
Danielle Flipse, Vice Chair	Commissioner Sullivan	2023
Carey Bond	Commissioner DeCiccio	2022
Lynne Bachrach	Mayor Anderson	2024
Kay Hudson	Mayor Anderson	2024
Stephen Pategas	Commissioner Weaver	2022
Rosemary Salow	Commissioner Cooper	2022

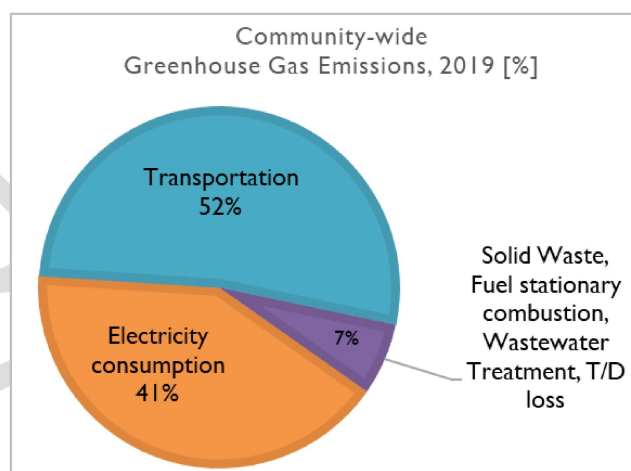
Highlights and Accomplishments

- [East Central Florida Regional Resilience Collaborative](#) 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](#)

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, respond or reorganize in ways that allow the city to maintain its essential functions while also maintaining the capacity for adaptation, learning and transformation. The 2019 Intergovernmental Panel on Climate Change (IPCC) [*Special Report on Global Warming of 1.5°*](#) asserts that human activities are estimated to have caused approximately 1°C of global warming and human-induced global warming will likely reach 1.5°C (2.7°F) between 2030 and 2052. 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 administrative boundary. Transportation-related (52%) and electricity consumption-related (41%) 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 100% renewable energy, for electricity by 2035 and for transportation by 2050 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.



OBJECTIVES

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. Increase proportion of renewable energy in Winter Park Electric Utility's Energy portfolio
3. Reduce community wide greenhouse gas emissions
4. Encourage on-site renewable energy generation for residential and commercial buildings
5. Ensure access to affordable, healthy food options (community gardens, grocery stores or farmers markets)

INDICATORS

	Indicator Description	Baseline	2025 Target	2035 Target
CR-1	Proportion of renewable energy in Winter Park Electric Utility's Energy portfolio ¹ – Baseline Year: 2012	4%	60%	100%
CR-2	Community wide greenhouse gas emissions [Tons of carbon dioxide equivalent] ² – Baseline Year: 2018	398,919	14% less than baseline year	41% less than baseline year
CR-3	WP Electric Utility Customers with Solar ³ - – Baseline Year: 2012	7	Upward trend	Upward trend
CR-4	Proportion of Residents within 1/2 mile of affordable, healthy food options ⁴ – Baseline Year: 2012	-	50%	maintain

¹In 2020, the proportion was 20%; in 2024, 20MW bulk solar purchase will come online, raising the proportion to 40%; the 2025 target assumes an additional 10MW of renewables being added to the portfolio.

²2018 is the earliest year of available transportation emissions data using Google EIE tool

³By the end of 2020, there were 79 WP Electric Utility Customers with Solar

⁴The baseline for this updated indicator will be calculated in 2022, previous indicator did not include “affordable” identifier

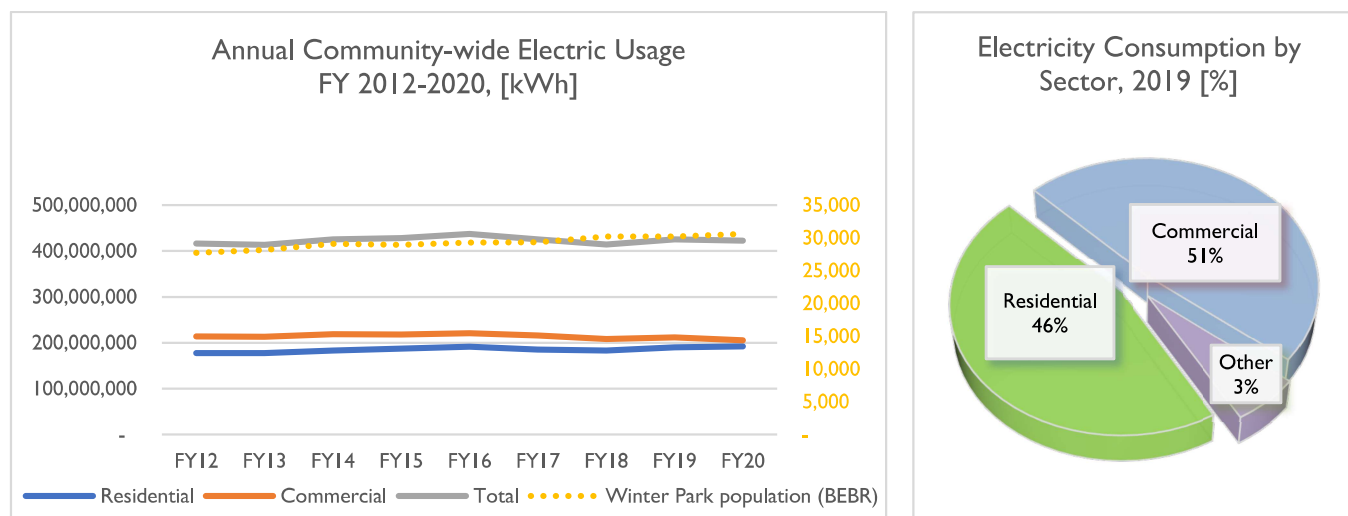
ACTIONS

Projected Implementation Year	Action	Action Type	Responsible Department(s)
Continue Annually	Evaluate potential for increasing proportion of Winter Park Electric Utility's Energy Portfolio coming from renewable resources (e.g., wind, solar)	Policy	Sustainability Program, WP Electric Utility
Continue Annually	Conduct Community-wide Greenhouse Gas Emissions Inventory and track proportion of renewables in the WP Electric Utility's portfolio	Project	Sustainability Program
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.)	Collaboration	Sustainability Program
Continue Annually	Provide community wide education and outreach on reducing consumption of carbon-intensive foods	Program	Sustainability Program
Continue Annually	Provide green building best practices education to building professionals and residents	Program	Building & Permitting
2022	Pass resolution committing the City to 100% of all electricity consumed in the City to come from renewable energy resources by 2035 and to 100% of all energy (electricity,	Policy	Sustainability Program, WP Electric Utility

	transportation and stationary combustion) used in the City to come from renewable resources by 2050		
2022	Solicit proposals to meet 100% Renewable Goals	Project	Sustainability Program, Procurement
2022	Develop a policy to replace gas-powered leaf blowers with alternatives that have fewer environmental and health impacts (e.g., air quality, noise pollution)	Policy	Sustainability Program
2022	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	Policy	Planning & Transportation, Sustainability Program
2022	Revisit Backyard Chicken Pilot Program (exp. September 2022) to evaluate program outcomes and possibility of expanding and extending the program	Policy	Sustainability Program, Planning & Transportation
2022	Promote programs that expand access to seeds and increase the community's capacity to grow food locally	Program	Sustainability Program, Communications
2022	Provide community wide education and outreach that promotes growing edible gardens at home, community supported agriculture and local food consumption	Program	Sustainability Program
2023	Identify risks and vulnerabilities that climate change poses to the City of Winter Park by conducting a Climate Risk and Vulnerability Assessment	Project	Sustainability Program
2023	Work with Planning & Transportation Department to ensure Comprehensive Plan Update incorporates sustainability and resilience related goals, objectives and policies	Project	Planning & Transportation, Sustainability Program
2023	Research and design policies to increase green building standard requirements in residential & commercial developments	Policy	Sustainability Program, Planning & Transportation
2024	Research and explore opportunities to create resiliency hubs in the city	Project	Sustainability Program, Public Works
2025	Upon completion of Climate Risk and Vulnerability Assessment, create Climate Mitigation and Adaptation Plan (CMAP)	Project	Sustainability Program
2025	Ensure CMAP includes actions that will reduce the impacts of climate change on human health, especially for the most vulnerable communities	Project	Sustainability Program

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 and energy conservation. With buildings' energy usage contributing to nearly half of all of the community-wide greenhouse gas (GHG) emissions in 2019, implementing the prescribed actions is critical to achieving a more sustainable city. Electricity is primarily being used to power buildings for commercial (51%) and residential (46%) activities, while a smaller fraction (3%) is being used to power city scale infrastructure such as streetlights and transporting water and waste water. Between 2012 and 2019, electric usage per capita 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 residential and commercial customers knowledge of energy efficiency and conservation best practices and benchmarking tools

INDICATORS

	Indicator Description	Baseline	2025 Target	2035 Target
E-1	Energy usage intensity in residential buildings [kWh/customer/year] ¹ – Baseline Year: 2012	15,263	TBD	TBD
E-2	Energy usage intensity in commercial buildings [kWh/customer/year] ¹ – Baseline Year: 2012	91,850	TBD	TBD
E-3	Residential building audits performed annually – Baseline: Average # of audits/yr between 2017-2020	63	75	100
E-4	Commercial buildings added to benchmarking portfolio per year– Baseline Year: 2012	0	10	25

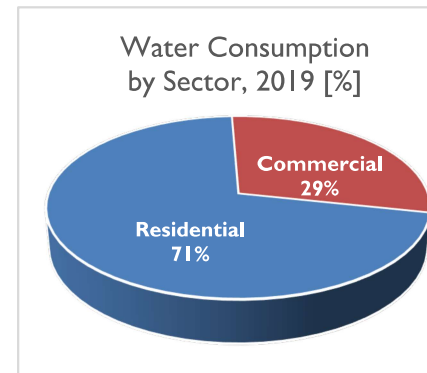
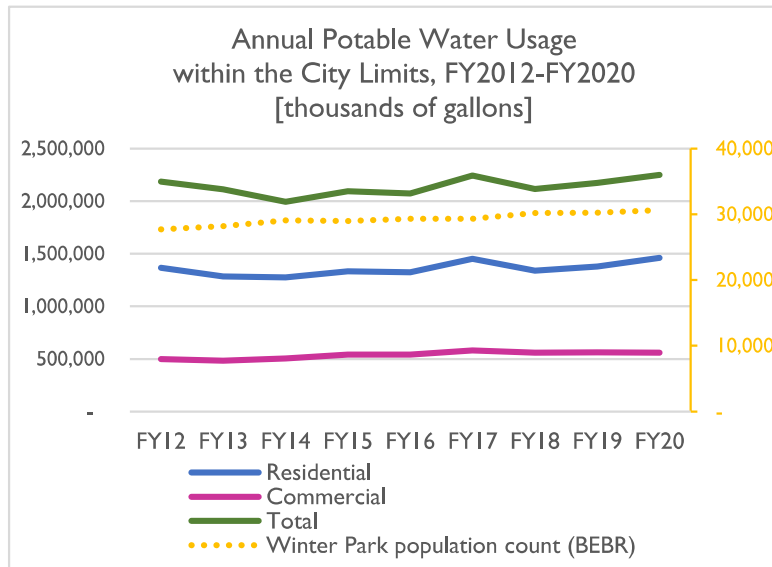
¹Targets will be determined and baseline adjusted in 2022 to be in kWh/ square foot/year after GIS analysis project

ACTIONS

Projected Implementation Year	Action	Action Type	Responsible Department(s)
Continue Annually	Promote existing Energy Conservation opportunities such as audits and rebates	Program	Sustainability Program, WP Electric Utility, Communications
Continue Annually	Provide energy conservation kits and solar feasibility reports for customers that undergo energy audits	Program	Sustainability Program, WP Electric Utility
Continue Annually	Continue Sustainability Education Program in Winter Park Schools that includes energy and water conservation education	Program	Sustainability Program, WP Electric Utility
Continue Annually	Provide technical assistance and education to commercial property owners and tenants on Energy Star Portfolio Manager	Program	Sustainability Program
2022	Identify methodology for expressing energy use intensity in kWh per square foot for residential and commercial customers	Project	GIS, Sustainability Program
2023	Explore incentive programs for commercial customers that encourage energy conservation	Program	Sustainability Program, WP Electric Utility
2025	Explore feasibility of residential energy and water benchmarking and disclosure	Project	Sustainability Program, WP Electric Utility, WP Water & Wastewater Utility
2025	Establish commercial building energy and water benchmarking and disclosure policy	Policy	Sustainability Program, WP Electric Utility, WP Water & Wastewater 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.



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 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

INDICATORS

	Indicator Description	2012 Baseline	2025 Target	2035 Target
W-1	Water usage intensity in residential buildings [gallons/customer/year] ¹	123,651	TBD	TBD
W-2	Water usage intensity in commercial buildings [gallons/customer/year] ¹	294,098	TBD	TBD
W-3	Reclaimed water usage [gallons/year]	To be provided by WW	maintain	50% more

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

ACTIONS

Projected Implementation Year	Action	Action Type	Responsible Department(s)
Continue Annually	Promote existing water conservation opportunities such as audits and rebates	Program	WP Water & Wastewater Utility, Sustainability Program, Communications
Continue Annually	Promote water conservation education to residential and commercial customers through on-line and print campaigns	Program	WP Water & Wastewater Utility, Sustainability Program, Communications
2022	Implement Advanced Metering Infrastructure (AMI) to allow for more effective monitoring of water usage, system efficiency, detecting malfunctions and recognizing irregularities	Project	WP Water & Wastewater Utility
2022	Implement Water/Sewer Impact Fee Deferral Program throughout the city to reduce customer upfront costs for connecting to the sewer system	Policy	WP Water & Wastewater Utility
2022	Explore grant opportunities for septic to sewer conversion projects	Project	WP Water & Wastewater Utility
2022	Increase public awareness of Florida-friendly landscaping and landscape irrigation regulations to residential and commercial customers	Program	WP Water & Wastewater Utility, Sustainability Program, Building & Permitting, Communications
2023	Explore the creation of an incentives program for commercial customers that encourages water conservation	Program	Sustainability Program, WP Water & Wastewater Utility
2023	Using AMI system to identify customers in non-compliance with SJRWMD irrigation policies and provide non-compliant customers with water conservation best practices	Program	WP Water & Wastewater Utility, Sustainability Program
2024	Identify methodology for expressing water use intensity in gallons per capita	Project	WP Water & Wastewater Utility, Sustainability Program

	upon renewal of SJRWMD Consumptive Use Permit		
2025	Explore feasibility of residential energy and water benchmarking and disclosure	Project	Sustainability Program, WP Electric Utility, WP Water & Wastewater Utility
2025	Establish commercial building energy and water benchmarking and disclosure policy	Policy	Sustainability Program, WP Electric Utility, WP Water & Wastewater Utility
2025	Upon renewal of SJRWMD Consumptive Use Permit, review water utility rate structure to increase water conservation	Project/Policy	WP Water & Wastewater Utility
2025	Upon renewal of SJRWMD Consumptive Use Permit, expand reclaimed water system	Project	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	2025 Target	2035 Target
CEGE-1	Community engagement events – Baseline Year: 2012	12	No less than 12	No less than 12
CEGE-2	Green Businesses Recognized per year – Baseline Year: 2012	0	10	25
CEGE-3	Green School Grant Funding ¹ – Baseline: Average amount of funding between 2017-2020	\$3,300	Equal or more than \$3,300/year	Equal or more than \$3,300/year

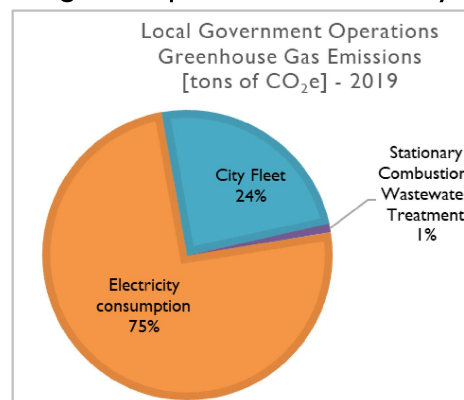
ACTIONS

Projected Implementation Year	Action	Action Type	Responsible Department(s)
Continue Annually	Promote sustainability program initiatives through various social media platforms and traditional print media, at in-person events, and maintain and update	Project	Sustainability Program, Communications

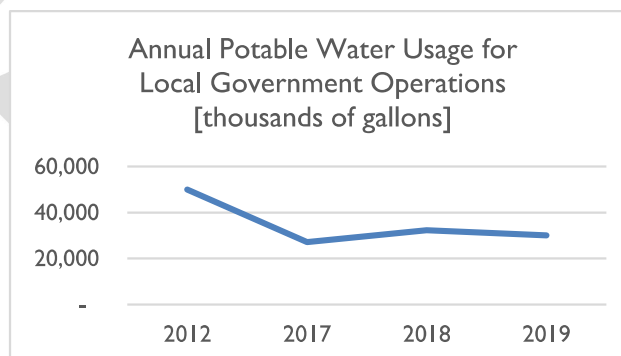
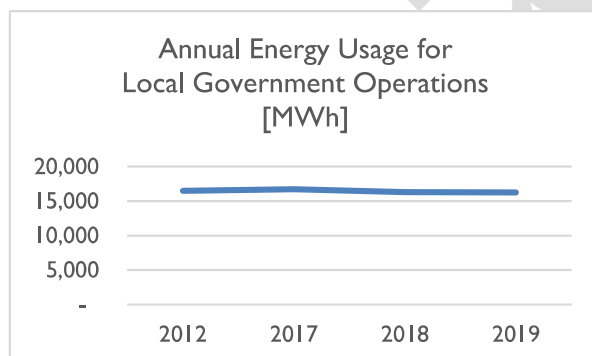
	Sustainability Program's website		
Continue Annually	Administer Green Business Recognition Program and promote Green Business initiatives	Program	Sustainability Program, Communications
Continue Annually	Administer Green School Grant Program and Green Education opportunities for educators	Program	Sustainability Program
Continue Annually	Partner with local universities (e.g., University of Central Florida, Rollins College) to provide educational trainings on sustainability-related subjects	Project	Sustainability Program
Continue Annually	Ensure all requirements are met for remaining a Keep America Beautiful affiliate	Program	Sustainability Program
Continue Annually	Provide volunteer opportunities for litter cleanups of city's lakes and rights-of-way	Project	Sustainability Program, Lakes Division
Continue Annually	Provide volunteer opportunities for beautification of city parks and greenspaces	Project	Sustainability Program, Parks & Recreation
Continue Annually	Provide education on Sustainability Program at Neighboring Community Events	Project	Sustainability Program
2022	Determine the feasibility of participating in America In Bloom's annual nationwide competition	Project	Sustainability Program
2022	Create and install Environmental Education opportunities at parks and city buildings (e.g., Howell Branch Creek)	Project	Sustainability Program, Parks & Recreation, Communications
2022	Facilitate Green Business networking events	Project	Sustainability Program
2023	Create Green Event Guide and Volunteer Program for city events	Project	Sustainability Program, 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 environments 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.

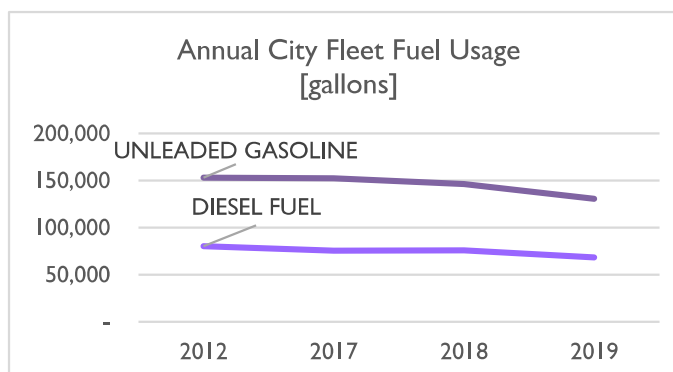


The city's Local Government Operations GHG Emissions Inventory consists of all major direct emissions from the burning of fossil fuels by the City's fleet and indirect GHG emissions associated with the electricity consumption for local government operations. City Fleet-related (24%) and electricity consumption-related (75%) activities contribute the largest proportion of greenhouse gases emissions in government operations. Energy usage has remained generally stable since the baseline year of 2012. Energy audits of city facilities would allow for the city to identify and select projects that will provide the greatest energy reduction at the best return on



investment. Recent potable water usage has declined from the baseline. 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 lower-quality water for park irrigation are planned.

City fleet gasoline and diesel consumption has remained generally stable since the baseline year. Establishing a policy that creates a vehicle replacement and purchase tiered structure that prioritizes zero tail pipe emissions and high fuel efficiency vehicles would help further fleet electrification and fuel usage reduction.



OBJECTIVES

1. Increase the city's municipal facilities resiliency to the impacts of climate change
2. Reduce Local Government Operations (LGO) greenhouse gas emissions
3. Increase energy and water efficiency of existing and new city-owned and city-operated facilities
4. Encourage on-site renewable energy generation at city-owned and city-operated facilities
5. Reduce fossil fuel consumption by city fleet vehicles
6. 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
7. Reduce the amount of waste generated from local government operations
8. Encourage reuse and other means of disposal that divert generated waste away from the landfill

INDICATORS

	Indicator Description	2012 Baseline	2025 Target	2035 Target
LGO-1	Local Government Operations greenhouse gas emissions [Tons of carbon dioxide equivalent]	11,315	40% less than baseline year	80% less than baseline year
LGO-2	Energy usage for Local Government Operations [MWh/yr]	16,471	5% less	15% less
LGO-3	Installed renewable energy capacity [MW] ¹	0	TBD	TBD
LGO-4	City-owned and city-operated facilities audited	3	50%	100%
LGO-5	Potable water usage [million gallons] ²	49.5	50% less	TBD
LGO-6	City Fleet fuel usage [gallons of unleaded gasoline] ³	143,268	Downward trend	TBD
LGO-7	City Fleet fuel usage [gallons of diesel fuel] ³	80,235	Downward trend	TBD
LGO-8	Number of city-owned Electric Vehicles ⁴	0	Increase	Increase
LGO-9	Number of Electric Vehicle charging Stations available for city business use [ports] ⁴	1	Increase	Increase

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

²Target will be determined upon the renewal of St. Johns River Water Management District Consumptive Use Permit in 2025

³Target will be determined after pathway to reach 100% Renewable Goals proposal is received

⁴By 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	Action Type	Responsible Department(s)
Continue Annually	Monitor city buildings' energy and water usage through ENERGY STAR Portfolio Manager	Program	Sustainability Program
Continue Annually	Conduct Local Government Operations Greenhouse Gas Emissions Inventory	Project	Sustainability Program
Continue Annually	Shift from potable water to lower-quality water resources (e.g., well or lake water) for parks irrigation while prioritizing water conservation and continuing use of reclaimed water at existing sites	Policy	Parks & Recreation, WP Water & Wastewater Utility Utilities
Continue Annually	Ensure that all new, significantly renovated, occupied, city-owned and city-operated buildings will be designed and built to incorporate measures that would allow them to be FGBC certified or certified at a minimum of LEED "Silver Certification" level or a comparable performance criterion	Policy	Public Works, Sustainability Program
Continue Annually	Shift from fossil-fuel powered landscaping equipment to electric powered equipment as equipment is being replaced	Policy	Parks & Recreation
Continue Annually	Continue to partner with FDOT's reThink Your Commute program to encourage employees' use of SunRail, Lynx, vanpools and bike and walking to work	Program	Human Resources, Sustainability Program
2022	Solicit proposals for energy conservation audits for all city facilities	Project	Public Works, Procurement, Sustainability Program, WP Electric Utility
2022	Establish sustainable & resilient fleet policy that creates a vehicle replacement and purchase tiered structure that prioritizes zero tail pipe	Policy	Fleet, Sustainability Program

	emissions and high fuel efficiency vehicles		
2022	Develop educational workshop for city employees that cover best practices for workplace energy & water conservation, sustainable transportation modes and waste management	Program	Sustainability Program, Human Resources
2022	Revisit Single Use Product Policy Pilot Program (exp. May 11, 2022) to evaluate program outcomes and possibility of expanding and extending the program	Policy	Sustainability Program, City Administration
2022	Review Best Workplaces for Commuters criteria and apply for designation	Project	Human Resources, Sustainability Program
2023	Explore establishing a Revolving Energy Efficiency Loan Fund for city owned buildings and infrastructure.	Program	Finance, Public Works, Sustainability Program
2023	Solicit proposals for solar feasibility study for all city facilities	Project	Public Works, Sustainability Program, Procurement, WP Electric Utility
2023	Research energy and water management software capable of identifying low-efficiency city facilities and early detection of usage anomalies	Project	Sustainability Program, Public Works
2023	Update Personnel Policy Manual to reduce idling time by city fleet users and create educational campaign to inform city employees.	Policy/Program	Fleet, Sustainability Program
2023	Identify funding opportunities and training provider for racial equity training for all elected officials and department heads	Program	City Administration, Sustainability Program
2023	Pilot food scrap collection program at City Hall	Project	Sustainability Program
2024	Explore opportunities to install dishwashing machines and water bottle filling stations at city facilities to facilitate the reuse of dishware for city-business meetings and gatherings	Program	Public Works, Sustainability Program

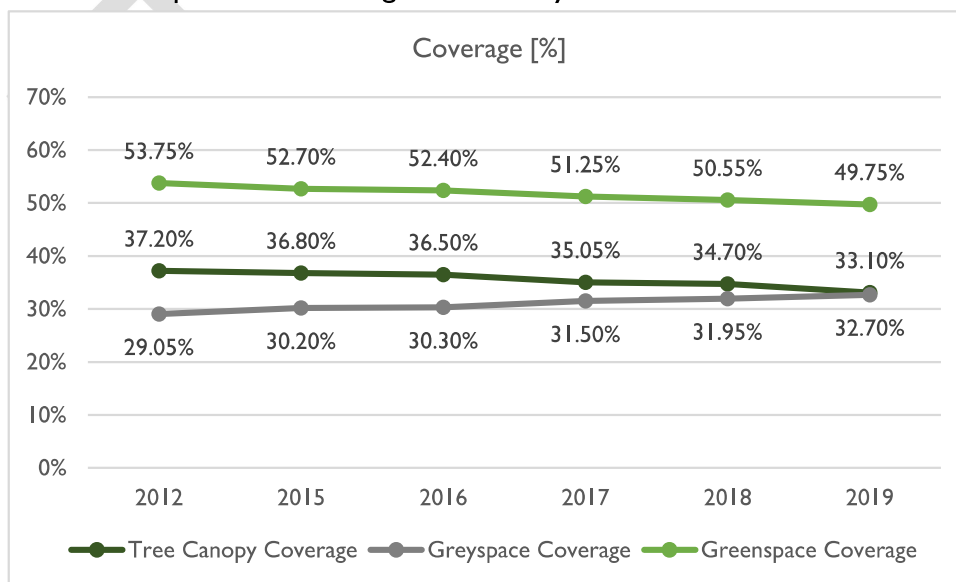
2024	Utilize racial equity lens to assess city policies, initiatives, programs, and budget issues	Program	All City Departments
2024	Design and implement sustainable procurement policy that is fiscally responsible, promotes work health, conserves natural resources, prevents pollution, and aligns with the city's sustainability goals	Program	Procurement, Sustainability Program
2024	Explore ways to quantify waste generated from city offices	Project	Sustainability Program
2025	Upon renewal of SJRWMD Consumptive Use Permit, assess and identify opportunities for water conservation measures for all city facilities	Project/Policy	WP Water & Wastewater Utility

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 2019.

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, rather than from extreme weather events. 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 2021, the city's Lakes Division will begin tracking the percentage of 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.

OBJECTIVES

1. Maintain and expand an equitable urban tree canopy
2. Increase overall greenspace
3. Reduce grey space (including paved parking lot, street, sidewalk, rooftop, impermeable)
4. Maintain percentage of residents living within a half mile from park space
5. Maintain number of lakes meeting good water quality standard
6. Increase residents' and businesses' knowledge of best practices for pollution prevention of natural water resources, including impacts of stormwater runoff and over-fertilizing.

INDICATORS

	Indicator Description	Baseline	2025 Target	2035 Target
NR-1	Tree Canopy Coverage - Baseline Year: 2019	33.10%	Maintain	5% more
NR-2	Greenspace Coverage - Baseline Year: 2019	49.75%	Maintain	5% more
NR-3	Greyspace Coverage - Baseline Year: 2019	32.70%	Maintain	5% less
NR-4	Residents living within ½ mile from park space ¹ - Baseline Year: 2012	95%	TBD	TBD
NR-5	Percentage of City of Winter Park's Main Lakes ² meeting Good Water Quality Standard [Average Annual Trophic State Index (TSI) below 60] – Baseline Year: 2012	100%	Maintain	Maintain

¹Includes Community Parks, Mini Parks, Neighborhood Parks, Open space/conservation, Special Purpose Parks

²Lakes Baldwin, Berry, Killarney, Maitland, Mizell, Osceola, Sue and Virginia

ACTIONS

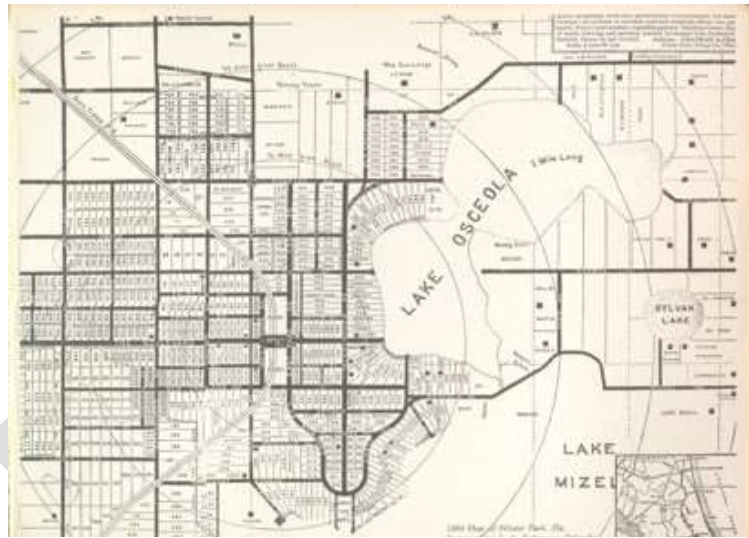
Projected Implementation Year	Action	Action Type	Responsible Department(s)
Continue Annually	Administer city's tree management program	Program	Urban Forestry
Continue Annually	Consider the usefulness and availability of state and federal grant programs for the acquisition of lands for conservation areas or passive recreation	Policy	City Administration, Parks & Recreation, Planning & Transportation

Continue Annually	Administer integrated aquatic plant management program	Program	Lakes Division
2022	Provide Tree Canopy Conservation education to residents and businesses through on-line and print campaigns	Program	Urban Forestry, Sustainability Program
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 and print campaigns	Program	Lakes Division, Sustainability Program
2023	Research establishing an Energy-Savings Tree Giveaway Program that delivers canopy and understory trees to residents	Program	Urban Forestry, Sustainability Program,
2023	Conduct tree equity 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	Project	Urban Forestry
2023	Develop long term reforestation plan to increase tree canopy coverage	Policy	Urban Forestry
2023	Explore funding opportunities to build a green infrastructure (bio-swales, rain gardens, green roofs, etc.) demonstration project within the city limits	Project	Sustainability Program, Stormwater Division

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. 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 (52%) contributor to the city's community-wide GHG emissions. The category also emphasizes a more human scaled, compact, mixed use neighborhood pattern and design that makes it easier for people to choose these more sustainable transportation options.



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.

Common design elements of complete streets tend to be human scaled, narrow, with 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.

OBJECTIVES

1. Improve pedestrian and bicyclist environments with sustainable and safe transportation infrastructure such as sidewalks, multimodal paths, and transit shelters
2. Encourage more human scaled, compact, mixed use land use development and planning
3. Create an environment that encourages residents, businesses and visitors to transition to electric and less carbon-intensive modes of transportation
4. Achieve a level of air quality that is healthy for all residents and the natural environment
5. Increase residents and businesses' knowledge of benefits and importance of sustainable transportation choices

INDICATORS

	Indicator Description	2012 Baseline	2025 Target	2035 Target
TUF-1	Sidewalk/Street improvements allowing for pedestrian and bicyclist use [Linear feet] ^{1,2} - <i>Starting year 2022</i>	-	1 mile (cumulative)	3.5 miles (cumulative)
TUF-2	Pedestrian infrastructure improvements (enhanced crossings, benches, water bottle filling stations, sitting shelters) [improved site/year] ² - <i>Starting year 2022</i>	-	TBD	TBD
TUF-3	Bicyclist infrastructure improvements (enhanced crossings, bike racks, bike storage, bike repair stations) [improved site/year] ² - <i>Starting year 2022</i>	-	TBD	TBD
TUF-4	Improved transit stops (benches, transit shelters, waste receptacles, etc.) [improved transit stop/year] ² - <i>Starting year 2022</i>	-	TBD	TBD
TUF-5	Public EV Charging Stations [# of Ports]**	7	Maintain	Maintain

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

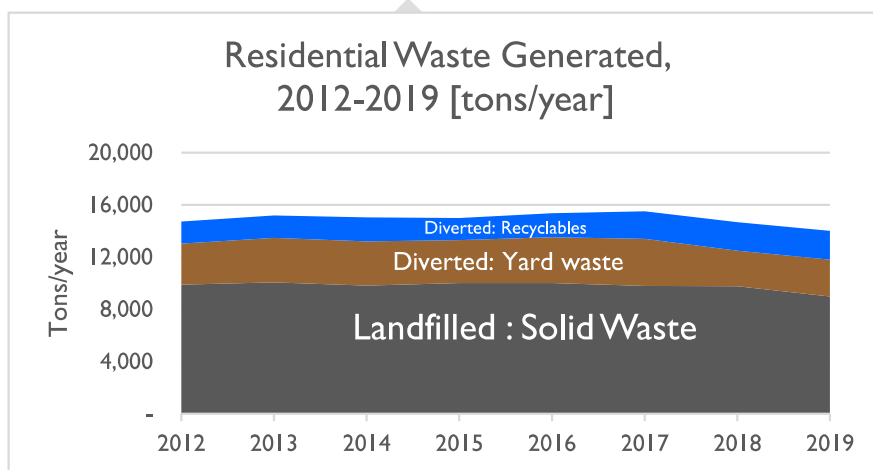
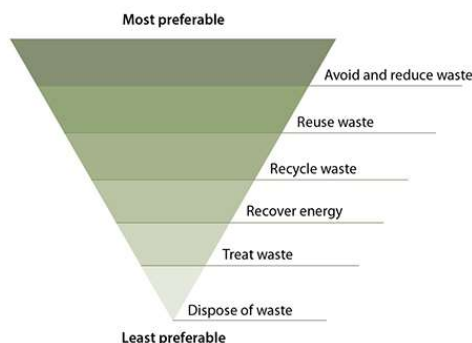
ACTIONS

Projected Implementation Year	Action	Action Type	Responsible Department(s)
Continue Annually	Encourage private developments to increase safety and ease of walking and cycling through site plan review process	Policy	Planning & Transportation
Continue Annually	Publicize affordable & workforce housing located within a quarter mile from major employers	Program	Economic Development, Planning & Transportation
Continue Annually	Maintain Electric Vehicle Charging Stations available to the public	Program	Sustainability Program
Continue Annually	Provide education on pedestrian and bicyclist safety, routes, and proximity to amenities to residents and businesses through on-line and print campaigns	Program	Planning & Transportation, Police Department
Continue Annually	Provide education on benefits and importance of sustainable transportation choices to residents and businesses	Program	Planning & Transportation, Sustainability Department

	through on-line, print campaigns, and in-person events		
Continue Annually	Evaluate bus stop infrastructure for accessibility and amenities	Program	Planning & Transportation
2022	Develop Mobility Plan, considering SunRail, Lynx, safe routes to schools, Complete Streets, and linkages of the City's trails with adjacent counties and municipalities	Policy	Planning & Transportation, Sustainability Program
2022	Consider waiving building permit fee for EV Charging Station installation in residential and commercial properties	Policy	Building & Permitting
2023	Explore opportunities to pilot an autonomous electric shuttle	Project	City Administration, Economic Development, Sustainability Program
2023	Improve bike storage at SunRail Station (e.g., bike shelter)	Project	Planning & Transportation
2023	Work with Sustainability Program to ensure Comprehensive Plan Update incorporates sustainability and resilience related goals, objectives and policies as it relates to transportation	Project	Planning & Transportation, Sustainability Program
2023	Work with regional transit agencies to expand Lynx and SunRail service in the city	Project	Economic Development, Planning & Transportation, Sustainability Program
2024	Research and implement a Complete Streets Project Design Checklist	Policy	Planning & Transportation

Waste Management

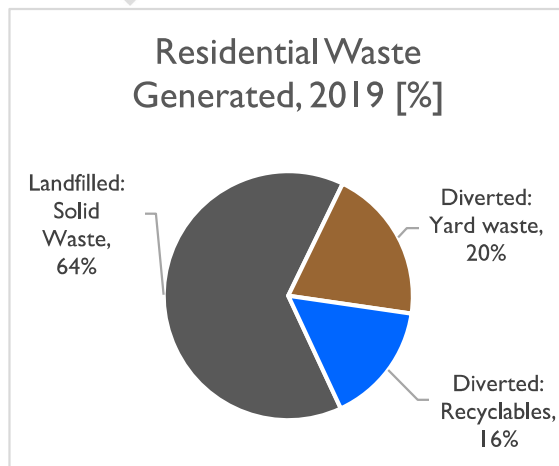
The Waste Management category is focused on reducing the amount of waste generated, encouraging the reuse and repair of products, and diverting waste from the landfill. The EPA developed the non-hazardous materials and waste management hierarchy in recognition that no single waste management approach 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. In recent years, the city has had very few rejected loads. 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

INDICATORS

	Indicator Description	2012 Baseline	2025 Target	2035 Target
WM-1	Residential Waste Generated [tons] ¹	14,714	5% less	10% less
WM-2	Residential Solid Waste Landfilled [tons]	9,890	10% less	20% less
WM-3	Residential Waste Diverted from Landfill [tons] ²	4,824	5% less	10% less

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	Action Type	Responsible Department(s)
Continue Annually	Provide in-person, online and print education on waste management hierarchy (reduce, reuse, recycle)	Program	Sustainability
Continue Annually	Hold Annual Household Hazardous Waste (HHW) and Electronics Waste Collection Event	Program	Sustainability Program
Continue Annually	Publicize Regional Partners' Waste Diversion Programs (HHW & E-Waste Collection Events, Food Scrap Collection, etc.) and Drop-Off Facilities	Project	Sustainability Program
Continue Annually	Provide composting education and backyard composters to residents	Program	Sustainability Program
Continue Annually	Provide residents with online waste management tool that provides collection	Program	Sustainability Program

	schedules, reminders and look-up tool to determine how items should be disposed of		
Continue Annually	Maintain the list of the city's Registered Haulers	Policy	Sustainability Program
Continue Annually	Assist multi-family and commercial buildings with creating a recycling education and outreach plans	Program	Sustainability Program
Continue Annually	Participate in Florida Food Waste Prevention Week	Project	Sustainability Program
2022	Consider Waste Contractors' ability to provide single stream recycling for residential and multifamily households, food scrap collection, and Pay As You Throw options in Scope of Work description for Solid Waste Hauler Franchise Solicitation	Project	City Administration, Sustainability Program
2022	Explore feasibility of monthly residential food scraps collection at Farmers' Market	Project	Parks and Recreation, Sustainability Program
2022	Increase recycling opportunities at city-owned public facilities and parks	Program	Parks and Recreation, Sustainability Program
2022	Relaunch "Fix It, Don't Pitch It" regional community repair event	Project	Sustainability Program
2023	Increase availability of water bottle filling stations at city-owned public facilities and parks	Project	Parks and Recreation, Sustainability Program
2023	Develop and launch educational promotion campaign to encourage food recovery	Project	Sustainability Program, Communications

Glossary

[Best Work Places 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-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 (H_2O), *carbon dioxide* (CO_2), *nitrous oxide* (N_2O), *methane* (CH_4) and *ozone* (O_3) are the primary GHGs in the Earth's atmosphere.

[Integrated 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.

[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

[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.



item type	Public Hearings	meeting date	October 5, 2021
prepared by	Jeffrey Briggs	approved by	Bronce Stephenson
board approval	Completed		
strategic objective			

subject

SPR #21-09 Request of Ernest and Anne-Marie Jones for approval to construct a new, two-story single-family home located at 797 Pinetree Road on Lake Maitland, zoned R-1AAA.

motion / recommendation

Staff Recommendation is for Approval

background

Ernest and Anne-Marie Jones (the property owners) are requesting site plan approval to construct a new two-story, 10,195 square foot single-family home located at 797 Pinetree Road on Lake Maitland, zoned R-1AAA. The property measures 40,955 square feet, and is currently vacant. There was a previous single-family house on this property that has been demolished. Back in September 2018, the P&Z Board approved a new home on this lot for the previous owner, Drew Hill. This home is slightly smaller and has significantly less impervious coverage.

The proposed two-story home will be total of 10,195 square feet, which yields a floor area ratio (FAR) of 24.9%, which is within the maximum 33%. This new home will have impervious lot coverage of 16,641 square feet or 40.6%, which is less than the 50% maximum permitted.

TREE PRESERVATION: The Code direction on water front lots is “to preserve existing trees to the degree reasonably possible.” The buildable area of this lot does not have any protected trees that need to be removed as part of this request. The applicant is saving the existing cypress trees near the lake.

VIEW FROM THE LAKE: The Code direction is to minimize the height and extent of stem walls or retaining walls facing the lake. Generally, the policy is not to permit walls/swimming pool decks facing the lake in excess of three feet in height and the plan complies with that limitation. The issues that we typically deal with about grades and pools decks/retaining walls are not present in this case due to the fact that the lot is relatively flat.

VIEW OF NEIGHBORS: The Code direction is to minimize the degradation of traditional views across properties by new houses, additions, second story additions, etc. alongside property lines toward the lake that may block traditional views. The attached site plan shows the orientation of this home versus the adjacent homes.

This property is adjoining to the Winter Park Racquet Club to the north/northeast. The applicant with the support and endorsement of the Winter Park Racquet Club, has constructed a ten (10) foot wall along their common property line that adjoins to the Racquet Club up to the edge of the proposed pool deck. On the balance of the lakefront, the separation will transition to an open six (6) foot metal fence to the lake's edge in conformance with Code. This property is directly next door to the new Racquet Club kitchen, the Sugar Shack and the outdoor dining/drinking area by the swimming pool. Both parties wanted noise and privacy protection. This wall provides the applicant with a sufficient noise and visual buffer to the commercial operations of the Racquet Club.

The applicant's home is to be located behind the neighbor's adjacent home at 771 Pinetree Road with a 130-foot setback to the pool and 135-foot setback to the house.

STORM WATER RETENTION: The zoning code requires retention of storm water so that storm water flowing over a waterfront lawn area does not carry with it into the lake any fertilizers, herbicides, etc. Typically, this retention requirement is accomplished by the creation of a depressed swale area across the waterfront of about one foot in depth. The amount of impervious surface determines the need for the depth of the swale. The applicant's plans are proposing three storm water retention areas that are sized to meet the City's code requirements and which provide separation from the lakefront cypress trees.

SUMMARY: Overall, the plans meet the intent of the lakefront review criteria. The orientation of this home is further from the lake than the previous 2018 approval and has less impervious coverage. Staff does not see any significant concerns with the proposed home as presented.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

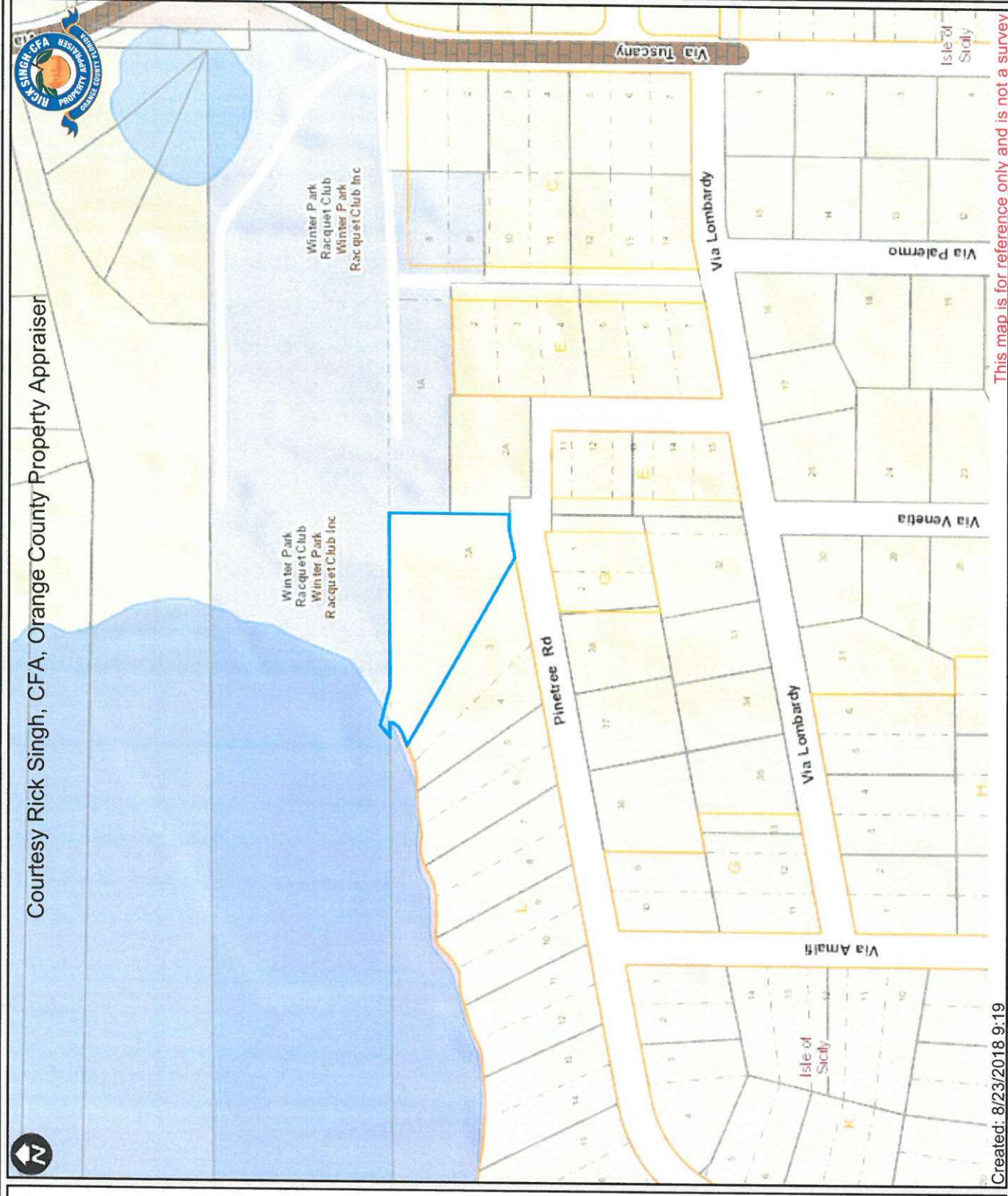
[797 Pinetree location map and aerial.pdf](#)

ATTACHMENTS:

[797 Pinetree Storm Water plan.pdf](#)

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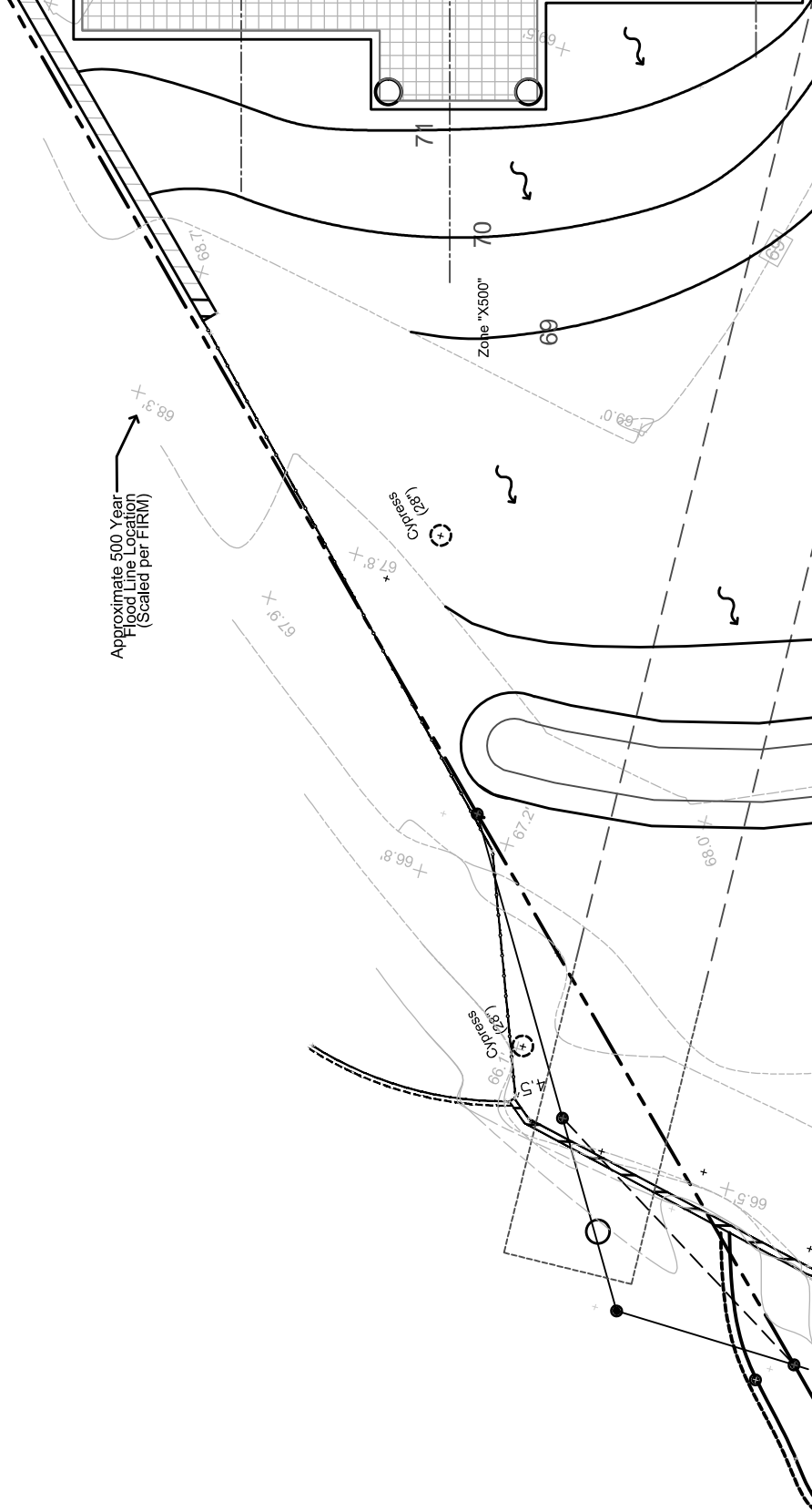
- Florida turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- Toll Ramp
- Interstate Ramp
- One Way
- Brick Road
- Rail Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental/Institutional/Misc
- Commercial/Industrial/Vacant Land
- Hydro
- Waste Land
- Agricultural
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Building
- Power Plant



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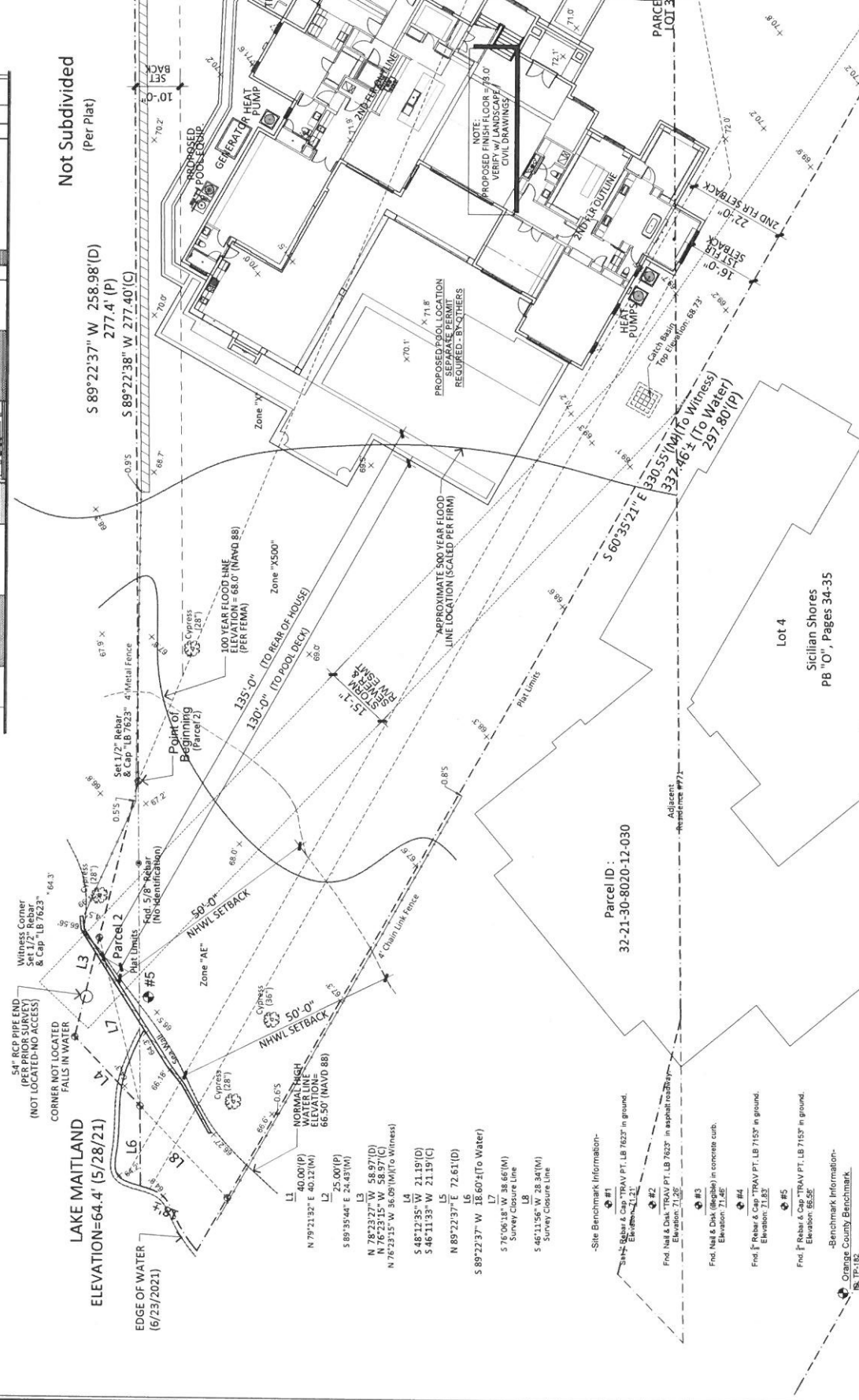
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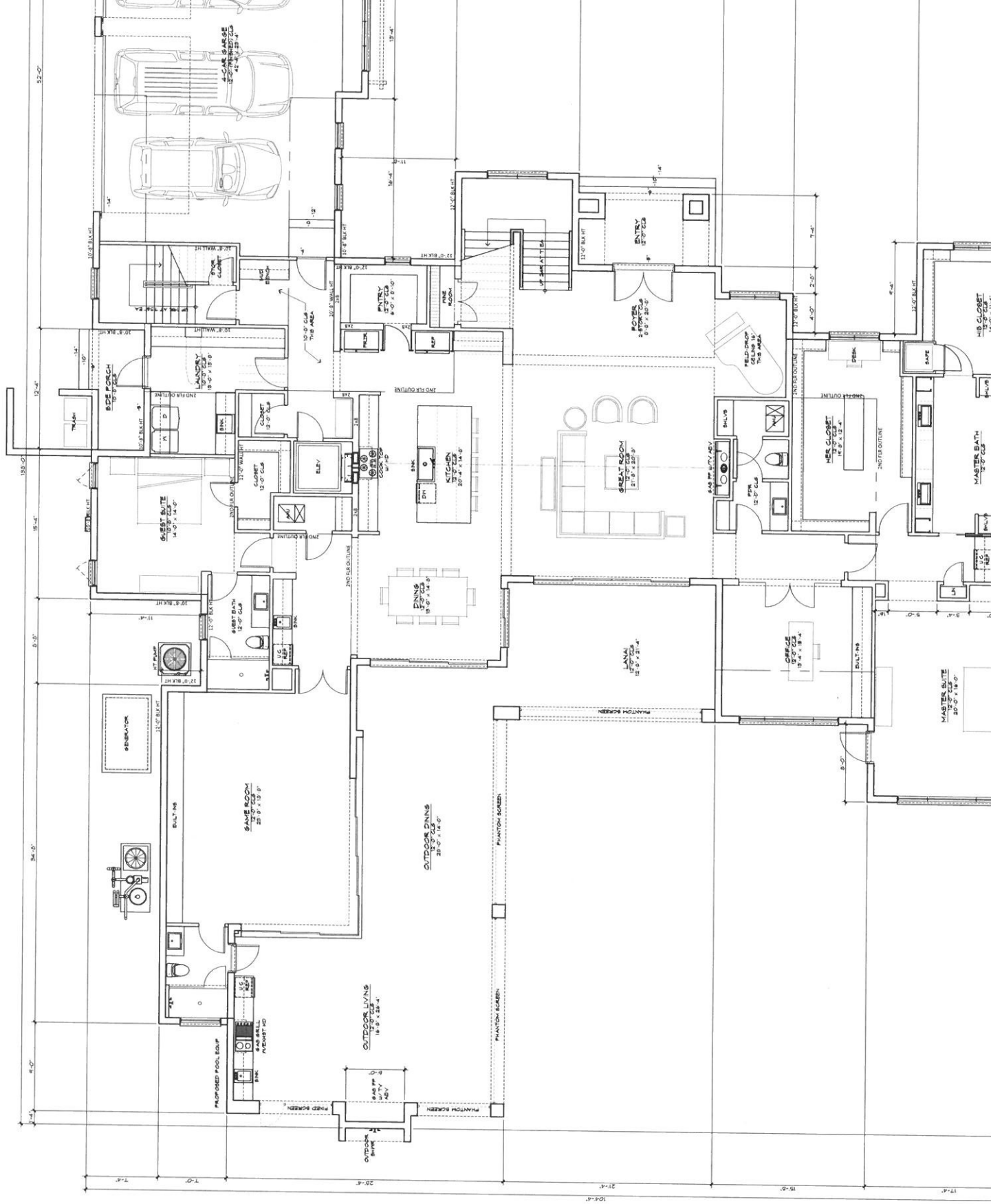


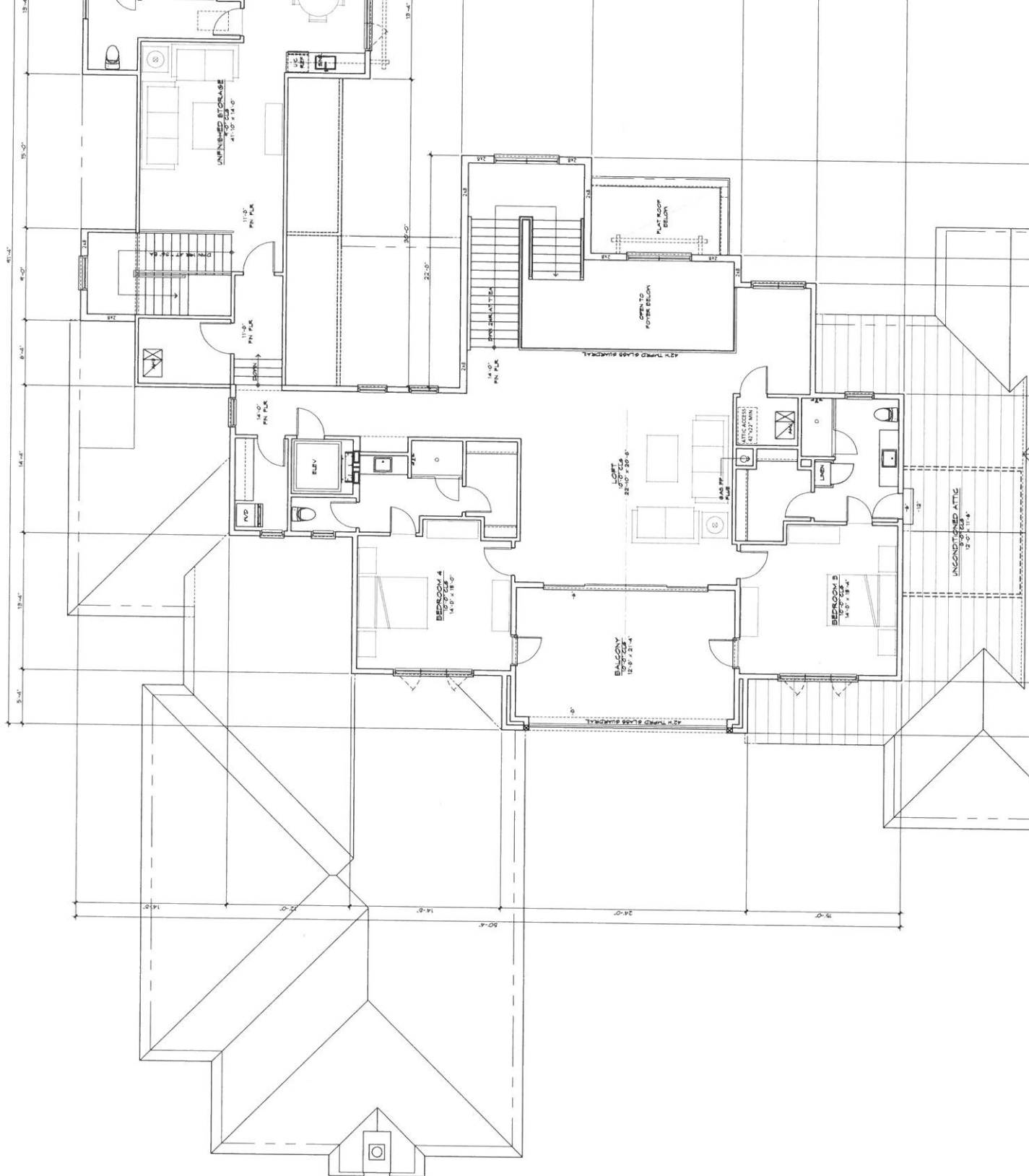


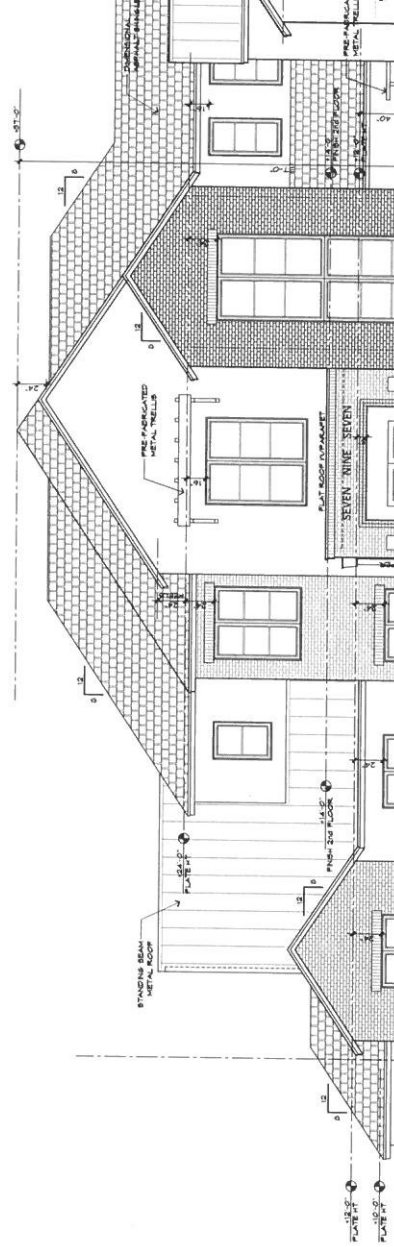
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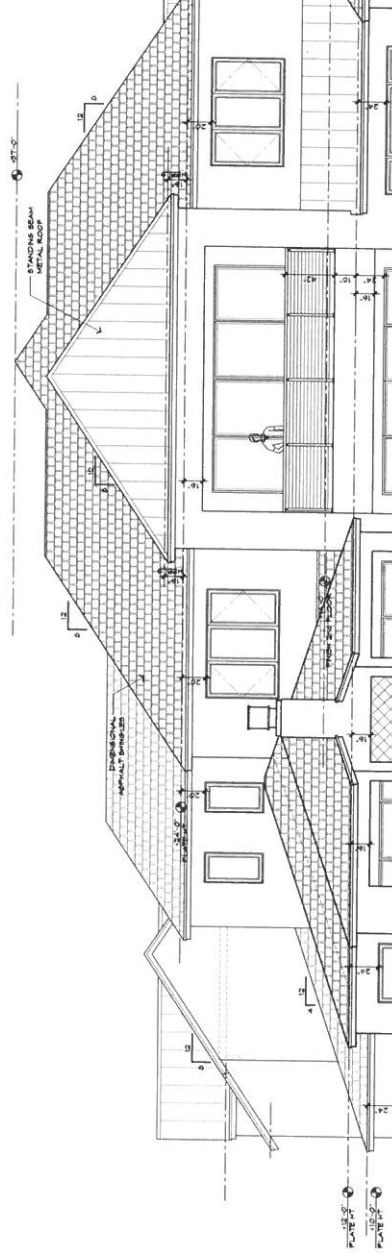
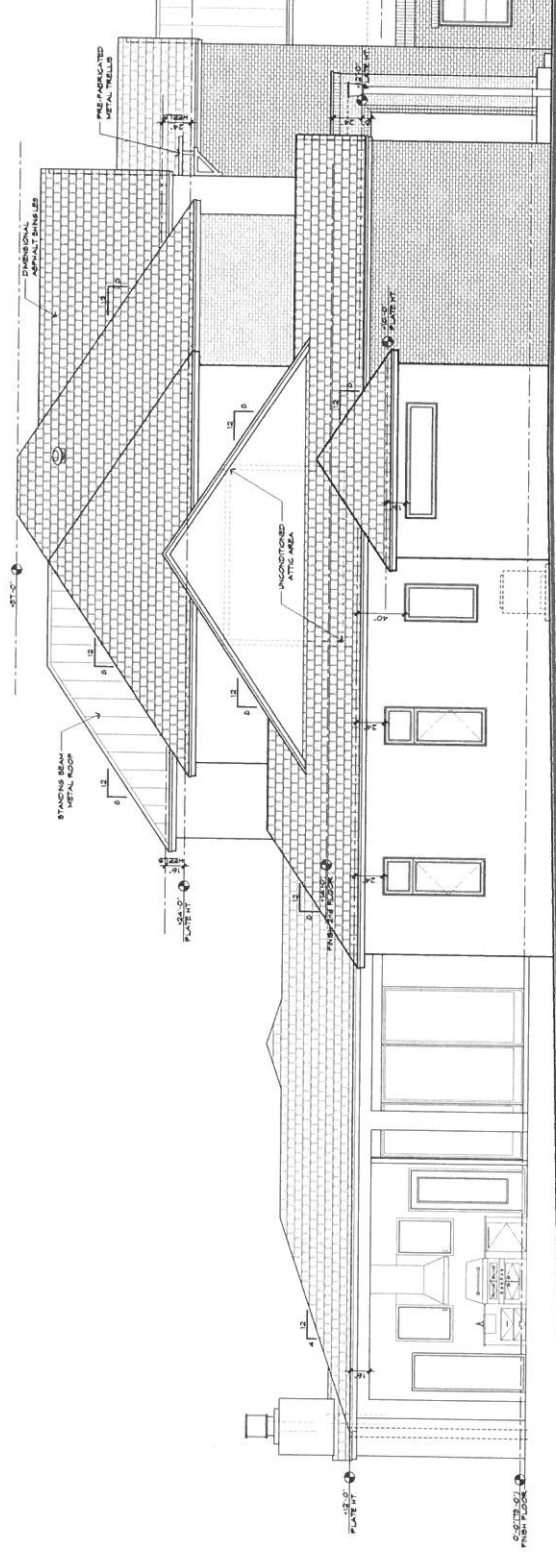
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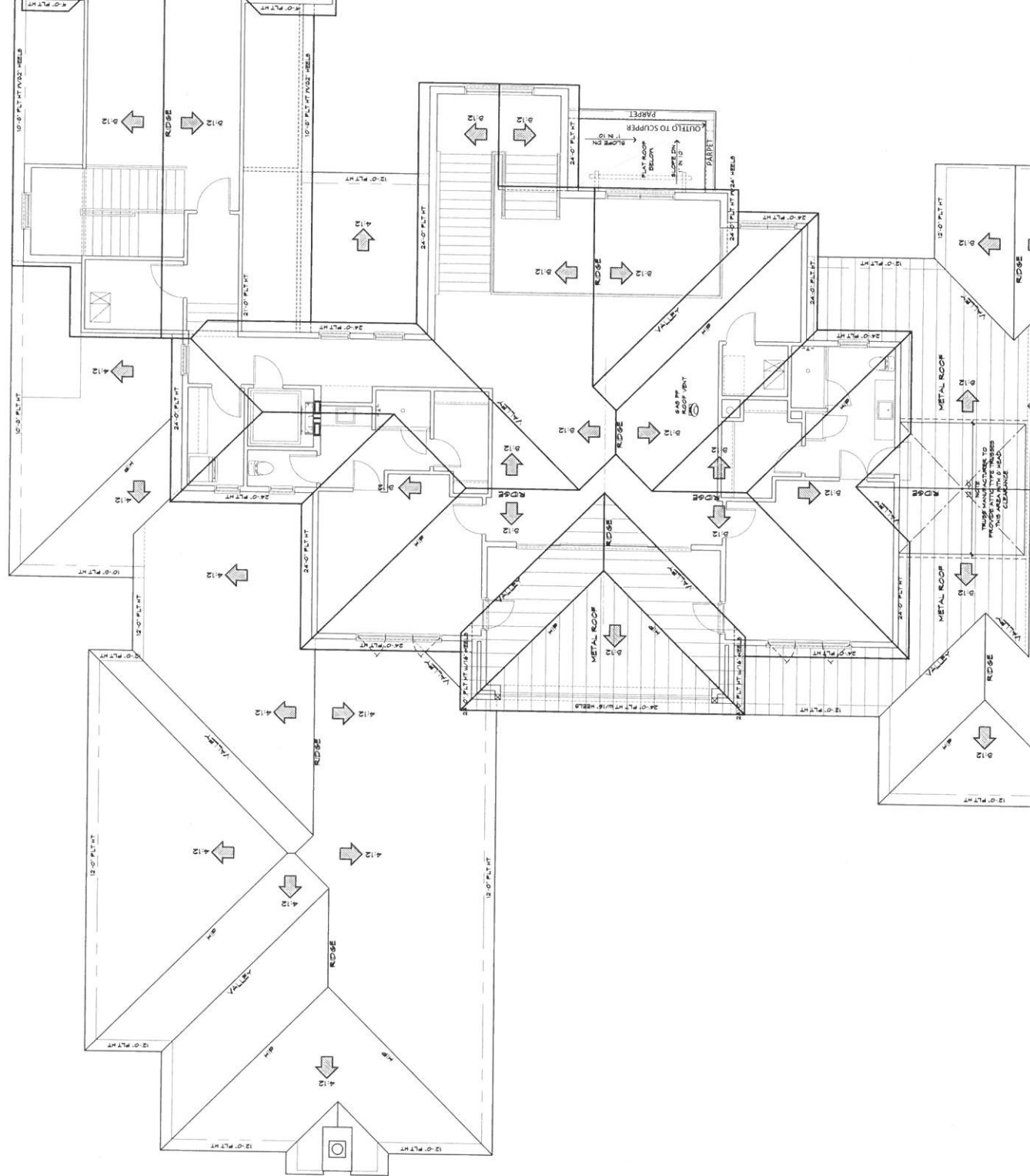














item type Public Hearings	meeting date October 5, 2021
prepared by Jeffrey Briggs	approved by Bronze Stephenson
board approval Completed	
strategic objective	

subject

SPR #21-10 Request of Matthew Morgan for approval to construct a new, two-story single-family home located at 1214 N. Park Avenue on Lake Maitland, zoned R-1AAA.

motion / recommendation

Staff Recommendation is for Approval.

background

Matthew Morgan (property owner) is requesting site plan approval to construct a new two-story, 7,763 square foot single-family home located at 1214 N. Park Avenue in the Twelve Oaks neighborhood on Lake Maitland, zoned R-1AAA. The property measures 23,850 square feet, and the existing single-family house on this property will be demolished. The proposed two-story home of 7,763 square feet, which yields a floor area ratio (FAR) of 33% and is at the maximum 33%. This new home will have impervious lot coverage of 9,220 square feet or 38.7%, which is less than the 50% maximum permitted.

TREE PRESERVATION: The Code direction on water front lots is “to preserve existing trees to the degree reasonably possible.” The buildable area of this lot does not have any protected trees that need to be removed as part of this request. The applicant is saving the existing trees near the lake.

VIEW FROM THE LAKE: The Code direction is to minimize the height and extent of stem walls or retaining walls facing the lake. Generally, the policy is not to permit walls/swimming pool decks facing the lake in excess of three feet in height and the plan complies with that limitation. The issues that we typically deal with about grades and pools decks/retaining walls are not present in this case due to the fact that the lot is relatively flat.

VIEW OF NEIGHBORS: The Code direction is to minimize the degradation of traditional views across properties by new houses, additions, second story additions, etc. alongside property lines toward the lake that may block traditional views. The attached aerial plan shows the orientation of the adjacent homes.

The applicant's home is to be setback 57-60 feet from the lake with the swimming pool at the 50-foot lakefront setback. The previous home was located slightly in front of the neighbor's home to the west at 1216 N. Park Avenue and generally in line with the neighbor's home to the east at 1212 N. Park Avenue. The previous swimming pool and screen enclosure intruded into the 50-foot lakefront setback.

This new home will be slightly further away from the lake, although the 3-4 foot difference will likely be imperceptible to the neighbors. However, there is no added degradation of lake view by this home versus the previous existing house.

STORM WATER RETENTION: The zoning code requires retention of storm water so that storm water flowing over a waterfront lawn area does not carry with it into the lake any fertilizers, herbicides, etc. Typically, this retention requirement is accomplished by the creation of a depressed swale area(s) on the property of about one foot in depth. The amount of impervious surface determines the depth of the swale. The applicant's plans are proposing storm water retention areas that are sized to meet the City's code requirements and which provide separation from the lakefront cypress trees.

SUMMARY: Overall, the plans meet the intent of the lakefront review criteria. The orientation of this home more or less right where the previous house was located. The swimming pool setback is greater leaving a bit more lakefront yard that previously existed. To that extent the impervious coverage which is 11% less than the maximum allowed by Code is beneficial.

alternatives / other considerations

fiscal impact

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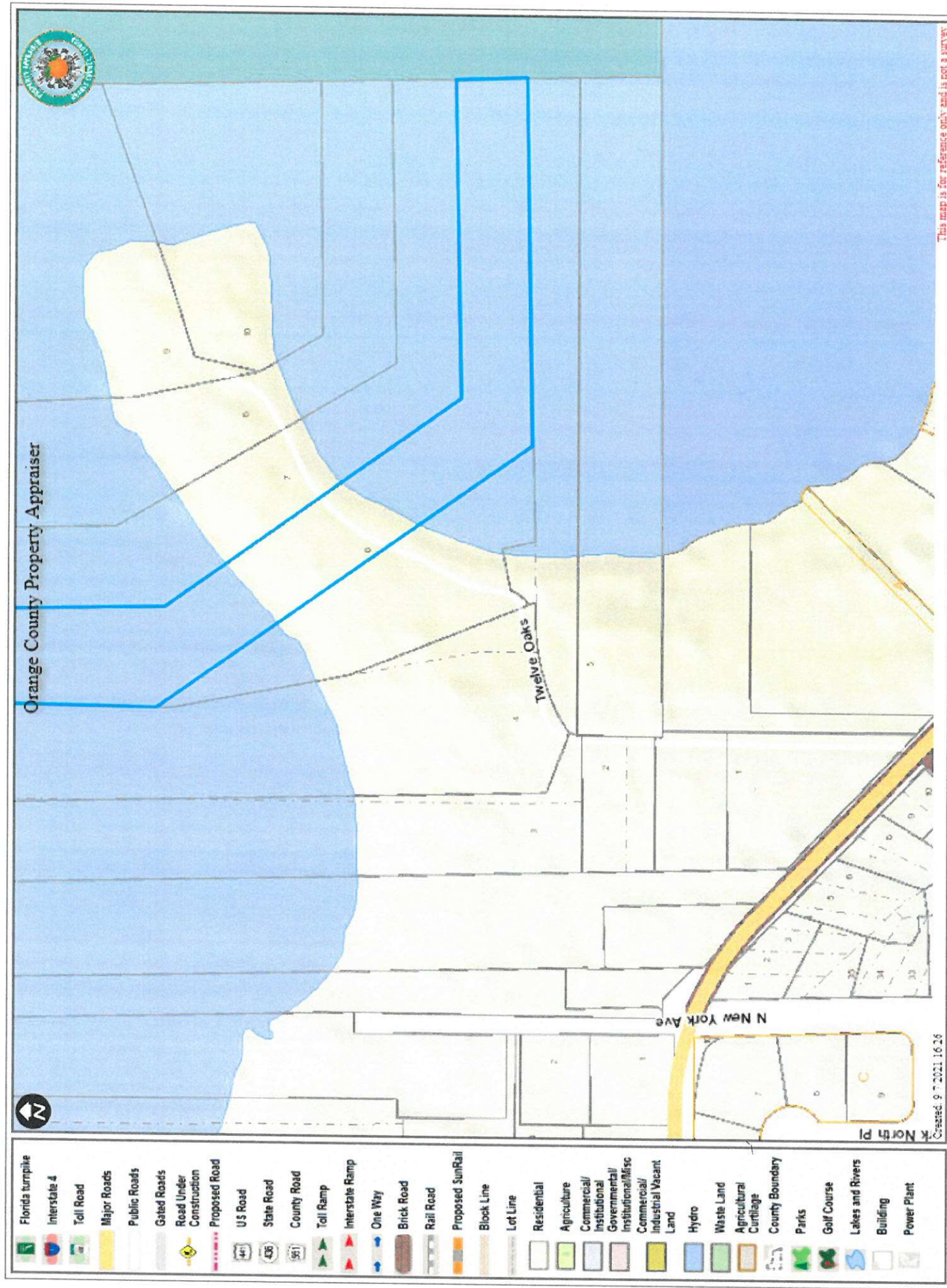
[Location Map and Aerial.pdf](#)

ATTACHMENTS:

[Development Plans.pdf](#)

ATTACHMENTS:

[Development Stats.pdf](#)







21 by GEORGEY MOYER, ARCHITECT, P.A. HAS
 provided the information contained herein for the purpose of
 illustrating the proposed design. It is the responsibility of the
 client to verify the accuracy of the information and to ensure
 that the design is suitable for the intended use. The architect
 does not warrant the accuracy of the information or the
 results of the design. The architect is not responsible for
 any errors or omissions in the design or for any damage
 resulting from the use of the design.

GEORGEY MOYER, ARCHITECT, P.A. assumes no liability
 for any construction built from this plan. It is the
 responsibility of the client to ensure that the construction
 is in accordance with the design. The architect is not
 responsible for any errors or omissions in the design or
 for any damage resulting from the use of the design.

Architect Contact Information & Seal

GEORGEY MOYER

1114 Green Road

Colchester, Florida 32707

904.427.1010

www.geomeyer.com

FLA

Project:

**MORGAN
 RESIDENCE**
 1214 North Park Ave.
 Winter Park, FL

Area Calculations

First Floor A.C. Living: 2,986 sf
 Second Floor A.C. Living: 3,119 sf
 Main Floor A.C. Living: 6,105 sf

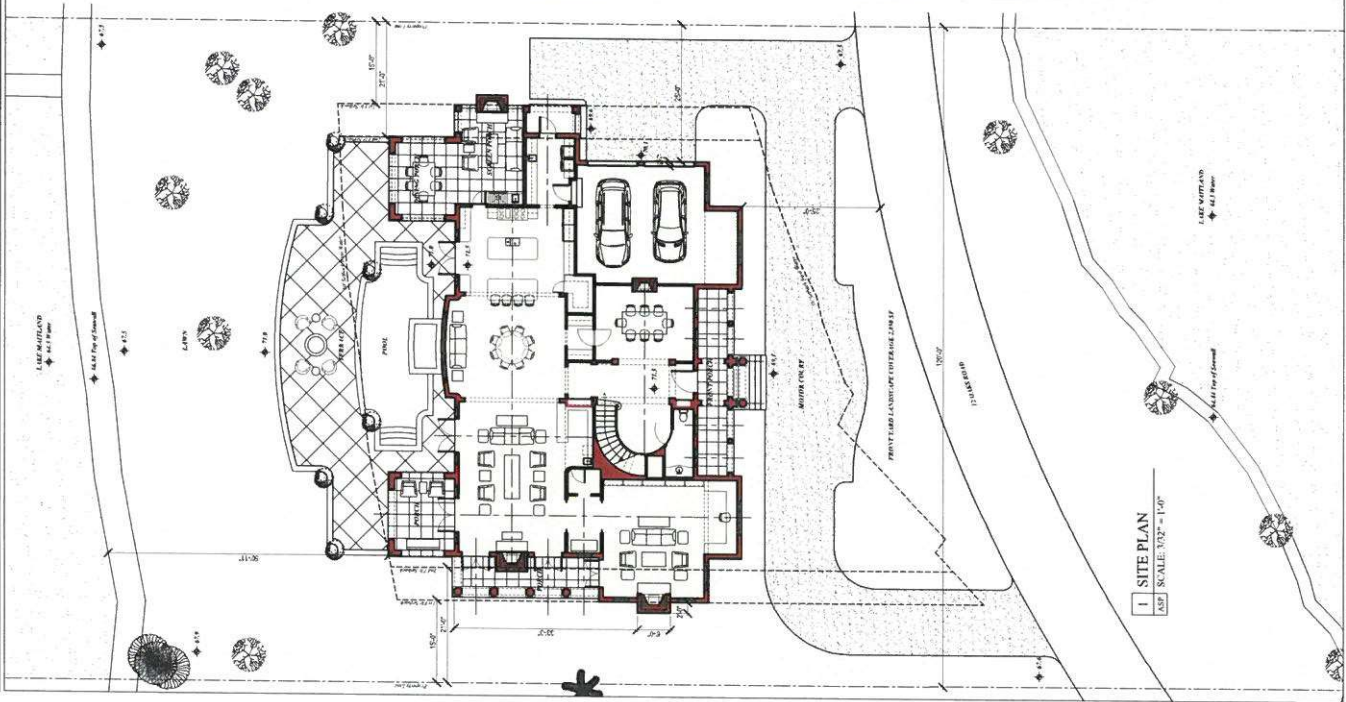
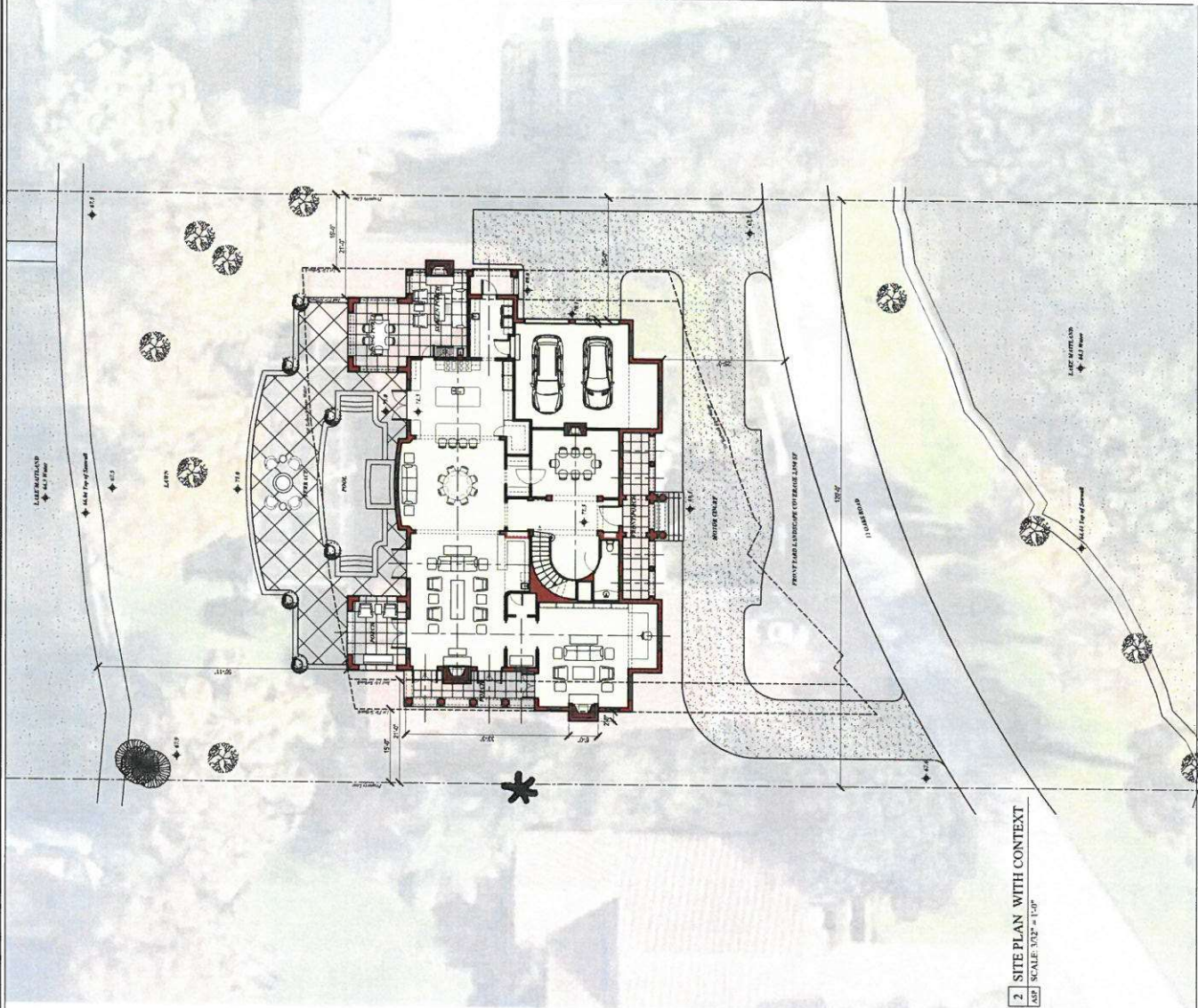
Notes

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9. See notes on page 10.
10. See notes on page 10.
11. See notes on page 10.
12. See notes on page 10.

Drawing:

SITE PLAN

Sheet: **A100**





ARCHITECT

2. THE ARCHITECT'S RESPONSIBILITY IS TO PREPARE AND SUBMIT TO THE CLIENT, FOR THE CLIENT'S REVIEW AND APPROVAL, ALL REQUIRED PERMITS, PLANS, SPECIFICATIONS, DRAWINGS, AND SCHEDULES. THE ARCHITECT'S RESPONSIBILITY IS TO OBTAIN ALL REQUIRED PERMITS AND TO OBTAIN THE CLIENT'S WRITTEN APPROVAL OF ANY CHANGES TO THE ORIGINAL DESIGN. THE ARCHITECT IS NOT RESPONSIBLE FOR OBTAINING OR FOR THE CONTENTS OF ANY PERMITS OR FOR THE CONTENTS OF ANY OTHER DOCUMENTS PREPARED BY OTHERS.

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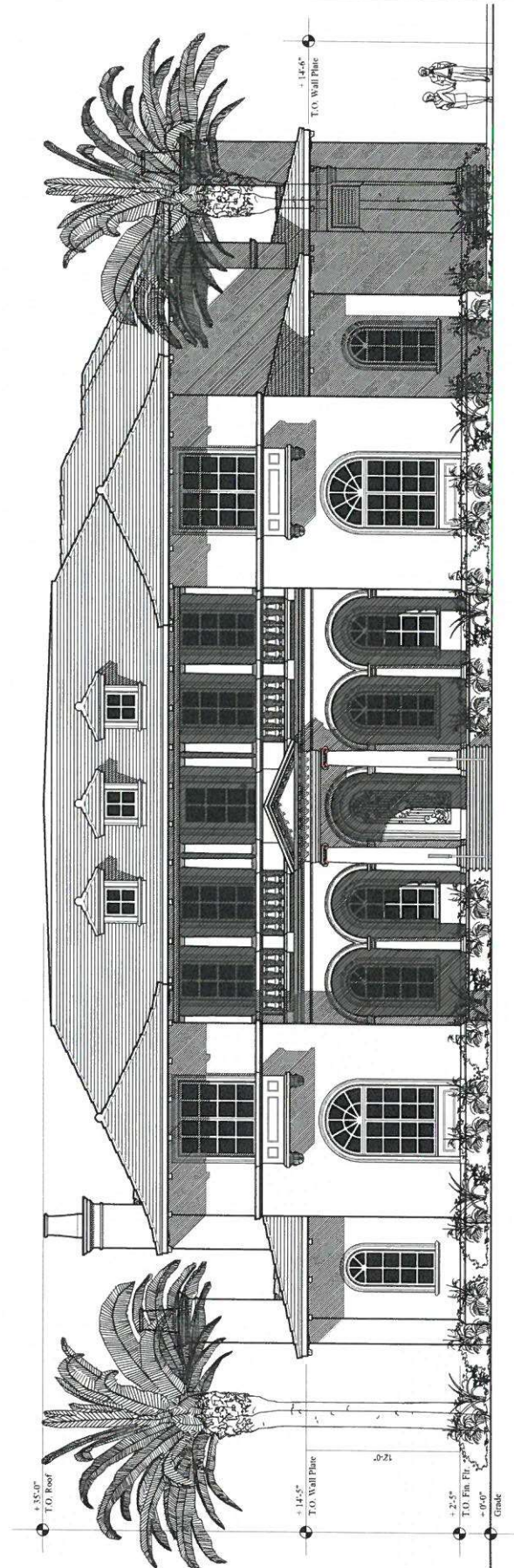
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**MORGAN
RESIDENCE**
1214 North Park Av
Winter Park, FL

Area Calculations:
First Floor A.C. Living 2,800 sf
Second Floor A.C. Living 2,330 sf
Main House A.C. Living 5,130 sf

Revisions:
1. Schematic Design 05/21/2021
2. Preliminary Design 06/02/2021
3. Final Design 06/02/2021
4. Construction Documents 06/02/2021
5. Final Design 06/02/2021
6. Construction Documents 06/02/2021
7. Final Design 06/02/2021
8. Construction Documents 06/02/2021
9. Final Design 06/02/2021
10. Construction Documents 06/02/2021

Drawing:
FRONT
ELEVATION

Sheet
A104



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HUGHREY MOLES, ARCHITECT assumes no liability for any construction built from this plan. It is the responsibility of the contractor or builder to verify all dimensions prior to proceeding with construction, to comply with the local building codes, and to verify the bearing capacity of the soil at the building foundation shown in these drawings assumes a minimum load bearing capacity of 2,000 pounds per sq. ft.

114 Cromwell Place
Celebrations, Florida 32747
407.403.6453
407.361.7949
office@grubbs-hutch.com
www.grubbs-hutch.com

**MORGAN
RESIDENCE**
214 North Park Av
Winter Park, FL

Area Calculations:

First Floor A/C Living :	2,080 sf
Second Floor A/C Living :	3,310 sf
Basement A/C Living :	6,310 sf

— 3175

Acoustic Design Inc.	05-27-2021
Acoustic Design	07-02-2021
Acoustic Design	07-16-2021
Acoustic Design Review	07-30-2021
Acoustic Review	08-27-2021

1	BACK ELEVATION
ASP	SCALE: 1/4" = 1'-0"

— wine:

BACK ELEVATION

1

A105

JEFFREY MOUEN ARCHITECT assumes no liability for any construction built from this plan. It is the responsibility of the contractor or builder to verify the dimensions prior to proceeding with construction, to be compliant with the local building codes, and to verify actual bearing capacity of the soil at the building construction shown in these drawings assumes a minimum soil load bearing capacity of 2,000 pounds per sq. ft.

Project:

Area Calculations:

First Floor A/C Living:	2,980 sf
Second Floor A/C Living:	3,350 sf
Third Floor A/C Living:	6,310 sf

wing: WEST
ELEVATION

A106





ARCHITECT

1214 NORTH PARK AVENUE, SUITE 201
WINTER PARK, FLORIDA 32789
P. 407.840.4455
WWW.GEOFFREYMOOREARCHITECTS.COM

ARCHITECT CONTACT INFORMATION & SEAL
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PROJECT

MORGAN
RESIDENCE
1214 North Park Av
Winter Park, FL

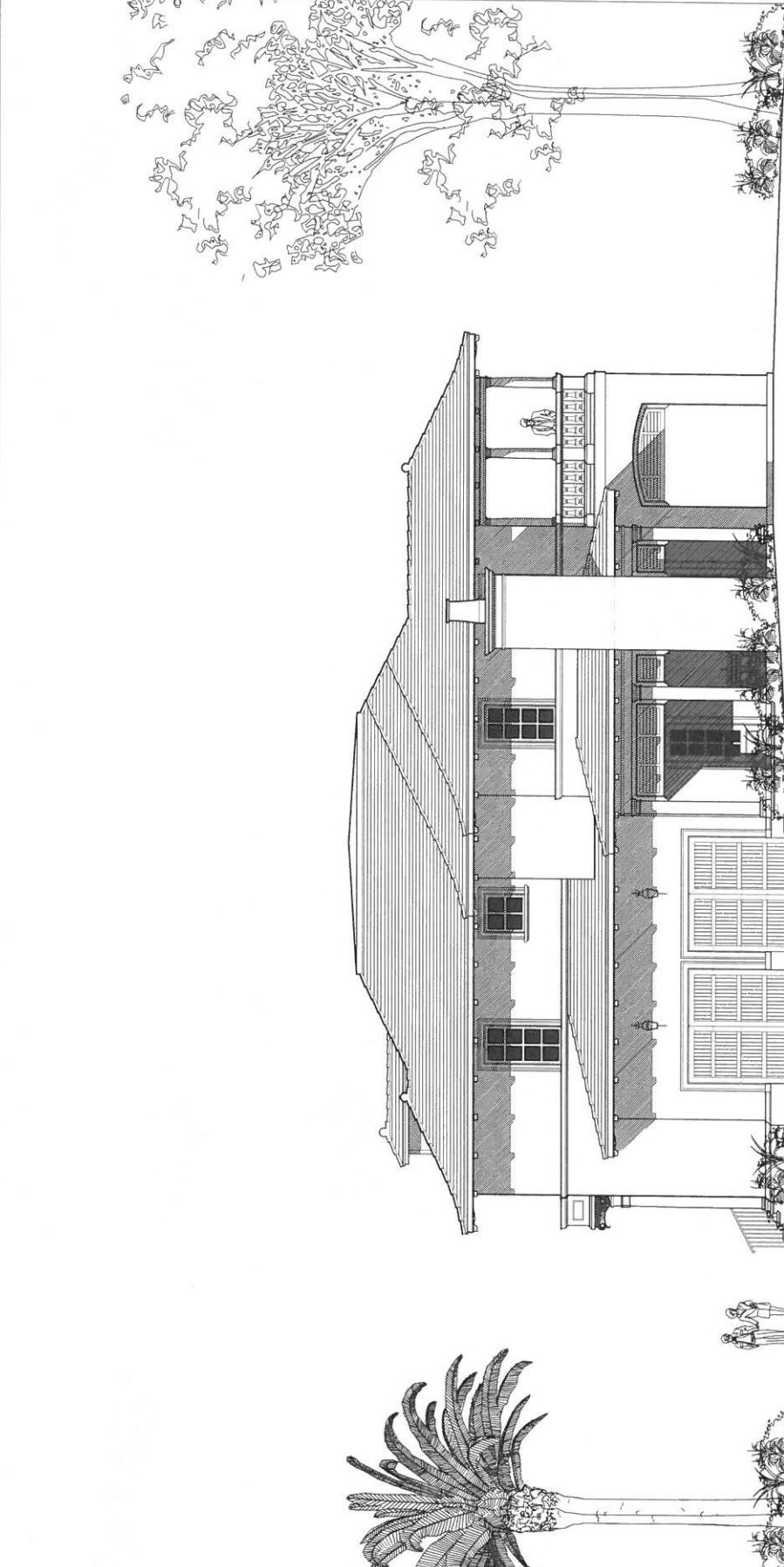
Area Calculations:
First Floor & G.C. Level: 3,000 sq. ft.
Second Floor A.C. Living: 3,338 sq. ft.
Main House A.C. Living: 6,338 sq. ft.

Issue:

1. Schematic Design	05/12/2011
2. Preliminary Design	07/02/2011
3. Final Design	07/02/2011
4. Construction Documents	07/02/2011
5. Final Construction Documents	07/02/2011
6. Final Construction Documents	07/02/2011
7. Final Construction Documents	07/02/2011
8. Final Construction Documents	07/02/2011
9. Final Construction Documents	07/02/2011
10. Final Construction Documents	07/02/2011
11. Final Construction Documents	07/02/2011
12. Final Construction Documents	07/02/2011

Drawing
EAST
ELEVATION

Sheet
A107



1 EAST ELEVATION
SCALE: 1/4" = 1'-0"



SETBACK / COVERAGE WORKSHEET

For Single Family Zoning Districts (R-1A, R-1AA & R-1AAA)¹

Address:

1214 North Park Ave. Winter Park, FL

Lot width²:

120' (128' curve)

Submitted by:

Geoffrey, Mouen, Architect

Lot area³:

23,850 sf

	Maximum % Allowed ⁴	Existing Area ¹⁰	Additional Proposed Area ¹⁰	New Total Area	Maximum Allowed Area
IMPERVIOUS LOT COVERAGE	Include bldg footprint, driveways, sidewalks, patios, swimming pools, A/C pads, artificial turf, etc.				
	2 story - 50%			9,220 sf	11,925 sf
	1 story - 60%				

FLOOR AREA RATIO (F.A.R.) ^{5,6}	For one and two story bldgs (include 1st & 2nd floors, garages/carports, stair areas on both floors, areas on 2nd floors which are open to the 1st floor ⁷ , and accessory bldgs. EXCLUDE - pool screen enclosure areas and certain open front, side & rear porches ⁸ .				
	Lots < 11,600 sf: Use 38% Base FAR or w/ increased side setbacks: 43% Max FAR				
	Lots 11,600 sf to 13,600 sf Use 4,500 sf Base area & 5,200 sf Maximum area				
	Lots > 13,600 sf Use 33% Base FAR or w/ increased side setbacks: 38% Max FAR			7763 sf 8663 - 400 (front porch - 500 (back porch)= 7763	7,870.5 sf 23,850 x .33= 7,870.5

SCREEN POOL ENCLOSURE	8% ⁹				
--------------------------	-----------------	--	--	--	--

FRONT YARD LANDSCAPE COVERAGE	Minimum % Allowed ⁴	Existing Area ¹⁰	Additional Proposed Area ¹⁰	New Total Area	Minimum Allowed Area
	Count all landscaped green areas EXCLUDE - hard surfaces and all driveway surfaces (pervious & impervious).				
FRONT LOT AREA	50%			2850 sf	2809.5 sf

ADDITIONAL INFORMATION (CHECK ALL APPLICABLE)					
WATERFRONT	☐	HISTORIC	☐	PURD	☐

NOTES:

- Windsong & Waterbridge may use these standards, except lot types A, B, & C in Windsong. Provisions on side articulations & accessory bldgs are mandatory.
- Lot width measured at the front bldg line across lot. The bldg line is located at the required front setback for vacant lots or front bldg wall closest to the street of existing homes. For unusual (pie) shaped lots, an average lot width may be utilized as measured between the front setback line and the required rear setback line or shall be determined by the Building Director.
- Submerged lands or land across the street shall not be included.
- Percentage based on the lot area.
- One story homes with a sloping roof, 12:12 or less, may utilize the maximum F.A.R. and may provide roof dormers, 8 ft. maximum width and 2.5 ft. back from the required setback, occupying 45% of roof area within the same roof plane.
- See page 3 on how to achieve maximum F.A.R.
- Vaulted and cathedral ceiling areas count twice if the height from the floor to the ceiling is 17.5 feet or greater.
- The area of open front porches and entries may be excluded from the gross floor area subject to a maximum area of 400 square feet. The area within an open or screened rear and/or side porches, lanai, porte cochere or other covered areas may be excluded from the gross floor area up to 500 sf of floor area. On 2nd floor, rear and/or side porches shall have an exterior sides that are 75% open in order to utilized up to 300 sf of the total 500 sf excludable gross floor area.
- Any area not already used in the permitted floor area ratio (FAR) may be added to this 8% for additional screened pool enclosure area.
- These columns only apply to existing homes.
- Vertical walled in areas created above the 1st floor must be including in the gross floor area

SETBACKS (complete boxes A and B first)

	Minimum Allowable Dimensions			Existing		Proposed	
FRONT	Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes.					25' (50' +from lakefront)	
SIDES^{1,2} (see other side setback options on pg 4) SIDES	1st Floor	See pages 3&4 SEE PAGES 3&4				15' (.25 x 120/2)	15' (.25 x 120/2)
	2nd Floor					21' (.35 x 120/2)	21' (.35 x 120/2)
REAR^{1,3,4} REAR REAR	1st Floor	25 ft.					
	2nd Floor	35 ft ⁵					
	Lakefront	see note 6				50'	
CORNER LOT CORNER LOT CORNER LOT CORNER LOT	1st Floor 1ST FLOOR	Lot width ≤ 65 ft.	15 ft.				
		Lot width > 65 ft ⁷	20 ft.				
	2nd Floor 2ND FLOOR	Lot width ≤ 65 ft.	15 ft.				
		Lot width > 65 ft ⁷	22.5 ft.				
BUILDING HEIGHT 8,9,10,11,12	30 ft. - 35 ft. plus 2 ft. or 40 ft. (see notes 11 & 12)					35'	

Notes:

- Any building wall that exceeds 12 ft. in height measured from natural grade to top of wall plate or truss kneewall must meet the setbacks for the 2nd floor.
- Accessory buildings' maximum side wall height (natural grade to roof sheathing) shall not exceed 10.5 ft. and interior side setback is 5 ft. minimum (no gable end allowed) for garages up to 600 sf, pool cabana up to 500 sf and all other accessory buildings up to 320 sf. Other accessory buildings used for habitation shall meet setbacks of the main residence.
- Rear setbacks for properties abutting non-residential zoned, R-3/R-4, or a permanent stormwater retention area over 25 ft. in width may be 10 ft. For lots that are 75ft deep or less a first floor setback of 10ft and a second floor setback of 25ft is allowed. For lots which are 105ft deep or less a first floor setback of 15ft and a second floor setback of 30ft is allowed.
- Accessory buildings: garage/carport up to 820 sf, pool cabana up to 500 sf and storage bldg up to 320 sf - minimum rear setback shall be 10 ft. Other accessory buildings used for habitation shall meet setbacks of the main residence.
- The rear setback may be reduced to 25 ft. for two-story components when those consist of a second story loft or mezzanine that is within the normal scale and 18-ft max height of a typical one-story structure.
- Require Planning & Zoning commission approval. Lakefront setback is based on the average setback establish by the adjacent residences within 200 ft. or 50 ft., whichever is greater, measured from ordinary high water line.
- Setbacks given are measured on the side yard adjacent to the street & lots over 75 ft. with 1st and 2nd floor setbacks of 25 ft. may reduce the rear setback by 5 ft. on each floor.
- Building height is the vertical distance measured from the average elevation of the existing lot grade measured directly adjacent to the front of the building or proposed building.
- No building or portion thereof shall exceed 30 ft. in height except for homes with a roof slope of 8:12 or greater may be permitted to have 2 ft. additional building height.
- Accessory building that exceeds 18 ft. in height shall meet the same setbacks as the principal building on the property.
- Properties or lots with at least 80 ft. of width at the building line are permitted to have a building height of 35 ft. if the side setbacks are increased to 20 ft. at 30 ft. above the side lot line. Exception: homes with a roof slope of 8:12 or greater are permitted 2 ft. of additional building height.
- Properties or lots exceeding 50,000 sq.ft. in size with at least 100ft width at the building line may be permitted building heights of 40 ft. if side setbacks are increased to 35 ft. to the portion of the roof over 30 ft. in height.



Planning & Zoning Board

agenda item

item type	Public Hearings	meeting date	October 5, 2021
prepared by	Jeffrey Briggs	approved by	Bronce Stephenson
board approval	Completed		
strategic objective			

subject

SPR #21-11 Request of Konkel Custom Homes for approval to construct a new, two-story single-family home located at 1395 Alberta Drive on Lake Osceola, zoned R-1AAA.

motion / recommendation

Staff Recommendation is for Approval

background

Konkel Custom Homes on behalf of the property owners (Richard & Laura Cohn) are requesting site plan approval to construct a new two-story, 7,763 square foot single-family home located at 1395 Alberta Drive on Lake Osceola, zoned R-1AAA. The property measures 10,036 square feet, and the existing single-family house on this property will be demolished. The proposed two-story home of 4,062 square feet, is at a floor area ratio (FAR) of 40.5% less than the maximum 43% FAR. This does not include the basement area, which is exempt from the floor area ratio as it is below grade from the front of the home. This new home will have impervious lot coverage of 3,774 square feet or 37.6%, which is less than the 50% maximum permitted.

TREE PRESERVATION: The Code direction on water front lots is "to preserve existing trees to the degree reasonably possible." The buildable area of this lot does not have any protected trees that need to be removed as part of this request. The applicant is saving the existing 42" cypress tree near the lake. You will also see that a proposed retaining wall on the east (right side of the home) has been kept off the property line in order to minimize impact on oaks that are on the adjacent neighbor's lot.

VIEW FROM THE LAKE: The Code direction is to minimize the height and extent of stem walls or retaining walls facing the lake. Generally, the policy is not to permit walls or swimming pool decks facing the lake in excess of three feet in height. There is no swimming pool and will not be room for a future pool. It is a three-story home on the lakeside due to the steep grade drop (walk-out from the basement level) so there are no retaining walls facing the lake.

VIEW OF NEIGHBORS: The Code direction is to minimize the degradation of traditional views across properties by new houses, additions, second story additions, etc. alongside property lines toward the lake that may block traditional views. The attached aerial plan shows the orientation of the existing and adjacent homes. This home is being built at exactly the same length as the previous home, starting at the same front setback and finishing at exactly the same lakefront setback of 54-60 feet from the existing seawall. Thus, there is no more visual impact upon the neighbors than what was presented by the existing home.

STORM WATER RETENTION: The zoning code requires retention of storm water so that storm water flowing over a waterfront lawn area does not carry with it into the lake any fertilizers, herbicides, etc. Typically, this retention requirement is accomplished by the creation of a depressed swale area(s) on the property of about one foot in depth, which is shown directly in front of the lakeside of this home. The amount of impervious surface determined the depth of the swale. In that location there also is significant separation from the lakefront cypress tree.

This is a fairly steep lot (which allowed for the walk-out basement) but also provides challenges in making sure that the storm water runoff is kept on this lot and does not intrude on the neighbor's lot. The neighbor to the west has notified all, that this property currently dumps some runoff onto his property. In order to make sure that does not happen in the future (on both sides of the lot) the plans show a new retaining wall that will be 12-14 inches tall that will function as a curb/dam that will contain the runoff on this lot and not impact neighbors. There also is some piping of the roof gutters and front driveway water to lessen the amount of runoff in those side setback areas. This will solve the neighbor's current issue and prevent any such issue in the future.

SUMMARY: Overall, the plans meet the intent of the lakefront review criteria. There has been very careful design put into this project on small lot with significant grade to insure code compliance. The new home is exactly where the previous house was located, so there are no view issues.

alternatives / other considerations

fiscal impact

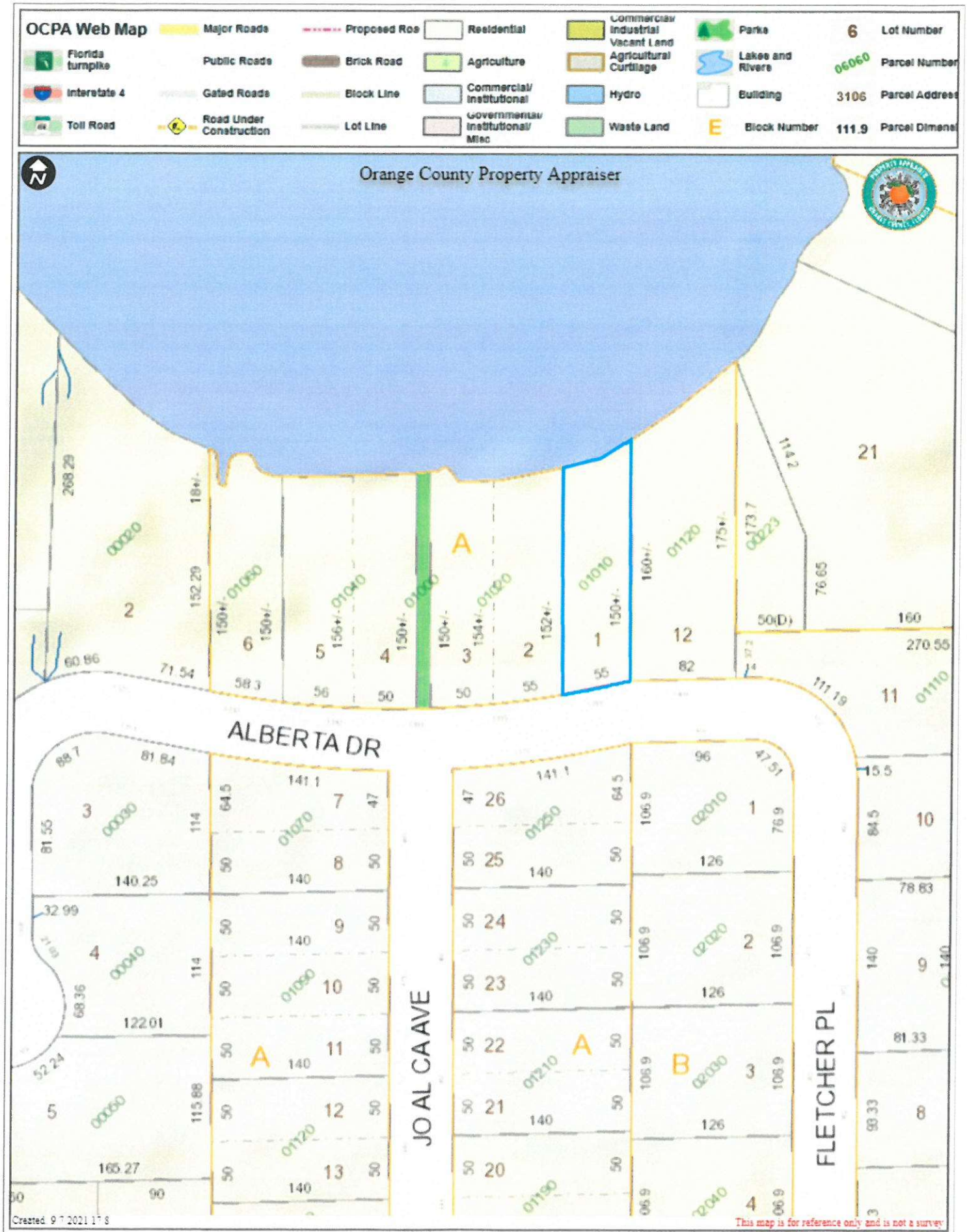
ATTACHMENTS:

[Location Map and Aerial.pdf](#)

ATTACHMENTS:

[1395 Alberta Topo Survey.pdf](#)

ATTACHMENTS:





TOPOGRAPHIC

LEGAL DESCRIPTION:

LOT 1, BLOCK A, REPLAT OF GALLOWAY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK M, PAGE 54, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X500, AE, AND X. THIS PROPERTY WAS FOUND IN CITY OF WINTER PARK, COMMUNITY NUMBER 120188, DATED 9/25/2009.

CERTIFIED TO:

RICHARD A. & LAURA COHN; KONKOL CUSTOM HOMES & REMODELING, LLC.



1395 ALBERTA DRIVE, WINTER PARK, FLORIDA 32789

-Site Benchmark Information-



Set Nail & Disk "LB 7623" in Asphalt
Elevation: 84.55'



Fnd. MAG Nail in Asphalt at PI of
Alberta Dr. and Jo-Al-Ca Ave.
Elevation: 83.61'

-Benchmark Information-



Orange County Benchmark
Benchmark No: L1161009
Benchmark Elevation: 87.90'
(Elevations are based upon NAVD 88 Datum)

Lake Osceola
Elevation = 65.19' (3/2/21)

Normal High Water
Elevation Falls in Seawall
Elevation = 65.7' (NAVD 88)
(Per City of Winter Park)

Note: Dock unsafe to walk on at time of Survey.
Wood planks in poor condition. Not fully surveyed.

Location of edge of water is undetermined.
Inaccessible due to vegetation.

Location of 100 Year Flood Line
Elevation = 68.8' (NAVD 88)
(Per FEMA)

CA
R= 764.50'(P)
L= 55.00'(P)
Δ= 04°07'19"(C)
Chord Bearing=
S 79°51'45" W 55.58'(M)

CB
R= 764.50'(P)
L= 115.00'(P)
Δ= 08°37'07"(C)
Chord Bearing=
S 86°13'40" W 114.80'(M)

Revision: Updated Survey - 08/06/21 - JWW



Note: Bearings Assumed

Graphic Scale



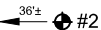
Scale: 1"=30'

Fnd. 1" Iron Pipe
(No Identification)
PI of Lots 4/Park

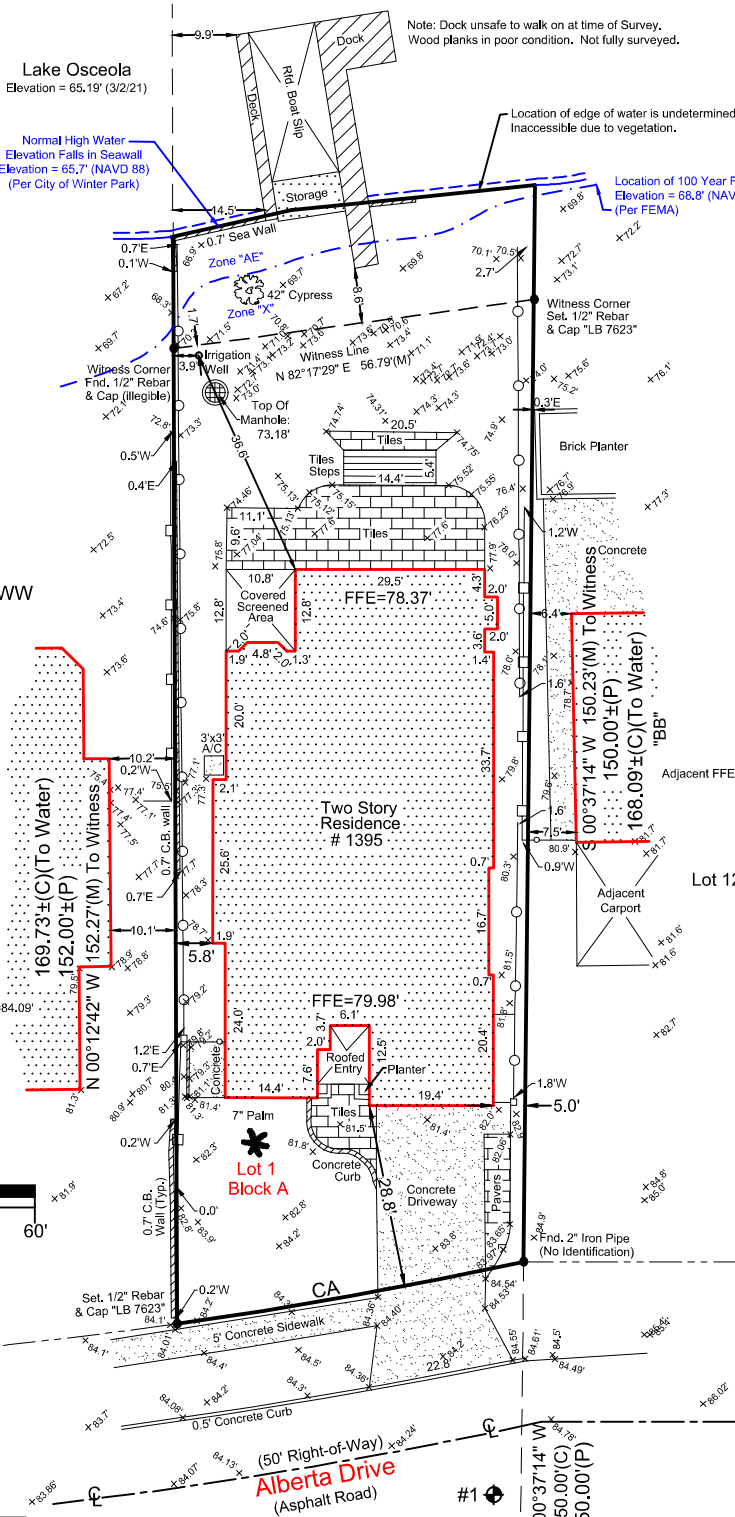
-Legend-



- Sanitary Manhole



#2



Sorensen Heights
P.B. "R", Pg. 82

96.00'(P)

PC on Lot 1, Sorensen Heights

GENERAL NOTES:

- NO STRUCTURAL CHANGES FROM THE APPROVED PLANS SHALL BE MADE IN THE FIELD UNLESS, PRIOR TO MAKING CHANGES, A WRITTEN APPROVAL IS OBTAINED FROM THE ENGINEER / ARCHITECT OF RECORD. IF CHANGES ARE MADE WITHOUT WRITTEN APPROVAL, SUCH CHANGES SHALL BE THE LEGAL AND FINANCIAL RESPONSIBILITY OF THE CONTRACTORS INVOLVED, AND SHALL BE THE RESPONSIBILITY OF SAID PARTIES TO REPLACE OR REPAIR THE CONDITION AS DIRECTED BY THE ENGINEER.
- CONNECT A/C UNIT TO CONCRETE SLAB w/ (1) USP AC3 ANGLE CLIP OR SIMILAR AT FOUR CORNERS USING (1) 3/16" TAPCON, MIN. OF 2" LENGTH INTO CONCRETE AND (2) #8 METAL SCREWS INTO A/C UNIT FRAME (LOCATION TO BE DETERMINED BY A/C CONTRACTOR) PER CLIP
- ELECTRIC SERVICE GROUND TO BE BONDED TO FOOTING STEEL
- CONTRACTOR TO VERIFY ALL HOSE BIBB LOC. & TYPE
- CONTRACTOR TO ROUGH IN A/H CHASE A/O DRAIN LINES, & CONDUITS AS NEEDED
- CONTRACTOR TO VERIFY A/O PROVIDE FOR SLAB RECESSES, SILLS & CURB REQUIREMENTS @ ALL DOORS
- RECESS SHOWERS TO HAVE THICKENED EDGES AND REINFORCEMENT TO BE DETER BY GENERAL CONTRACTOR
- CONTRACTOR TO DETERMINE ANY SLOPE OF SLAB REQUIREMENTS
- BOTTOM OF FOOTING MIN 12" BELOW FINISH GRADE
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2020 RESIDENTIAL (7TH ED.), NEC 2017, AND LOCAL CODES AS THEY MAY APPLY

A. FLOOR PLAN:

A.1. WINDOW, DOOR AND PANEL CRITERIA:

- A.1.1. GARAGE DOOR TO BE CERTIFIED BY MANUFACTURER FOR WIND EXPOSURE / COMPONENT CLADDING DEPENDANT ON PERMIT MUNICIPALITY DEPENDANT ON WIND-BORNE DEBRIS REGION. GARAGE DOOR GLAZED OPENING PROTECTION FOR WIND-BORNE DEBRIS SHALL MEET THE REQUIREMENTS OF AN APPROVED IMPACT-RESISTING STANDARD OR ANSI/DASMA 115.
- A.1.2. ALL DOORS TO BE 8'-0" TALL U.N.O. OR PER BUILDER/CLIENT.
- A.1.3. ALL EXTERIOR DOOR MATERIALS SHALL BE ABLE TO RESIST THE LOADING REQUIREMENTS OF THE FBC SECTION 1609.1 FOR THE 140 MPH WIND LOAD. THE CONTRACTOR IS REQUIRED TO PROVIDE DOCUMENTATION FOR DOORS DEMONSTRATING COMPLIANCE WITH THESE SPECIFICATIONS.
- A.1.4. THE MANUFACTURER'S SPECIFICATIONS AND TEST RESULTS FOR THE REFERENCED WINDOWS, SGD, DOORS AND PANELS (IN REGARDS TO COMPLIANCE WITH FLORIDA BUILDING CODE-BUILDING 1609.1.2.3) HAS BEEN REVIEWED AND ACCEPTED BY THE ENGINEER OF RECORD FOR USE ON THIS PROJECT, WHEN INSTALLED IN ACCORDANCE WITH THESE PLANS AND THE MANUFACTURER'S SPECIFICATIONS.

- A.2. SAG RESISTANT DRYWALL ON ALL CEILINGS.

- A.3. OPENINGS FROM A PRIVATE GARAGE DIRECTLY INTO A ROOM USED FOR SLEEPING PURPOSES SHALL NOT BE PERMITTED. OTHER OPENINGS BETWEEN THE GARAGE AND RESIDENCE SHALL BE EQUIPPED WITH SOLID WOOD DOORS NOT LESS THAN 1'-3/8" THICK, SOLID OR HONEYCOMB CORE STEEL DOORS NOT LESS THAN 1'-3/8" THICK, OR 20-MINUTE FIRE-RATED DOORS.

- A.4. DUCTS IN THE GARAGE AND DUCTS PENETRATING THE WALLS OR CEILINGS SEPARATING THE DWELLING FROM THE GARAGE SHALL BE CONSTRUCTED OF A MIN. NO. 26 GAGE SHEET STEEL OR OTHER APPROVED MATERIAL AND SHALL HAVE NO OPENINGS INTO GARAGE.

- A.5. THE GARAGE SHALL BE SEPARATED FROM THE RESIDENCE AND ITS ATTIC BY NOT LESS THAN 1/2 INCH GYPSUM BOARD APPLIED TO THE GARAGE SIDE. GARAGES BENEATH HABITABLE ROOMS SHALL BE SEPARATED FROM ALL HABITABLE ROOMS ABOVE BY NOT LESS THAN 5/8 INCH TYPE "X" GYPSUM BOARD OR EQUIVALENT. WHERE THE SEPARATION IS A FLOOR-CEILING ASSEMBLY, THE STRUCTURE SUPPORTING THE SEPARATION SHALL ALSO BE PROTECTED BY NOT LESS THAN 1/2 INCH GYPSUM BOARD OR EQUIVALENT

- A.6. C.M.U. WALL SYSTEM SEGMENTS WHICH HAVE AN UNINTERRUPTED LENGTH OF 12'-0" OR MORE SHALL BE CONSIDERED SHEAR WALL SWS = SHEAR WALL SEGMENTS

- A.7. FRAME WALL SEGMENTS WHICH HAVE AN UNINTERRUPTED LENGTH OF 12'-0" OR MORE SHALL BE CONSIDERED SHEAR WALL SWS = SHEAR WALL SEGMENTS

- A.8. COLUMNS SHALL BE CONSTRUCTED OF STANDARD MASONRY UNITS OR PLASTER BLOCK OR MAY BE CAST IN PLACE CONCRETE. MAXIMUM COLUMN HEIGHT SHALL BE 12 FEET TO TOP OF BOND BEAM. COLUMNS SHALL CONTAIN A MINIMUM OF FOUR VERTICAL BARS, ONE IN EACH CORNER.

- A.9. BATHROOMS:

- A.9.1. ALL TUB & SHOWER UNITS WILL HAVE ANTI-SCALDING DEVICES INSTALLED.

- A.9.2. ALL BATHROOM VANITIES SHALL BE 34" HEIGHT, U.N.O.

B. FOUNDATION:

- B.1. FLOOR SLAB OF PLANT MIX CONCRETE MIN. 2500 P.S.I. 4" THICK WITH FIBER-MESH REINFORCEMENT WITH 6 MIL. POLY. VAPOR BARRIER OVER COMPACTED CLEAN FILL OR, FLOOR SLAB OF PLANT MIX CONCRETE MIN. 2500 P.S.I. 4" THICK WITH 6x6 10/10 GAUGE REINFORCING MAT. WITH MIN. 1" COVER WITH 6 MIL. POLY. VAPOR BARRIER OVER COMPACTED CLEAN FILL.

- B.2. AS AN ALTERNATE, A 6x6 NO. 10 WELDED WIRE FABRIC EXTENDING A MIN. OF 10" INTO SLAB AND 6" INTO CHAIR BLOCK OR TOP COURSE.

- B.3. SOIL TESTING IS RECOMMENDED, BUT IS NOT REQUIRED. MJS DESIGNERS GROUP & E.O.R STRONGLY RECOMMEND A SOIL TEST TO CONFIRM SOIL BEARING CAPACITY IS AT A MINIMUM 2000 PSF (CONTRACTOR TO VERIFY SURFACE GEO-TECHNICAL CONDITIONS). FOOTINGS SHALL BEAR ON UNDISTURBED SOIL A/O PROPERLY COMPACTED FILL (2000 PSF MIN.). FILL MATERIAL SHALL BE COMPACTED TO 95% DENSITY OF A MODIFIED PROCTOR. TO BE VERIFIED BY GENERAL CONTRACTOR / OWNER. FOOTINGS SHALL BEAR ON UNDISTURBED SOIL A/O PROPERLY COMPACTED FILL (2000 PSF MIN.). FILL MATERIAL SHALL BE COMPACTED TO 95% DENSITY OF A MODIFIED PROCTOR. TO BE VERIFIED BY GENERAL CONTRACTOR / OWNER. IF THE BUILDER AND/OR HOMEOWNER CHOOSE NOT TO COMPLETE SOIL TESTING, MJS DESIGNERS GROUP AND THE E.O.R. WILL BE HELD HARMLESS AND NOT LIABLE FOR ANY DAMAGES, MODIFICATIONS, OR COSTS ASSOCIATED WITH FOUNDATION ISSUES.

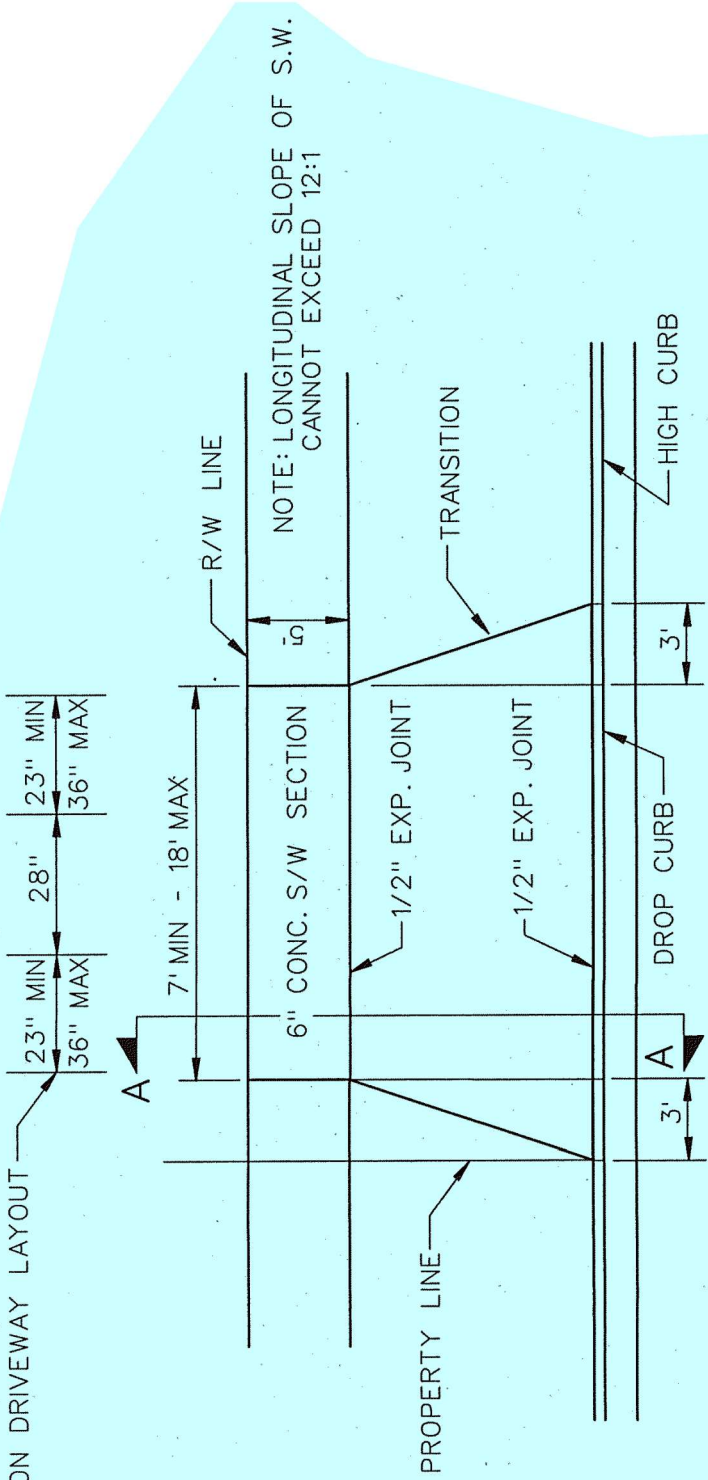
- B.4. NO WOOD GRADE STAKES PERMITTED

- B.5. TERMITE TREATMENT TO BE APPLIED BY EITHER TREATED SOIL, BORA-CARE APPLICATION S PER, MANUFACTURER SPEC'S. CERTIFICATE OF APPLICATION MUST BE MADE AVAILABLE AT TIME OF INSPECTION TO PROVIDE APPLICATION USED.

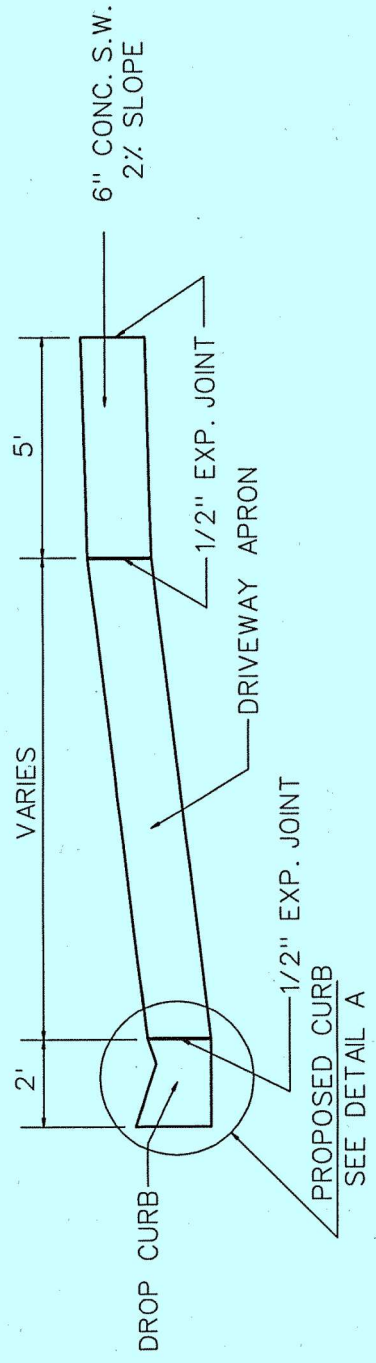
- B.6. FOR ALL STEMWALLS GREATER THAN 35' IN HEIGHT PLEASE REFER TO SCHEDULE BELOW FOR FOOTER AND STEEL REINFORCEMENT SPECIFICS. ADDITIONALLY IT IS REQUIRED TO PLACE (1) #3 REBAR 4' O.C. HOOKED INTO BOND BEAM AND TIED OFF TO REINFORCEMENT LOCATED IN TOP COURSE / BOND BEAM WHILE ALSO EXTENDING A MIN. OF 12" INTO SLAB.

- B.7. A SOIL OR WASTE PIPE OR A BUILDING DRAIN PASSING UNDER A FOOTING OR THROUGH A FOUNDATION WALL SHALL BE PROVIDED WITH A RELIEVING ARCH, OR THERE SHALL BE BUILT INTO THE MASONRY WALL WITH AN IRON PIPE SLEEVE (TWO PIPE SIZES) GREATER THAN THE PIPE PASSING THROUGH.

- B.8. THE OUTER BAR OF FOUNDATION STEEL SHALL BE CONTINUOUS AROUND CORNERS USING CORNER BARS OR BY BENDING THE BAR IN ACCORDANCE WITH 1003.4. IN BOTH CASES, THE MINIMUM BAR LAP SHALL BE 25 INCHES.



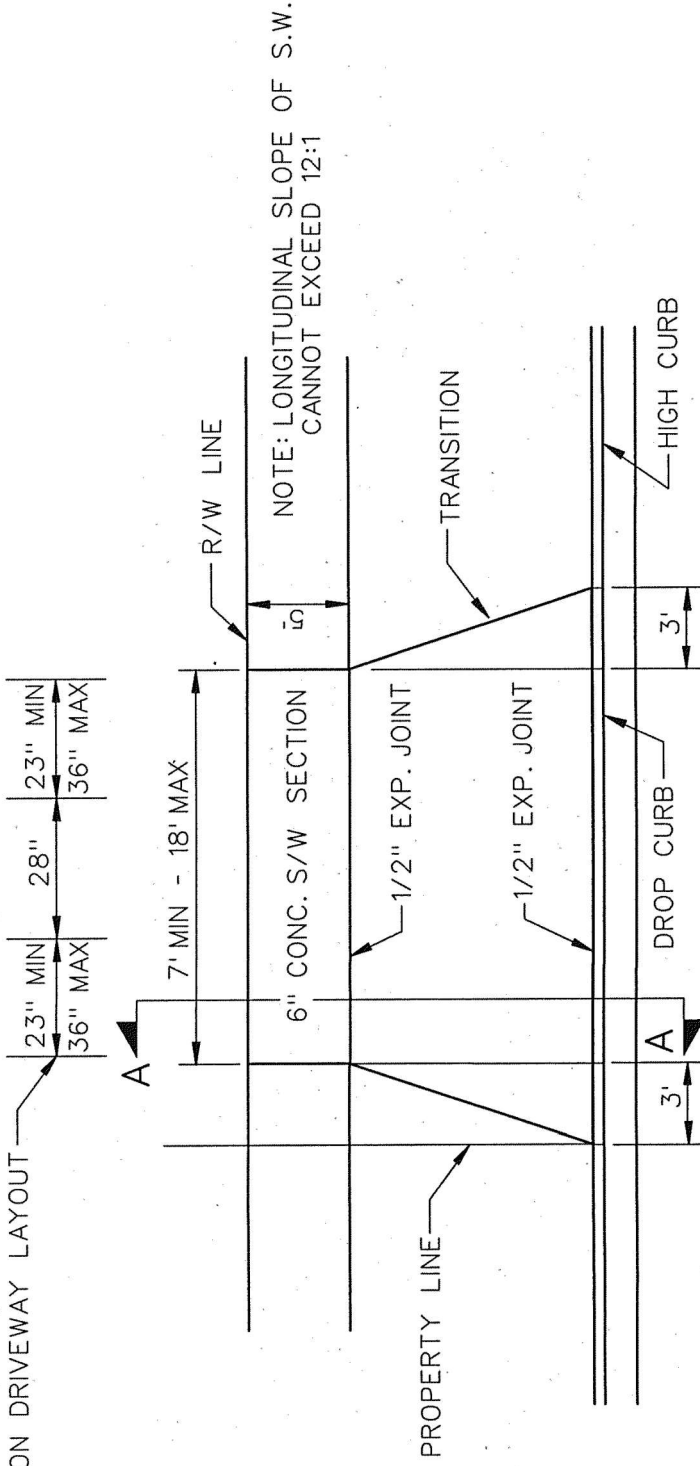
RESIDENTIAL DRIVEWAY APRON N.T.S.



SECTION A-A N.T.S.

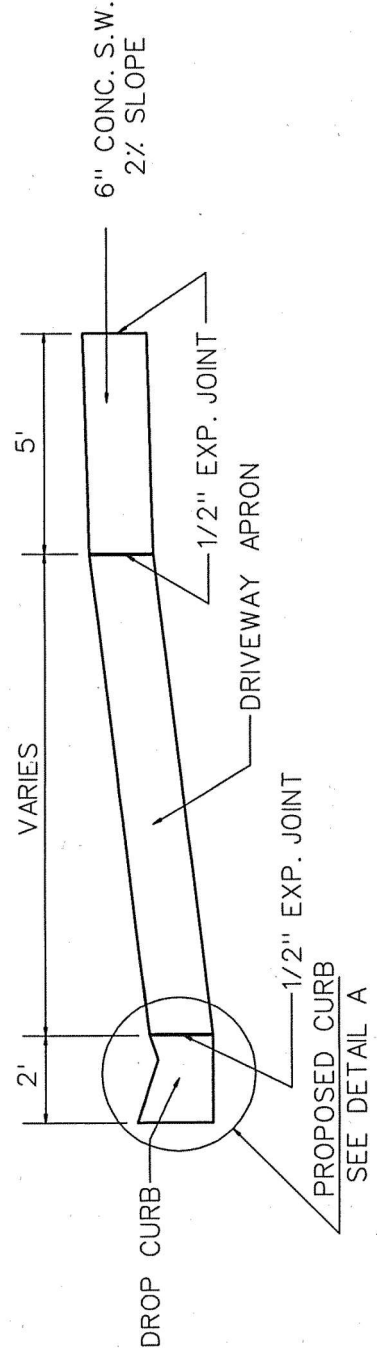
TOP OF ASPHALT

TO MATCH D.W.



RESIDENTIAL DRIVEWAY APRON

N.T.S.

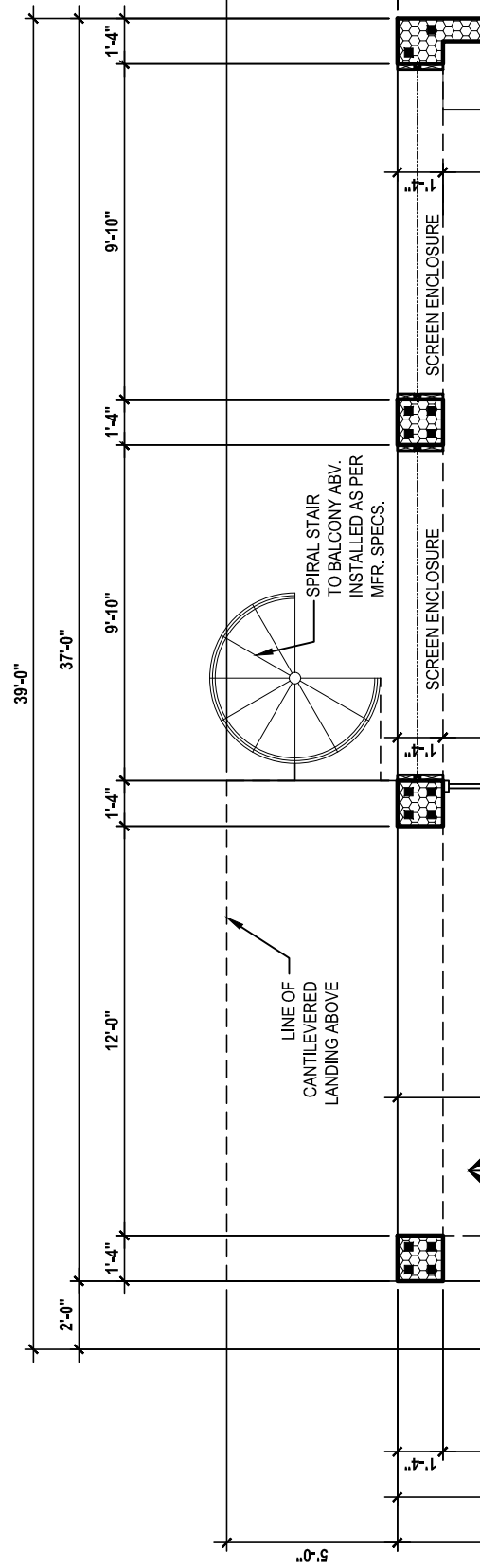


SECTION A-A

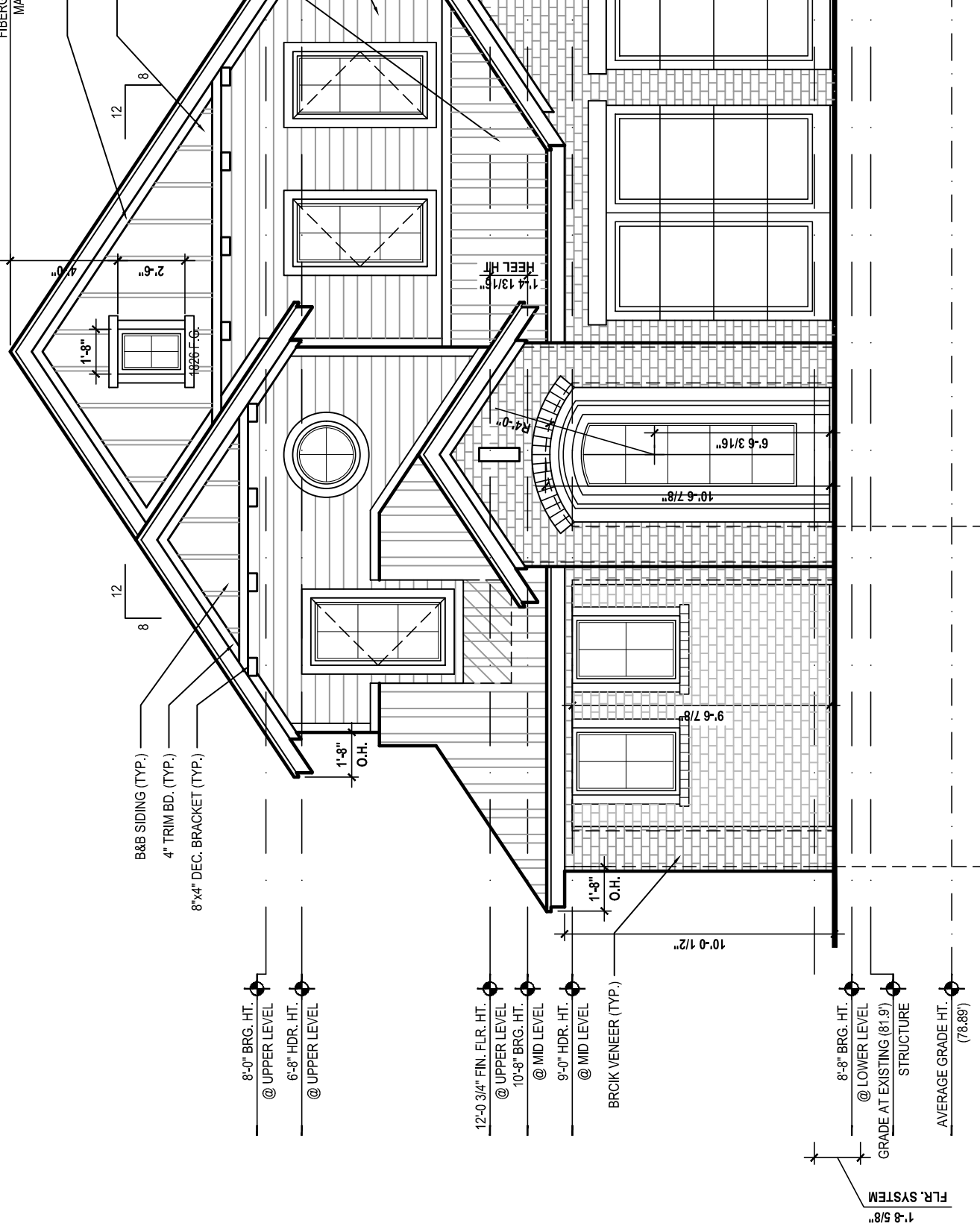
N.T.S.

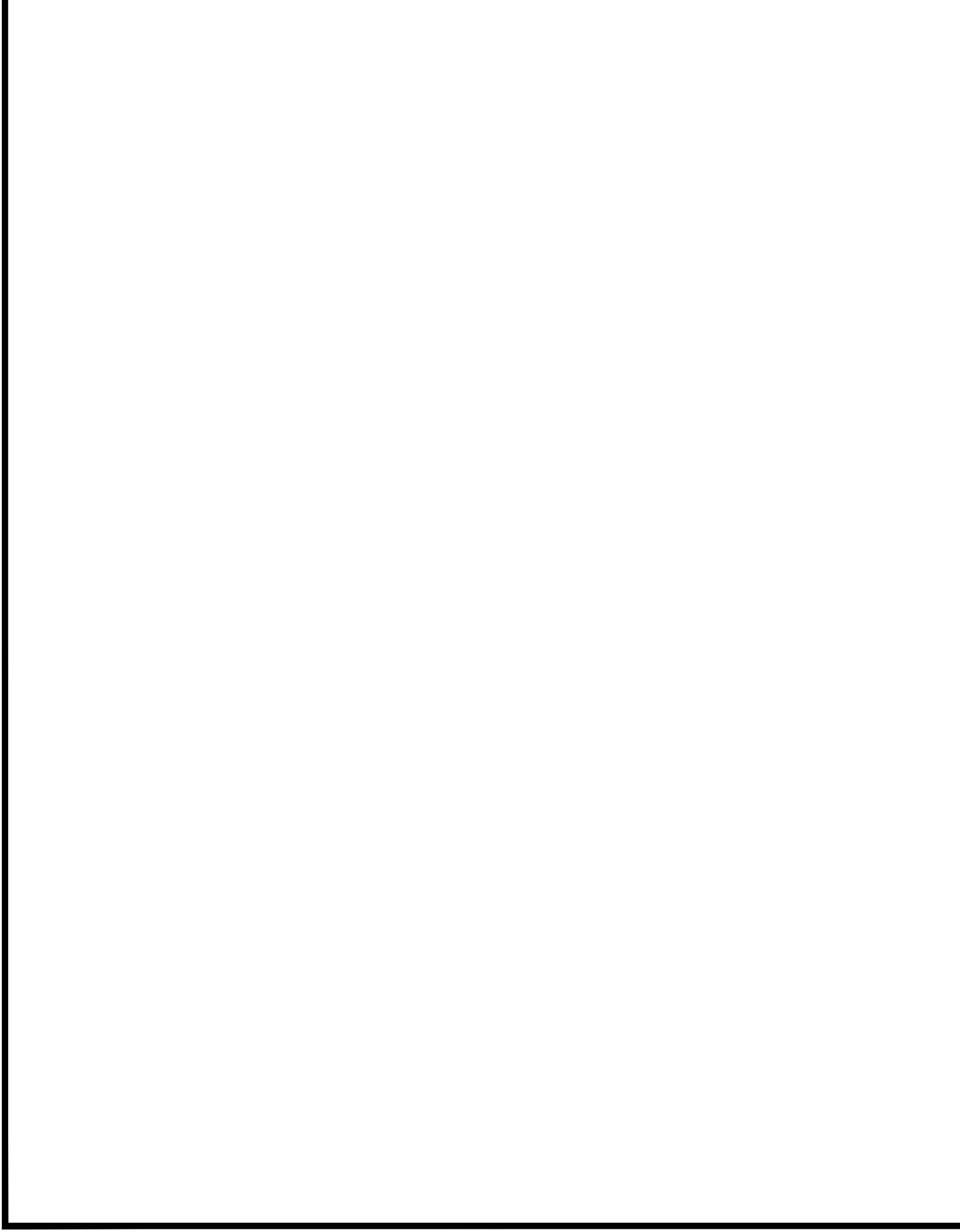
TOP OF ASPHALT

TO MATCH D.W.



FIBERGLASS
MA

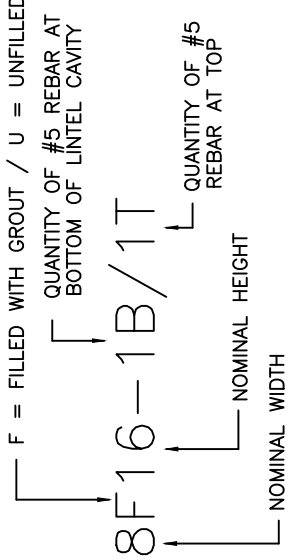




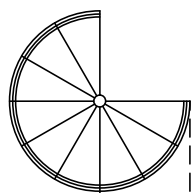
SAFE GRAVITY LOADS FOR 8" PRECAST & PRESTRESSED U-LINTELS

	SAFE LOAD - POUNDS PER LINEAR FOOT									
LENGTH	TYPE	8U8	8F8-0B	8F12-0B	8F16-0B	8F20-0B	8F24-0B	8F28-0B	8F32-0B	
			8F8-1B	8F12-1B	8F16-1B	8F20-1B	8F24-1B	8F28-1B	8F32-1B	
3'-6" (42")	PRECAST	2231	3069	3719	5163	6607	8054	9502	10951	
4'-0" (48")	PRECAST	1966	3069	4605	6113	7547	8974	10394	11809	
			2561	2751	3820	4890	5961	7034	8107	
4'-6" (54")	PRECAST	1599	2693	4605	6113	7547	8974	10394	11809	
			1969	2110	2931	3753	4576	5400	6224	
5'-4" (64")	PRECAST	1217	2189	4375	6113	7547 (7)	8672	10294	11809	
			1349	1438	1999	2560	3123	3686	4249	
5'-10" (70")	PRECAST	1062	1663	3090	5365	7547 (36)	7342 (19)	8733 (19)	10127 (19)	
			1105	1173	1631	2090	2549	3009	3470	
6'-6" (78")	PRECAST	908	1451	2622	4360	7168 (46)	6036 (19)	7181 (19)	8328 (20)	
			1238	2177	3480	3031	3707	4383	5061	
7'-6" (90")	PRECAST	743	1238	2177	3480	5381	8360	10394 (37)	8825 (14)	
			1011	1729	2632	2205	2698	3191	3685	
9'-4" (112")	PRECAST	554	1011	1729	2661	3898	5681	8467 (44)	6472 (15)	
			699	1160	1625	2564	3486	2818	3302	
10'-6" (126")	PRECAST	475	752	1245	1843	2564	3486	4705 (37)	6390 (47)	
			535	890	1247	2093	2777	2163	2536	
11'-4" (136")	PRECAST	362	643	1052	1533	2093	2781	3643 (38)	4754 (46)	
			582	945	1366	1846	2423	3127	4006	
12'-0" (144")	PRECAST	337	582	945	1366	1846	2423	3127	4006	
			540	873	1254	1684	2193	2805	3552	
13'-4" (160")	PRECAST	296	540	873	1254	1684	2193	2805	3552	
			471	755	1075	1428	1838	2316	2883	
14'-0" (168")	PRECAST	279	471	755	1075	1428	1838	2316	2883	
			424	706	1002	1326	1697	2127	2630	
14'-8" (176")	PRESTRESSED	N.R.	442	706	1002	1326	1697	2127	2630	
			NR	NR	NR	NR	NR	NR	NR	
15'-4" (184")	PRESTRESSED	N.R.	458	783	1370	1902	2245	2517	2712	
			NR	NR	NR	NR	NR	NR	NR	
17'-4" (208")	PRESTRESSED	N.R.	412	710	1250	1733	2058	2320	2513	
			NR	NR	NR	NR	NR	NR	NR	
19'-4" (232")	PRESTRESSED	N.R.	300	548	950	1326	1609	1849	2047	
			NR	NR	NR	NR	NR	NR	NR	
			235	420	750	1037	1282	1515	1716	

TYPE DESIGNATION

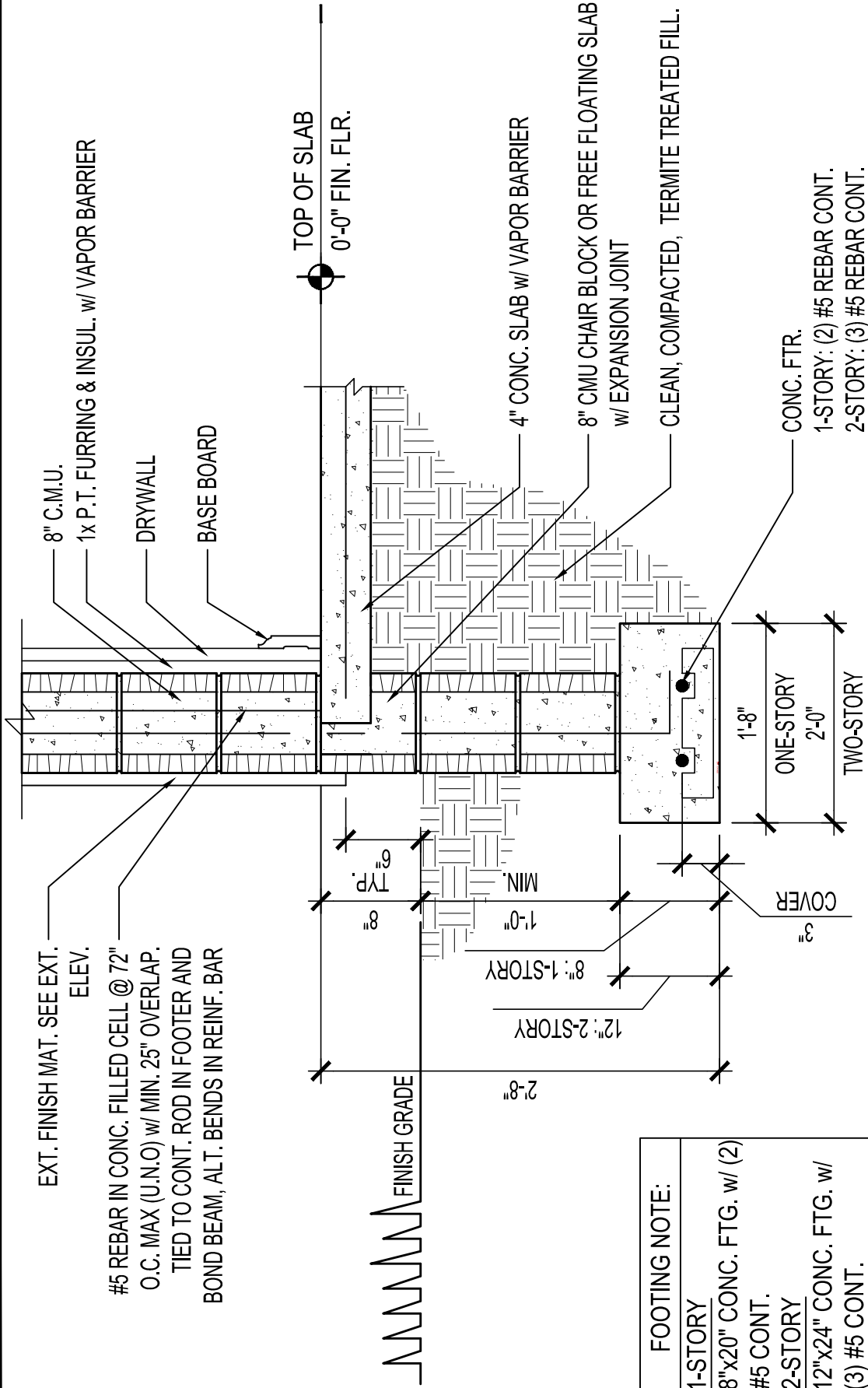


PRE-WIRE FOR
ROLL DOWN
SCREEN



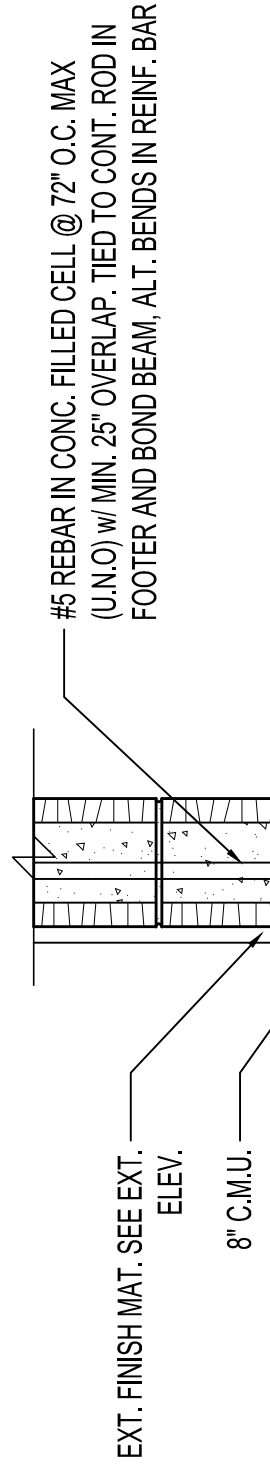
42"
WIDE

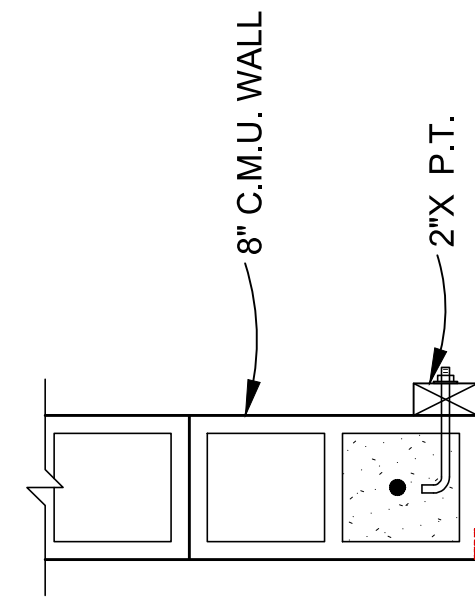
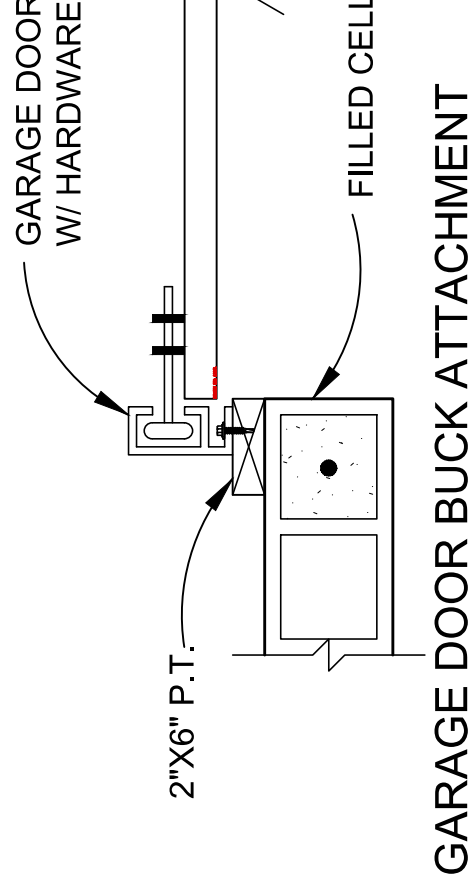




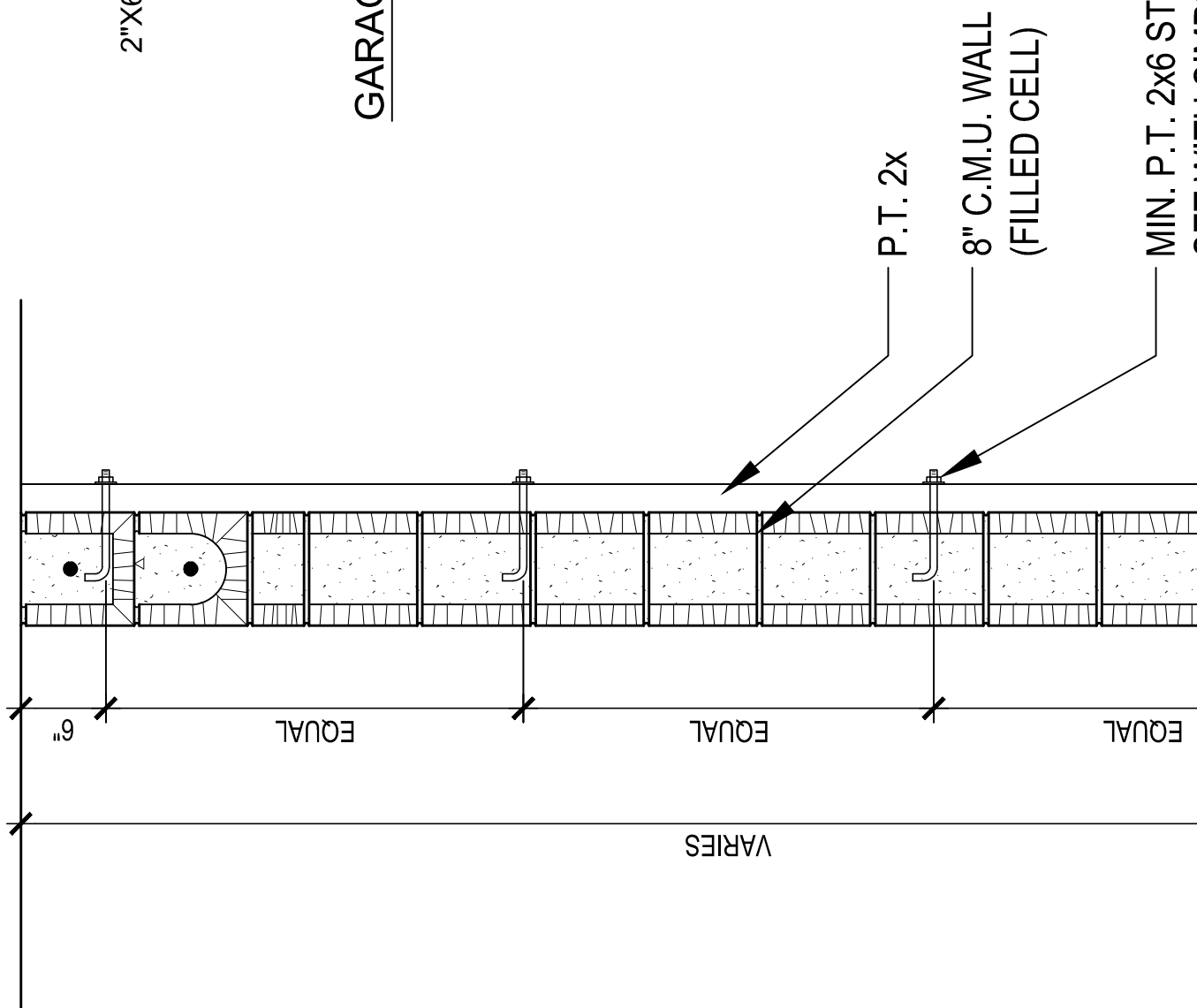
1 EXTERIOR WALL DETAIL

SCALE:
1" = 1'-0"





PLAN VIEW



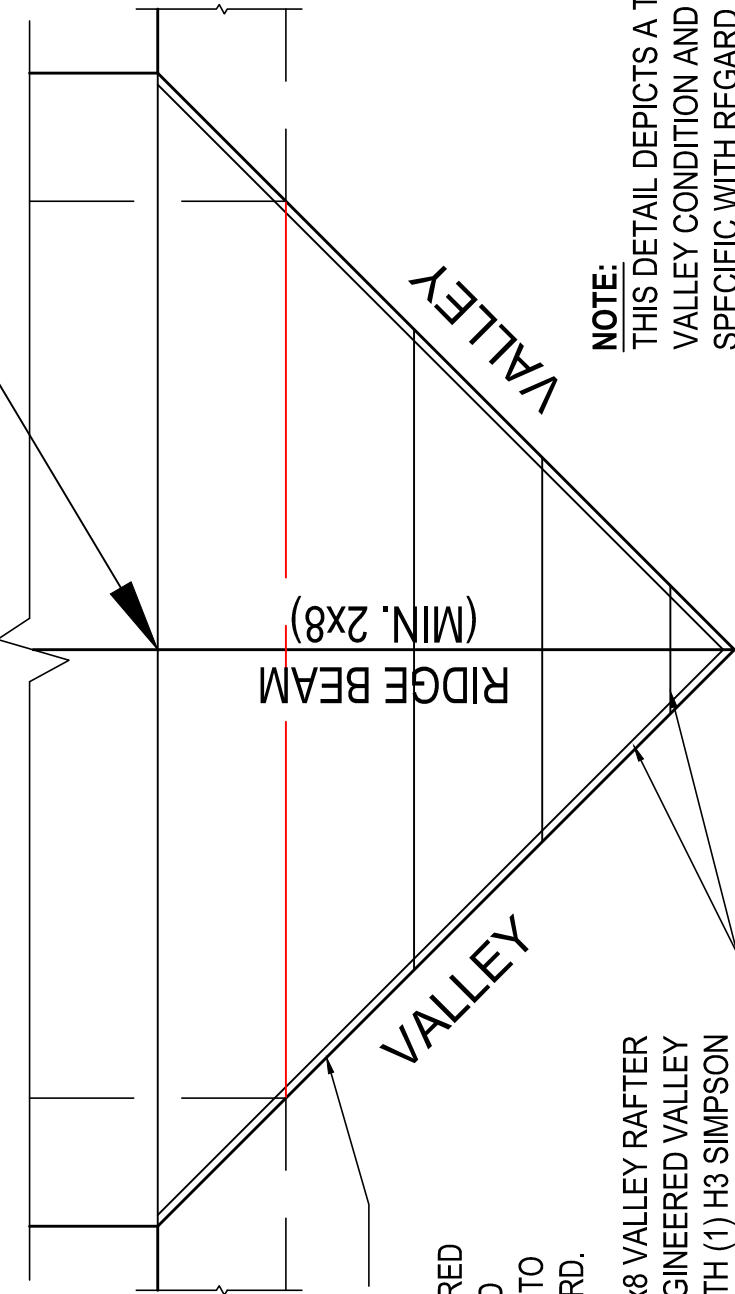
MIN. P.T. 2x6 STUD ATTACHED TO CMU. WALL w/ 1/2\" A.B.

NOTE:
CONNECTORS
NOTED ON
THESE
DETAILS ARE
SIMPSON
STRONG-TIE,
U.N.O.

FASTEN S.Y.P. 2x8 PLATE (MIN.
WIDTH) THROUGH 7/16" O.S.B.
SHEATHING TO PRE-ENGINEERED
TRUSS BELOW w/ (3) 1/4" WOOD
SCREWS EMBEDDED MIN. 3" INTO
EA. EXISTING TRUSS TOP CHORD.

FASTEN CONVENTIONAL 2x8 VALLEY RAFTER
FRAMING(OR PRE-ENGINEERED VALLEY
TRUSSES) TO 2x8 PLATE WITH (1) H3 SIMPSON
CONNECTOR.
(MIN) 2x8 RAFTERS @ 16" O.C.)

SIMPSON RR CONNECTOR AT EA. RAFTER
TO RIDGE BEAM CONNECTOR (TYP.)

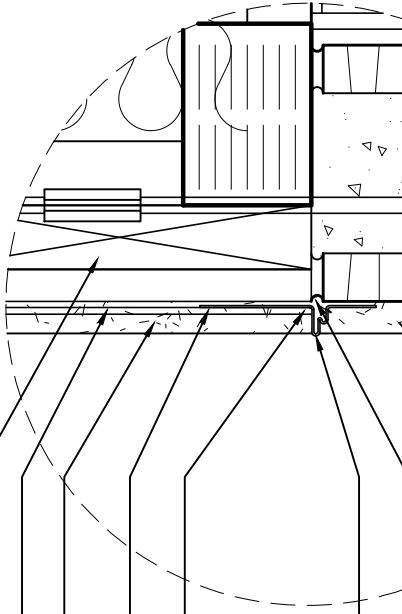


NOTE:
THIS DETAIL DEPICTS A TYPICAL
VALLEY CONDITION AND IS NOT
SPECIFIC WITH REGARD TO SIZE OF
FRAMING MEMBERS.

TYP. VALLEY CONNECTION

WOOD BASED EXTERIOR SHEATHING- OSB
15# FELT DRAINAGE PLANE
7/8" NOMINAL STUCCO THICKNESS
PAPERBACK LATH
DRAINAGE PLANE OVERLAP CONTROL BEAD
FLASHING AND MEMBRANE STRIP OVER
WOOD FRAME / MASONRY CONNECTION.

METAL OR PLASTIC EXPANSION JOINT
MEMBRANE STRIP COVERING WOOD FRAME



EXT. FINISH ROOF MATERIAL
SEE EXT. ELEV.

INSULATION AS REQUIRED PER
ENERGY CALCS

ALL UNDERLAYMENT ARE REQUIRED
TO MEET ASTM D226 TYPE II, ASTM
D4869 TYPE III OR IV, ASTM D6757, OR
SYNTHETIC UNDERLAYMENT MEETING
THE PERFORMANCE REQUIREMENTS
SPECIFIED OVER 5/8" EXT. GRADE
ROOF SHEATHING w/ "H" CLIPS
SECURED PER FRAMING NOTES

PRE-ENG. ROOF TRUSSES @ 24"
O.C., PER TRUSS MFR.

SOFFIT FRAMING SUPPORT FOR
OVERHANGS LARGER THAN 12"
(SEE DETAIL C/D3)

METAL DRIP EDGE
WOOD FASCIA, SEE ELEV. FOR
STYLE

VENTED SOFFIT
EXT. FINISH MATERIAL SEE EXT.
ELEV.

EXT. GRADE SHEATHING PER
SPECS.

BATT INSUL. AS REQ.
2x STUDS @ 16" O.C., U.N.O.
(#2 SPF OR #3 SYP)

FLASHING AS REQ'D.
SEE FLOOR PLAN FOR WINDOW
SIZE

INSULATION Baffle,
2" MIN. CLEARANCE

SEE
ELEV.

2x NAILER

SECURE TOP PLATE w/ SP2, 4, 6, OR
8 @ 16" O.C., U.N.O

SECURE PRE-ENG. TRUSS TO 2ND.
FLR. STUDS PER FRAMING NOTES,
U.N.O.

DRYWALL

EXT. FINISH

INSULATION AS

ALL UNDERLAYMENT
TO MEET ASTM
D4869 TYPE III OR IV
SYNTHETIC UNDER
THE PERFORMANCE
SPECIFIED OVER
ROOF SHEATHING
SECURED PER FRAMING

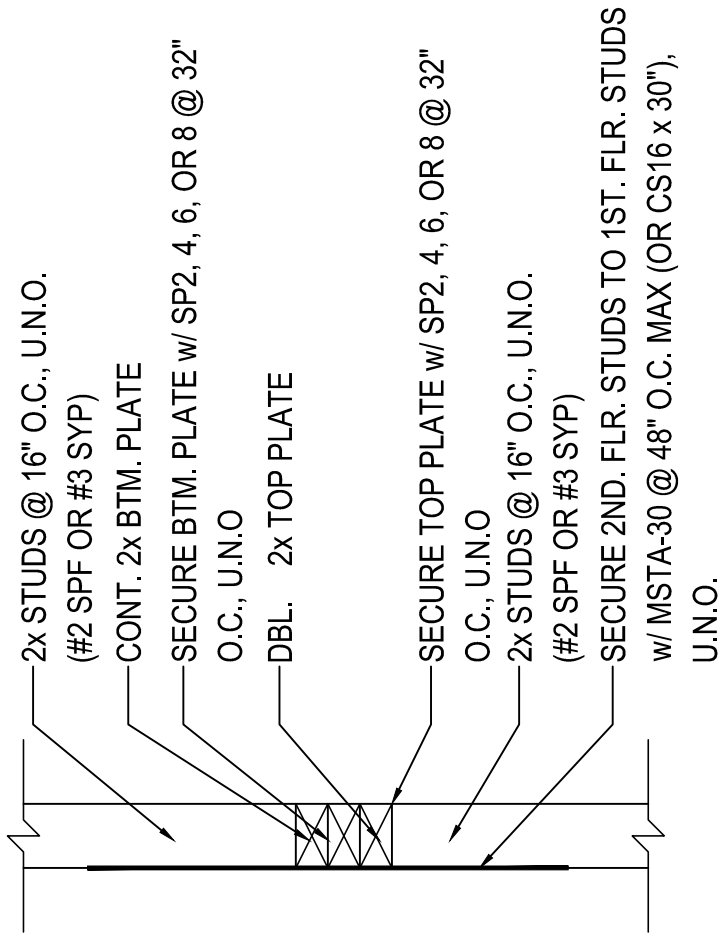
PRE-ENG. ROOF TRUSSES @ 24" O.C., PER TRUSS MFR.

SOFFIT FRAMING SUPPORT FOR OVERHANGS LARGER THAN 12" (SEE DETAIL C/D3)

WOOD FASCIA

EXT. FINIS

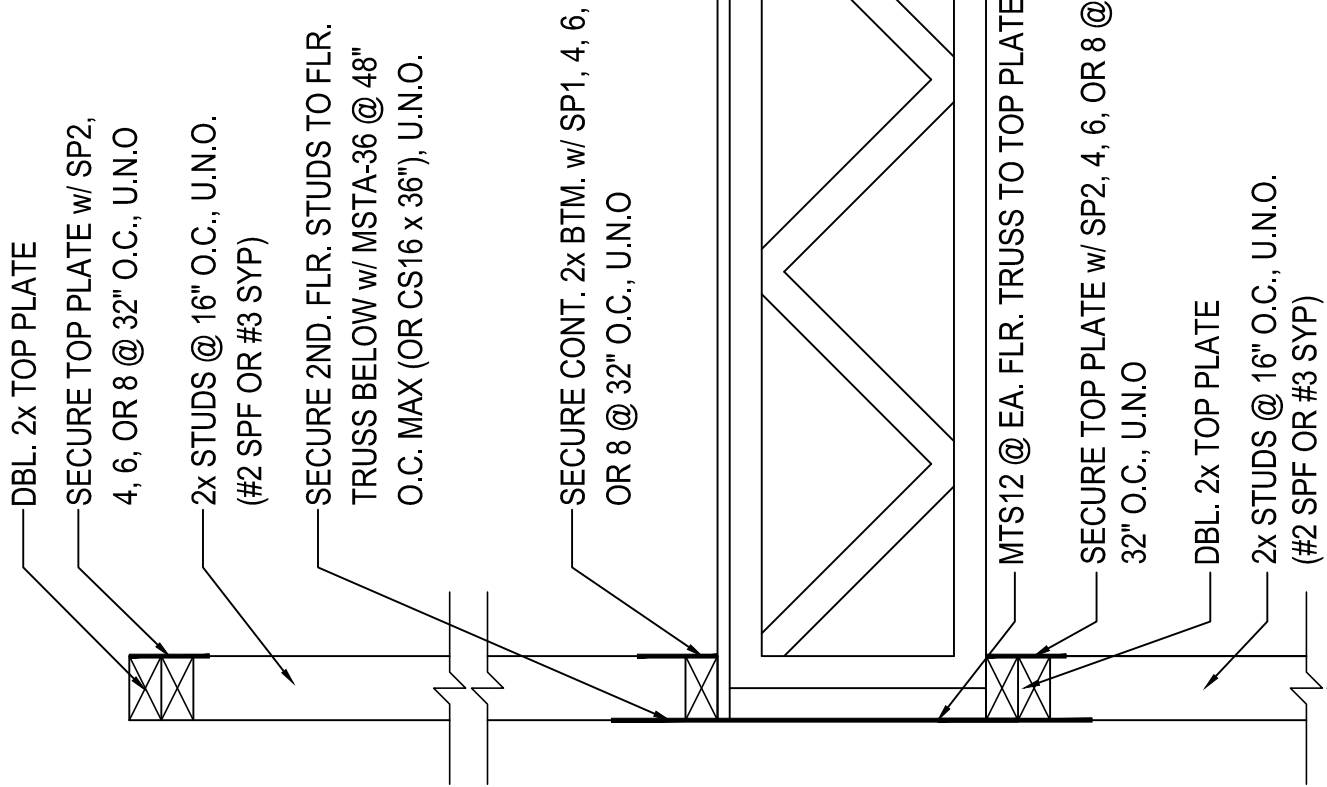
*** NO STRAPPING IS REQUIRED AT SILL
PLATE WHEN BRG. WALL HAS NO UPLIFT
VALUES**



2ND. FLR STUDS TO 1ST. FLR
STUDS CONDITION
(NO FLR. TRUSS)

1/2" DIA. x 10" J-BOLTS OR
1/2" DIA. x 8" EXPANSION
BOLTS @ 24" O.C. w/ 2" DIA. x
1/8" WASHERS SET

4" CONC. SLAB w/ VAPOR



SECURE CONT. BT 2x BTM. w/ SP1, 4, 6



item type	Public Hearings	meeting date	October 5, 2021
prepared by	Jeffrey Briggs	approved by	Bronce Stephenson
board approval	Completed		
strategic objective			

subject

SPR #21-12 Request of Daryl Carter for approval of additions to the existing home at 740 Palmer Avenue to include a new garage, porte-cochere and swimming pool/cabana on Lake Osceola, zoned R-1AAA.

motion / recommendation

Staff Recommendation is for Approval.

background

Daryl and Carole Carter are the new owners of 740 Palmer Avenue and are planning to renovate the existing home and undertake some additions including a new garage, porte-cochere and swimming pool/cabana.

This property is approximately one acre in size (43,750 square feet). The plans are to add a new one car garage on the west side front of the home with living area above. This addition is setback from the current western edge of the building and the second floor is setback from the front of the new garage. It will add approximately 658 sq. ft. to the home. On the east side where the existing driveway is located, they plan to add a two-car covered porte-cochere. On the lakefront they desire is to add a swimming pool and pool cabana building on the property which now does not have swimming pool.

This is a very large property and the resultant 7,430 sq. ft. of areas that count toward floor area ratio is a modest 17% versus the code maximum of 38% FAR. Similarly, the impervious coverage of 32.3%, is less than the 50% maximum permitted.

TREE PRESERVATION: The Code direction on water front lots is “to preserve existing trees to the degree reasonably possible”. These building additions and swimming pool do not impact any trees.

VIEW OF NEIGHBORS: The Code direction is to minimize the degradation of traditional views across properties by new houses, additions, second story additions, etc. alongside property lines toward the lake that may block traditional views.

The staff was concerned with potential visual impact of the swimming pool cabana on the adjacent property to the west (McKeever's). However, staff has learned that there previously existed a very overgrown landscape buffer/visual barrier along the property line that gave the McKeever's no view at all across this property. The applicants have removed much of the vegetation down by the lakefront opening up the view for the McKeever's, which they are quite pleased with. Further up on the lot, the landscape buffer/visual barrier remains in place. The swimming pool cabana structure, then does not block views as that landscape buffer screens that structure.

VIEW FROM THE LAKE: The Code direction is to minimize the height and extent of stem walls or retaining walls facing the lake. Generally, the policy is not to permit swimming pool decks facing the lake in excess of three feet in height. The proposed swimming pool will be less than two feet above existing grade, thus in conformance with Code.

STORM WATER RETENTION: The zoning code requires retention of storm water so that storm water flowing over a waterfront lawn area does not carry with it into the lake any fertilizers, herbicides, etc. There is much open lakefront yard area on this property to easily accomplish that requirement via the creation of a depressed swale area(s) on the property of about six inches in depth.

VARIANCE REQUESTED: The porte-cochere is proposed at a 20-foot setback to the adjacent canal versus the code required 25-foot setback. It is being constructed over existing paved driveway area. There is a major hedge in place that provides privacy to the applicants from the boat traffic in the canal and which blocks any view of the porte-cochere from passerby's in the canal. To the staff, nothing is gained by forcing the width to be reduced by 5 feet to be a one car porte-cochere when there is no impact upon the neighbor, across the canal or to the aesthetics of the canal users. Staff is recommending approval of this small setback encroachment.

SUMMARY: In most scenarios, the P&Z Board reviews tear downs that result in a much larger new home with more square footage, more impervious coverage and being located closer to the lake. Overall, the plans meet the intent of the lakefront review criteria. The small setback variance for the porte-cochere which cannot be seen by the neighbor or canal users is not consequential and results from the owners trying to work with the location of the existing home.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

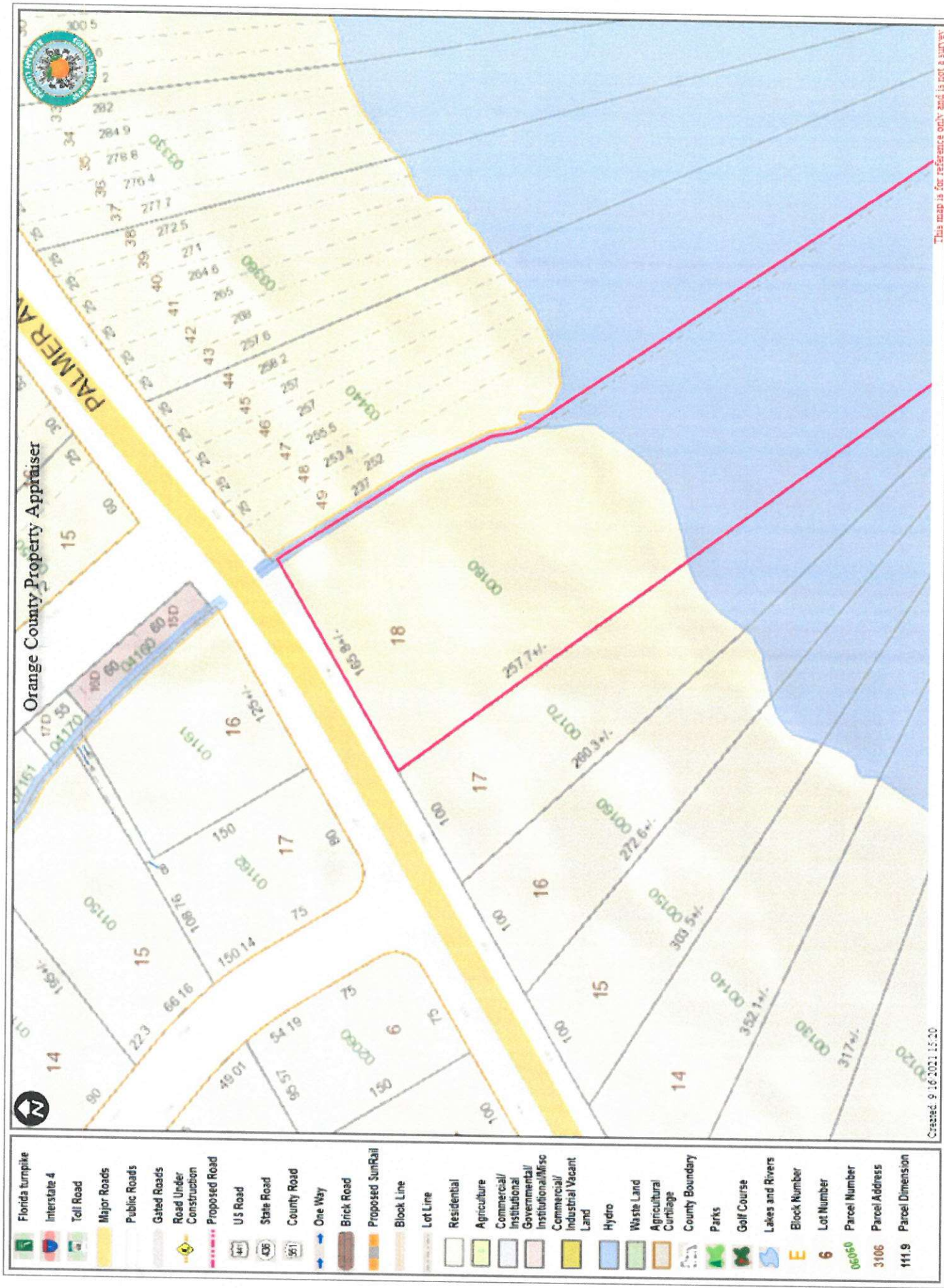
[Location Map and Aerial.pdf](#)

ATTACHMENTS:

[Site Plan-740 Palmer.pdf](#)

ATTACHMENTS:

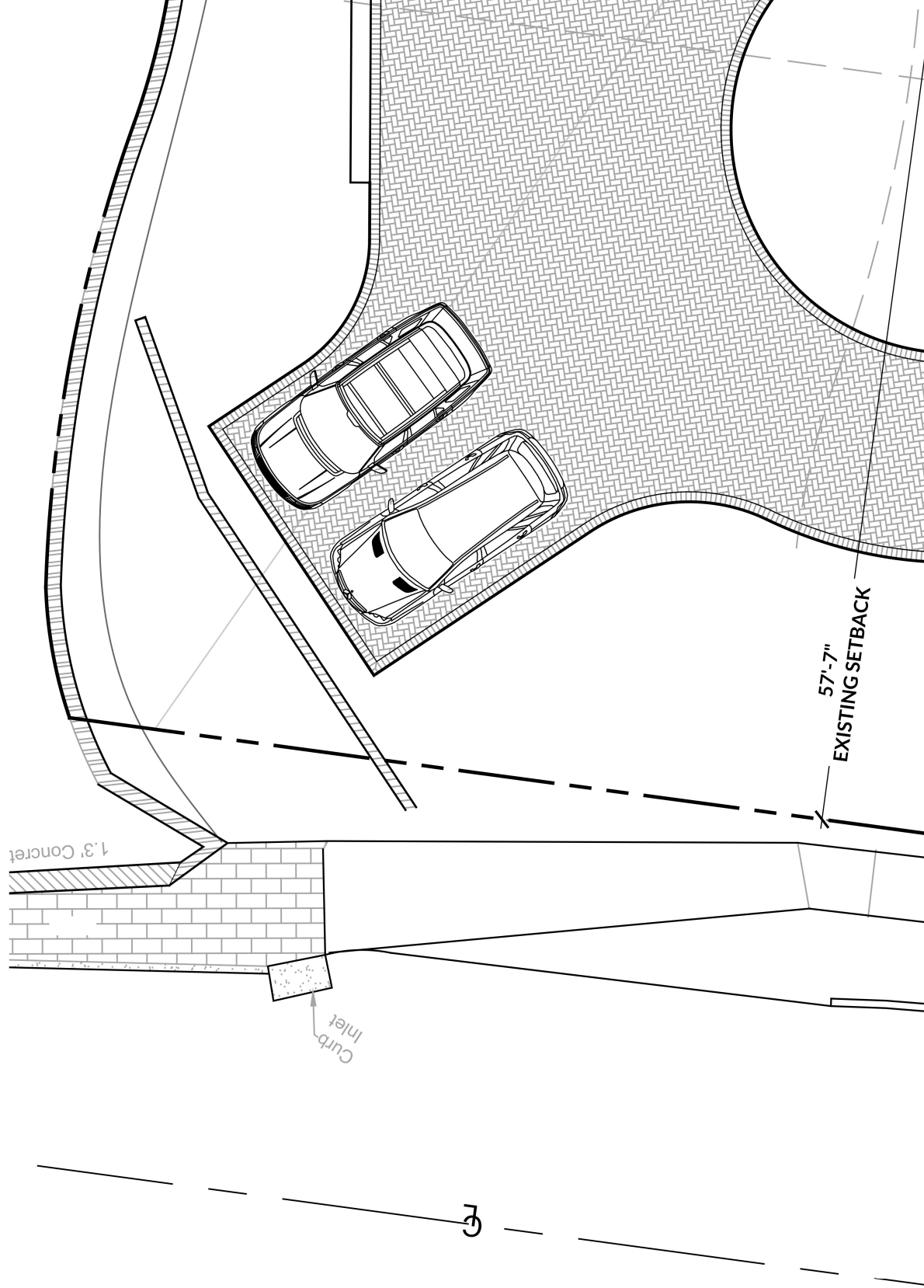
[Front elevation and floor plans.pdf](#)





Created: 9/16/2021 15:19 Aerial 2021

This map is for reference only and is not a survey



A4.1	
SHEET	
APPROVED BY	DATE
FILE NAME	
PROJECT NO.	

Proposed Front Elevation
Estate Home
Winter Park, Florida

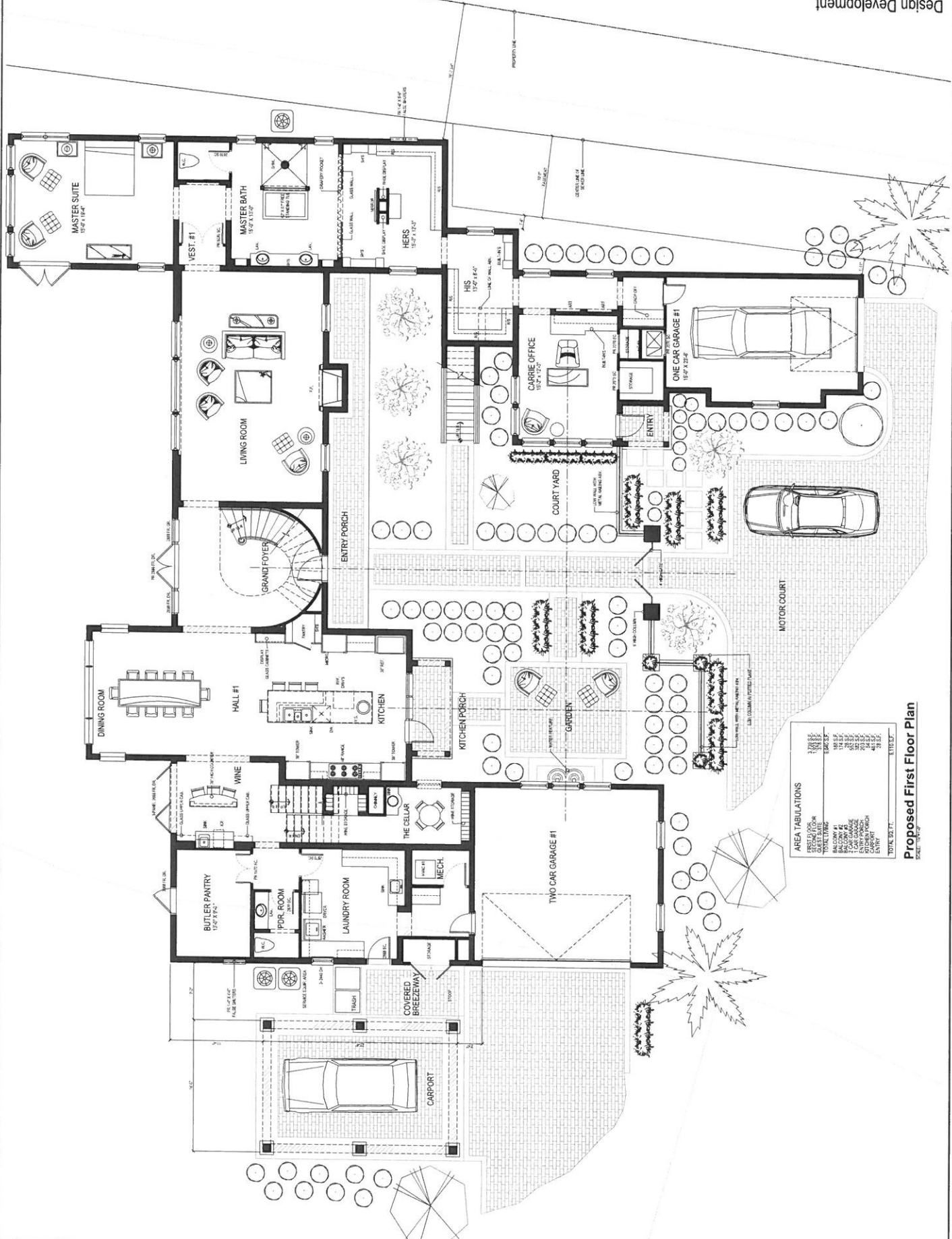


Derrick Builders Inc.
705 East Oak Street Suite D
Kalamazoo, MI 49001
407-935-1886

Ron Manzo Design
3125 South Bird Creek
Nashville, TN 37215
PH: 615-416-7887



Design Development
NON REPRODUCIBLE COPYRIGHT © 2021



AREA TABULATIONS	
FIRST LOOK	2,000.00
STAY	1,000.00
GUEST DATE	1,000.00
TOTAL DING	8,040.50
BAL CONC #1	180.00
BAL CONC #2	110.00
BAL CONC #3	110.00
2 CAR GARAGE	500.00
2 CAR GARAGE	250.00
2 CAR GARAGE	250.00
ENTRY PORCH	300.00
KITCHEN PORCH	150.00
CARPORT	400.00
ENTRY	20.00
TOTAL SQ. FT.	110.00

Proposed First Floor Plan

Proposed Second Casita Floor Plan
SCALE: 1/8"=1'-0"

A2.4

SHEET

PROPOSED 2-2-2

FILE NAME:

DATE: 08-30-21

CREATED BY: RM

WINTER PARK, FLORIDA

Proposed New Second Floor Plan
Estate Home
Winter Park, Florida

REVISION	DATE	DESCRIPTION
1	08-30-21	ISSUED FOR PERMIT
2	08-30-21	ISSUED FOR PERMIT
3	08-30-21	ISSUED FOR PERMIT
4	08-30-21	ISSUED FOR PERMIT
5	08-30-21	ISSUED FOR PERMIT
6	08-30-21	ISSUED FOR PERMIT
7	08-30-21	ISSUED FOR PERMIT
8	08-30-21	ISSUED FOR PERMIT
9	08-30-21	ISSUED FOR PERMIT
10	08-30-21	ISSUED FOR PERMIT

Derrick Builders Inc.
Kissimmee, FL 34744
705 East Oak Street Suite D
407.935.1886

Ron Manzo Design
3125 South Blvd Circle
Saint Cloud, FL 34773
PH: 407.414.7087



Proposed Second Floor Plan
SCALE: 1/8"=1'-0"



Planning & Zoning Board

agenda item

item type Public Hearings	meeting date October 5, 2021
prepared by Jeffrey Briggs	approved by Bronce Stephenson
board approval Completed	
strategic objective	

subject

ANNEX #21-02; CPA #21-07; RZ #21-05 Request of the 3217 Corrine LLC to annex the Properties at 3303 and 3313 Corrine Drive and utilize the south 63 feet of 1813 Northwood Terrace Drive to establish Commercial (C-3A) and Parking Lot (PL) Future Land Use and Zoning in order to build a two-story, 8,750 sq. ft. commercial/office building on the combined properties.

THIS ITEM HAS BEEN TABLED TO THE NOVEMBER 2, 2021 REGULAR PLANNING & ZONING BOARD MEETING.

motion / recommendation

Staff Recommendation if for Approval.

background

In order to redevelop all or parts of 3303 and 3313 Corrine Drive and 1813 Northwood Terrace Drive, this public hearing is to consider several requests made by the 3217 Corrine LLC for:

1. Annexation of 3303 and 3313 Corrine Drive;
2. Amending a Comprehensive Plan text policy to permit changing the future land use designation of Single Family Residential to Parking Lot on the south 63 feet of 1813 Northwood Terrace Drive and establishing Commercial future land use on the annexed properties at 3303 and 3313 Corrine Drive;
3. Amending the Zoning Map on those properties in accordance with the future land use designations; and
4. Vacating the east and west five feet of the Northwood Terrace Drive right-of-way between Northwood Boulevard and Corrine Drive, all in order to build a new 8,750 square foot commercial/office building on the combined properties.

Request Summary:

The 3217 Corrine LLC (Brian Albertson) owns the adjacent one-story office building at 3217 Corrine Drive and over the years, have purchased and assembled the adjacent

properties on Corrine Drive and Northwood Terrace Drive. Their business has outgrown the current building and they are looking to build an adjacent two-story office building on Corrine Drive that would also have the opportunity for some commercial retail users on the ground floor. In order to accomplish this project, they need to annex into the City, and get rezoned for the project.

Background:

There were earlier, more expansive proposals by the applicant and a neighborhood meeting was held several months ago. The P&Z Board may hear commentary about those issues, which are NOT part of this request. However, for background, the applicant/owners are NOT asking for:

1. Vacating Northwood Terrace Drive as a street. The street will remain open and look and function exactly as it does now. The applicants are asking the City to vacate the east and west 5 feet of the right-of-way (ROW), reducing it from a platted 60-foot ROW to a typical 50- foot ROW. However, in return they have agreed to build a sidewalk on both sides of that 50- foot ROW to aid pedestrian safety and connectivity.
2. Rezoning of the residential properties on Northwood Terrace Drive from R-1A to R-2. The applicant/owners own all of the other residential properties on Northwood Terrace Drive. They originally wanted R-2 for townhouses or very big houses. Some of the neighbors did not like that idea so it is not part of this request.

Request for Annexation and to Establish Commercial and Parking Lot Zoning

Since part of this redevelopment site is in both the City of Winter Park and unincorporated Orange County, the applicants are seeking annexation of 3303 and 3313 Corrine Drive and for the City to establish, a Commercial future land use designation and Commercial (C-3A) zoning on those annexed properties. The proposed parking lot also encroaches into the adjacent residential property at 1813 Northwood Terrace Drive, so in order to provide that parking lot use, the City also needs to amend a Comprehensive Plan policy and change the future land use to our parking lot designation.

It is understandable, from the staff's perspective, that this property fronting on Corrine Drive is a logical transition from single family homes to office/commercial. Corrine Drive has 23,000 cars a day on that roadway, many traveling a high speed. That volume would be comparable to Orange Avenue in Winter Park.

The location of this property is on the edge of the "business" section of Corrine Drive. Directly to the east is a one-story office owned by the applicant. Directly next door is the east end Market with its' high activity character.

Comprehensive Plan Policy Text Change

The Comprehensive Plan has strong protections for single family designated property in this neighborhood. The proposed parking lot would protrude 63 feet into the adjacent residential property (in the same ownership). In order to accomplish a change in land use/zoning designations requires a Policy text amendment as shown below with new text in italic:

PLANNING AREA E: Glenridge/Lake Sue

Policy 1-E-1: Preserve Existing Single-Family Residential Land Use in Glenridge/Lake Sue Planning Area The City shall preserve single-family residential land use in the Glenridge/Lake Sue planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan, *except for the south 63 feet of 1813 Northwood Terrace Drive, (Lot 14) which may be provided a parking lot future land use designation in order to allow for redevelopment along Corrine Drive and a transitional use on that property for the adjacent residential properties.*

The comparable scenario is what the City has agreed to do for the redevelopment of the north side of the West Fairbanks gateway corridor in allowing some partial rezoning for just a parking lot in order to compensate for the shallow depth along the frontage.

Protections for the Adjacent Residential Neighborhood

The Parking Lot FLU and Zoning is used because a surface parking lot that is the only type of development allowed by that designation. The plan has the new two-story building up on the Corrine Drive frontage and at the corner of Northwood Terrace Drive in order to maximize the distance away from the adjacent residential properties. This two-story, 30-foot tall building is no taller than a two-story single-family home that could be build on the residentially zoned properties. The City Code requires a six-foot block/brick wall on the perimeter of the parking lot as a solid privacy buffer to the adjacent properties. Parking lot lighting is low profile poles with shielding for downlighting only.

The proposed Limited Commercial (C-3A) zoning is the designation intended for these locations near residential properties. Drive-in businesses are not permitted unless by a separate conditional use approval so that this building cannot be converted in the future to a drive-in bank, for example. Most importantly, restaurants are also not permitted unless by a separate conditional use approval. Restaurants with their high traffic and late hours would not be compatible adjacent to residential homes. Maybe a sub shop type small user with hours limited to early evening but not for any typical lunch/dinner type user.

Alternatives to Consider

When the previous Corrine Drive Baptist Church was proposed for redevelopment into the East End Market, the intensity of the development lead the owners to seek annexation into the City of Orlando versus annexation into Winter Park given that Orlando's process was more administrative approvals versus public hearings. That option is also open to the applicants for the bulk of this redevelopment site. Orlando is providing the water/sewer and electric service for this project and one assumes Orlando would also like the tax base as opposed to just a new utility customer.

Summary and Recommendation

This site on the heavily traveled Corrine Drive frontage is appropriate for this redevelopment project. Winter Park has design protections for the adjacent residential properties and business type/use protections as well in the proposed C-3A zoning. There is a quid-pro-quo for the street vacating and the new sidewalk. The incursion of 63 feet for the parking lot will not undermine the protections that exist for the single-family neighborhood.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Location map and aerial.pdf](#)

ATTACHMENTS:

[Preliminary Site Plan.pdf](#)

ATTACHMENTS:

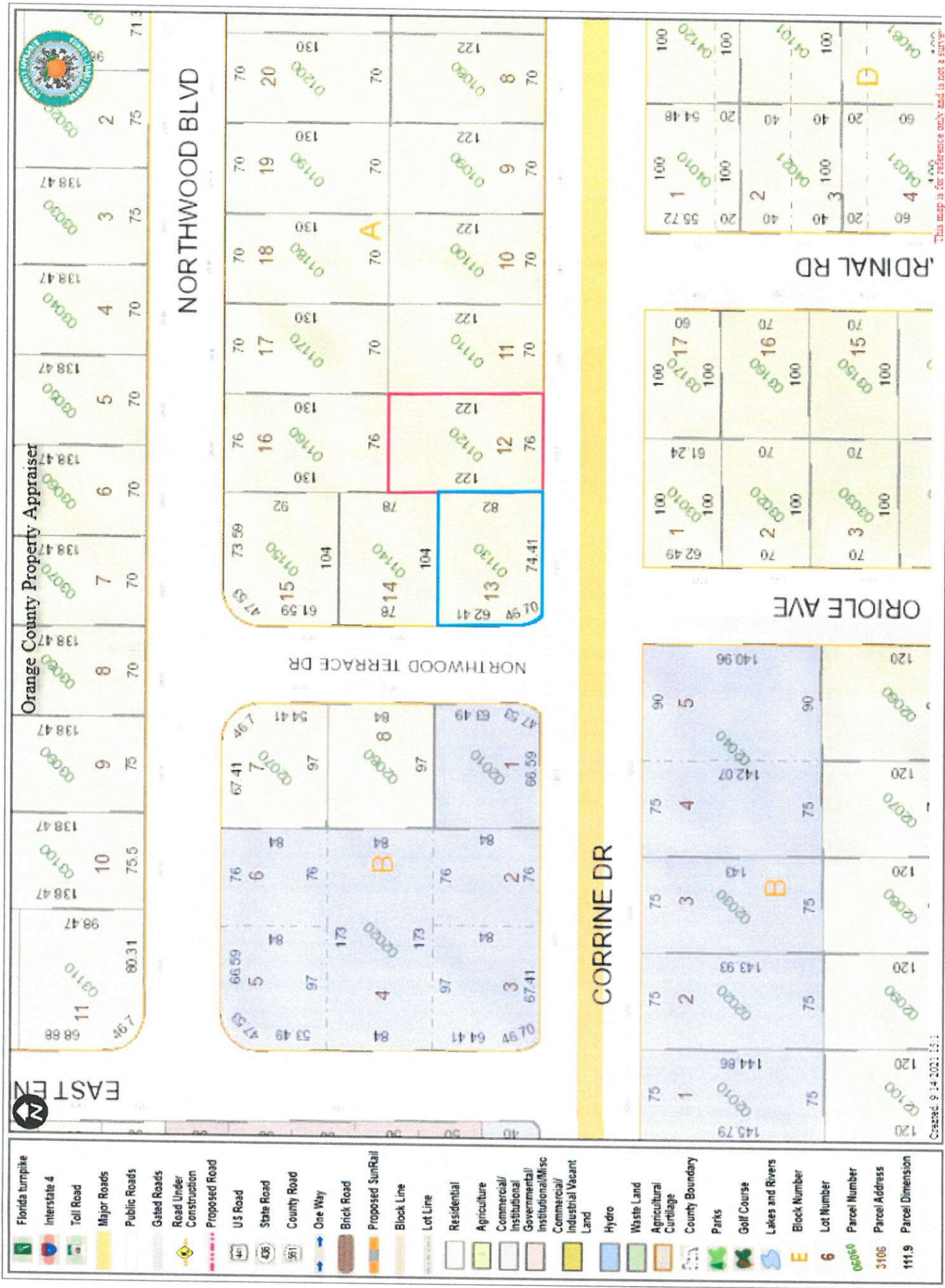
[Building Perspective Elevations.pdf](#)

ATTACHMENTS:

[Letter to BCC_Corrine Annexation.pdf](#)

ATTACHMENTS:

[Colored Site Plans.pdf](#)













401 South Park Avenue • Winter Park, Florida 32789

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

September 13, 2021

Orange County Board of County Commissioners
201 S Rosalind Ave., 5th Floor
Orlando, Florida 32801

RE: Notice of Intent to Annex Property – Section 171.044(6), Fla. Stat.
3303 and 3313 Corrine Drive; and that part of Northwood Terrace Drive lying west thereof.

Dear Board of County Commissioners:

In accordance with Section 171.044(6), Florida Statutes, this correspondence shall serve as the City of Winter Park's notice to the Orange County Board of County Commissioners of the City of Winter Park's intent to voluntarily annex those certain lands, as generally described above, as approximately 0.41+/- acres of land at 3303 and 3313 Corrine Drive and that part of Northwood Terrace Drive lying east thereof. These properties along with the adjacent property (already in the City) at 1813 Northwood Terrace Drive are proposed for a unified redevelopment as a two-story, 8,750 square foot office building.

A draft of the proposed annexation Ordinance along with a legal description and map of the areas subject to the proposed annexation is enclosed for your information.

The intended 1st reading of the annexation Ordinance is during the City of Winter Park City Commission meeting on Wednesday, October 27, 2021 followed by the intended 2nd reading, public hearing and adoption at the City of Winter Park City Commission meeting on Wednesday, November 10, 2021.

Sincerely,

Randy Knight
City Manager

Enclosures:

cc: Chris Testerman, Assistant County Administrator

ORDINANCE 3219-21

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 0.41 ACRES OF REAL PROPERTY LOCATED AT 3303 AND 3313 CORRINE DRIVE AND THE ADJACENT NORTHWOOD TERRACE DRIVE STREET RIGHT-OF-WAY LYING WEST OF 3303 CORRINE DRIVE, AS MORE SPECIFICALLY DESCRIBED HEREIN, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF WINTER PARK JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owner of 3303 and 3313 Corrine Drive has requested that the City enact a voluntary annexation for those properties, also identified by Orange County Tax Parcel ID # 17-22-30-5996-01-130 and 17-22-30-5996-01-120; and

WHEREAS, the Subject Properties being annexed are collectively proposed for a unified redevelopment as a two-story office project; and

WHEREAS, the City of Winter Park has determined that the Subject Properties are reasonably compact and contiguous to the municipal limits of the City of Winter Park, that annexation of the Subject Property will not result in the creation of an enclave and that the Subject Property meets the prerequisites and standards set forth in Section 171.044, Fla. Stat., for voluntary annexation into the City of Winter Park; and

WHEREAS, the City of Winter Park has provided adequate notice required by general law for the annexation of the Subject Properties and has conducted the required public hearing prior to the adoption of this Ordinance.

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

SECTION 1: *Recitals.* The above "Whereas" clauses are true and correct and constitute legislative findings of the City of Winter Park City Commission and are incorporated herein by this reference.

SECTION 2: *Property Annexed.* That, after conducting two public hearings and having found that the Owners' petition for voluntary annexation of the Subject Property meets the prerequisites and standards for annexation under general law, the Subject Properties and right-of-way, as further legally defined below and as graphically shown on the map attached hereto as Exhibit "A" and the legal description of Lots 12 and 13, Block A, and the adjoining right-of-way of Northwood Terrace Drive lying immediately west of Lot 13, per the plat of Northwood Terrace as recorded in Plat Book S", Page 16 of the Public records of Orange County, Florida

SECTION 3: *Effect of Annexation.* That the City of Winter Park, shall have all of the power, authority, and jurisdiction over and within the Subject Properties as described in Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Consent to Municipal Services Taxing Unit.* Pursuant to § 125.01 (1) (q), Fla. Stat., and to the extent to which they exist, the Winter Park City Commission consents to the continuation of the Municipal Services Taxing Unit (MSTU) for street lighting along Northwood Terrace Drive involving these properties within this area to be annexed by this ordinance. The City's consent expires on the date on which Orange County discontinues this MSTU levy or amends the boundaries of this MSTU to exclude these properties. Additionally, this consent is hereby conditioned upon the City maintaining its full constitutional authority to levy ad valorem taxes up to 10 mills for municipal purposes. Therefore, the City's consent by this section shall terminate as of the date the Winter Park City Commission levies an ad valorem millage rate that when added to this MSTU levy would, if the City's consent to the MSTU were not terminated, exceed the constitutional 10 mill cap. The purpose of this term and condition is to maintain the City's ability, if ever necessary, to levy its full constitutional allotment of ad valorem taxes without restriction by virtue of this MSTU.

SECTION 6: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or her designee is directed to file a copy of this Ordinance with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 7: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION 8: *Effective Date.* This Ordinance shall become effective after its adoption at its second reading.

ADOPTED this _____ day of _____, 2021, by the City Commission of the City of Winter Park, Florida.

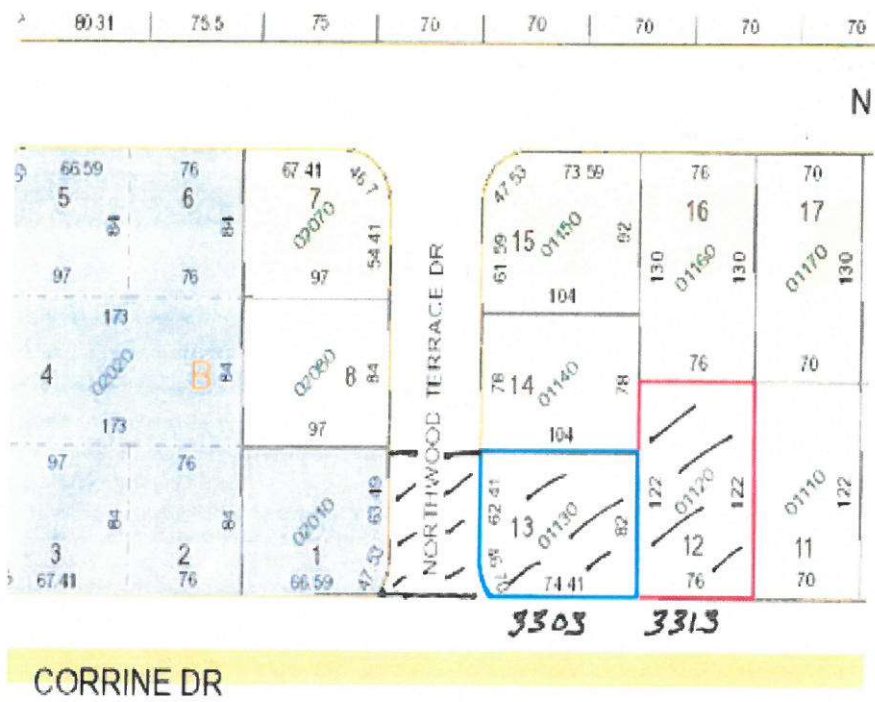
APPROVED:

Phillip Anderson, Mayor

ATTEST:

Rene Cranis, City Clerk

Exhibit "A"

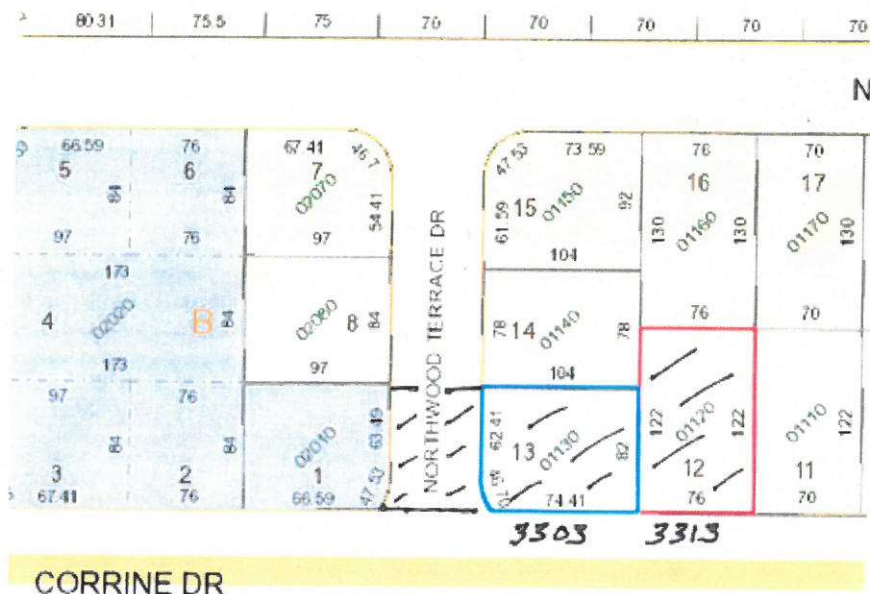


NOTICE OF ANNEXATION

NOTICE is hereby given that public hearings will be held by the Winter Park City Commission on Wednesday, October 27, 2021 at 3:30 p.m. and on Wednesday, November 10, 2021 at 3:30 pm in the Commission Chambers of City Hall, 401 S. Park Avenue, Florida, or by virtual meeting to consider the following:

ORDINANCE NO. 3219-21

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 0.41 ACRES OF REAL PROPERTY LOCATED AT 3303 AND 3313 CORRINE DRIVE AND THE ADJACENT NORTHWOOD TERRACE DRIVE STREET RIGHT-OF-WAY LYING WEST OF 3303 CORRINE DRIVE, AS MORE SPECIFICALLY DESCRIBED HEREIN, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF WINTER PARK JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

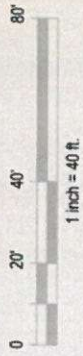


The complete legal description as well as a complete copy of this proposed Ordinance No.3219-21 may be obtained and inspected at the office of the City Clerk at 401 S. Park Avenue, Winter Park, Florida during regular business hours. All interested parties are invited to attend and be heard. Additional information is available in the City Clerk's office so that citizens may acquaint themselves with each issue and receive answers to any questions they may have prior to the meeting.

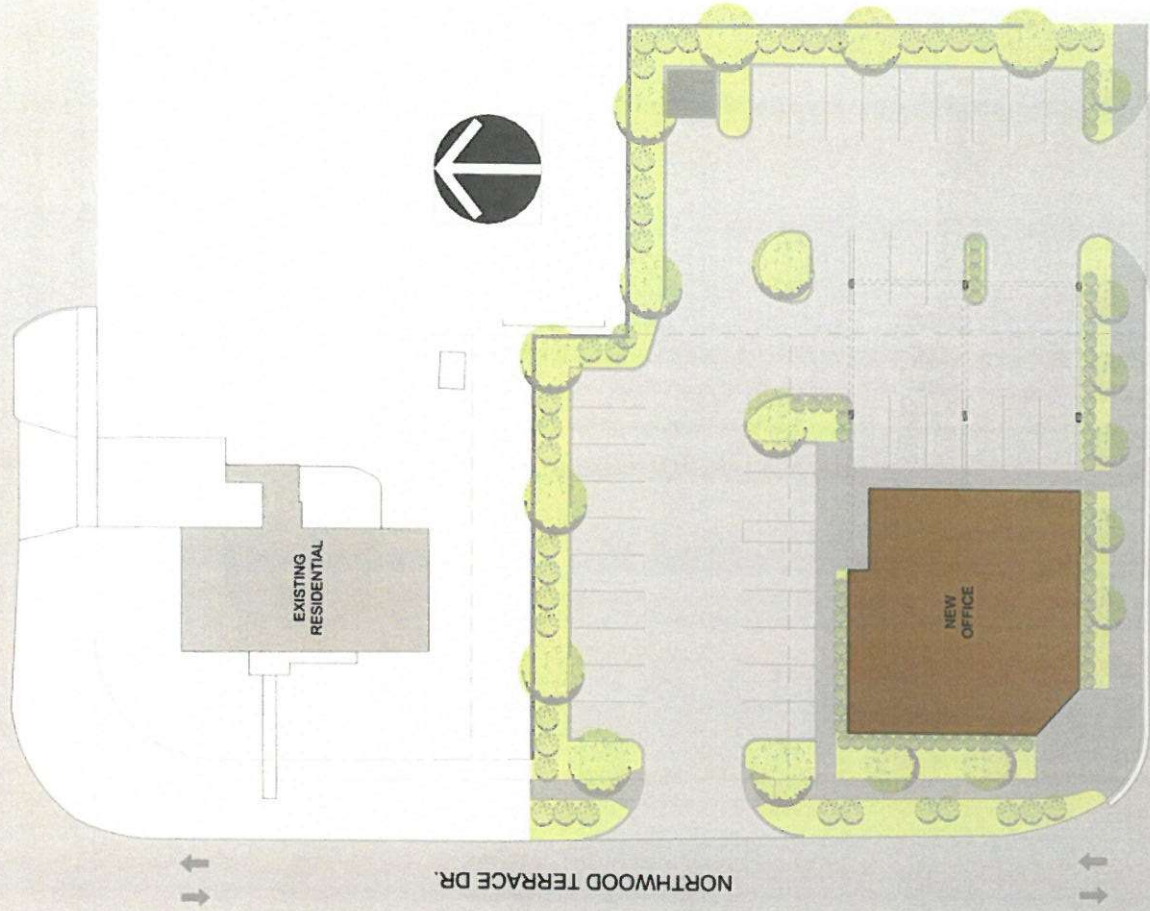
NOTE: If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105) Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting.

Rene Cranis, City Clerk

Publish: Sunday, October 17, 2021 and Sunday, October 31, 2021, Orlando Sentinel

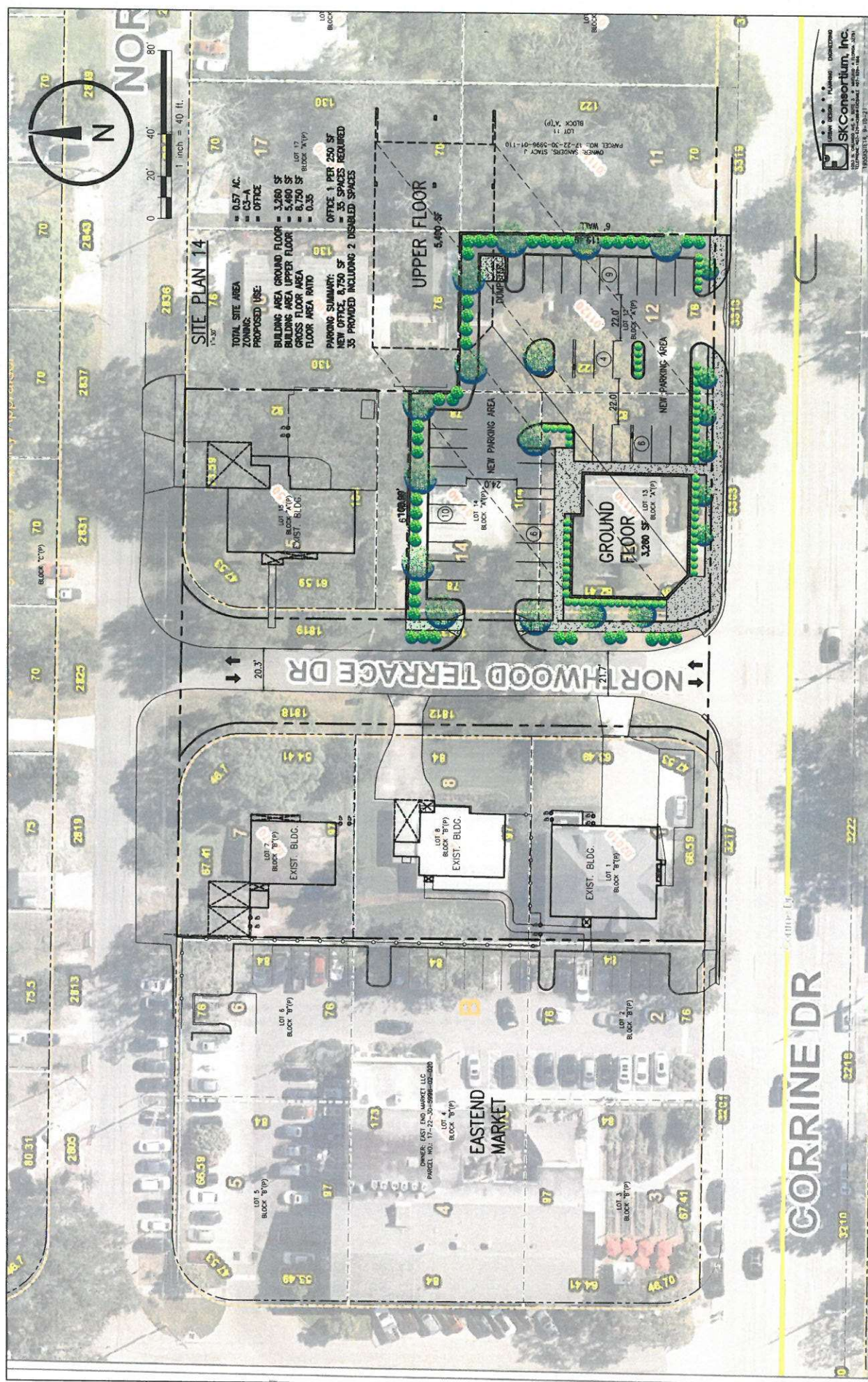


NORTHWOOD BLVD.



NORTHWOOD TERRACE DR.

CORRINE DR.





Planning & Zoning Board

agenda item

item type	Public Hearings	meeting date	October 5, 2021
prepared by	Jeffrey Briggs	approved by	Bronce Stephenson
board approval	Completed		
strategic objective			

subject

ZTA #21-02 Request of the City of Winter Park for an Ordinance to amend the zoning code related to superseding clauses.

motion / recommendation

Staff Recommendation is for Approval.

background

At the time of the review of the Henderson Hotel project, the zoning amendment to implement the land use changes contained language to the effect that if any conflicts were discovered in the future between those new provisions of the zoning code and any other existing provisions of the zoning code then the new provisions would “superced” or “prevail” to the extent that there was any conflict.

Some that examined that Ordinance, were disturbed at what appeared to be a blank check. In effect, the Ordinance was saying.....we don’t know what zoning regulations are in conflict....., we don’t care, because whatever they are....., they are not in force for this project.

The City Commission has discussed this technique and believes that if there is to be an over-ride of an existing zoning regulation, then it should be spelled out, so that everyone knows what zoning regulation is being waived or over-ruled. That then is the text within the proposed Ordinance which has been prepared by the City Attorney’s Office as well as other clarifying text prepared by the City Attorney based upon discussions by the City Commission.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING SECTION 58-89 OF THE CITY CODE CONCERNING ZONING CHANGES AND AMENDMENTS; ADDING A SUBSECTION CONCERNING SUPERSEDING CLAUSES WITHIN ZONING CODE TEXT AMENDMENTS; CLARIFYING PROVISIONS RELATING TO PERSONS WHO MAY MAKE APPLICATIONS FOR ZONING TEXT AND MAP AMENDMENTS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park deems it necessary for the purpose of promotion and protection of due process and general welfare of the City to amend the City of Winter Park Land Development Code as set forth in this Ordinance.

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

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", Section 58-89 of the City of Winter Park Land Development Code is hereby amended by amending subsection 58-89(a)(1) and adding a new subsection 58-89 (a)(4) as shown below (underlined language are additions; ~~stricken through~~ language are deletions; subsections not included are not being modified):

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

(a) *Applications for zoning changes and amendments.* The regulations, restrictions, and district boundaries set out in this article may from time to time be amended, supplemented, changed or repealed. The procedure shall be as follows:

(1) A zoning text or map amendment may be proposed by the city commission, city staff or the planning and zoning ~~board~~commission. A zoning map amendment may be proposed by any individual, corporation, limited liability company, trust, partnership or other entity having a bona-fide interest in such property affected by the proposed amendment. A "bona fide interest" in the property is determined by either: (i) having a fee simple ownership in the property affected by the amendment, or (ii) by standing under a contract to purchase such land property and having written consent of the fee simple property owner(s) for the proposed amendment. All zoning text or map amendments must be made by ordinance.

(2) Applications shall be submitted on a standard application form accompanied by all pertinent information which may be required for proper consideration of the matter, along with payment of fees and charges as established by the city commission.

(3) Applicants shall include prospective plans indicating the desired development scenario proposed as a result of an approval per the plan submission requirements established for conditional uses. Applicants shall also indicate if the proposed development includes a request for community redevelopment area (CRA) funds, including the amount requested and the purpose of such funding.

(4) To the extent any Article III zoning code text amendment is intended to prevail over or supersede any Article III zoning code or other code provision, the provisions to be superseded must be stated with particularity. Without specific reference to the provisions to be superseded, there is no basis under the text amendment for property owners, applicants, or others to avoid compliance therewith as well as any other code provisions applicable to the matter under consideration. This provision does not prohibit the inclusion or application of non-codified conflicts clauses in ordinances adopting Article III zoning code text amendments and other code amendments.

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 _____ 2021.

By: _____
Mayor Phil Anderson

ATTEST:
By: _____
Rene Cranis, City Clerk



Planning & Zoning Board

agenda item

item type Public Hearings	meeting date October 5, 2021
prepared by Bronce Stephenson	approved by Bronce Stephenson
board approval Completed	
strategic objective	

subject

Request from the City of Winter Park:

item list

Consideration and appropriate action for the Ordinances to modify the the Land Development Code to create a Zoning Overlay District known as the Orange Avenue Overlay (OAO).

motion / recommendation

Staff recommends approval of the Ordinance for the Land Development Code Amendment that will create the Orange Avenue Overlay

background

The process of creating the Orange Avenue Overlay (OAO) has been going on since late 2018, and has included extensive input from the public, a Steering Committee, Expert Consultants, Staff, City Attorneys, the Planning & Zoning Board, and the City Commission. It is the intent of the OAO to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This OAO is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls. A previous version of the OAO was approved with numerous amendments, but was rescinded prior to being adopted. It was the intent of the City Commission to revise the OAO and adopt a new version, which is what is being brought forward now. The approval of the OAO will require the approval of two (2) Ordinances, an Amendment of the Comprehensive Plan and an Amendment of the Land Development Code. Citywide notice has been in Winter Park households for more than 30 days and advertised the date and time of Public Hearings by the Planning & Zoning Board (Local Planning Agency) and the City Commission.

The Planning Commission voted unanimously to continue the Public Hearing on the Land Development Code Ordinance to the October 5, 2021 regular meeting to allow additional time for worksessions to review the Code language.

The Planning & Zoning Board considered the Ordinance amending the Comprehensive

Plan at the September 7, 2021 meeting and sent a recommendation for approval of the Ordinance with additional amendments. After consideration of the amendments and holding a Public Hearing, the City Commission made additional amendments and voted in favor of approval of the Ordinance amending the Comprehensive Plan at 1st Reading on September 22, 2021. The approved Ordinance and supporting documentation was sent to numerous State agencies, including the Department of Economic Opportunity (DEO), per State Statute requirements. The Land Development Code Amendment is considered at the local level by the Planning & Zoning Board and the City Commission. The Planning & Zoning Board will consider this Ordinance amending the Land Development Code, which they have already created a redline version of (attached) and make a recommendation with any additional amendments to the City Commission.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[OAO_LDC_P&Z_PUBLIC HEARING VERSION.pdf](#)

ATTACHMENTS:

[Draft Orange Avenue Overlay Land Development Code Amendment Original](#)

ATTACHMENTS:

[Citywide Trifold 11x17 OAO.pdf](#)

**DRAFT ORANGE AVENUE OVERLAY
LAND DEVELOPMENT CODE AMENDMENT
P&Z AMENDMENT VERSION FOR PUBLIC HEARING**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA, AMENDING CHAPTER 58 "LAND
DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS
TO ADOPT A NEW ZONING DISTRICT SECTION 58-83
ORANGE AVENUE OVERLAY DISTRICT (OAO)
CREATING REGULATIONS FOR THE ORANGE AVENUE
OVERLAY DISTRICT; PROVIDING FOR CONFLICTS;
REPEAL; SEVERABILITY AND AN EFFECTIVE DATE.**

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

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended adoption of proposed amendments to the Zoning Regulations portion of the Land Development Code having held an advertised public hearing on _____, October 5, 2021, and has recommended approval of this Ordinance to the City Commission; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on this Ordinance set forth hereunder and considered findings and advice of staff, citizens, the Orange Avenue Overlay Steering Committee, the Planning & Zoning Board and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the Land Development Code changes set forth hereunder; and

WHEREAS, *Comprehensive Plan Policy 1-2.4.14, Mixed Use Designation directed.* Within one year from the adoption of this Comprehensive Plan, the City will create a mixed use overlay or district for commercially designated parcels that would be intended to facilitate design and use flexibility to achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design. Complementary uses may include, but are not limited to retail, entertainment, office, civic and residential uses. The City shall also prepare companion land development code regulations that implement the proposed mixed use overlay or district simultaneously with any policy amendments related to this overlay or district. All policies related to this overlay or district will be subject to a Comprehensive Plan amendment; and

WHEREAS, the City Commission hereby finds that the land development regulations set forth in this Ordinance are consistent with the Comprehensive Plan as recently amended to establish the Orange Avenue Overlay District goals, objectives and policies; and

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

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

SECTION 1. Amendment. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by adopting a new Section 58-83 Orange Avenue Overlay District (OAO), to read as follows:

Section 58-83. Orange Avenue Overlay District (OAO).

- (1) *Establishment of Orange Avenue Overlay District.* The Winter Park City Commission adopts this overlay district as needed in order to implement specific purposes, intents, and design standards based upon the adopted Comprehensive Plan goals, objectives and policies for the Orange Avenue Overlay District, which shall be applied as additional standards to other regulations required by the City. Such overlay district shall be made a part of this section of the Land Development Code. Upon adoption, the boundaries of such overlay district shall be shown on the Winter Park Zoning Map.

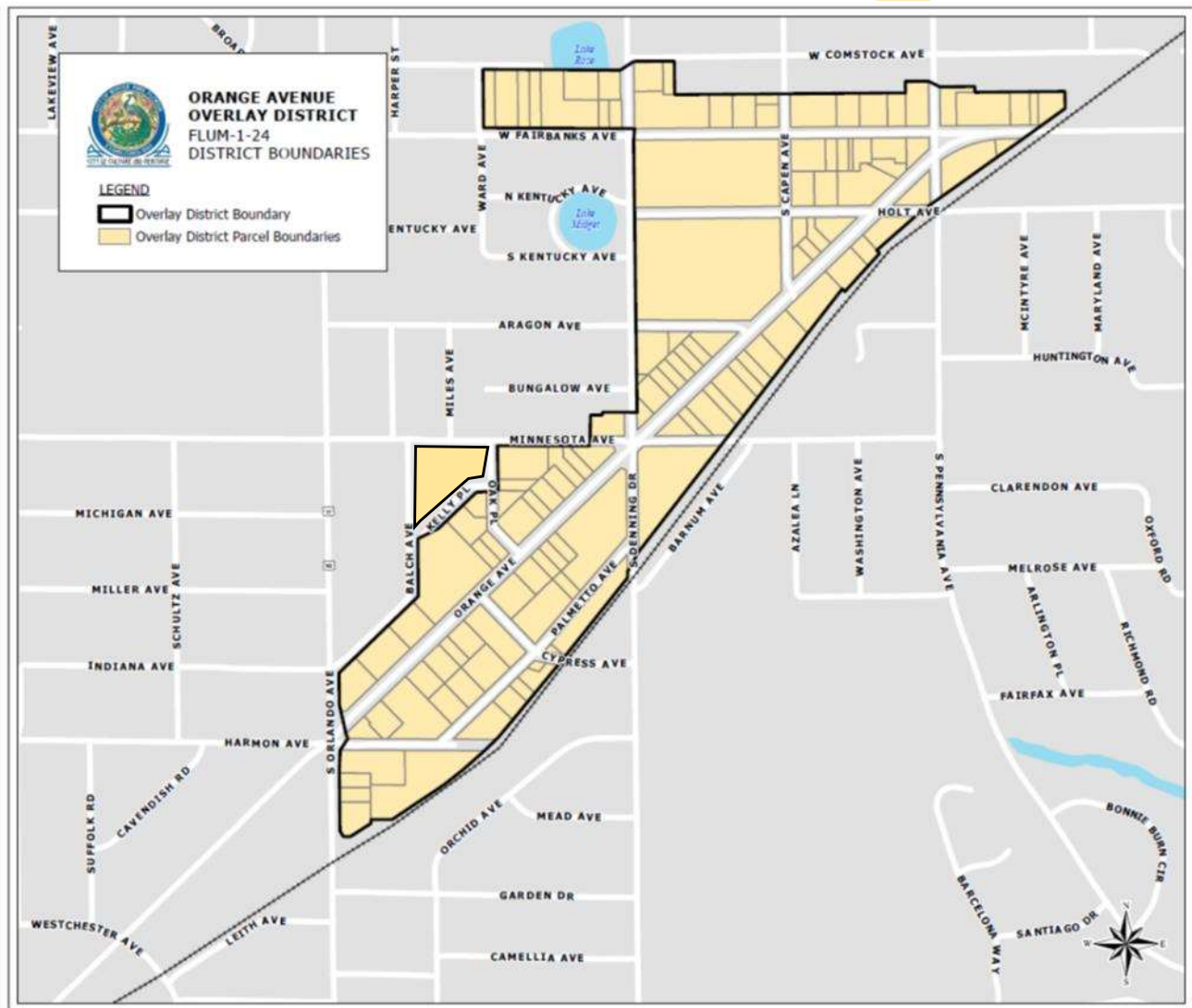
~~(2)~~ *Applicability.*

~~(3)~~(2) An overlay district acts as an additional layer of zoning over the base (or underlying) zoning district. All development projects located within this overlay district shall adhere to the requirements of this Section and other applicable provisions of the Land Development Code. The provisions of this Section shall prevail to govern the development of property within the overlay district over conflicting provisions found in other parts of the Land Development Code, including the provisions of the applicable base zoning district.

~~(4)~~(3) *Orange Avenue Overlay District.* The provisions and regulations for the Orange Avenue Overlay District within the City of Winter Park are outlined below.

- (1) *Orange Avenue Overlay District.* It is the intent of the Orange Avenue Overlay District ("OAO") to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This OAO is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, block structure, landscaping and other regulatory controls. The following provisions and regulations apply to all properties located within the OAO unless expressly provided otherwise.

- a. *Location and boundaries.* The OAO boundaries are identified on ~~the following mapmap~~ FLUM 1-24, shown below. The provisions and regulations found herein shall only apply to the properties located within this defined area. Each parcel of property within the OAO ~~is identified by tax parcel identification number on Exhibit "A" attached to the ordinance adopting this section, and each Parcel~~, in addition to retaining its underlying zoning classification (as modified by these OAO regulations and provisions), ~~shall reflect~~ on an "OAO" designation on the City's zoning map.



b. *Purpose.*

- (1) Encourage sustainable development, redevelopment, and adaptive reuse that will become a long-term asset to Winter Park;
- (2) Create and enhance connectivity to the surrounding neighborhoods and promote connectivity to all of Winter Park;
- (3) Utilize and incentivize private development and/or redevelopment to create solutions for the existing problems that

small properties and business-owners in the Orange Avenue area face;

- (4) Create public improvements that will benefit all residents and visitors of Winter Park;
- (5) Provide the opportunity for existing businesses and properties to improve their structures, their businesses and their building facades;
- (6) Restrict uses and create regulations that promote the development of the Orange Avenue area as a special place within Winter Park that promotes an environment of arts, healthy-living, cuisine, culture, heritage, social interaction, healthcare, local business, education, connectivity and community;
- (7) Create better connectivity to and the promotion of Mead Botanical Garden;
- (8) Meet the goals of the Community Redevelopment Agency (CRA) in the areas of the OAO that fall within the CRA boundary;
- (9) Protect and encourage development of an area that represents a significant opportunity for public and private investment, which is important to the long-term economic health of Winter Park;
- (10) Establish regulations that protect the investment of existing and new businesses from unattractive, unsustainable and non-compatible uses;
- (11) Ensure the area is visually pleasing and creates place that encourages community and is developed in a coordinated fashion;
- (12) Follow the principles of the Vision Winter Park, Comprehensive Plan and Sustainability Plan documents;
- (13) Encourage mixed-use development, shared parking and shared stormwater management;
- (14) Give special attention to landscaping, architectural detail, meaningful open space, buffering, signage, lighting, and building setbacks;
- (15) Encourage architectural creativity, quality and variation to create a unique district with its own identity;
- (16) Promote the history of Winter Park and the Orange Avenue area, including the area known as Designers Row;
- (17) Keep the traditional scale within the OAO;
- (18) Create an Arts & Cultural Corridor;
- (19) Protect and promote Historic architecture, where it exists in the area;
- (20) Attract new businesses, retain small businesses and encourage locally-owned businesses in the Orange Avenue area; and

(21) Enhance pedestrian walkability, connectivity and safety and to create a safe, comfortable and convenient pedestrian experience with shaded sidewalks, interesting business fronts, connected destinations and walkable block sizes.

c. *Permitted Uses.* Any use not listed specifically as an allowed use herein shall be deemed to be prohibited in the OAO. The following uses up to 10,000 square feet shall be allowed by-right on any property within the OAO, unless otherwise specified within the applicable subarea policies:

(1) Antique Stores

(2) Bars, taverns, cocktail lounges (with food sales and 51% of revenue must be from food sales)

~~(3)~~ (3) Blueprinting, photocopying and printing offices

~~(3)~~~~(4)~~ (4) Bicycle Shop

~~(4)~~~~(5)~~ (5) Boutique Hotel with 100 rooms or less, ~~and has minimal food and beverage operations, no banquet facilities permitted~~

~~(5)~~~~(6)~~ (6) Breweries/distilleries (with food sales)

~~(6)~~~~(7)~~ (7) ~~Market or e~~Corner store (up to 5,000 square feet and excluding convenience store)

~~(7)~~~~(8)~~ (8) Dry Cleaning (Drop-Off Only, with off-site processing & no drive-thru)

~~(8)~~~~(9)~~ (9) Financial institutions, including banks, savings and loan associations and credit unions (with a maximum of 2 drive-thru lanes, which are screened from view)

~~(9)~~~~(10)~~ (10) Fine arts museums, fine arts instruction, dance instruction and music instruction

~~(10)~~~~(11)~~ (11) Fitness facility, exercise or health club (up to 5,000 square feet)

~~(11)~~~~(12)~~ (12) Food Halls

~~(12)~~~~(13)~~ (13) Government services

~~(13)~~~~(14)~~ (14) Grocer (not including convenience store), up to 10,000 square feet.

~~(14)~~~~(15)~~ (15) Health and wellness studios (up to 5,000 square feet)

~~(15)~~~~(16)~~ (16) Mixed-Use Development (can be vertical or horizontal) that includes two or more uses allowed within the OAO.

~~(16)~~~~(17)~~ (17) Nonprofit organization offices

~~(17)~~~~(18)~~ (18) Personal services (spa, barber shop, hair salon, nail salon, massage, cosmetic treatment) cannot be a standalone massage parlor, must be part of a spa or cosmetology salon

~~(18)~~(19) Pet supply shop, pet grooming, pet daycare (provided that there shall be no outside kennels, pens or runs. No overnight or weekend boarding of animals)

~~(19)~~(20) Photography Studio

~~(20)~~(21) Professional offices (including medical and dental offices)

~~(21)~~(22) Recreational facilities up to 5,000 square feet

~~(22)~~(23) Residential uses such as condominiums, townhomes, apartments, lofts, studios unless not allowed by the applicable subarea restrictions. If more than 4 units is proposed as a part of any new development, remodel or addition, each of the units shall be a minimum of 750 square feet of living area

~~(23)~~(24) Restaurants/Fast-Casual Dining/Fine-Dining

~~(25)~~ Retail businesses—involving the sale of merchandise on the premises—(excluding pawn shops) within enclosed buildings ~~and excluding resale establishments or pawn shops (other than clothing resale stores)~~, a maximum size of 10,000 square feet.

~~(24)~~(26) Specialty Food/Beverage Market (up to 5,000 square feet and excluding convenience store)

~~(25)~~(27) Theater for film, music and/or performing arts

~~(26) Uses customarily incidental and accessory to the permitted uses, including the repair of goods of the types sold in stores are permitted. Such repair must be carried on within a completely enclosed building, may not be carried on as a separate business, and provided further that there shall be no manufacturing, assembling, compounding, processing or treatment of products other than that which is clearly incidental and essential to the permitted uses. No external signage shall be permitted for accessory uses.~~

~~(27)~~(28) Shared office space

d. *Conditional Uses.* The following uses shall be allowed only with approval of a Conditional Use on any property within the OAO, unless otherwise specified within the applicable subarea policies:

(1) Bars, taverns, cocktail lounges (without food sales)

(2) Breweries/distilleries (without food sales)

(3) Fitness facility, exercise or health club over 5,000 square feet, but less than 10,000 square feet

(4) Recreational facilities over 5,000 square feet, but less than 10,000 square feet

~~(5)~~ Buildings or permitted uses within this section over 10,000 square feet in size

~~(5)~~(6) Boutique Hotel with 100 rooms or less. Projects proposing banquet/meeting facilities or onsite food-service.

~~(6)(7)~~ _____ Resale/~~antique~~ stores

~~(7) Vehicle sales showroom provided the following criteria are met that all product and inventory must be housed within a fully enclosed building, that all repair and service must be conducted within a fully enclosed building with no outside storage permitted, that the hours of retail operation are limited to 8 am to 6 pm Monday-Friday and 9 am to 5 pm on Saturday and that 30% of subject property, exclusive of stormwater retention, shall be devoted to green open space visible from an arterial roadway.~~

e. *Prohibited Uses.* All uses not permitted or conditionally permitted within the OAO are prohibited. Without limiting the uses that are prohibited in the OAO, the following uses shall be prohibited in the OAO:

(1) Adult-oriented businesses

~~(2)~~ _____ Automotive-related businesses (i.e. auto sales, auto repair, auto rental, body shops, auto wash, auto audio, auto glass, auto tinting, auto parts sales). This section shall apply to any form of motorized transportation that is not for medical use.

~~(2)(3)~~ _____ Firearm Sales

~~(3)(4)~~ _____ Standalone massage parlors (not part of a health spa)

~~(4)(5)~~ _____ Fast food (with or without drive-thru)

~~(5)(6)~~ _____ Gas stations/convenience stores

~~(6)(7)~~ _____ Liquor stores

~~(7)(8)~~ _____ Pawn shops/check cashing

~~(8)(9)~~ _____ Tattoo parlors

~~(9)(10)~~ _____ Vape/smoke shops/hookah parlor

~~(10)(11)~~ _____ Pain Management Clinics

~~(11)(12)~~ _____ Medical Marijuana Dispensaries, Processing, Growing, etc.

~~(12)(13)~~ _____ Billboards

f. *Non-Conforming Uses/Structures.* Existing but non-conforming properties uses and non-conforming structures, which existed as of the date the OAO became effective, shall be allowed to continue as legally non-conforming in the same manner after the adoption of the OAO as existed prior to the effective date of the OAO except as provided herein. Nonconforming uses and non-conforming structures shall be subject to and comply with the provisions of this OAO when any of the conditions below occur that cause the non-conforming use or non-conforming structure to be deemed abandoned and become illegal unless otherwise allowed to remain pursuant to a special permit granted by the city commission pursuant to section 58-64(f).

- (1) A non-conforming principal use on the property is discontinued for a period of three (3) consecutive calendar months then such non-conforming use shall be deemed abandoned and become an illegal use;
- (2) A non-conforming structure is destroyed or significantly altered by sixty-fifty (~~60~~50) percent or greater then such structure shall be brought into compliance with the OAO requirements; or
- (3) Enlargements of any existing non-conforming structures and/or uses are made to the property that increases the gross square footage then such property shall be brought into compliance with the OAO requirements.

Discontinuance of a non-conforming use will be determined by any of the following: (i) if the business relocates, (ii) if there is an interruption in utility service, (iii) a failure to pay applicable local business taxes or the expiration of a local business tax receipt, (iv) the absence of signage indicating the existence of the nonconforming use on the property, or (v) any other relevant evidence indicating discontinuation of the nonconforming use for the requisite time period. In determining the date of discontinuance, the date of the first indication of abandonment will be relied upon. A nonconforming use shall also be considered to be abandoned if a permitted use moves in place of a non-conforming use.

g. Residential Uses within the Overlay District. The OAO shall not apply to existing residential uses or structures developed prior to the effective date of this section. Protections of existing residential uses shall be implemented. Properties currently used as and developed as residential prior to the effective date of this section shall continue to be subject only to current Land Development Code standards and protections governing such properties' underlying zoning designation and not those set forth in the OAO, unless and until such properties redevelop. Any change of use or redevelopment on the property shall require compliance with OAO standards. In order to protect existing structures that are used as a residence, new non-residential or mixed use development within the OAO shall have its structures setback at least 35 feet from the property boundaries of parcels with existing residential structures used as a residence that are not intended to be part of the proposed development, unless a written consent can be obtained from owner(s) of the affected existing residential structure(s) consenting to the waiver of such minimum setback requirement of this subsection. Parking garages shall be setback at least 100 feet from the property boundary of parcels used and developed as single-family or low-density residential.

h. Landscaping Requirements. Development and or redevelopment in the OAO shall comply with all landscaping requirements of other provisions of the Land Development Code and future corridor landscape plans, unless specifically addressed within the OAO. ~~In addition to other~~

~~requirements of Section 58-334 of the Land Development Code, all street frontages within the OAO shall contain at least one shade tree for every 50 feet of linear lot line. Side yards and rear yards not facing streets shall contain at least one understory tree for every 30 linear feet of side or rear lot lines.~~

i. Block Structure and Circulation Requirements.

(1) The OAO is designed to enhance pedestrian walkability, connectivity and safety and to create a safe, comfortable and convenient pedestrian experience. Towards this end, the OAOs transportation system is based on inter-connected streets forming small blocks similar to successful patterns of the more walkable areas of the City such as the Park Avenue Corridor.

(2) Block Configuration/Lot Standards: Any additional development or redevelopment of parcels in excess of ~~2-1.5~~ acres within the OAO shall be required to create a block structure and pedestrian corridors conducive to pedestrian safety, comfort, and vehicular circulation as outlined below:

(a) New or redeveloped buildings within the OAO shall have building widths of between a minimum of 50 feet and a maximum of 300 feet wide where they interface with pedestrian oriented street frontage of Orange Avenues.

(b) Development shall provide a continuous driveway or alley that connects to adjacent parcels and roadways and provides access for emergency vehicles and city services, where applicable.

(c) To the extent possible, given the size and shape of the parcel, new or redeveloped blocks shall be between a minimum perimeter of 1000 linear feet and a maximum perimeter of 1500 linear feet. The City goal is to encourage walkability based upon successful Park Avenue Corridor block perimeters of 1300 linear feet. Where existing block perimeters are smaller than 1500 linear feet, no further breakdown is required. Where block perimeters are larger than 1500 linear feet, new development shall be organized to break the land mass into walkable blocks.

(d) Driveways or alleys shall be constructed at widths adequate for dumpsters, trash compactors and circulation of solid waste collection vehicles, large truck delivery and allow emergency vehicles to maneuver past parked delivery vehicles and waste receptacles.

Existing buildings meeting these standards that are remodeled shall only be required to meet architectural façade standards.

(3) Street Realignment and Parallel Orange Avenue Access. Where Palmetto Drive, Vivian Drive and Harmon Drive provide secondary and primary access to properties within the OAO area, portions of these roadways may be considered to be closed, vacated or re-aligned

subject to City Commission approval, so long as a parallel public access road and approved by the City Commission, is dedicated and maintained to allow vehicular access between Orlando Avenue and Denning Drive. Protection of on-street parking, maximizing ease of traffic flow for Palmetto Avenue and maintaining the existing 50-foot public right of way shall be matters of priority concern should the roadway be re-aligned. Any road shall be constructed with a minimum street travel lane width of 24 feet unobstructed and shall have unobstructed vertical clearance per National Fire Protection Act (NFPA) codes, shall replace all existing on-street parking and maintain the existing 50-foot public right of way.

(4) Street Sections: Any new, realigned, or redesigned street sections within the OAO shall be designed to create and maintain a quality comfortable walking environment encouraging the use of multimodal transit options including:

(a) On-street parking is to be provided to the maximum extent possible to buffer pedestrians from vehicular traffic. Parking space dimensions shall be not less than 9ft x 18ft for perpendicular spaces and no less than 8ft x 22ft for on-street parallel spaces, ft.

(b) Vehicular traffic lanes on streets with bus routes shall be designed at not less than 12 feet to support safe circulation of busses and transit.

~~(c) Bus transfers are to be located inside project boundaries to lessen traffic delays and increase safety on major roads. Bus transfers shall be coordinated and approved by Lynx.~~

(d) When a project frontage is adjacent to a bus stop, the developer shall install Shaded sidewalks and benches and a covered bus shelter for resting and waiting for public transit ~~shall be provided.~~

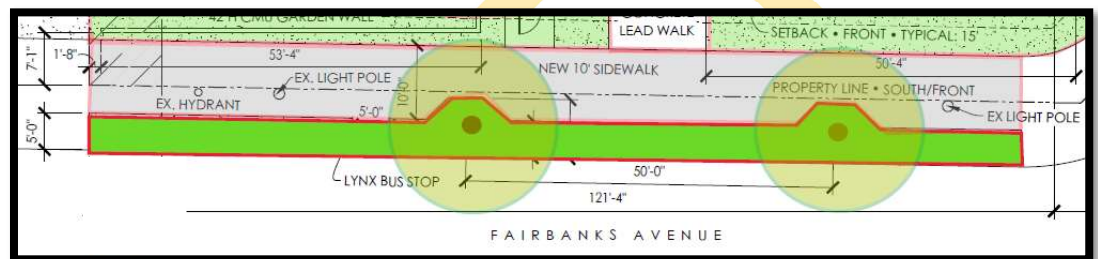
(e) Care shall be taken to minimize curb cuts and maximize visibility surrounding curb cuts. The City Traffic Engineer (and FDOT for State Roads) shall determine where curb cuts and driveways are allowed for projects.

~~(f) New development in conjunction with the City shall pursue approval from FDOT to utilize the FDOT rail right of way for pedestrian/bicycle trails where appropriate, prior to submission of project plans for City approval.~~

(5) Sidewalks: All buildings, parking areas, public spaces, amenity features, and adjoining developments of similar use shall be linked with sidewalks. Sidewalks shall be provided along public streets that provide access to the development. A minimum 17-foot

sidewalk is to be provided along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall provide sidewalks at least ten feet wide with a minimum 5-foot ~~landscape~~ buffer along the back of curb, between the roadway and sidewalk. All other sidewalks in the OAO shall be 10-feet in width with a minimum ~~52~~-foot ~~landscape~~ buffer. If sufficient right-of way is not available, the building may need to be set back to accommodate these wider sidewalks and the additional space required to create the required sidewalks as defined herein shall be dedicated to public access through easement. Sidewalks shall be constructed in accordance with the standards for sidewalks set forth in City of Winter Park Engineering Standards and Landscape standards and constructed at the sole cost of the developer.

EXAMPLE OF SIDEWALK/STREETSCAPE FOR FAIRBANKS AVE & 17-92



- (a) Restaurants and cafes with seating within the public right-of-way shall be subject to the regulations contained in Chapter 90, Article VI - Sidewalk Cafes, of the Winter Park code of Ordinances.
- (6) New Streetscapes: In order to improve the pedestrian experience, new development or redevelopment shall provide the streetscape area including sidewalks, lighting, landscape and street furniture and will dedicate pedestrian easements over this area prior to certificate of occupancy.
- (7) Access Standard:
 - (a) All city services including utility access, utility equipment, solid waste containers shall be placed at the rear of lots and accessed by driveways or alleys opening to side streets, where possible.
 - (b) Garage and parking shall be accessed through driveways or alleys opening to side streets, where possible.
- j. *Architectural Standards.* Development within all Subareas defined later in this section shall meet the following architectural standards.
 - (1) *Building Height.* To allow for flexibility in design, but preserving development standards that will reduce building massing, buildings shall be measured in stories. For parking garages,

levels visible on the exterior of the building shall be counted towards building height (ex. A 3-story building wraps around a 4-level interior parking garage, only the 3 stories would count as they are the only part visible).

The first ~~floor-story~~ of any building shall be allowed to be a maximum of 18 feet in height. When mezzanines, balconies or lofts are provided, first ~~floor-story~~ heights of 20 feet may be allowed. Mezzanine, balcony or loft levels shall be allowed within the first story, as long as they do not cover more than 30% of the first-~~floor-story~~ area and stay within the maximum 20-foot first ~~floor-story~~ height area. ~~Interior M~~mezzanines, balconies or lofts shall not be allowed above the first ~~floor-story~~. Each ~~floor-story~~ above the first ~~floor-story~~ shall have a maximum height of 12 feet.

For multi-story buildings over two stories in height, there shall be terracing and/or additional setbacks to accomplish vertical articulation is mandated to create relief to the overall massing of the building facades, as discussed later in this section.

- (2) *Setbacks/Stepbacks.* For any building over two stories in height that is built up to the allowable building line or “build-to” line, each additional ~~floor-story~~ shall be setback a minimum of ten (10) feet, or shall be within the allowable envelope as depicted in the figures below. The build to line is established by the greater of setback or sidewalk requirement. All setbacks are measured from the property line. Setbacks greater than the established “build-to” line require a variance. The required building stepbacks only apply to street frontages.

Each subarea of the OAO may define additional requirements for that area that may differ from what is defined in the OAO. The defined building envelope depicted above shall be maintained, regardless of any setbacks.

All setbacks and/or stepbacks shall provide space for the development of shade tree crowns. The City Arborist shall review and recommend species selection and positioning for compliance.

Rear building setbacks/stepbacks as defined herein shall be required for properties abutting the railroad right-of-way. However, these rear facades shall provide articulation every 30 feet, material change, window, entryway or other break in the building façade at least every 30 feet, both vertically and horizontally.

(3) **Facades.** The intent of this subsection is to provide visual interest to facades by requiring a minimum level of detail features on facades. Detail features shall not consist solely of applied graphics or posters. There shall be some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 30 feet. Murals shall be allowed to contribute towards façade breakup.

(a) All facades of buildings with a gross floor area of one thousand square feet or more shall be required to incorporate at least three (3) of the following treatments. At least one of these treatments shall be applied horizontally. All such design elements shall be applied in intervals of no more than thirty (30) feet, either horizontally or vertically.

(b) All facades of buildings with a gross floor area of one thousand square feet or more shall be required to incorporate at least three (3) of the following treatments. At least one of these treatments shall be applied horizontally. All such design elements shall be applied in intervals of no more than thirty (30) feet, either horizontally or vertically.

All setbacks and/or stepbacks shall provide space for development of shade tree crowns. The City Arborist shall review and recommend species selection and positioning for compliance.

Rear building setbacks/stepbacks as defined herein shall be required for properties abutting the railroad right-of-way. However, these rear facades shall provide articulation every 30 feet, material change, window, entryway or other break in the building façade at least every 30 feet, both vertically and horizontally.

(3) Facades. The intent of this subsection is to provide visual interest to building facades by requiring a minimum level of detail features on facades. Detail features shall not consist solely of applied graphics or panels. There shall be some sort of articulation, material or color change, window or entryway or other breakup of the building façade at least every 30 feet. Murals shall be allowed to contribute towards façade breakup.

(a) All facades of buildings with a gross floor area of one thousand square feet or more shall be required to incorporate at least three (3) of the following treatments. At least one of these treatments shall be applied horizontally. All such design elements shall be spaced at intervals of no more than thirty (30) feet, either horizontally or vertically.

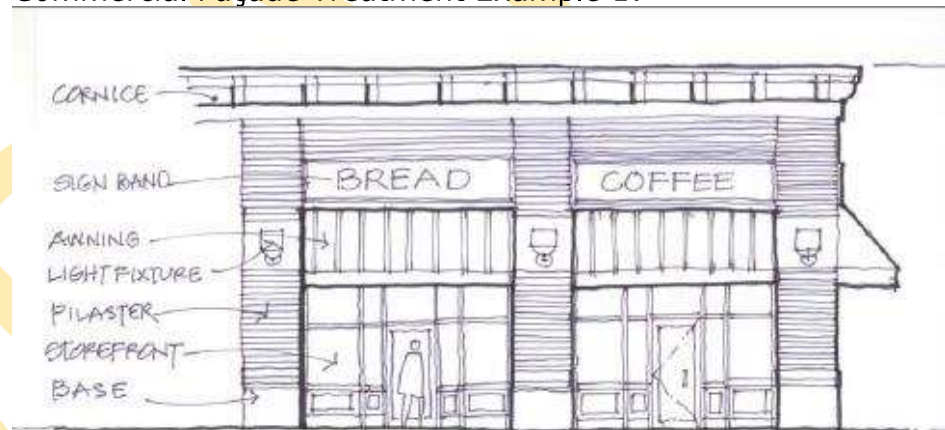
(b) All facades of buildings with a gross floor area of one thousand square feet or more shall be required to incorporate at least three (3) of the following treatments. At least one of these treatments shall be applied horizontally. All such design elements shall be spaced at intervals of no more than thirty (30) feet, either horizontally or vertically.

- (3) **Facades.** The facades by detail features shall be s entryway (Murals sha
- (a)
- (b)

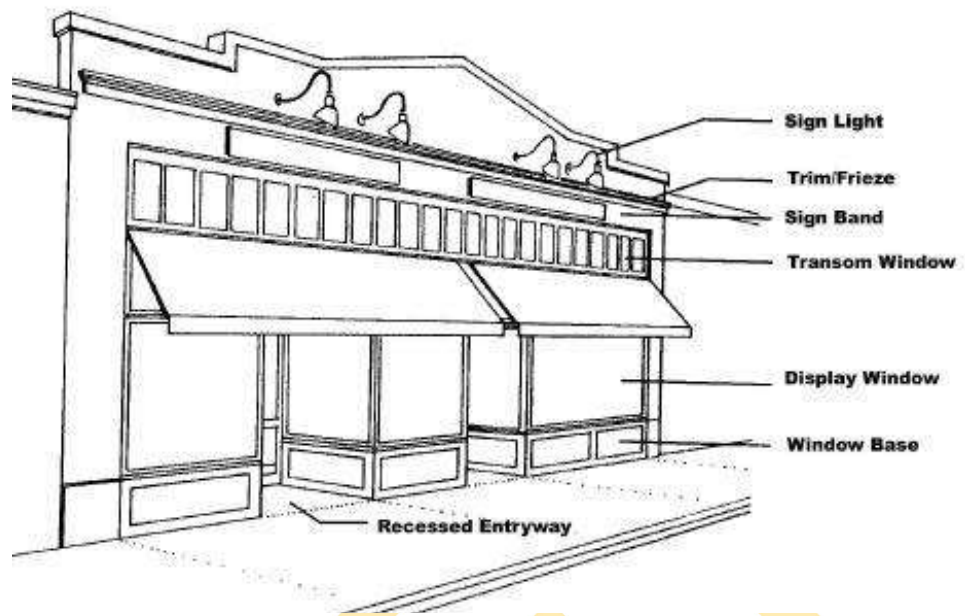
- 1.Expression of a vertical architectural treatment with a minimum width of twelve (12) inches.
- 2.Building stepbacks, offsets or projections, a minimum of four (4) feet in depth.
- 3.Texture and /or material change.
- 4.Architectural banding.
- 5.Pattern change.
- 6.Other treatment that, in the opinion of the Planning & Transportation Director after review by the OAO Appearance Review Advisory Board, meets the intent of this subsection.

(c) No building shall exceed more than 300 feet of horizontal length of the same façade on any street facing façadefrontage. ~~When multiple buildings are included on the same parcel, those buildings shall be separated by 20 feet to support growth of healthy canopy crowns or provide courtyard, parking or other gathering spaces on the site.~~

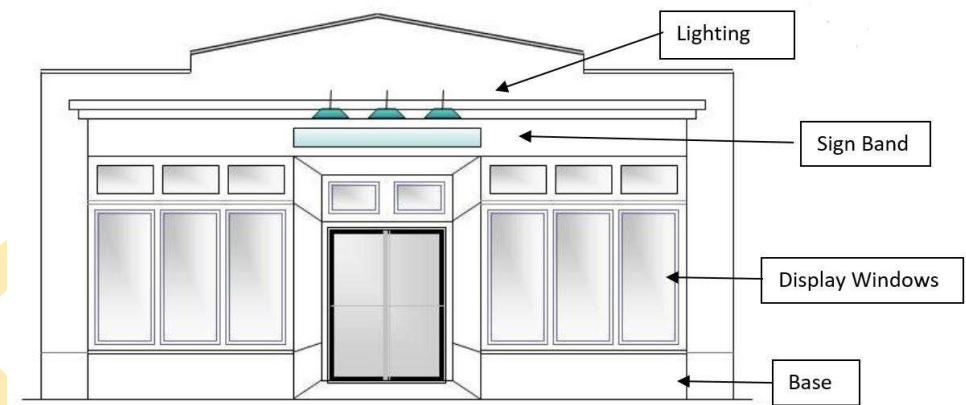
Commercial Façade Treatment Example 1:



Commercial Façade Treatment Example 2:



Commercial Façade Treatment Example 3:



- (4) *Additional Façade Treatment Requirements.* Roof lines, parapets and building heights shall be architecturally articulated and diverse in design form with adequately scaled and proportioned architectural treatments which complement the building's design.

The window, wall and roofing treatment should be of high-quality materials and consistent on both the front and the back of the building and any street facing side wall of the building. Allowable building materials shall include brick, natural stone, glass, architectural metal, concrete, wood, or similar material with a longer life expectancy. Exterior Insulation and Finish System (EIFS) shall not be allowed. Stucco, hardiboard siding (or similar materials) or concrete block shall not exceed more than 50% of any front façade. Detailing is encouraged to enhance the façade.

~~Structures shall be sited so as to create visual relationships with sidewalks, street alignments, trees, green space and neighboring~~

~~businesses; create visual anchors at entries, provide interesting architectural perspectives featuring appropriate facade treatments and maximize the pedestrian relationship to the sidewalk. They shall also take into consideration the existing structures and be in unison with their scale and style.~~

- (5) *Glazing Requirements.* The ~~lower~~first story of the building has the most immediate visual impact on the passerby. Traditionally, buildings along urban streets have a high proportion of glazing to solid wall surface, with higher floor to floor heights, on the first story. To maintain continuity with this treatment, non-residential buildings on Orange Avenue shall have 60% minimum glass on the first story and shall be allowed height up to 20 feet. Along other roads within the OAO, non-residential buildings shall have 40% minimum glass on the first story. The first ~~floor~~story shall be clearly defined and articulated from upper stories.
- (6) *Building Entrance.* Primary building entrances in the OAO shall be clearly defined, and shall be recessed or framed by a sheltering element such as an awning, arcade, overhang, or portico (in order to provide weather protection for pedestrians). Awnings are encouraged. Awning standards include:
- (a) Awnings for a building façade shall be of compatible color, look, shape, and height;
 - (b) Awnings shall provide vertical clearance of no less than eight (8) feet above sidewalks; and
 - (c) Awnings are not allowed to hang over vehicular traffic ways.
- (7) *Architectural Towers, Spires, Green Roof Features, Solar Panels, Chimneys, Or Other Architectural Appendages.* Any architectural tower, spire, chimney, flag pole or other architectural appendage to a building shall conform to the underlying subarea height limit. However, when necessary to meet the building code requirements, chimneys may exceed the height by the minimum required.

Architectural appendages, roof decks, embellishments and other architectural features may be permitted to exceed the roof heights specified in that subarea, on a limited basis encompassing no more than 15% of the building roof area or 15% of building street facing façade width not to exceed 30 linear feet of a given façade, or up to ten feet of additional height upon approval of the City Commission, based on a finding that said features are compatible with adjacent projects.

Solar panels, ~~roof garden or green roof features~~ may be permitted to exceed the roof heights specified in that subarea, on a limited basis ~~encompassing no more than 30% of the building roof area~~

~~or 30% of building street-facing façade width not to exceed 30 linear feet of a given façade, or up to ten feet of additional height~~ upon approval of the Planning & Zoning Board and City Commission, based on a finding that said features are compatible with adjacent projects.

- (9) *Mechanical Penthouses, Rooftop Mechanical and Air-Conditioning Equipment, Stair Tower Enclosures, Elevators and Parapets.* Mechanical penthouses, mechanical and air-conditioning equipment, stair tower enclosures, or elevators on rooftops of buildings shall not exceed a total height of ten feet (~~B~~Building ~~C~~Code ~~O~~Official shall have the ability to give administrative variances to this requirement based on life-safety or equipment needs for elevation) above the allowable building height. Any penthouses shall only be used for mechanical equipment to serve the building. Parapets, or mansard roofs serving as parapets, may extend a maximum of five feet above the height limit in the underlying zoning district unless other parapet heights are more restrictive for the respective underlying zoning district. In addition, mechanical equipment and air-conditioning equipment on rooftops shall be screened from view from ground level on all buildings in all zoning districts and shall be located to the maximum extent possible so that they are not visible from any street.

- (10) *Appearance Review.* In addition to meeting the architectural standards as set forth in this section, ~~a~~all external renovation projects of buildings over 10,000 square feet, or new development projects and Conditional Use requests within the OAO shall undergo Appearance Review.

For developments requiring a conditional use approval having a land area of more than 80,000 square feet, having more than 25 residential units, or having structures exceeding 35,000 gross square feet above grade, professionally prepared fully rendered 3-D digital architectural perspective images and elevations that show all sides of the proposed building(s), parking areas, parking structures and any other site improvement shall be submitted to and reviewed by and commented upon by the Orange Avenue Overlay Appearance Review Advisory ~~Board-Committee~~ to ensure high quality architecture consistent with the goals and objectives of the OAO. At the request of the Director of Planning, ~~an~~ a Acoustical Engineer may be invited to comment on projects having rooftop or open-air elements. The comments and recommendations of the Orange Avenue Overlay Appearance Review Advisory ~~Board-Committee~~ shall be transmitted to the ~~Building Official, Director of Planning, the Planning and Zoning Board and the City Commission~~ for consideration in rendering a decision on the proposed ~~C~~Conditional ~~U~~Use or building permit sought for the proposed development.

~~For a~~ All external renovations ~~requirements~~ not requiring a ~~C~~onditional ~~U~~se, but are larger than 10,000 square feet, shall provide 3-D or 2-D colored digital architectural perspective images and elevations that show all sides of the proposed building(s), parking areas, parking structures and any other site improvement. These renderings shall be submitted to staff and reviewed by ~~and commented upon by~~ the Orange Avenue Overlay Appearance Review Advisory ~~Board-Committee~~ to ensure high quality architecture consistent with the goals and objectives of the OAO. The comments and recommendations of the Orange Avenue Overlay Appearance Review Advisory ~~Board-Committee~~ shall be transmitted to the Building Official ~~or and~~ Director of Planning prior to submitting for a building permit sought for the proposed development.

k. *Parking Requirements & Access Management.*

The Planning & Transportation Director or City Traffic Engineer or their respective designee may require the property owner to provide a site-specific traffic study to determine the potential impacts of the proposed changes to uses or structures as part of the site development plan.

~~k.l.~~

- (1) To the extent net street parking, over and above that currently existing within the OAO, is provided by the developer prior to certificate of occupancy, such net new parking directly adjacent to the development lot may count towards satisfying code parking requirements.
- (2) *Parallel Orange Avenue Access.* Where Palmetto Drive, Vivian Drive and Harmon Drive provide secondary and primary access to properties within the OAO area, portions of these roadways may be considered to be closed, vacated or re-aligned, so long as a parallel access road, as approved by the City Commission, is dedicated and maintained to allow public vehicular access between Orlando Avenue and Denning Drive. Protection of on-street parking, maximizing ease of traffic flow for Palmetto Avenue and maintaining the existing 50-foot public right of way shall be matters of priority concern should the roadway be re-aligned. Any road shall be constructed with a minimum street travel lane width of 12 feet unobstructed and shall have unobstructed vertical clearance per National Fire Protection Act (NFPA) codes, shall replace all existing on-street parking and maintain the existing 50-foot public right of way. No on-street parking shall be permitted along a curved roadway segment where the curve exceeds 60 degrees.
- (3) *Off-Street Parking Requirements.* Unless specifically provided within the OAO, parking spaces, parking management plans and parking leases shall be provided in accordance with Land Development Code requirements.

- (a) *General Business and Retail Commercial:* One parking space for each 333 square feet of gross floor space.
 - (b) *Office, Professional or Public Buildings:* One parking space for each 333 square feet of gross floor space.
 - (c) *Medical Office:* One parking space per 200 square feet of gross floor space.
 - (d) *Hotel:* One parking space for each guest room shall be provided. Other ancillary uses in the hotel (restaurant, spa, retail, meeting space, etc.) shall be required to provide parking in accordance with the off-street parking requirements defined in Section 58-86 subject to a credit of 50% of the rooms.
 - (e) *Restaurants, Food Service Establishments, Nightclubs, Taverns or Lounges:* One space for every four seats.
 - (f) *Multi-family residential:*
 - (1) Each one-bedroom or studio unit shall be required to provide 1.25 dedicated parking spaces per unit.
 - (2) Each two-bedroom unit shall be required to provide 2.0 dedicated spaces per unit.
 - (3) Each three-bedroom or above unit shall be required to provide 2.5 dedicated parking spaces per unit.
- (4) *Off-street Parking Access Design.* Parking access to properties along Orange Avenue, Orlando Avenue and Fairbanks Avenue shall be through an alley originating from side streets or from a side street if frontage is available on a side street. In mid-block locations without existing alleys, new alleys shall be provided and accessed from the frontage street. Garages shall not be located in front of the primary building. If side street frontage is not available, access from cross-access easements preferably in the form of shared rear alleys shall be utilized. If cross-access is not available, a driveway will be allowed from Orange Avenue, Orlando Avenue, or Fairbanks Avenue, provided the driveway and building gap surrounding it is not more than 20 feet. Any new driveways or curb cuts along Fairbanks Avenue or Orlando Ave shall require City of Winter Park Traffic Engineer and FDOT coordination prior to submittal. Throughout the OAO, cross-access agreements, preferably in the form of shared rear alleys are required, to reduce the number of curb cuts and driveways onto busier streets. The intent is to maintain the building street wall without large voids for access driveways and improve traffic circulation by providing rear access for services and deliveries. The goal in this parking arrangement is to decrease the visibility of parking from the street as much as possible, by having parking behind the building and to reduce the turning movements with limited visibility across multiple lanes of traffic.

- (5) *Off-site Parking.* Required parking may be located within 750 feet of the building, or within the closest parking lot or parking structure, where excess parking is available for lease. In the event of new construction, addition, or change ~~in intensity~~ of use of the principal building or property being serviced by the remote parking lot, all existing parking spaces located on such remote lot shall be allocated to the existing building or principal use to meet the minimum requirements of this article, and any additional spaces may then be allocated to that portion of the building or property which is the subject of the new construction, addition, or change in intensity of use.
- (6) *Bicycle Parking Requirements.* Unless specifically provided within the OAO, bicycle Parking shall be required in accordance with other Land Development Code Standards. Where large projects provide parking garages, a minimum of 20% of the required bike parking shall be provided onsite. The other 80% of required bike parking may be located within City right-of-way, along bike paths, or within greenspace areas throughout the OAO. The City Director of Planning & Transportation shall determine where the off-site bicycle parking shall be located.
- (7) *Parking Exclusion.* A parking exclusion shall apply only to existing square footage or floor space. Parking shall be provided as required by the OAO parking standards or other provisions of the Land Development Code, where not specifically addressed herein. ~~These standards-OAO~~ shall apply for any net new building or net new floor space created by redevelopment, new construction, additions, alterations, or remodeling or for any change in use requiring additional parking such as an office or retail space conversion to restaurant. Existing parking spaces may be counted to satisfy this requirement only where such existing spaces are in excess of the parking space requirements of this section for any existing floor space.
- ~~(8)~~ *Floor Area Ratio for Parking Structures.* In subareas where the city encourages the use of structured parking, an opportunity to achieve increased floor area ratio (FAR) is included in the Subarea development standards. Parking structures shall count towards the Floor Area Ratio (FAR) for any property within the OAO (except for underground level, ~~and~~ open top level, or other exemption as defined within this chapter), ~~developments that provide parking at least 10% above what is required by minimum code requirements or parking structures meeting the following conditions are eligible to take advantage of the Bonuses offered in the OAO Development Enhancement Menu. The following conditions shall apply to parking structures:~~
- i. Provide for multi-property parking collectives. For smaller-scale garages, multiple property owners may create a

collective where parking can be built on a property that can serve multiple properties that do not have adequate available parking.

- ii. Provide level-two electric vehicle charging stations for a minimum of 2% of all spaces within the structure.
- iii. Provide and construct parking spaces at least 10% above what is required to meet code minimum requirements. This excess parking must be available for lease at or below fair market value (based on comparable area parking leases) to small businesses in the OAO located in Subarea A. When parking spaces to satisfy the 10% requirement are located on the primary parcel as part of structured parking, the square footage associated with those spaces shall not be included in FAR calculations. At the discretion of the City Commission, a portion of this additional parking may be provided in another location of verified parking deficiency within the OAO. Any parking spaces provided under this provision shall be constructed in conformance with the standards of the Subarea in which they are constructed, subject to an approved Parking Management Plan and supported by a recorded instrument acceptable to the ~~City Manager with review and advice from the~~ City Attorney. Provision of parking spaces shall run concurrent with the primary development use. The City's preference is structured parking. Should the City Commission agree to accept surface parking spaces as part of the required 10% additional parking, the number of spaces will be adjusted to reflect the comparable value of surface versus structured parking based on current market values as determined by the Office of Management and Budget.
- iv. Stairwells required for parking garages shall be designed to have open walls, visible to the outside of the garage.
- v. Parking structures shall be designed to allow sufficient airflow to ensure that all structured parking remain "open-air." Mechanical ventilation shall not be allowed for structured parking within the OAO, unless the parking structure is located below ground.
- vi. Parking structures shall be screened at least 50% on all visible sides with green walls, living walls, liner buildings (with adequate spacing to allow air and light to enter garage), murals (that do not include advertising of any type), mature shade trees or vegetative screening, or designed with architectural details to match the primary structure; that soften the appearance from looking like a stark parking garage wall.
- vii. Subarea A properties shall be offered priority for parking spaces that are required to be available for purchase or lease. Parking spaces shall also be eligible for purchase by other

properties. ~~7~~ The first opportunity to purchase or lease shall be given to Subareas A.

- viii. Parking structures shall meet height, building setback, allowable building envelope area and screening requirements as outlined in the OAO.
- ix. Parking garages shall be set back from the Orange Avenue, Fairbanks Avenue or Orlando Avenue frontages in accordance with requirements of Section 58-83(3).i.—(2) Setbacks Allowable Building Envelope Cross-Section based on height. Parking structures shall be screened as required in the OAO. Parking shall be accessed from private drives or public/private alleys originating and terminating on side streets to the maximum extent feasible. They shall be designed in an architectural style that is compatible with its building counterpart and shall also conform to the City's parking garage design guidelines, be subject to Parking Management Plans and standards in Section 58-84 and Section 58-86.
- x. Parking structures shall not be permitted on the north side of Fairbanks Avenue.

~~l.m.~~ *Public Notice and Hearing Requirements.*

- (1) In addition to notice required by state law, City-wide notice, as defined in Section 58-89, shall be required for OAO ~~code text~~ Comp Plan amendments and any proposed development within the OAO that requires Conditional Use approval and has a land area of more than 80,000 square feet, or a building of more than 35,000 square feet or having more than 25 residential units. Said notice of the hearing shall be published in a newspaper of general circulation within the city at least 30 days in advance of the hearing; written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of record of property within 1,500 feet of the property, and mailed to all households as determined from the listing of utility billing addresses within the entire city limits at least 30 days prior to the public hearing. The public notice posted on the property shall be erected to be in full view of the general public on each parcel, street side, and shall be erected by the applicant.
- (2) In addition to notice required by state law and Section 58-89, for proposed development within the OAO requiring Conditional Use Approval, but not qualifying for city-wide notice, public notice shall be required as follows: Said notice of the hearing shall be published in a newspaper of general circulation within the city at least 15 days in advance of the hearing; written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of property of record within 1,500 feet of the property requested for Conditional Use, at least 15 days prior to the public hearing. The

public notice posted on the property shall be erected to be in full view of the general public on each parcel, street side, and shall be erected by the applicant.

(3) **Public Hearings for Conditional Uses.** Prior to approval, there shall be an advertised Public Hearing before the Local Planning Agency (Planning & Zoning Board) and at least two public hearings conducted before the City Commission and city-wide notice given for a Conditional Use application for a project within the OAO that has any of the following: (i) a land area of more than 80,000 square feet, (ii) a building of more than 35,000 square feet, or (iii) more than 25 residential units. For new construction projects between 10,000 square feet and 35,000 square feet requiring Conditional Use Approval (and notice as defined in the Code), there shall be at least 1 Public Hearing before the Local Planning Agency (Planning & Zoning Board) and 2 Public Hearings before the City Commission.

~~(3) All changes to OAO zoning code text and subarea maps and approval of Conditional Uses for all projects that meet the size, density or intensity requirements for city-wide notice, shall be deemed approved when the change has received the affirmative vote of a majority of the city commission on at least two (2) separate days at either regular or special meetings of the commission. If the city commission approves the required conditional use at the first public hearing, such approval shall not be considered final until the second approval at the second public hearing.~~

m.n. *Meaningful Open Space Requirements.* It is the intent of the OAO to ensure that the development and enhancement of properties includes the creation of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Where properties are planned for redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 2-1.5 acres in size and above, or any project covering 2-1.5 acres, that is redeveloped shall provide at least 25% meaningful open space, which is predominately visible from public right of ways, open to and available to the public. At least 50% of open-space areas provided shall be greenspace. Pervious areas such as retention ponds, parking lot islands or landscape planting areas around building bases shall not be counted as open space. Existing park space shall not count towards open space requirements. Open space shall be areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. At least 90% of the open space shall be provided at ground level. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.

~~7.0.~~ Signage Requirements. Signage within the OAO with frontage along Orange Avenue shall comply with the following requirements:

- (1) Each occupant shall be permitted a maximum of two signs indicating the business, commodities, service or other activity sold, offered or conducted on the premises. Where one occupancy has two signs, only the following combinations of sign types shall be permitted: One wall or canopy sign; one projecting sign and one wall or canopy sign; one canopy sign and one under-canopy sign. These signs shall also comply with the applicable provisions of Sections 58-125 through 58-128.
- (2) Projecting signs on properties or buildings within the OAO shall be limited to an area of each face of 20 square feet and shall have a minimum clearance of seven feet.
- (3) The maximum copy area of canopy signs shall be two square feet per linear foot of canopy front and sides. These signs should also comply with applicable provisions of Section 58-128.
- (4) Signs attached to the underside of a canopy (under-canopy signs) shall have a copy area no greater than six square feet, with a maximum letter height of nine inches, subject to a minimum clearance of seven and a half feet from the sidewalk.
- (5) OAO properties may not have digital, electronic, and/or internally-illuminated signs, such as backlit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Backlit halo-type opaque sign lettering is permitted; however, the light color must be white or subdued and muted such as a pastel shade. Sign faces and sides may not be translucent and must be an opaque material such as metal or wood.
- (6) Ground signs or monument signs (excluding pole and pylon signs) are only permitted within the Subareas C, D, E, I, J and K. Ground signs within these subareas are limited to 30 square feet in size, and shall be located as to prevent interference with pedestrian and vehicular traffic. The design and location of such signs shall be subject to the approval of the Planning ~~and Community Development director and/or Building Department director~~ Director or Building Official via a sign location and design plan to ensure that the sign does not interfere with pedestrian traffic, parking or does not create excessive signage in one area.

~~8.0.~~ Sidewalk Design and Utilization. All buildings, parking areas, public spaces, amenity features, and adjoining developments of similar use shall be linked with sidewalks. Sidewalks shall be provided along public streets that provide access to the development. A minimum seventeen (17)-foot sidewalk is to be provided along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall provide sidewalks at least

ten ~~(10)~~ feet wide with a minimum ~~five (5)~~-foot landscape buffer along the back of curb, between the roadway and sidewalk. All other sidewalks in the OAO shall be at least ~~ten (10)~~-feet in width with a minimum ~~two (25)~~-foot landscape buffer. If sufficient right-of way is not available, the building may need to be set back to accommodate these wider sidewalks and the additional space required to create the ~~required~~-sidewalks as defined herein shall be dedicated to public access through public access easement. Sidewalks shall be constructed in accordance with the standards for sidewalks set forth in City of Winter Park Engineering Standards and Landscape standards and constructed at the sole cost of the developer. Restaurants and cafes with seating within the public right-of-way shall be subject to the regulations contained in ~~Chapter 90, Article VI—Sidewalk Cafes,~~ of the Winter Park code of Ordinances.

~~p.g.~~ *Display of Merchandise Outside of Commercial Buildings.* Only properties within the OAO with frontages along Orange Avenue are allowed one display of merchandise to be located outside of a commercial business exclusive of beautification elements such as plants (that are not for sale), benches, etc. This display must be placed within two feet of the front wall or window of the building. This display must not block or impede pedestrian traffic or be placed on the public sidewalk and at least six feet of clear sidewalk width must remain for pedestrian traffic. This display must be no more than six feet in height and no more than two feet in width. The display must be safely secured and removed under windy conditions. The display must be removed when the business is not open. An outside display is not permitted if the business chooses to place an outdoor portable sign.

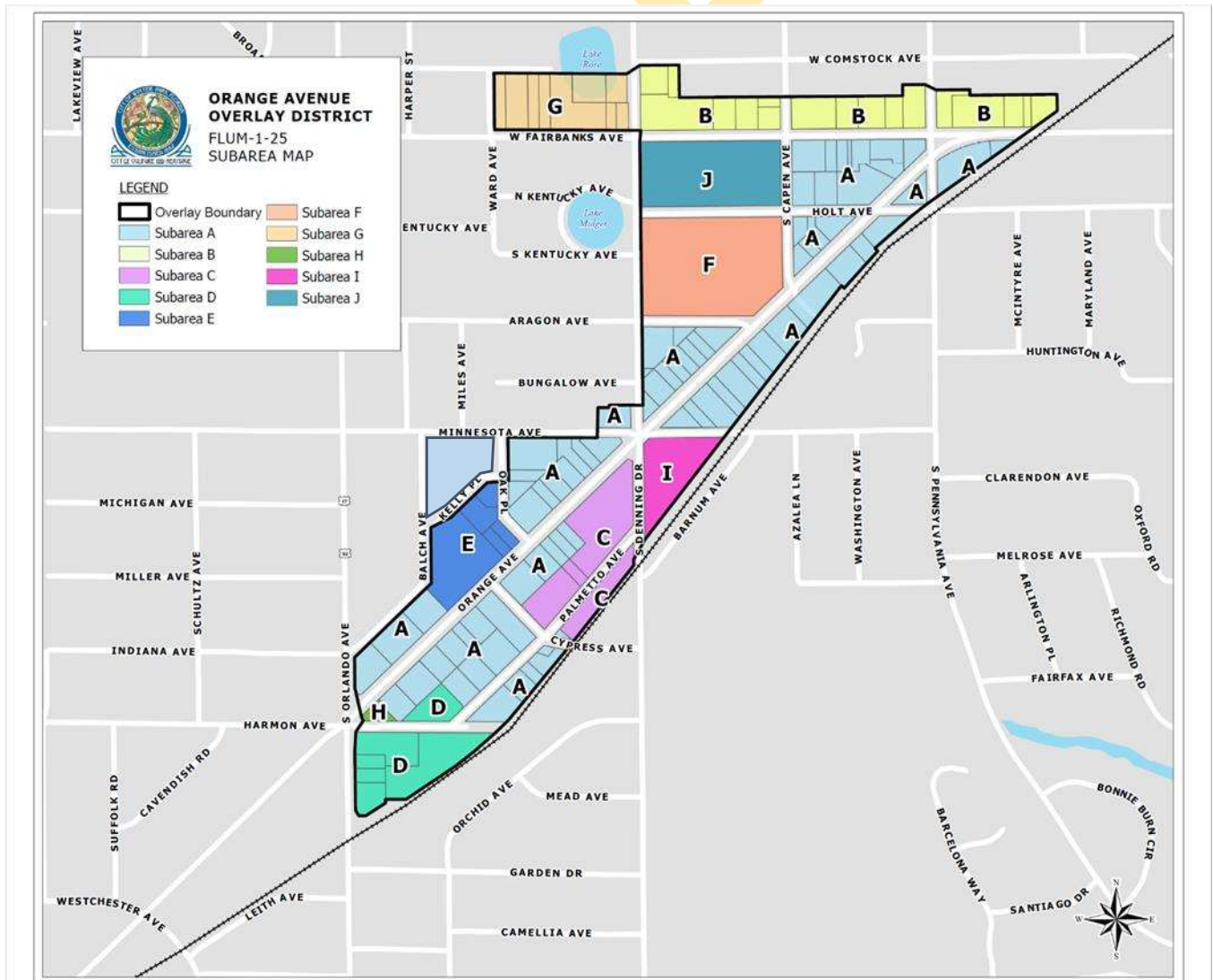
~~q. Contribution to Transportation and Mobility Infrastructure.~~ Development and redevelopment within the OAO requiring a conditional use approval shall contribute to the cost of transportation and mobility improvements prior to permitting based upon the estimated cost to fund the design, engineering, permitting, and construction of those transportation and mobility projects within or proximate to the OAO that are impacted by such development or redevelopment. The owner and developer of a project shall enter into an agreement with the City, as part of conditional use approval addressing the project's contribution to transportation infrastructure. In the event the City establishes a mobility fee, road impact fee, special assessment or other funding mechanism a project's payment of such required fee may satisfy requirements of this policy.

r. Stormwater Management: To increase efficiency of land use, at the discretion of the Director of Planning ~~and &~~ Transportation or the Director of Public Works, stormwater management systems serving multiple building developments may be considered, provided such systems are made available before ~~C~~ertificate of ~~O~~ccupancy (C/O)

and recorded with a legal instrument acceptable to the City with review and advice from the City Attorney.

Orange Avenue Overlay District Subareas and Standards for Development. The subarea map depicted below delineates the different subareas and their specific development standards. Changes to the subarea map shall not be allowed unless initiated at the direction of, or otherwise authorized by, the Planning & Zoning Board, making recommendation to the City Commission. Each area has unique characteristics, issues and opportunities. The base and maximum achievable Floor Area Ratio (FAR), height and residential densities (if applicable) for each subarea are defined herein. An incentive menu system is established for certain properties within the Orange Avenue Overlay District to possibly earn additional FAR up to their maximum achievable FAR, by providing certain public improvements and area-wide solutions, as outlined in this chapter.

~~delineates the different subareas of the OAO and the specific standards, requirements and opportunities for each subarea. Each subarea has unique characteristics, issues and opportunities.~~



After the adoption of the OAO, no administrative changes to the subarea map shall be allowed. Variances to height, number of stories, FAR, permitted/prohibited uses, required open space or maximum residential density shall not be granted for any property or development within the Orange Avenue Overlay District. Variances to other development standards shall be considered, with sufficient showing of reasoning and hardship, as outlined in Section 58-90 and 58-92.

The standards detailed in the OAO are the maximum density and intensity parameters ~~potentially~~ permitted in each respective subarea. These maximum standards are not an entitlement and are not achievable in all situations. Many factors may limit the achievable FAR including limitations imposed by the maximum height, physical limitations imposed by property dimensions and natural features as well as compliance with applicable code requirements such as, but not limited to parking, setbacks, block structure, lot coverage and design standards.

Parcels to be developed or redeveloped within Subareas D, I & J shall contain at least 25% of the Cumulative Gross Floor Area as Mixed-Use, ensuring that no single-use developments occur that may not create the vibrant mixed-use district that is desired. Mixed-use can be vertical or horizontal.

Residential units are ~~limited on~~ not allowed on the first ~~floor-story~~ frontage along Orange Avenue for all Subareas. Limited residential use of the first ~~or ground floor-story~~ of such buildings may be permitted when 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 (not counting the area of parking garages) these ancillary residential uses.~~

- (1) Subarea A. In order to allow for the remodeling and renovation of the buildings within this subarea and to enhance the OAO, these properties shall not be required to comply with those Land Development Code standards listed below, as long as additional square footage is not added to the buildings. If additional square footage is added, as to parking requirements, the properties shall be required only to provide the required parking for the new net square footage of the property structure. Any additional impervious surface created shall meet all City of Winter Park stormwater requirements for the new impervious area. All remodels, renovations or reconstructions that are allowed to remain as legally non-conforming under other Land Development

Code requirements, shall still be required to meet applicable building and life safety codes as determined by the City Building ~~Official~~Official, Zoning Official and Fire Official. If the use of the building is changed (i.e. office conversion to café), additional parking shall be provided as required by Code.

(a) *Exemptions.* The following Land Development Code Requirements shall not be required to be met for renovation or remodel of existing structures that will maintain the existing use, gross square footage, number of stories and conditions of the property:

1. Floor Area Ratio (to the extent existing structure already exceeds FAR)
2. Minimum Parking Requirements
3. Stormwater Retention (but a minimum of 10 cubic feet of stormwater treatment and storage shall be created)
4. Impervious Surface Percentage
5. Setbacks
6. Landscaping
7. Height (no increase in stories)

(b) *Reconstruction of Buildings.* Given the age of buildings within Subarea A, the properties within this subarea shall be allowed to reconstruct the same building footprint (and square footage) when the building on the site is completely demolished, regardless of non-conforming status, on the site without being required to meet all development standards. Reconstruction of buildings shall be required to provide stormwater retention and the sidewalk widths as described herein. All building and life safety codes shall be met with all reconstruction.

(c) *Subarea A Development Standards:*

1. Base Floor Area Ratio (FAR): 45%
2. Maximum Achievable FAR with Residential: 60%
3. Maximum Height: 2 Stories for any properties abutting Orange Avenue and Minnesota Avenue (west of Denning Drive), and 3 stories for all other properties within the subarea.
4. Maximum Impervious Coverage: 85%
5. Setbacks: Maximum front setback is 0 feet, but must allow for at least a 17-foot wide sidewalk along Orange Avenue. Fairbanks Avenue and Orlando Avenue and other streets in the OAO shall each be designed to provide for a 10-foot wide sidewalk with a minimum 5-foot landscape buffer on the back of curb. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer or street tree canopy clearance, the area shall be dedicated as a public

access easement. Side setback is a minimum of 0 feet, and rear setback is a minimum of 10 feet.

6. Maximum Residential Density: 17 units per acre
7. Historic Preservation: It is a purpose of the OAO to protect and promote historic resources within the OAO. Towards that end, the CRA, in conjunction with the City, shall ~~provide~~ make available the potential incentive funds or matching grant funds, providing professional technical assistance to property owners and administrative assistance to historic assets to submit applications for designation on the local and National Register of Historic Places. Additionally, discounts on license and permit fees shall be offered to incentivize registration on the local register of Historic Places. Applications for façade grants from historic assets shall be given prioritization.

(2) Subarea B.

(a) *Subarea B Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable FAR with Residential: 60%
3. Maximum Height: 2 stories when property line is shared with residential use or zoning. Structures on parcels not having a common boundary with residential may increase to 3 stories if the 3rd ~~floor~~ story is set back an additional 10 feet from front and rear setback lines. 3rd floors shall only allow residential uses.
4. Maximum Impervious Coverage: 85%
5. Setbacks:

6. Fairbanks Avenue and Orlando Avenue and other streets in the OAO shall each be designed to provide for a 10-foot wide sidewalk with a minimum 5-foot buffer on the back of curb. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer or street tree canopy clearance, the area shall be dedicated as a public access easement. Side setback is a minimum of 0 feet, and rear setback is a minimum of 10 feet.

~~a. Front/Street: 25 feet within 100 feet of the Fairbanks and Denning intersection, otherwise front setback is 20 feet. Front setbacks must allow for at least a 10-footwide sidewalk and 5-foot landscape buffer area on the back of curb along Fairbanks Avenue. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.~~

~~b.a.~~ Side: 0

~~c.b.~~ Rear: 35 ft

~~d.c.~~ Third stories shall require an additional 10-foot setback from the front and rear setbacks.

6.7. Maximum Residential Density: 17 units per acre

- (b) *Additional Development Regulations.* For properties within this Subarea B with an underlying zoning of single-family residential, these properties shall only be used for single-family residential use, open space, or transportation improvements.

(3) Subarea C.

(a) *Subarea C Development Standards:*

1. Base Floor Area Ratio: ~~20~~10%
2. Bonus FAR exclusively for Structured Parking: 65%
3. Maximum Achievable FAR with Parking Structure: ~~85~~75%
4. Total FAR must be divided between multiple buildings
5. Maximum Height: 2 Stories or 35 feet (including any awnings or shade structures) for Commercial Structures and Parking garage shall be ~~allowed up to 4 levels including the rooftop deck, allowed at 2 stories, plus an open top level, at a maximum of 30 feet in height.~~
6. Maximum Impervious Coverage: 75%
7. Setbacks: 0 front setback along Orange Avenue, Denning Drive, or Palmetto Avenue, except front setbacks on Orange must allow for at least a 17-foot wide sidewalk and setbacks on Denning and Palmetto must allow for a 10-foot wide sidewalk and ~~52-foot landscape buffer on back of curb. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. The bike trail may substitute for applicable sidewalk requirements at the discretion of the Director of Planning. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.~~
8. Maximum Residential Density: Residential uses shall not be permitted.
~~0 units per acre~~

- ~~(b) *Intersection and Open Space Viewshed.* Due to the unique shape of Subarea C and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is banded by the lines described as follows: Start where the property lines of Subarea C meet at the intersection of Denning Drive and Orange Avenue; then travel 150 feet southwest along Orange Avenue's southeast right of way line; thence easterly to the point on the west boundary of South Denning Drive that is 150 feet south of the starting point; then north along the west boundary of South Denning Drive to the starting point~~

~~("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO.~~

~~(c)(b)~~ *Palmetto Re-Alignment.* Palmetto Avenue may be relocated to allow for different development scenarios on the site. Protection of on-street parking, maximizing ease of traffic flow for Palmetto Avenue and maintaining the existing 50-foot public right of way shall be matters of priority concern should the roadway be realigned.

~~(d)(c)~~ *Additional Development Requirements.*

- (1) A monument sign at least 3 feet in height and 5 feet in width, set in a landscaped bed, shall be required to be provided at the intersection of Denning Drive, Minnesota Drive and Orange Avenue, which directs the public to Mead Botanical Garden. The City shall approve the design and location of the sign.
- (2) Include 1.5 acres of contiguous park space plus bicycle/pedestrian trail.
~~No residential use.~~
- (3) City to retain ownership of this parcel in perpetuity.
- (4) Stormwater requirements to exceed code.
- (5) Contribute to parking needs of small businesses in the area.
- (6) Walkways that are at least 5 feet wide (paved or bricked) must exist between buildings onsite and extend from the park area to Cypress Ave.

(4) Subarea D.

(a) *Subarea D Development Standards:*

1. Base Floor Area Ratio (FAR): 60%
2. Maximum Achievable FAR with Enhancements:
~~100%~~ 100%
3. Maximum Height: 5 Stories or 56 feet
4. Maximum Impervious Coverage: 75%
5. Setbacks:
 - a. Street: Minimum ~~50-20~~ feet along Orlando Avenue. Setbacks must allow for at least a 10-foot wide sidewalk and 5-foot landscape buffer area on the back of curb along Orlando Avenue and Palmetto Avenue. ~~0 feet along Orange Avenue except front setbacks must allow for at least a 17-foot wide sidewalk.~~ The bike trail may substitute for applicable sidewalk requirements on one side of realigned Palmetto, at the discretion of the Director of Planning & Transportation. Where the building requires an additional setback to achieve the required sidewalk,

landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.

6. Rear: 35 feet

6.7. Side: 10

7.8. Maximum Residential Density: 17 units per acre

(a) Residential Uses shall only be allowed above the ground floor fronting Orange Avenue. Up to a 20% Residential Density increase may be permitted when such allowances are used exclusively for the construction of workforce housing maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval.

~~On a case-by-case basis the City Commission may permit the maximum density in this subarea to be exceeded by up to 10% per acre when such allowances are used exclusively for the construction of inclusionary affordable/workforce housing maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval.~~

(b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea D shall include structured parking and the following item(s) from the Development Enhancement Menu: CT.1.

(c) *Road Realignment.* Realignment of the Harmon Avenue or Vivian Avenue right-of-way may be considered, subject to City Commission approval and shall require dedication of equivalent Right-Of-Way for the re-alignment of Palmetto Ave. Harmon Avenue currently serves as access to businesses on Palmetto Avenue. Replacement of on-street parking and maximizing ease of traffic flow for Palmetto Avenue shall be matters of priority concern should the City Commission approve closing or vacation of Harmon Ave or Vivian Avenue. No on-street parking permitted along a curved roadway segment where the curve exceeds 60 degrees.

(5) Subarea E.

(a) *Subarea E Development Standards:*

1. Base Floor Area Ratio: 45%

2. Maximum Achievable Floor Area Ratio with structured parking: 60%. This additional 15% achievable FAR shall only be used for the construction of onsite parking structures to serve the subject property.

3. Maximum Height: Maximum 2 Stories
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. 0 front setback along Orange Avenue, except front setbacks must allow for at least a 17-foot wide sidewalk and 5-foot ~~landscape~~ buffer at back of curb. All other street frontages must allow for a 10-foot ~~foot~~ sidewalk and 5-foot ~~foot landscape~~ buffer at back of curb. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Where the building requires an additional setback to achieve the required sidewalk, ~~landscape~~ buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.
 - b. Side: 5 feet
 - c. Rear: 20 feet. ~~If abutting residential, shall be a minimum of 35 feet or equal to building height, whichever is greater.~~
6. Maximum Residential Density: 17 units per acre

(6) Subarea F.

(a) *Subarea F Development Standards:*

1. Base Floor Area Ratio: 20%
2. Maximum Achievable Floor Area Ratio: 20%
3. Maximum Height: 2 Stories
4. Maximum Impervious Coverage: 50%
5. Setbacks: 20 feet. Orange Avenue setbacks must allow for at least a 17-foot wide sidewalk and 5-foot ~~landscape~~ buffer area on the back of curb. Setbacks on Capen Avenue, Aragon Avenue and Denning Drive must allow for at least a 10-foot wide sidewalk and 5-foot landscape buffer area on the back of curb. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Where the building requires an additional setback to achieve the required sidewalk, ~~landscape~~ buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.
6. Maximum Residential Density: No Residential Uses Allowed

- (b) *Additional Subarea Requirements:* ~~This area shall not be used for any other future purpose than~~ Any use other than public space, recreation, open sports/recreation facilities, including ancillary structures, or the parking needed to support these uses shall be prohibited. No offices, classrooms, residences or other college uses shall be allowed on the property.

(7) Subarea G.

(a) *Subarea G Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 45%
3. Maximum Height: 2 Stories at max of 35 ft
4. Maximum Impervious Coverage: 85%
5. Setbacks: Front setback shall be 25 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 5-foot landscape buffer area along Fairbanks Avenue. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement. Side setback is a minimum of 5 feet, and rear setback is a minimum of 10 feet.
6. Maximum Residential Density: 17 Units/Acre. Residential Uses shall only be allowed above the ground floor fronting Orange Avenue. Up to a 20% Residential Density increase for workforce housing shall be permitted, with the condition that the workforce designation be maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval.

(b). *Additional Development Requirements.* This Subarea G represents an opportunity to expand Martin Luther King Jr., Park to create an increased greenway connection to Mead Botanical Garden, for cleanup of environmental hazards threatening water quality, educational opportunities regarding karst formation (sinkholes) and to improve traffic flow. It is the intent of the City of Winter Park to acquire these properties for the extension of Martin Luther King, Jr. Park and to provide for transportation improvements.

(8) Subarea H.

(a) *Subarea H Development Standards:*

1. Base Floor Area Ratio: 0%
2. Maximum Achievable Floor Area Ratio: 0%
3. Maximum Height: N/A
4. Maximum Impervious Coverage: N/A
5. Setbacks: N/A
6. Maximum Residential Density: N/A

(9) Subarea I.

(a) *Subarea I Development Standards:*

1. Base Floor Area Ratio (FAR): 45%
2. Maximum FAR with Residential: 60%

3. Maximum Achievable FAR with Enhancements:
~~100%~~100%
4. Maximum Height: 3 Stories
5. Maximum Impervious Coverage: 75%
6. Setbacks: Orange Avenue 0 front setback, except front setbacks must allow for at least a 17-foot wide sidewalk. On Denning Drive, a 20 foot setback shall allow for the multi-use trail and Minnesota Avenue setbacks must allow for at least a 10-~~ft~~ foot wide ~~setback-sidewalk~~ and a 5-~~ft~~ foot ~~planting-strip~~buffer from the back of curb. Where the building requires an additional setback to achieve the required sidewalk, ~~trail, landscape~~-buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.
7. Maximum Residential Density: 17 units per acre. ~~Residential Uses shall only be allowed above the ground floor fronting Orange Avenue. Up to a 20% Residential Density increase for workforce housing shall be permitted, with the condition that the workforce designation be maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval. Residential Uses shall only be allowed above the ground floor. On a case-by-case basis the City Commission may permit the maximum density in this subarea to be exceeded by up to 10% per acre when such allowances are used exclusively for the construction of inclusionary affordable/workforce housing maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval.~~
8. ~~8.~~

- (b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea I shall include structured parking and the following item(s) from the Development Enhancement Menu: CT.74. The City of Winter Park shall determine the area required to be dedicated for intersection improvements.
- (c) *Intersection and Open Space Viewshed.* Due to the unique shape of the property and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is bounded by the lines described as follows: start where the property lines of Subarea I meet at the intersection of Denning Drive and Minnesota Avenue; then travel 50 feet east along Minnesota Avenue's southern right of way line; thence south westerly

to the point on the east boundary of S. Denning Drive that is 30 feet south of the starting point; then north to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea I.

(10) Subarea J.

(a) *Subarea J Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio with Enhancements: ~~100%~~150%100%
3. Maximum Height: 3 stories fronting on Fairbanks Avenue and Denning Drive. 4 Stories when setback 80 feet from Fairbanks Avenue and Denning Drive. 4 stories fronting on Holt and Capen Avenues.
4. Maximum Impervious Coverage: 75%
5. Setbacks: 35 feet from the back of sidewalk on Fairbanks Avenue. Setbacks must allow for at least a 10-foot wide sidewalk and 5-foot ~~landscape~~ buffer area at the back of curb along Fairbanks Avenue. On Holt Avenue, Denning Drive and Capen Avenue setbacks must allow for at least a 10-~~ft-foot~~ wide sidewalk and a 5-~~ft-foot~~ ~~planting strip~~buffer from the back of curb. Where the building requires an additional setback to achieve the required sidewalk, ~~landscape~~ buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.
6. Maximum Residential Density: 17 units per acre. Residential Uses shall only be allowed above the ground floor. Residential Uses shall only be allowed above the ground floor fronting Orange Avenue. Up to a 20% Residential Density increase for workforce housing shall be permitted, with the condition that the workforce designation be maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval. On a case-by-case basis the City Commission may permit the maximum density in this subarea to be exceeded by up to 10% per acre when such allowances are used exclusively for the construction of inclusionary affordable/workforce housing maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval.
7. Vehicle access to the property shall only be allowed from Capen Avenue or Holt Avenue, unless otherwise allowed by the City Traffic Engineer and the Fire Marshall. A

~~service alley of at least 30 feet is required to extend from Holt to Capen.~~

- (b) *Required Development Enhancements:* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea J shall include structured parking and the following item from the Development Enhancement Menu – CT.4 Land Donation for Transportation Improvements. The City of Winter Park shall determine the area required to be dedicated for transportation improvements and the required land may be property under common ownership located offsite from Subarea J within the OAO boundaries.
- s. *Orange Avenue Overlay District Development Enhancements/Bonuses.* Enhanced development entitlements shall be considered for the OAO developments including structured parking, but shall be earned based upon a project meeting certain established criteria, rather than simply granted.
- (1) *Square-Foot-Based Development Enhancement Menu.* A square-foot-based upgrade system for properties with new developments or redevelopments that include parking dedicated to the public in perpetuity within the OAO is hereby established. For properties to obtain additional development entitlements, Floor Area Ratio (FAR) beyond what is provided in the relevant subarea or underlying zoning, the following provisions and Tables are established.
- (2) Property owners or developers providing parking dedicated to the public in perpetuity may use any combination of the Development Enhancement Menu to obtain up to the Maximum Achievable Floor Area Ratio. Certain subareas shall require certain Enhancements to be met. Each development enhancement utilized shall be required to be designed and shown on any development plans submitted for development of a property. Off-site improvements shall require plan submittal for the area where the improvements are proposed. Any enhancement or improvement shall be designed by a licensed professional (Architect, Civil Engineer, Landscape Architect, Structural Engineer, etc.) as determined by the Planning Director.
- (3) For physical improvements from the Development Enhancement Menu, the City may require a development agreement with terms acceptable to the City setting forth the ownership, operation, maintenance and replacement responsibilities for such Enhancement(s). Unless otherwise stated in the Development Enhancement Menu or a development agreement, the property owner/developer is obligated, at its expense, to operate, maintain, and replace with comparable product at the end of the enhancements' useful life based on industry standards and best practices any physical improvement enhancement made within or

upon the development project for the life of the development project. For physical improvement(s) from the Development Enhancement Menu made to City-owned property or other public property, the City may require the property owner/developer, at its expense, to cause the operation, maintenance and replacement of such improvement(s) for up to twenty (20) years from completion in the manner set forth in a development agreement. For any amenities placed upon private property intended to be accessed and/or used by the public, the property owner/developer may be required to grant easements to the City permitting public access and use of such amenities without subjecting the City to any operation, maintenance and replacement responsibilities or liability arising from such public access or use.

- (4) The following OAO Development Enhancement Menu was created to address the wide-ranging issues affecting the Orange Avenue area, while meeting the goals of the Comprehensive Plan, the Vision Winter Park plan and the Winter Park Sustainability Plan. To ensure that the intent of the Development Enhancement Menu is met, any project that utilizes this menu shall be reviewed by the ~~Planning Director~~ Planning & Zoning Board in order to make a recommendation to ~~the City~~ the City Commission as to whether and to what extent an increase in FAR is allowed.
- (5) Where the City requires Transportation Multi-Modal Impact Fee, Affordable Housing or Parks Usage Fees, those fees are separate from enhancements proposed in the following Enhancement/Incentives Menu. Unless otherwise stated within this section, enhancements are not eligible to serve as credits against otherwise required fees.
- (6) The relationship between the Enhancements that will benefit the community and the Incentive that will benefit the developer is based on the following components:
 - a. The "Enhancement Cost" to be borne by the Developer
 - b. The "Incentive" to the Developer expressed as additional floor area allowed over and above the Baseline FAR
 - c. The Value of each additional square foot of floor area, the "FAR Value"
 - d. The "Multiplier" as established by Commission Policy
- (7) The calculation of the Incentive relative to the Enhancement is expressed as follows:

Incentive (in Square Feet) = Enhancement Cost (Dollars) times Multiplier (set by Policy) divided by FAR Value (Dollars per SF)

Example: For an Enhancement with a cost of \$10,000, FAR Value of \$70 per SF of FAR and a Multiplier of 2.0, the Incentive is calculated as follows:

Incentive (SF) = \$10,000 x 2.0 / (\$70/SF) = 400 Additional SF of FAR

Check: 400 Additional SF of FAR x \$70/SF= \$20,000 of Value to Developer (i.e. a \$10,000 profit on a \$10,000 cost; or 100% profit)

- (8) The "Enhancement Cost" shall be the installation cost plus the present value of the 20-year maintenance requirement, if applicable. Enhancement Cost shall be determined by staff as directed by the City Manager in their sole discretion. Staff (at the direction of city manager) may consider actual costs, estimated costs, comparable market values, consultant estimates or any other means or methods that staff may choose.
- (9) The value of each additional square foot allowed by increasing the FAR, "FAR Value," shall initially be [\$70] per SF. FAR Value shall be subject to approval by the Commission, upon recommendations from staff, but as a minimum shall increase 2.5% per year. Staff shall make recommendations to increase the FAR Value not less than every 10 years. Staff recommendations shall primarily consider recent sale comparisons expressed as the Sales Price divided by the greater of the SF permissible under the Baseline FAR or the actual SF approved at the time of the sale closing.
- (10) The "Multiplier" is set as a policy matter by the Commission to provide a range of profit on cost or a risk premium over the cost of the Enhancement.

Examples of Multipliers and the Policy may include:

- a. "Threshold Enhancements" or "Permissible Enhancements" = [1.25 times] (e.g., 25% profit on cost or risk premium)
- b. "Encouraged Enhancements" = [1.5 times] (e.g., 50% profit on cost or risk premium)
- c. "Strongly Encouraged Enhancements" = [2.0 times] (e.g., 100% profit on cost or risk premium)

Table 1: Orange Avenue Overlay District Development Enhancement Menu – Sustainability Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
S.1	Renewable Energy/Solar PV Panel Systems	The cost of installing the system earns an increase in square footage. <u>Projects utilizing solar panels to cover the parking spaces on the open top level of a parking structure shall allow the area covered with solar panels and supporting structure be exempt from FAR.</u> <u>Electrical storage capacity system costs shall be eligible to increase square footage.</u> <u>Open top story areas that utilize solar panels to cover the roof area shall allow the roof area covered with solar panels and supporting structure to be exempt from FAR, so long as the sides remain open air (except to meet safety code</u>	1.5	10%

		<u>requirements for railings or parapet walls), and the area is not air-conditioned.</u>		
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Table 2: Orange Avenue Overlay District Development Enhancement Menu – Arts & Culture Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
AC.1	<i>Space for Non-Profit Arts & Cultural Organizations</i>	For each 1,000 square feet of space that is built specifically and solely for non-profit arts and cultural facilities. The space provided for these non-profit users shall not count towards the FAR of the site. The space shall only be rented to Arts & Cultural organizations with non-profit 501.C.3 status, in perpetuity. Parking shall also be provided and shared parking is encouraged. The rents charged shall not exceed 80% of the median rents charged for similar properties in the area. The rents shall not increase more than 3% per year.	1.5	15%

Table 3: Orange Avenue Overlay District Development Enhancement Menu – Parking Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
P.1	<i>Public Parking</i>	Each 3 Dedicated Public Parking Spaces within a Parking Structure, Which Remain Free for Public Parking at All Times.	1.25	10%

Table 4: Orange Avenue Overlay District Development Enhancement Menu – Meaningful Open Space Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
OS.1	<i>Open Space Beyond Minimums</i>	Additional dedicated open space available to the public beyond the required minimum.	1.5	20%
OS.2	<i>Shade Tree Planting</i>	Each 25-inches of Shade Tree Caliper Planted Onsite Beyond Minimum Requirements. Species Shall Be City Arborist Approved and Planted with Irrigation. A minimum 5" caliper tree shall be required.	1.5	10%
OS.3	<i>Tree Fund Donation</i>	Payment may be made into the City of Winter Park Tree Replacement Trust Fund, so that meaningful trees can be planted throughout the City to maintain and grow our tree canopy.	1.5	5%
OS.4	<i>Mead Garden Improvements</i>	Donation to City of Winter Park designated for Mead Botanical Garden Improvements/Restoration/Enhancements. The Funds Shall Only Be Used for Capital Improvements or Enhancements in Mead Botanical Garden with a maximum donation of \$100,000.	1.25	10%
OS.5	<i>Donation of Land for Parks</i>	For land donated to the City of Winter Park for park space located adjacent to existing public parkland (which is accepted by the City Commission as meaningful and useful park land). Donated park land cost shall equal FAR value.	2.0	20%

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
OS.6	<i>Martin Luther King, Jr. Park Expansion</i>	Donation to the City of Winter Park, Park Acquisition Fund. Funds Shall Only Be Used for the Acquisition of Additional Park Land. The Funds Shall Only Be Used For the Acquisition of the Area Identified as Subarea "G" herein, to expand Martin Luther King, Jr. Park. Maximum donation of \$100,000.	2.0	10%
OS.7	<i>Social Connection Amenities</i>	Stage areas for music/art performance	1.25	2%
		Dedicated Standalone Public Restrooms (not a part of a business onsite)		2%

Table 5: Orange Avenue Overlay District Development Enhancement Menu – Connectivity & Transportation Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
CT.1	<i>Rail-Trail Construction & Easement</i>	Provide Dedicated Utility & Public Access Easement of a Minimum of 20 feet and Construction of Rail-Trail with a 12-foot Trail Width, to match regional trail widths and 4-foot planting strip along each side within said 20 foot easement, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree of minimum 5" caliper (as selected by Urban Forestry) with irrigation for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations and the design of the trail shall be determined on the site plan when a project is submitted for consideration. Enhancement costs shall not include land costs.	1.25	20%
CT.2	<i>Off-Site Trails</i>	Donation to the Construction of Bike/Pedestrian Trails. Due to the unique circumstances and properties in each area, every section of future trail will have challenges and opportunities. Because no two areas are the same, it is preferable to have developers pay into a trails fund, with design and installation provided by the City. Maximum donation of \$100,000.	1.5	10%

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
CT.3	<i>Bicycle/Pedestrian Repair Facilities & Rest Areas</i>	Provide bicycle/pedestrian amenities that are available to the community near any Bike Trail facility. One of each of these facilities shall be allowed to locate in one or more of the following locations: Rail Trail area as defined in this chapter, along the new Bike Path connecting to Mead Botanical Garden, or along the Denning Drive bicycle facilities. Each location shall require the following elements under a covered roof or shade area: Bicycle Fix-It Stations with bike lift, air pump and tools; water fountain and water bottle filling; bike rack; trash and recycling receptacles; and a bench. Maximum cost of \$25,000.	1.5	6%
CT.4	<i>Land Donation for Transportation Improvements</i>	Land dedicated to the City of Winter Park as right-of-way for needed transportation improvements. Right-of-way land cost shall equal 25% of FAR value.	1.5	25%

t. *Definitions.*

- (a) *Affordable Housing:* Affordable housing means a dwelling unit, with regard to a unit for sale, which costs less than 80 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 80 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area and for which the purchaser's or renter's income or combined family income does not exceed 80 percent of the median family income for the Orlando metropolitan area.
- (b) *Boutique Hotel:* A boutique hotel typically has ~~minimal food and beverage operations, no banquet facilities and has~~ 100 rooms or less. It is largely characterized by its smaller size, personalized service and local personality, which can vary dramatically depending on where the property is located. They cater to the individual, providing very personalized, intimate service. These properties are designed to blend into the community and reflect the neighborhoods and cultures around them. These hotels have minimal food and beverage operations and no banquet facilities.

- (c) *Building Story*: Building story means a section of a building between the surface of a floor and the floorplate of the floor above it.
- (d) *Common Ownership or Commonly Owned*: Properties shall be deemed to be under “common ownership” or “commonly owned” if the properties are owned by the same entity or affiliated entities with substantially similar control and management and at least 51% ownership.
- (e) *EIFS*: Exterior Insulation and Finish System. A non-load bearing exterior wall cladding system consisting of a thermal insulation board, adhesively and/ or mechanically attached to the substrate, base coat with reinforced fiberglass mesh and a textured finish coat.
- (f) *Fast Casual Restaurant*: Fast casual restaurants offer consumers freshly-prepared, higher-quality food in an informal setting, with counter service to keep things speedy.
- (g) *Floor Area Ratio (FAR)*: The gross floor area divided by the land area of the building site excluding land areas across a public street under the same ownership. The gross floor area ratio is the square footage of the building or buildings on the property (and contiguous properties being used in connection with such building(s)) divided by the area of such property in square feet. This mathematical expression (gross floor area ÷ land area = floor area ratio) shall determine the maximum building size permitted. The floor area of parking structures is included in the calculation of the Floor Area Ratio with the exception of underground parking, open-air top-level parking and the 10% parking in excess of code required in accordance with Section 58:83 j(7)(c).
- (h) *Food Hall*: Unlike food courts made up of fast food chains, food halls typically mix local artisan restaurants, butcher shops and other food-oriented boutiques under one roof.
- (i) *Green Roof*: A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. Green roofs serve several purposes for a building, such as absorbing rainwater, providing insulation, creating a habitat for wildlife, increasing benevolence and decreasing stress of the people around the roof by providing a more aesthetically pleasing landscape, and helping to lower urban air temperatures and mitigate the heat island effect.
- (j) *Green Wall/Living Wall*: Living walls or green walls are self-sufficient vertical gardens that are attached to the exterior or

interior of a building. They differ from green façades (e.g. ivy walls) in that the plants root in a structural support which is fastened to the wall itself. The plants receive water and nutrients from within the vertical support instead of from the ground.

- (k) *Impervious Area*: Impervious Areas are man-made areas that cannot absorb water from rain or snow. Impervious Area Examples: Roofs; Roads; Sidewalks; Driveways; Parking Lots.
- (l) *Meaningful Open Space*: Privately -owned property that is not a part of the inside of a building. These areas are intended to provide for the use and benefit of the general public, and are legally accessible by the general public. These areas are accessible and designed for outdoor living, gathering, landscaping, recreation, pedestrian activity, meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Open space shall not be retention ponds, parking lot islands or landscape planting areas around building bases. Meaningful opens spaces are areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.
- (m) *Mixed-Use*: Mixed-use development combines two or more types of land use into a building or set of buildings that are physically and functionally integrated and mutually supporting. This can be some combination of residential, commercial, industrial, office, institutional, or other land uses. The form of mixed-use development can be vertical or horizontal. Vertical mixed-use occurs when different uses inhabit the same building and sit atop one another, such as residential or office uses over ground floor retail. Horizontal mixed-use occurs when uses are placed next to each other, such as an apartment building that is adjacent to offices, restaurants, or retail shops. Mixed-use areas often create the main street/downtown, activity center, or commercial corridor of a local community, district, or neighborhood. They frequently involve stacking uses – residential or office above retail, for example, in low or midrise buildings, but are predominately made up of a variety of individual buildings arranged around streets and around public squares or other open spaces.

~~(n) *Multi-Generational Play Area*: Instead of focusing exclusively on children, these playgrounds broaden their scope to include equipment, activities and amenities for those older than age 12 – and perhaps significantly older – so that anyone who visits the playground, regardless of age or ability, can find something there they enjoy.~~

~~(e)~~(n) Multi-Modal Transportation: This concept is that all modes of transportation should have equality and there shouldn't be the typical hierarchy where private automobiles have more opportunities at the cost of pedestrians, cyclists, public transportation users and handicapped persons.

~~(p)~~(o) Overlay District: An area where certain additional requirements are mapped upon an underlying zoning district(s). The district modifies or supplements the underlying zoning regulations and allows for flexibility in design and the ability to apply more area specific requirements including, but not limited to, architecture, height, setbacks, use, open space, landscaping, historic preservation, floor area ratio, parking, public improvements, access, stormwater, etc. In the instance of conflicting requirements, the stricter shall apply.

~~(e)~~(p) Pervious Area: A pervious surface is a surface that allows the percolation of water into the underlying soil. Pervious surfaces include grass, mulched groundcover, planted areas, vegetated roofs, permeable paving as well as porches and decks erected on pier foundations that maintain the covered lot surface's water permeability.

~~(r)~~(q) Placemaking: As both an overarching idea and a hands-on approach for improving a neighborhood, city, or region, placemaking inspires people to collectively reimagine and reinvent public spaces as the heart of every community. Strengthening the connection between people and the places they share, placemaking refers to a collaborative process by which we can shape our public and private realm in order to maximize shared value. More than just promoting better urban design, placemaking facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.

~~(s)~~(r) Public Improvements: Any drainage facility, roadway, parkway, pedestrian way, off-street parking area, lot improvements, sidewalk, bike lane, park, public facility, pedestrian crossing, boulevard or other facility which benefits the public.

~~(t)~~(s) Residential Density: Measured in dwelling units per gross acre. Maximum densities determine the number of single-family,

apartment, townhome, condominium or other ~~multifamily~~ units allowed.

~~(u)~~(t) Walkability: A measure of how well streets are designed to incorporate pedestrian scale elements and to create equal access for pedestrians. A walkable area has health, environmental, and economic benefits. It keeps pedestrians interested, safe and engaged with the built environment around them. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.

~~(v)~~(u) Workforce Housing: A dwelling unit, with regard to a unit for sale, which costs less than 120 percent of the median price of the single-family homes sold the previous year in the Orange County metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 120 percent of the median monthly cost of similar sized units for the previous year in the Orange County metropolitan area, and for which the purchaser's or renter's income or combined family income does not exceed 120 percent of the median family income for the Orange County metropolitan area.

v. Vested Rights.

(1) In order to not adversely affect development projects that are actively in the process of being developed for which expenditures have been made in reliance upon the previously existing land development regulations prior to the effective date of this Section as evidenced by such development project's site and building floor plans and/or conditional use having been received and approved by the City prior to the effective date of this Section, the City will allow such development projects to proceed subject to compliance with the underlying zoning and future land use of the property existing prior to the adoption of this Section, other applicable land development regulations and conditions of approval without the need to comply with the development standards of this Section and the Comprehensive Plan Future Land Use Element Goal 1-8-9 and its corresponding Objectives and Policies for which this Section implements. Provided however, a conditional use approval or other development order that has been approved by the City which subsequently expires, whether prior to or after adoption of this Section, does not create a vested right to develop a property without compliance with this Section and the Comprehensive Plan Future Land Use Element Goal 1-8 and its corresponding Objectives and Policies which this Section implements. The City Commission will not approve any Conditional Use extensions of those development projects within the OAO that have been approved prior to the effective date of this Ordinance.

(2) If a property owner believes that this Section and/or the Comprehensive Plan Future Land Use Element Goal 1-8-9 (and its corresponding Objectives

and Policies which this Section implements) creates an inordinate burden on an existing use of real property or a vested right to a specific use of real property, the property owner may apply for a vested rights determination by the City Commission to allow development of such real property within the OAO subject to the underlying zoning and future land use of the property existing prior to the adoption of this Section and compliance with other applicable land development regulations. The Director of Planning and Transportation is authorized to develop a vested rights determination application, the minimum submittal requirements for such application and a reasonable fee associated with the review and processing of such application. The property owner requesting a vested rights development under this subsection has the burden of proof to show that the property owner has a vested right to develop its real property without being subject to the provisions of this Section and the Comprehensive Plan Future Land Use Element Goal 1-~~8-9~~ and its corresponding Objectives and Policies which this Section implements. The City Commission will conduct a quasi-judicial public hearing on the vested rights determination request to consider whether to approve or disapprove the property owner's request for a vested rights determination. If the City Commission approves the vested rights determination, the applicable real property will be able to develop subject to compliance with the underlying zoning and future land use of the property existing prior to the adoption of this Section and other applicable land development regulations without compliance with or benefitting (including benefitting from any increased densities or intensities allowed by the OAO) from the development standards of this Section and the Comprehensive Plan Future Land Use Element Goal 1-~~8-9~~ and its corresponding Objectives and Policies which this Section implements. An approval of a vested rights determination may be subject to a requirement that the property owner and city execute an agreement, with terms acceptable to the city, specifying the uses, densities and intensities allowed and other applicable restrictions upon the development of the real property at issue.

(3) Upon the City's receipt of a written claim of an inordinate burden on an existing use of real property or a vested right to a specific use of real property caused by the provisions of this Section and/or the Comprehensive Plan Future Land Use Element Goal 1-~~8-9~~ (and its corresponding Objectives and Policies which this Section implements), the City Commission shall have the authority, but not the obligation, to authorize the applicable property to develop subject to compliance with the underlying zoning and future land use of the property existing prior to the adoption of this Section and other applicable land development regulations without compliance with or benefitting (including benefitting from any increased densities or intensities allowed by the OAO) from the development standards of this Section and the Comprehensive Plan Future Land Use Element Goal 1-~~8-9~~ and its corresponding Objectives and Policies which this Section implements. This provision shall not be construed as a limitation on the City's authority to make, accept and implement settlement offers and settlement agreements pursuant to applicable law.

SECTION 2. Repeal. Ordinance 3166-20 and Ordinance 3167-20 were rescinded and repealed prior to such ordinances effective dates and were never a part of or incorporated into the Comprehensive Plan or land development regulations. Therefore, in

no event shall any development project have any vesting status pursuant to the provisions of Ordinance 3166-20 or Ordinance 3167-20. This Ordinance further confirms and readopts the repeal of Ordinance 3167-20.

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

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

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

SECTION 6. Effective Date. This Ordinance shall become effective upon the comprehensive plan amendments establishing the Orange Avenue Overlay District goals, objectives and policies as provided for under Ordinance _____ become effective. If Ordinance _____ does not become effective, then this Ordinance is not effective and shall not become part of the City's land development regulations.

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

Mayor Phil Anderson

Attest:

City Clerk

**DRAFT ORANGE AVENUE OVERLAY
LAND DEVELOPMENT CODE AMENDMENT
8.2.2021 VERSION**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA, AMENDING CHAPTER 58 "LAND
DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS
TO ADOPT A NEW ZONING DISTRICT SECTION 58-83
ORANGE AVENUE OVERLAY DISTRICT (OAO)
CREATING REGULATIONS FOR THE ORANGE AVENUE
OVERLAY DISTRICT; PROVIDING FOR CONFLICTS;
REPEAL; SEVERABILITY AND AN EFFECTIVE DATE.**

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

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended adoption of proposed amendments to the Zoning Regulations portion of the Land Development Code having held an advertised public hearing on _____, and has recommended approval of this Ordinance to the City Commission; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on this Ordinance set forth hereunder and considered findings and advice of staff, citizens, the Orange Avenue Overlay Steering Committee, the Planning & Zoning Board and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the Land Development Code changes set forth hereunder; and

WHEREAS, Comprehensive Plan Policy 1-2.4.14, Mixed Use Designation directed. Within one year from the adoption of this Comprehensive Plan, the City will create a mixed use overlay or district for commercially designated parcels that would be intended to facilitate design and use flexibility to achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design. Complementary uses may include, but are not limited to retail, entertainment, office, civic and residential uses. The City shall also prepare companion land development code regulations that implement the proposed mixed use overlay or district simultaneously with any policy amendments related to this overlay or district. All policies related to this overlay or district will be subject to a Comprehensive Plan amendment; and

WHEREAS, the City Commission hereby finds that the land development regulations set forth in this Ordinance are consistent with the Comprehensive Plan as recently

amended to establish the Orange Avenue Overlay District goals, objectives and policies; and

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

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

SECTION 1. Amendment. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by adopting a new Section 58-83 Orange Avenue Overlay District (OAO), to read as follows:

Section 58-83. Orange Avenue Overlay District (OAO).

- (1) *Establishment of Orange Avenue Overlay District.* The Winter Park City Commission adopts this overlay district as needed in order to implement specific purposes, intents, and design standards based upon the adopted Comprehensive Plan goals, objectives and policies for the Orange Avenue Overlay District, which shall be applied as additional standards to other regulations required by the City. Such overlay district shall be made a part of this section of the Land Development Code. Upon adoption, the boundaries of such overlay district shall be shown on the Winter Park Zoning Map.

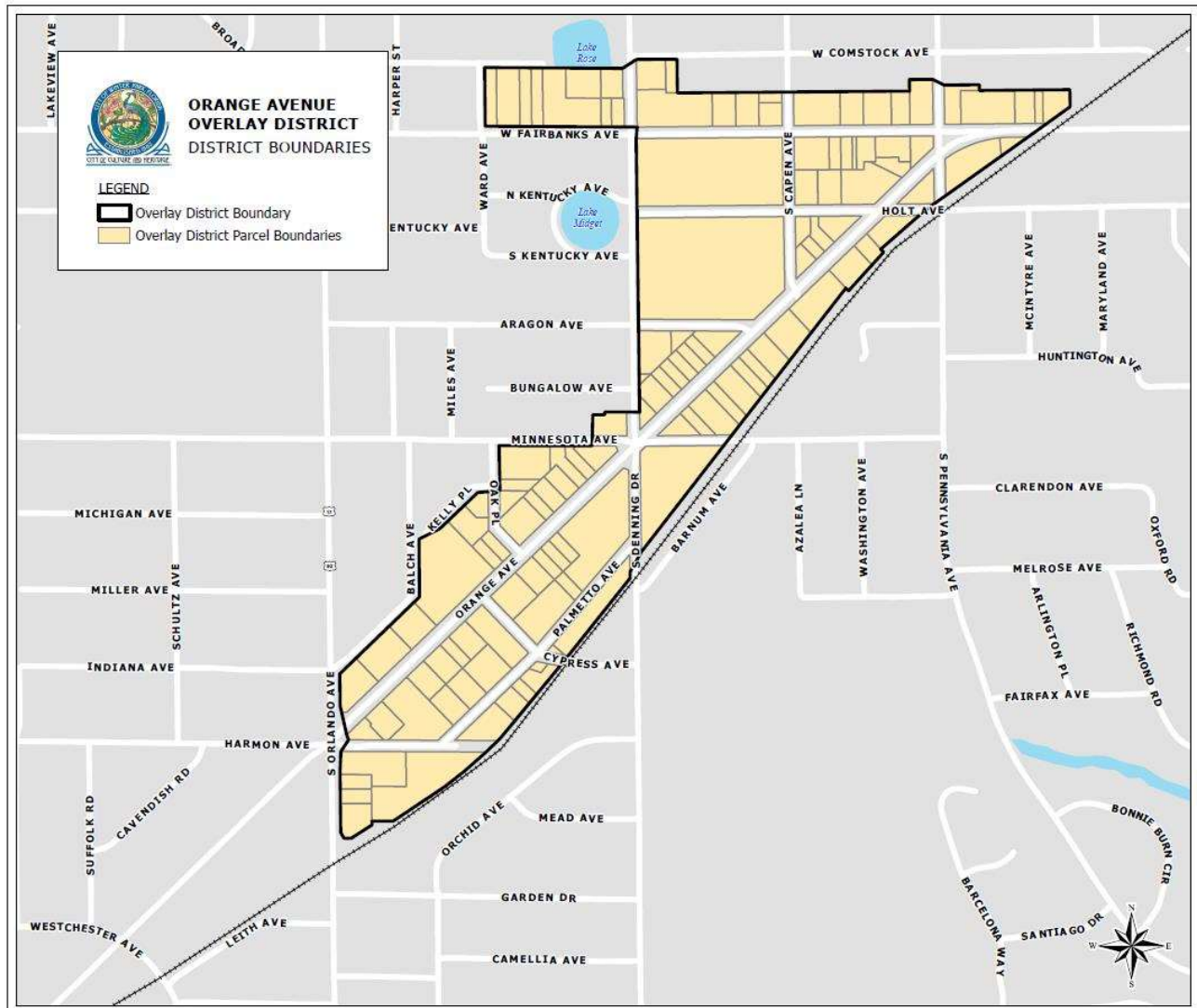
- (2) *Applicability.*
An overlay district acts as an additional layer of zoning over the base (or underlying) zoning district. All development projects located within this overlay district shall adhere to the requirements of this Section and other applicable provisions of the Land Development Code. The provisions of this Section shall prevail to govern the development of property within the overlay district over conflicting provisions found in other parts of the Land Development Code, including the provisions of the applicable base zoning district.

- (3) *Orange Avenue Overlay District.* The provisions and regulations for the Orange Avenue Overlay District within the City of Winter Park are outlined below.

- (1) *Orange Avenue Overlay District.* It is the intent of the Orange Avenue Overlay District ("OAO") to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This OAO is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls. The following provisions and regulations apply to all properties located within the OAO unless expressly provided otherwise.

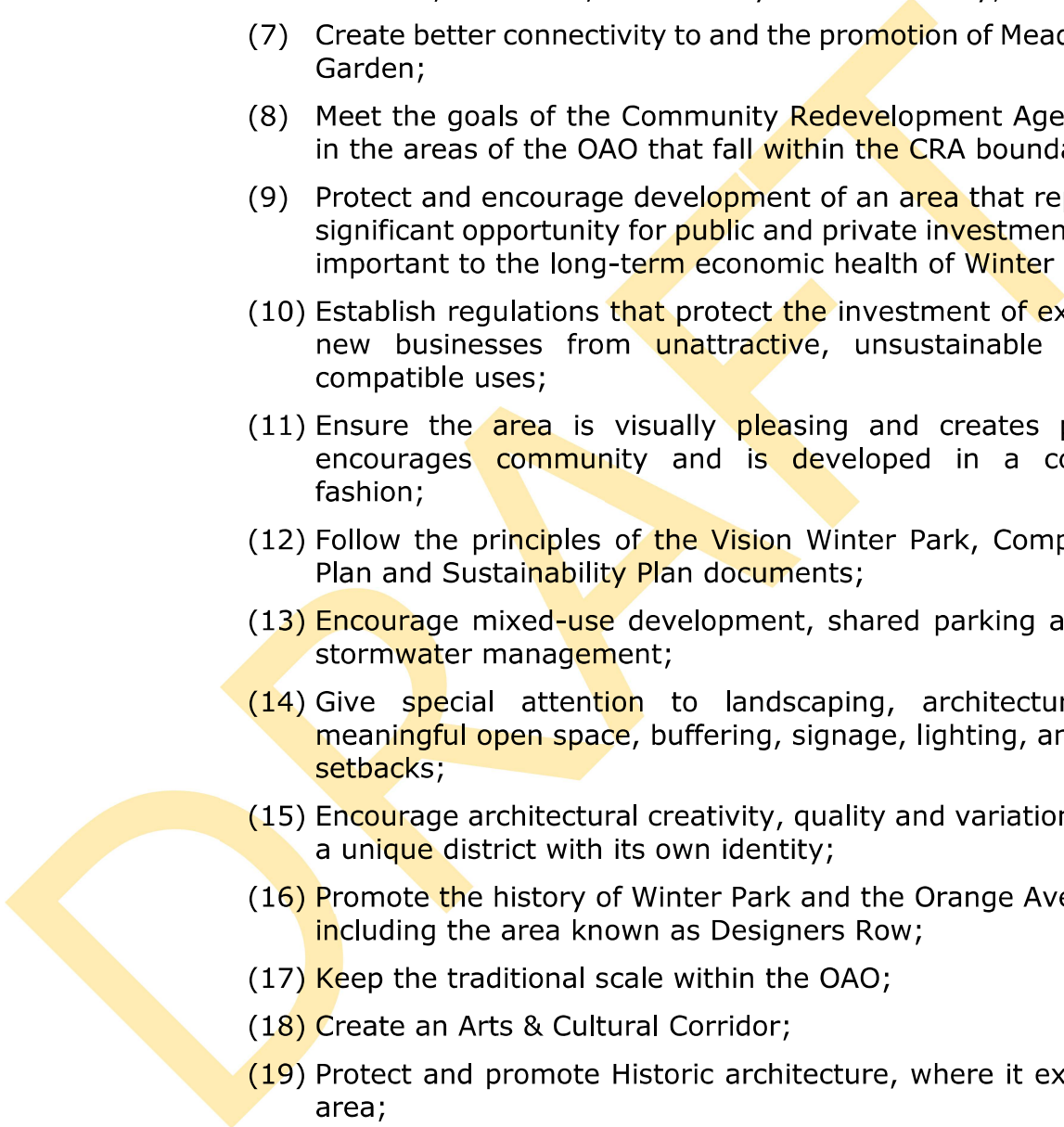
- a. *Location and boundaries.* The OAO boundaries are identified on the following map. The provisions and regulations found herein shall only apply to the properties located within this defined area. Each parcel of property within the OAO is identified by tax parcel identification

number on Exhibit "A" attached to the ordinance adopting this section, and each Parcel, in addition to retaining its underlying zoning classification (as modified by these OAO regulations and provisions), shall reflect on "OAO" designation on the City's zoning map.



b. Purpose.

- (1) Encourage sustainable development, redevelopment, and adaptive reuse that will become a long-term asset to Winter Park;
- (2) Create and enhance connectivity to the surrounding neighborhoods and promote connectivity to all of Winter Park;
- (3) Utilize and incentivize private development and/or redevelopment to create solutions for the existing problems that small properties and business-owners in the Orange Avenue area face;
- (4) Create public improvements that will benefit all residents and visitors of Winter Park;

- 
- (5) Provide the opportunity for existing businesses and properties to improve their structures, their businesses and their building facades;
 - (6) Restrict uses and create regulations that promote the development of the Orange Avenue area as a special place within Winter Park that promotes an environment of arts, healthy-living, cuisine, culture, heritage, social interaction, healthcare, local business, education, connectivity and community;
 - (7) Create better connectivity to and the promotion of Mead Botanical Garden;
 - (8) Meet the goals of the Community Redevelopment Agency (CRA) in the areas of the OAO that fall within the CRA boundary;
 - (9) Protect and encourage development of an area that represents a significant opportunity for public and private investment, which is important to the long-term economic health of Winter Park;
 - (10) Establish regulations that protect the investment of existing and new businesses from unattractive, unsustainable and non-compatible uses;
 - (11) Ensure the area is visually pleasing and creates place that encourages community and is developed in a coordinated fashion;
 - (12) Follow the principles of the Vision Winter Park, Comprehensive Plan and Sustainability Plan documents;
 - (13) Encourage mixed-use development, shared parking and shared stormwater management;
 - (14) Give special attention to landscaping, architectural detail, meaningful open space, buffering, signage, lighting, and building setbacks;
 - (15) Encourage architectural creativity, quality and variation to create a unique district with its own identity;
 - (16) Promote the history of Winter Park and the Orange Avenue area, including the area known as Designers Row;
 - (17) Keep the traditional scale within the OAO;
 - (18) Create an Arts & Cultural Corridor;
 - (19) Protect and promote Historic architecture, where it exists in the area;
 - (20) Attract new businesses, retain small businesses and encourage locally-owned businesses in the Orange Avenue area; and
 - (21) Enhance pedestrian walkability, connectivity and safety and to create a safe, comfortable and convenient pedestrian experience with shaded sidewalks, interesting business fronts, connected destinations and walkable block sizes.

c. *Permitted Uses.* Any use not listed specifically as an allowed use herein shall be deemed to be prohibited in the OAO. The following uses up to 10,000 square feet shall be allowed by-right on any property within the OAO, unless otherwise specified within the applicable subarea policies:

- (1) Antique Stores
- (2) Bars, taverns, cocktail lounges (with food sales and 51% of revenue must be from food sales)
- (3) Blueprinting, photocopying and printing offices
- (4) Boutique Hotel with 100 rooms or less and has minimal food and beverage operations, no banquet facilities permitted
- (5) Breweries/distilleries (with food sales)
- (6) Market or corner store (up to 5,000 square feet and excluding convenience store)
- (7) Dry Cleaning (Drop-Off Only, with off-site processing & no drive-thru)
- (8) Financial institutions, including banks, savings and loan associations and credit unions (with a maximum of 2 drive-thru lanes, which are screened from view)
- (9) Fine arts museums, fine arts instruction, dance instruction and music instruction
- (10) Fitness facility, exercise or health club (up to 5,000 square feet)
- (11) Food Halls
- (12) Government services
- (13) Grocer (not including convenience store), up to 10,000 square feet.
- (14) Health and wellness studios (up to 5,000 square feet)
- (15) Mixed-Use Development (can be vertical or horizontal) that includes two or more uses allowed within the OAO.
- (16) Nonprofit organization offices
- (17) Personal services (spa, barber shop, hair salon, nail salon, massage, cosmetic treatment) cannot be a standalone massage parlor, must be part of a spa or cosmetology salon
- (18) Pet supply shop, pet grooming, pet daycare (provided that there shall be no outside kennels, pens or runs. No overnight or weekend boarding of animals)
- (19) Photography Studio
- (20) Professional offices (including medical and dental offices)
- (21) Recreational facilities up to 5,000 square feet

- (22) Residential uses such as condominiums, townhomes, apartments, lofts, studios unless not allowed by the applicable subarea restrictions. If more than 4 units is proposed as a part of any new development, remodel or addition, each of the units shall be a minimum of 750 square feet of living area
 - (23) Restaurants/Fast-Casual Dining/Fine-Dining
 - (24) Retail businesses involving the sale of merchandise on the premises within enclosed buildings and excluding resale establishments or pawn shops (other than clothing resale stores), a maximum size of 10,000 square feet.
 - (25) Theater
 - (26) Uses customarily incidental and accessory to the permitted uses, including the repair of goods of the types sold in stores are permitted. Such repair must be carried on within a completely enclosed building, may not be carried on as a separate business, and provided further that there shall be no manufacturing, assembling, compounding, processing or treatment of products other than that which is clearly incidental and essential to the permitted uses. No external signage shall be permitted for accessory uses.
 - (27) Shared office space
- d. *Conditional Uses.* The following uses shall be allowed only with approval of a Conditional Use on any property within the OAO, unless otherwise specified within the applicable subarea policies:
- (1) Bars, taverns, cocktail lounges (without food sales)
 - (2) Breweries/distilleries (without food sales)
 - (3) Fitness facility, exercise or health club over 5,000 square feet, but less than 10,000 square feet
 - (4) Recreational facilities over 5,000 square feet, but less than 10,000 square feet
 - (5) Buildings or permitted uses within this section over 10,000 square feet in size
 - (6) Resale/antique stores
 - (7) Vehicle sales showroom provided the following criteria are met that all product and inventory must be housed within a fully enclosed building, that all repair and service must be conducted within a fully enclosed building with no outside storage permitted, that the hours of retail operation are limited to 8 am to 6 pm Monday-Friday and 9 am to 5 pm on Saturday and that 30% of subject property, exclusive of stormwater retention, shall be devoted to green open space visible from an arterial roadway.
- e. *Prohibited Uses.* All uses not permitted or conditionally permitted within the OAO are prohibited. Without limiting the uses that are

prohibited in the OAO, the following uses shall be prohibited in the OAO:

- (1) Adult-oriented businesses
- (2) Automotive-related businesses (i.e. auto sales, auto repair, auto rental, body shops, auto wash, auto audio, auto glass, auto tinting, auto parts sales)
- (3) Standalone massage parlors (not part of a health spa)
- (4) Fast food (with or without drive-thru)
- (5) Gas stations/convenience stores
- (6) Liquor stores
- (7) Pawn shops/check cashing
- (8) Tattoo parlors
- (9) Vape/smoke shops
- (10) Pain Management Clinics
- (11) Medical Marijuana Dispensaries, Processing, Growing, etc.
- (12) Billboards

f. Non-Conforming Uses/Structures. Existing but non-conforming properties uses and non-conforming structures, which existed as of the date the OAO became effective, shall be allowed to continue as legally non-conforming in the same manner after the adoption of the OAO as existed prior to the effective date of the OAO except as provided herein. Nonconforming uses and non-conforming structures shall be subject to and comply with the provisions of this OAO when any of the conditions below occur that cause the non-conforming use or non-conforming structure to be deemed abandoned and become illegal unless otherwise allowed to remain pursuant to a special permit granted by the city commission pursuant to section 58-64(f).

- (1) A non-conforming principal use on the property is discontinued for a period of three (3) calendar months then such non-conforming use shall be deemed abandoned and become an illegal use;
- (2) A non-conforming structure is destroyed or significantly altered by sixty (60) percent or greater then such structure shall be brought into compliance with the OAO requirements; or
- (3) Enlargements of any existing non-conforming structures and/or uses are made to the property that increases the gross square footage then such property shall be brought into compliance with the OAO requirements.

Discontinuance of a non-conforming use will be determined by any of the following: (i) if the business relocates, (ii) if there is an interruption in utility service, (iii) a failure to pay applicable local business taxes or

the expiration of a local business tax receipt, (iv) the absence of signage indicating the existence of the nonconforming use on the property, or (v) any other relevant evidence indicating discontinuation of the nonconforming use for the requisite time period. In determining the date of discontinuance, the date of the first indication of abandonment will be relied upon. A nonconforming use shall also be considered to be abandoned if a permitted use moves in place of a non-conforming use.

The Planning & Transportation Director or City Traffic Engineer or their respective designee may require the property owner to provide a site-specific traffic study to determine the potential impacts of the proposed changes to uses or structures as part of the site development plan.

g. Residential Uses within the Overlay District. The OAO shall not apply to existing residential uses or structures developed prior to the effective date of this section. Protections of existing residential uses shall be implemented. Properties currently used as and developed as residential prior to the effective date of this section shall continue to be subject only to current Land Development Code standards and protections governing such properties' underlying zoning designation and not those set forth in the OAO, unless and until such properties redevelop. Any change of use or redevelopment on the property shall require compliance with OAO standards. In order to protect existing structures that are used as a residence, new non-residential or mixed use development within the OAO shall have its structures setback at least 35 feet from the property boundaries of parcels with existing residential structures used as a residence that are not intended to be part of the proposed development, unless a written consent can be obtained from owner(s) of the affected existing residential structure(s) consenting to the waiver of such minimum setback requirement of this subsection. Parking garages shall be setback at least 100 feet from the property boundary of parcels used and developed as single-family or low-density residential.

h. Landscaping Requirements. Development and or redevelopment in the OAO shall comply with all landscaping requirements of other provisions of the Land Development Code and future corridor landscape plans, unless specifically addressed within the OAO. In addition to other requirements of Section 58-334 of the Land Development Code, all street frontages within the OAO shall contain at least one shade tree for every 50 feet of linear lot line. Side yards and rear yards not facing streets shall contain at least one understory tree for every 30 linear feet of side or rear lot lines.

i. Block Structure and Circulation Requirements.

(1) The OAO is designed to enhance pedestrian walkability, connectivity and safety and to create a safe, comfortable and convenient pedestrian experience. Towards this end, the OAOs

transportation system is based on inter-connected streets forming small blocks similar to successful patterns of the more walkable areas of the City such as the Park Avenue Corridor.

(2) Block Configuration/Lot Standards: Any additional development or redevelopment of parcels in excess of 2 acres within the OAO shall be required to create a block structure and pedestrian corridors conducive to pedestrian safety, comfort, and vehicular circulation.

- (a) New or redeveloped buildings within the OAO shall have building widths of between a minimum of 50 feet and a maximum of 300 feet wide where they interface with pedestrian oriented street frontages.
- (b) Development shall provide a continuous driveway or alley that connects to adjacent parcels and roadways and provides access for emergency vehicles and city services.
- (c) To the extent possible, given the size and shape of the parcel, new or redeveloped blocks shall be between a minimum perimeter of 1000 linear feet and a maximum perimeter of 1500 linear feet. The City goal is to encourage walkability based upon successful Park Avenue Corridor block perimeters of 1300 linear feet. Where existing block perimeters are smaller than 1500 linear feet, no further breakdown is required. Where block perimeters are larger than 1500 linear feet, new development shall be organized to break the land mass into walkable blocks.
- (d) Driveways or alleys shall be constructed at widths adequate for dumpsters, trash compactors and circulation of solid waste collection vehicles, large truck delivery and allow emergency vehicles to maneuver past parked delivery vehicles and waste receptacles.

(3) Street Realignment and Parallel Orange Avenue Access. Where Palmetto Drive, Vivian Drive and Harmon Drive provide secondary and primary access to properties within the OAO area, portions of these roadways may be considered to be closed, vacated or re-aligned subject to City Commission approval, so long as a parallel public access road and approved by the City Commission, is dedicated and maintained to allow vehicular access between Orlando Avenue and Denning Drive. Protection of on-street parking, maximizing ease of traffic flow for Palmetto Avenue and maintaining the existing 50-foot public right of way shall be matters of priority concern should the roadway be re-aligned. Any road shall be constructed with a minimum street travel lane width of 24 feet unobstructed and shall have unobstructed vertical clearance per National Fire Protection Act (NFPA) codes, shall replace all existing on-street parking and maintain the existing 50-foot public right of way.

(4) Street Sections: Any new, realigned, or redesigned street sections within the OAO shall be designed to create and maintain a quality

comfortable walking environment encouraging the use of multimodal transit options including:

- (a) On-street parking is to be provided to the maximum extent possible to buffer pedestrians from vehicular traffic. Parking space dimensions shall be not less than 9ft x 18ft.
 - (b) Vehicular traffic lanes on streets with bus routes shall be designed at not less than 12 feet to support safe circulation of busses.
 - (c) Bus transfers are to be located inside project boundaries to lesson traffic delays and increase safety on major roads. Bus transfers shall be coordinated and approved by Lynx.
 - (d) Shaded sidewalks and benches for resting and waiting for public transit shall be provided.
 - (e) Care shall be taken to minimize curb cuts and maximize visibility surrounding curb cuts.
 - (f). New development in conjunction with the City shall pursue approval from FDOT to utilize the FDOT rail right of way for pedestrian/bicycle trails where appropriate prior to submission of project plans for City approval.
- (5) **Sidewalks:** All buildings, parking areas, public spaces, amenity features, and adjoining developments of similar use shall be linked with sidewalks. Sidewalks shall be provided along public streets that provide access to the development. A minimum 17-foot sidewalk is to be provided along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall provide sidewalks at least ten feet wide with a minimum 5-foot landscape buffer along the back of curb, between the roadway and sidewalk. All other sidewalks in the OAO shall be 10-feet in width with a minimum 5-foot landscape buffer. If sufficient right-of way is not available, the building may need to be set back to accommodate these wider sidewalks and the additional space required to create the required sidewalks as defined herein shall be dedicated to public access through easement. Sidewalks shall be constructed in accordance with the standards for sidewalks set forth in City of Winter Park Engineering Standards and Landscape standards and constructed at the sole cost of the developer.
- (a) Restaurants and cafes with seating within the public right-of-way shall be subject to the regulations contained in Chapter 90, Article VI - Sidewalk Cafes, of the Winter Park code of Ordinances.
- (6) **New Streetscapes:** In order to improve the pedestrian experience, new development or redevelopment shall provide the streetscape area

including sidewalks, lighting, landscape and street furniture and will dedicate pedestrian easements over this area prior to certificate of occupancy.

(7) Access Standard:

- (a) All city services including utility access, utility equipment, solid waste containers shall be placed at the rear of lots and accessed by driveways or alleys opening to side streets.
- (b) Garage and parking shall be accessed through driveways or alleys opening to side streets.

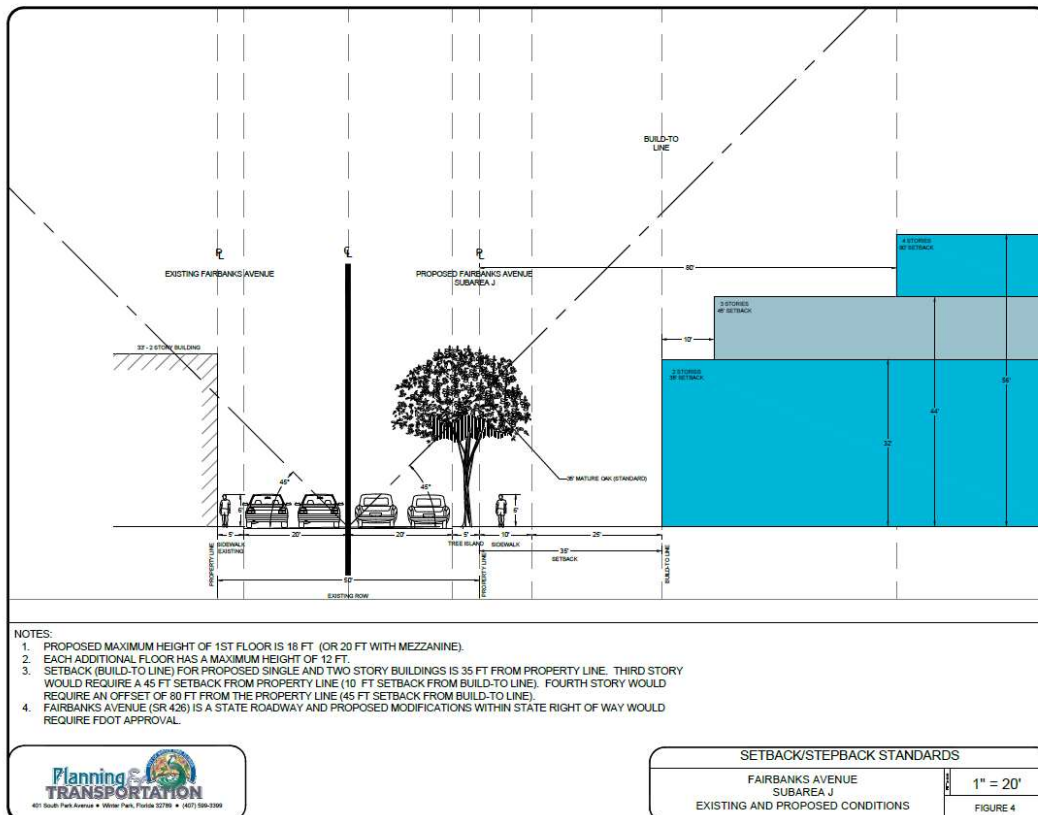
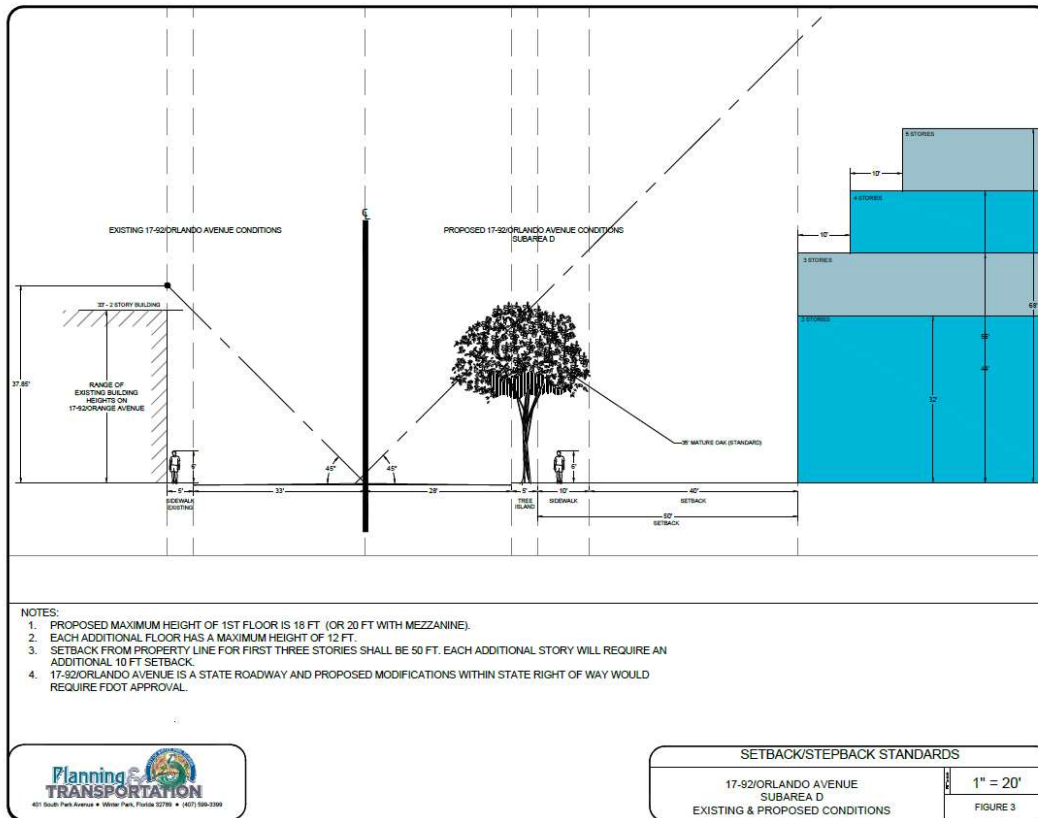
j. *Architectural Standards.* Development within all Subareas defined later in this section shall meet the following architectural standards.

- (1) *Building Height.* To allow for flexibility in design, but preserving development standards that will reduce building massing, buildings shall be measured in stories. For parking garages, levels visible on the exterior of the building shall be counted towards building height (ex. A 3-story building wraps around a 4-level interior parking garage, only the 3 stories would count as they are the only part visible).

The first floor of any building shall be allowed to be a maximum of 18 feet in height. When mezzanines, balconies or lofts are provided, first floor heights of 20 feet may be allowed. Mezzanine, balcony or loft levels shall be allowed within the first story, as long as they do not cover more than 30% of the first-floor area and stay within the maximum 20-foot first floor height area. Mezzanines, balconies or lofts shall not be allowed above the first floor. Each floor above the first floor shall have a maximum height of 12 feet.

For multi-story buildings over two stories in height, there shall be terracing and/or additional setbacks to accomplish vertical articulation is mandated to create relief to the overall massing of the building facades, as discussed later in this section.

- (2) *Setbacks/Stepbacks.* For any building over two stories in height that is built up to the allowable building line or "build-to" line, each additional floor shall be setback a minimum of ten (10) feet, or shall be within the allowable envelope as depicted in the figures below. The build to line is established by the greater of setback or sidewalk requirement. All setbacks are measured from the property line. Setbacks greater than the established "build-to" line require a variance. The required building stepbacks only apply to street frontages.



If a building is constructed within the allowable building envelope as depicted above, the first floor shall always be defined and articulated as addressed later in the OAO. Additionally, the building shall not exceed more than two stories of vertical wall without a setback/stepback, cornice, balcony or other major façade breakup, which shall create visual and massing relief. All walls shall provide two or three of the articulation options listed below, offset a minimum of 4 feet.

Each subarea of the OAO may define additional required setbacks for that area that may differ from what is defined in this section. The defined building envelope depicted above shall be maintained, regardless of any setbacks.

All setbacks and/or stepbacks shall provide space for the healthy development of shade tree crowns. The City Arborist shall review and recommend species selection and positioning to ensure compliance.

Rear building setbacks/stepbacks as defined herein shall not be required for properties abutting the railroad right-of-way. However, these rear facades shall provide articulation offset 4 feet, material change, window, entryway or other breakup of the building façade at least every 30 feet, both vertically and horizontally.

- (3) Facades. The intent of this subsection is to provide visual interest to all facades by requiring a minimum level of detail features on facades. These detail features shall not consist solely of applied graphics or paint. There shall be some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 50 feet. Murals shall be allowed to contribute towards façade breakup.

(a) All facades of buildings with a gross floor area of ten thousand square feet or more shall be required to incorporate at least three (3) of the following facade treatments. At least one of these treatments shall repeat horizontally. All such design elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

(b) All facades of buildings with a gross floor area of less than thousand (10,000) square feet shall be required to incorporate at least two (2) of the following facade treatments. At least one (1) of these treatments shall repeat horizontally. All such design elements shall repeat at intervals of no more than twenty-five (25) feet, either horizontally or vertically.

1.Expression of a vertical architectural treatment with a minimum width of twelve (12) inches.

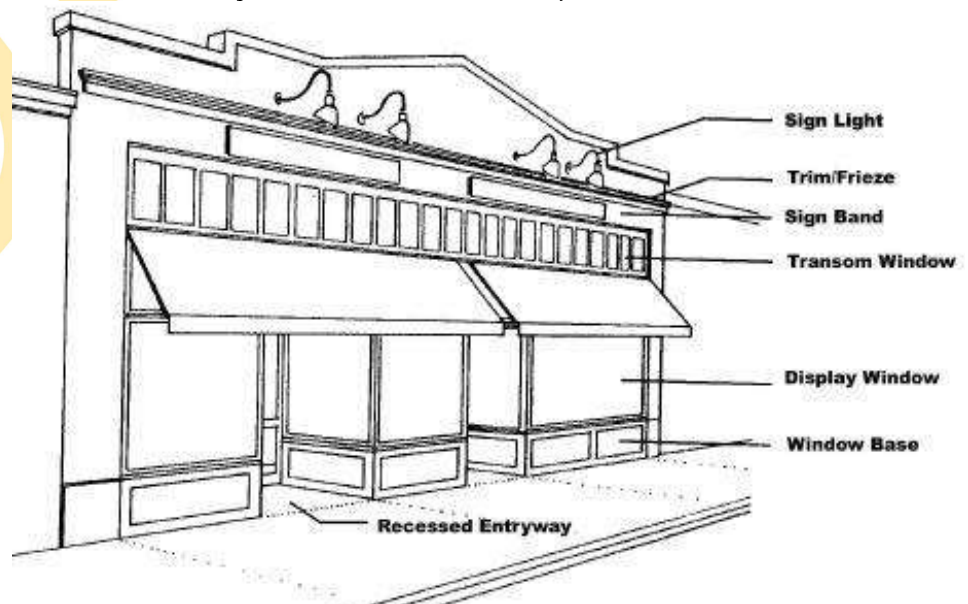
2. Building stepbacks, offsets or projections, a minimum of four (4) feet in depth.
3. Texture and /or material change.
4. Architectural banding.
5. Pattern change.
6. Other treatment that, in the opinion of the Planning & Transportation Director after review by the OAO Appearance Review Advisory Board, meets the intent of this subsection.

(c) No building shall exceed more than 300 feet of horizontal length on any street facing façade. When multiple buildings are included on the same parcel, those buildings shall be separated by 20 feet to support growth of healthy canopy crowns or provide courtyard, parking or other gathering spaces on the site.

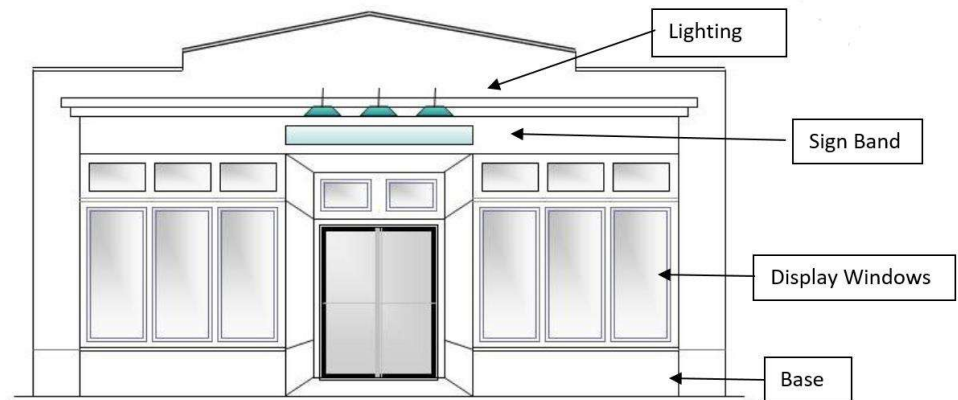
Commercial Façade Treatment Example 1:



Commercial Façade Treatment Example 2:



Commercial Façade Treatment Example 3:



- (4) *Additional Façade Treatment Requirements.* Roof lines, parapets and building heights shall be architecturally articulated and diverse in design form with adequately scaled and proportioned architectural treatments which complement the building's design.

The window, wall and roofing treatment should be of high-quality materials and consistent on both the front and the back of the building and any street facing side wall of the building. Allowable building materials shall include brick, natural stone, glass, architectural metal, concrete, wood, or similar material with a longer life expectancy. Exterior Insulation and Finish System (EIFS) shall not be allowed. Stucco, hardiboard siding (or similar materials) or concrete block shall not exceed more than 50% of any façade. Detailing is encouraged to enhance the façade.

Structures shall be sited so as to create visual relationships with sidewalks, street alignments, trees, green space and neighboring businesses; create visual anchors at entries, provide interesting architectural perspectives featuring appropriate facade treatments and maximize the pedestrian relationship to the sidewalk. They shall also take into consideration the existing structures and be in unison with their scale and style.

- (5) *Glazing Requirements.* The lower story of the building has the most immediate visual impact on the passerby. Traditionally, buildings along urban streets have a high proportion of glazing to solid wall surface, with higher floor to floor heights, on the first story. To maintain continuity with this treatment, non-residential buildings on Orange Avenue shall have 60% minimum glass on the first story and shall be allowed height up to 20 feet. Along other roads within the OAO, non-residential buildings shall have 40% minimum glass on the first story. The first floor shall be clearly defined and articulated from upper stories.

- (6) *Building Entrance.* Primary building entrances in the OAO shall be clearly defined, and shall be recessed or framed by a sheltering element such as an awning, arcade, overhang, or portico (in order to provide weather protection for pedestrians). Awnings are encouraged. Awning standards include:
- (a) Awnings for a building façade shall be of compatible color, look, shape, and height;
 - (b) Awnings shall provide vertical clearance of no less than eight (8) feet above sidewalks; and
 - (c) Awnings are not allowed to hang over vehicular traffic ways.
- (7) *Architectural Towers, Spires, Green Roof Features, Solar Panels, Chimneys, Or Other Architectural Appendages.* Any architectural tower, spire, chimney, flag pole or other architectural appendage to a building shall conform to the underlying subarea height limit. However, when necessary to meet the building code requirements, chimneys may exceed the height by the minimum required.

Architectural appendages, roof decks, embellishments and other architectural features may be permitted to exceed the roof heights specified in that subarea, on a limited basis encompassing no more than 15% of the building roof area or 15% of building street facing façade width not to exceed 30 linear feet of a given façade, or up to ten feet of additional height upon approval of the City Commission, based on a finding that said features are compatible with adjacent projects.

Solar panels, roof garden or green roof features may be permitted to exceed the roof heights specified in that subarea, on a limited basis encompassing no more than 30% of the building roof area or 30% of building street facing façade width not to exceed 30 linear feet of a given façade, or up to ten feet of additional height upon approval of the City Commission, based on a finding that said features are compatible with adjacent projects.

- (9) *Mechanical Penthouses, Rooftop Mechanical and Air-Conditioning Equipment, Stair Tower Enclosures, Elevators and Parapets.* Mechanical penthouses, mechanical and air-conditioning equipment, stair tower enclosures, or elevators on rooftops of buildings shall not exceed a total height of ten feet (building code official shall have the ability to give administrative variances to this requirement based on life-safety or equipment needs for elevation) above the allowable building height. Any penthouses shall only be used for mechanical equipment to serve the building. Parapets, or mansard roofs serving as parapets, may extend a maximum of five feet above the height limit in the underlying zoning district unless other parapet heights are more restrictive

for the respective underlying zoning district. In addition, mechanical equipment and air-conditioning equipment on rooftops shall be screened from view from ground level on all buildings in all zoning districts and shall be located to the maximum extent possible so that they are not visible from any street.

- (10) *Appearance Review.* In addition to meeting the architectural standards as set forth in this section. All external renovation or development projects and Conditional Use requests within the OAO shall undergo Appearance Review.

For developments requiring a conditional use approval having a land area of more than 80,000 square feet, having more than 25 residential units, or having structures exceeding 35,000 gross square feet above grade, professionally prepared fully rendered 3-D digital architectural perspective images and elevations that show all sides of the proposed building(s), parking areas, parking structures and any other site improvement shall be submitted to and reviewed by and commented upon by the Orange Avenue Overlay Appearance Review Advisory Board to ensure high quality architecture consistent with the goals and objectives of the OAO. At the request of the Director of Planning an Acoustical Engineer may be invited to comment on projects having rooftop or open-air elements. The comments and recommendations of the Orange Avenue Overlay Appearance Review Advisory Board shall be transmitted to the Building Official, Director of Planning, Planning and Zoning Board and City Commission for consideration in rendering a decision on the proposed conditional use or building permit sought for the proposed development.

For all external renovation requirements not requiring a conditional use, 3-D or 2-D colored digital architectural perspective images and elevations that show all sides of the proposed building(s), parking areas, parking structures and any other site improvement shall be submitted to and reviewed by and commented upon by the Orange Avenue Overlay Appearance Review Advisory Board to ensure high quality architecture consistent with the goals and objectives of the OAO. The comments and recommendations of the Orange Avenue Overlay Appearance Review Advisory Board shall be transmitted to the Building Official or Director of Planning prior to submitting for a building permit sought for the proposed development.

k. Parking Requirements & Access Management.

- (1) To the extent net street parking, over and above that currently existing within the OAO, is provided by the developer prior to certificate of occupancy, such net new parking directly adjacent to the development lot may count towards satisfying code parking requirements.

- (2) *Parallel Orange Avenue Access.* Where Palmetto Drive, Vivian Drive and Harmon Drive provide secondary and primary access to properties within the OAO area, portions of these roadways may be considered to be closed, vacated or re-aligned, so long as a parallel access road, as approved by the City Commission, is dedicated and maintained to allow public vehicular access between Orlando Avenue and Denning Drive. Protection of on-street parking, maximizing ease of traffic flow for Palmetto Avenue and maintaining the existing 50-foot public right of way shall be matters of priority concern should the roadway be re-aligned. Any road shall be constructed with a minimum street travel lane width of 12 feet unobstructed and shall have unobstructed vertical clearance per National Fire Protection Act (NFPA) codes, shall replace all existing on-street parking and maintain the existing 50-foot public right of way. No on-street parking permitted along a curved roadway segment where the curve exceeds 60 degrees.
- (3) *Off-Street Parking Requirements.* Unless specifically provided within the OAO, parking spaces, parking management plans and parking leases shall be provided in accordance with Land Development Code requirements.
- (a) *General Business and Retail Commercial:* One parking space for each 333 square feet of gross floor space.
 - (b) *Office, Professional or Public Buildings:* One parking space for each 333 square feet of gross floor space.
 - (c) *Medical Office:* One parking space per 200 square feet of gross floor space.
 - (d) *Hotel:* One parking space for each guest room shall be provided. Other ancillary uses in the hotel (restaurant, spa, retail, meeting space, etc.) shall be required to provide parking in accordance with the off-street parking requirements defined in Section 58-86 subject to a credit of 50% of the rooms.
 - (e) *Restaurants, Food Service Establishments, Nightclubs, Taverns or Lounges:* One space for every four seats.
 - (f) *Multi-family residential:*
 - (1) Each one-bedroom or studio unit shall be required to provide 1.25 dedicated parking spaces per unit.
 - (2) Each two-bedroom unit shall be required to provide 2.0 dedicated spaces per unit.
 - (3) Each three-bedroom or above unit shall be required to provide 2.5 dedicated parking spaces per unit.
- (4) *Off-street Parking Access Design.* Parking access to properties along Orange Avenue, Orlando Avenue and Fairbanks Avenue shall be through an alley originating from side streets or from a side street if frontage is available on a side street. In mid-block

locations without existing alleys, new alleys shall be provided and accessed from the frontage street. Garages shall not be located in front of the primary building. If side street frontage is not available, access from cross-access easements preferably in the form of shared rear alleys shall be utilized. If cross-access is not available, a driveway will be allowed from Orange Avenue, Orlando Avenue, or Fairbanks Avenue, provided the driveway and building gap surrounding it is not more than 20 feet. Any new driveways or curb cuts along Fairbanks Avenue or Orlando Ave shall require FDOT coordination prior to submittal. Throughout the OAO, cross-access agreements, preferably in the form of shared rear alleys are required, to reduce the number of curb cuts and driveways. The intent is to maintain the building street wall without large voids for access driveways and improve traffic circulation by providing rear access for services and deliveries. The goal in this parking arrangement is to decrease the visibility of parking from the street as much as possible, by having parking behind the building and to reduce the turning movements with limited visibility across multiple lanes of traffic.

- (5) *Off-site Parking.* Required parking may be located within 750 feet of the building, or within the closest parking structure where excess parking is available for lease. In the event of new construction, addition, or change in intensity of use of the principal building or property being serviced by the remote parking lot, all existing parking spaces located on such remote lot shall be allocated to the existing building or principal use to meet the minimum requirements of this article, and any additional spaces may then be allocated to that portion of the building or property which is the subject of the new construction, addition, or change in intensity of use.
- (6) *Bicycle Parking Requirements.* Unless specifically provided within the OAO, bicycle Parking shall be required in accordance with other Land Development Code Standards. Where large projects provide parking garages, 20% of the required bike parking shall be provided onsite. The other 80% of required bike parking may be located within City right-of-way, along bike paths, or within greenspace areas throughout the OAO. The City shall determine where the off-site bicycle parking shall be located.
- (7) *Parking Exclusion.* A parking exclusion shall apply only to existing square footage or floor space. Parking shall be provided as required by the OAO parking standards or other provisions of the Land Development Code, where not specifically addressed herein. The OAO shall apply for any net new building or net new floor space created by redevelopment, new construction, additions, alterations, or remodeling or for any change in use requiring additional parking such as an office or retail space conversion to restaurant. Existing parking spaces may be counted to satisfy this

requirement only where such existing spaces are in excess of the parking space requirements of this section for any existing floor space.

(8) *Floor Area Ratio for Parking Structures.* In subareas where the city encourages the use of structured parking, an opportunity to achieve increased floor area ratio (FAR) is included in the Subarea development standards. Parking structures shall count towards the floor area ratio (FAR) for any property within the OAO (except for underground level and open top level), developments that provide parking at least 10% above what is required by minimum code requirements or parking structures meeting the following conditions are eligible to take advantage of the Bonuses offered in the OAO Development Enhancement Menu.

- i. Provide for multi-property parking collectives. For smaller-scale garages, multiple property owners may create a collective where parking can be built on a property that can serve multiple properties that do not have adequate available parking.
- ii. Provide level-two electric vehicle charging stations for a minimum of 2% of all spaces within the structure.
- iii. Provide and construct parking spaces at least 10% above what is required to meet code minimum requirements. This excess parking must be available for lease at or below fair market value (based on comparable area parking leases) to small businesses in the OAO located in Subarea A. When parking spaces to satisfy the 10% requirement are located on the primary parcel as part of structured parking, the square footage associated with those spaces shall not be included in FAR calculations. At the discretion of the City Commission, a portion of this additional parking may be provided in another location of verified parking deficiency within the OAO. Any parking spaces provided under this provision shall be constructed in conformance with the standards of the Subarea in which they are constructed, subject to an approved Parking Management Plan and supported by a recorded instrument acceptable to the City Manager with review and advice from the City Attorney. Provision of parking spaces shall run concurrent with the primary development use. The City's preference is structured parking. Should the City Commission agree to accept surface parking spaces as part of the required 10% additional parking, the number of spaces will be adjusted to reflect the comparable value of surface versus structured parking based on current market values as determined by the Office of Management and Budget.
- iv. Stairwells required for parking garages shall be designed to have open walls, visible to the outside of the garage.

- v. Parking structures shall be designed to allow sufficient airflow to ensure that all structured parking remain "open-air." Mechanical ventilation shall not be allowed for structured parking within the OAO, unless the parking structure is located below ground.
- vi. Parking structures shall be screened at least 50% on all visible sides with green walls, living walls, liner buildings (with adequate spacing to allow air and light to enter garage), murals (that do not include advertising of any type), mature shade trees or vegetative screening, or designed with architectural details to match the primary structure. that soften the appearance from looking like a stark parking garage wall.
- vii. Subarea A properties shall be offered priority for parking spaces that are required to be available for lease. Parking spaces shall also be eligible for purchase by other properties, first opportunity to purchase shall be given to Subareas A.
- viii. Parking structures shall meet height, building setback, allowable building envelope area and screening requirements as outlined in the OAO.
- ix. Parking garages shall be set back from the Orange Avenue, Fairbanks Avenue or Orlando Avenue frontages in accordance with requirements of Section 58-83(3).i. (2) Setbacks Allowable Building Envelope Cross-Section based on height. Parking structures shall be screened as required in the OAO. Parking shall be accessed from private drives or public/private alleys originating and terminating on side streets to the maximum extent feasible. They shall be designed in an architectural style that is compatible with its building counterpart and shall also conform to the City's parking garage design guidelines, be subject to Parking Management Plans and standards in Section 58-84 and Section 58-86.
- x. Parking structures shall not be permitted on the north side of Fairbanks Avenue.

I. Public Notice and Hearing Requirements.

- (1) In addition to notice required by state law, City-wide notice, as defined in Section 58-89, shall be required for OAO code text amendments and any proposed development within the OAO that requires Conditional Use approval and has a land area of more than 80,000 square feet, or a building of more than 35,000 square feet or having more than 25 residential units. Said notice of the hearing shall be published in a newspaper of general circulation within the city at least 30 days in advance of the hearing; written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of record of property within 1,500 feet of the property, and mailed to all households as determined from

the listing of utility billing addresses within the entire city limits at least 30 days prior to the public hearing. The public notice posted on the property shall be erected to be in full view of the general public on each parcel, street side, and shall be erected by the applicant.

- (2) In addition to notice required by state law and Section 58-89, for proposed development within the OAO requiring Conditional Use Approval, but not qualifying for city-wide notice, public notice shall be required as follows: Said notice of the hearing shall be published in a newspaper of general circulation within the city at least 15 days in advance of the hearing; written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of property of record within 1,500 feet of the property requested for Conditional Use, at least 15 days prior to the public hearing. The public notice posted on the property shall be erected to be in full view of the general public on each parcel, street side, and shall be erected by the applicant.
- (3) All changes to OAO zoning code text and subarea maps and approval of Conditional Uses for all projects that meet the size, density or intensity requirements for city-wide notice, shall be deemed approved when the change has received the affirmative vote of a majority of the city commission on at least two (2) separate days at either regular or special meetings of the commission. If the city commission approves the required conditional use at the first public hearing, such approval shall not be considered final until the second approval at the second public hearing.

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

ground level. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.

n. Signage Requirements. Signage within the OAO with frontage along Orange Avenue shall comply with the following requirements:

- (1) Each occupant shall be permitted a maximum of two signs indicating the business, commodities, service or other activity sold, offered or conducted on the premises. Where one occupancy has two signs, only the following combinations of sign types shall be permitted: One wall or canopy sign; one projecting sign and one wall or canopy sign; one canopy sign and one under-canopy sign. These signs shall also comply with the applicable provisions of Sections 58-125 through 58-128.
- (2) Projecting signs on properties or buildings within the OAO shall be limited to an area of each face of 20 square feet and shall have a minimum clearance of seven feet.
- (3) The maximum copy area of canopy signs shall be two square feet per linear foot of canopy front and sides. These signs should also comply with applicable provisions of Section 58-128.
- (4) Signs attached to the underside of a canopy (under-canopy signs) shall have a copy area no greater than six square feet, with a maximum letter height of nine inches, subject to a minimum clearance of seven and a half feet from the sidewalk.
- (5) OAO properties may not have digital, electronic, and/or internally-illuminated signs, such as backlit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Backlit halo-type opaque sign lettering is permitted; however, the light color must be white or subdued and muted such as a pastel shade. Sign faces and sides may not be translucent and must be an opaque material such as metal or wood.
- (6) Ground signs or monument signs (excluding pole and pylon signs) are only permitted within the Subareas C, D, E, I, J and K. Ground signs within these subareas are limited to 30 square feet in size, and shall be located as to prevent interference with pedestrian and vehicular traffic. The design and location of such signs shall be subject to the approval of the Planning and Community Development director and/or Building Department director via a sign location and design plan to ensure that the sign does not interfere with pedestrian traffic, parking or does not create excessive signage in one area.

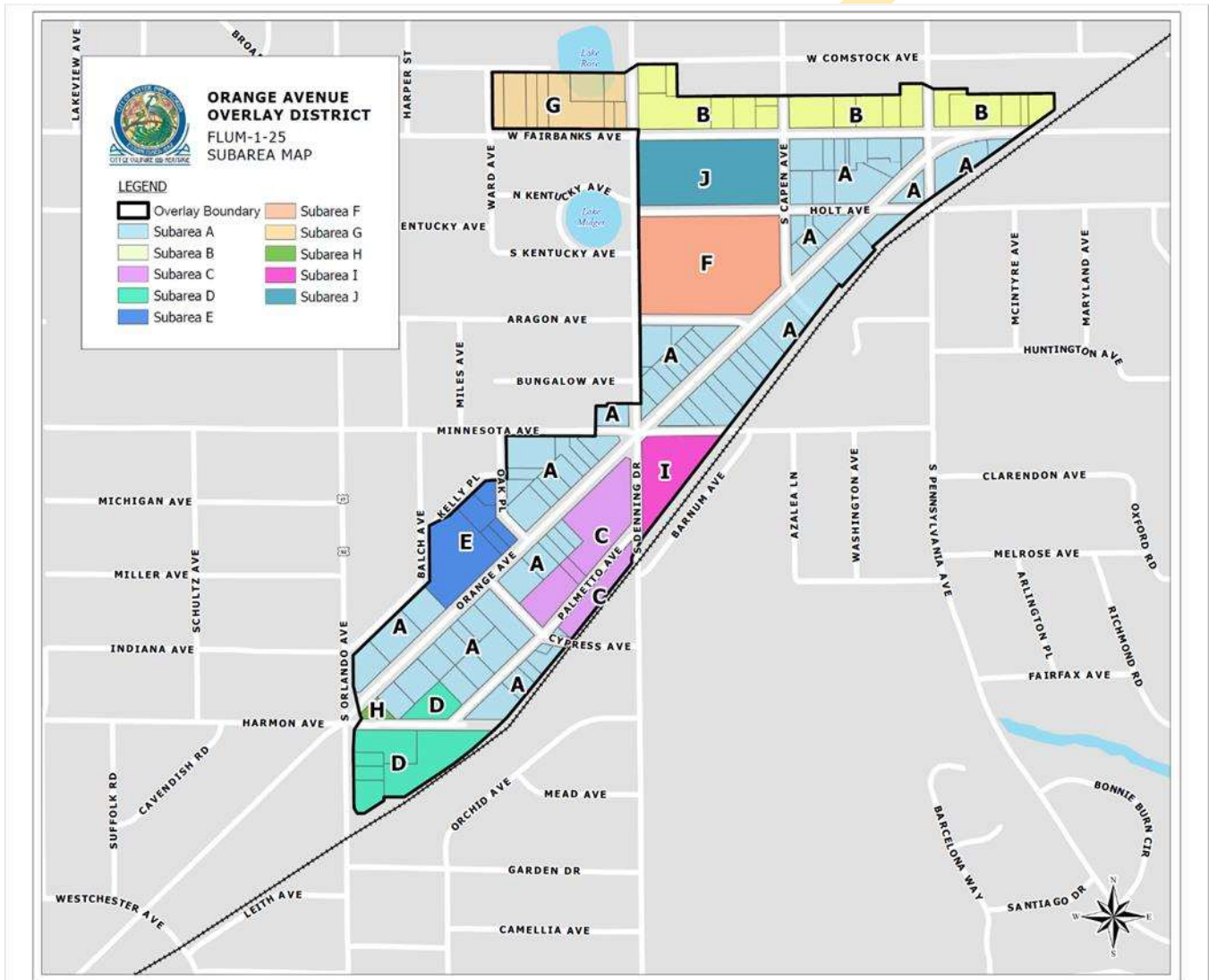
o. Sidewalk Design and Utilization. All buildings, parking areas, public spaces, amenity features, and adjoining developments of similar use shall be linked with sidewalks. Sidewalks shall be provided along public streets that provide access to the development. A minimum 17-foot

sidewalk is to be provided along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall provide sidewalks at least ten feet wide with a minimum 5-foot landscape buffer along the back of curb, between the roadway and sidewalk. All other sidewalks in the OAO shall be at least 10-feet in width with a minimum 5-foot landscape buffer. If sufficient right-of way is not available, the building may need to be set back to accommodate these wider sidewalks and the additional space required to create the required sidewalks as defined herein shall be dedicated to public access through easement. Sidewalks shall be constructed in accordance with the standards for sidewalks set forth in City of Winter Park Engineering Standards and Landscape standards and constructed at the sole cost of the developer. Restaurants and cafes with seating within the public right-of-way shall be subject to the regulations contained in Chapter 90, Article VI - Sidewalk Cafes, of the Winter Park code of Ordinances.

- p. Display of Merchandise Outside of Commercial Buildings.* Only properties within the OAO with frontages along Orange Avenue are allowed one display of merchandise to be located outside of a commercial business exclusive of beautification elements such as plants (that are not for sale). This display must be placed within two feet of the front wall or window of the building. This display must not block or impede pedestrian traffic or be placed on the public sidewalk and at least six feet of clear sidewalk width must remain for pedestrian traffic. This display must be no more than six feet in height and no more than two feet in width. The display must be safely secured and removed under windy conditions. The display must be removed when the business is not open. An outside display is not permitted if the business chooses to place an outdoor portable sign.
- q. Contribution to Transportation and Mobility Infrastructure.* Development and redevelopment within the OAO requiring a conditional use approval shall contribute to the cost of transportation and mobility improvements prior to permitting based upon the estimated cost to fund the design, engineering, permitting, and construction of those transportation and mobility projects within or proximate to the OAO that are impacted by such development or redevelopment. The owner and developer of a project shall enter into an agreement with the City, as part of conditional use approval addressing the project's contribution to transportation infrastructure. In the event the City establishes a mobility fee, road impact fee, special assessment or other funding mechanism a project's payment of such required fee may satisfy requirements of this policy.
- r. Stormwater Management:* To increase efficiency of land use, at the discretion of the Director of Planning and Transportation or the Director of Public Works, stormwater management systems serving multiple building developments may be considered provided such systems are made available before certificate of occupancy and

recorded with a legal instrument acceptable to the City with review and advice from the City Attorney.

- s. *Orange Avenue Overlay District Subareas and Standards for Development.* The subarea map depicted below delineates the different subareas of the OAO and the specific standards, requirements and opportunities for each subarea. Each subarea has unique characteristics, issues and opportunities.



After the adoption of the OAO, no changes to the subarea map shall be allowed. Variances to height, number of stories, FAR, permitted/prohibited uses, required open space or maximum residential density shall not be granted for any property or development within the Orange Avenue Overlay District. Variances to other development standards shall be considered, with sufficient

showing of reasoning and hardship, as outlined in Section 58-90 and 58-92.

The standards detailed in the OAO are the maximum density and intensity parameters potentially permitted in each respective subarea. These maximum standards are not an entitlement and are not achievable in all situations. Many factors may limit the achievable FAR including limitations imposed by the maximum height, physical limitations imposed by property dimensions and natural features as well as compliance with applicable code requirements such as, but not limited to parking, setbacks, lot coverage and design standards.

Parcels to be developed or redeveloped within Subareas D, I & J shall contain at least 25% of the Cumulative Gross Floor Area as Mixed-Use, ensuring that no single-use developments occur that may not create the vibrant mixed-use district that is desired. Mixed-use can be vertical or horizontal.

Residential units are limited on the first floor along Orange Avenue for all Subareas. Limited residential use of the first or ground floor of such buildings may be permitted when 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 (not counting the area of parking garages) these ancillary residential uses.

(1) *Subarea A.* In order to allow for the remodeling and renovation of the buildings within this subarea and to enhance the OAO, these properties shall not be required to comply with those Land Development Code standards listed below, as long as additional square footage is not added to the buildings. If additional square footage is added, as to parking requirements, the properties shall be required only to provide the required parking for the new net square footage of the property. Any additional impervious surface created shall meet all City of Winter Park stormwater requirements for the new impervious area. All remodels, renovations or reconstructions that are allowed to remain as legally non-conforming under other Land Development Code requirements, shall still be required to meet applicable building and life safety codes as determined by the City Building Official and Fire Official. If the use of the building is changed (i.e. office conversion to café), parking shall be provided as required by Code.

(a) *Exemptions.* The following Land Development Code Requirements shall not be required to be met for renovation or remodel of existing structures that will maintain the existing use, gross square footage, number of stories and conditions of the property:

1. Floor Area Ratio (to the extent existing structure already exceeds FAR)
 2. Minimum Parking Requirements
 3. Stormwater Retention (but a minimum of 10 cubic feet of stormwater treatment and storage shall be created)
 4. Impervious Surface Percentage
 5. Setbacks
 6. Landscaping
 7. Height (no increase in stories)
- (b) *Reconstruction of Buildings.* Given the age of buildings within Subarea A, the properties within this subarea shall be allowed to reconstruct the same building footprint (and square footage) when the building on the site is completely demolished, regardless of non-conforming status, on the site without being required to meet all development standards. Reconstruction of buildings shall be required to provide stormwater retention and the sidewalk widths as described herein. All building and life safety codes shall be met with all reconstruction.
- (c) *Subarea A Development Standards:*
1. Base Floor Area Ratio (FAR): 45%
 2. Maximum Achievable FAR with Residential: 60%
 3. Maximum Height: 2 Stories for any properties abutting Orange Avenue and Minnesota Avenue, and 3 stories for all other properties within the subarea.
 4. Maximum Impervious Coverage: 85%
 5. Setbacks: Maximum front setback is 0 feet, but must allow for at least a 17-foot wide sidewalk along Orange Avenue. Fairbanks Avenue and Orlando Avenue and other streets in the OAO shall each be designed to provide for a 10-foot wide sidewalk with a minimum 5-foot landscape buffer on the back of curb. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer or street tree canopy clearance, the area shall be dedicated as a public access easement. Side setback is a minimum of 0 feet, and rear setback is a minimum of 10 feet.
 6. Maximum Residential Density: 17 units per acre
 7. Historic Preservation: It is a purpose of the OAO to protect and promote historic resources within the OAO. Towards that end the CRA in conjunction with the City, shall provide financial and administrative assistance to historic assets to submit applications for designation on the local and National Register of Historic Places. Additionally, discounts on license and permit fees shall be offered to incentivize registration on the local register of Historic Places. Applications for façade grants from historic assets shall be given prioritization.

(2) Subarea B.

(a) *Subarea B Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable FAR with Residential: 60%
3. Maximum Height: 2 stories when property line is shared with residential use or zoning. Structures on parcels not having a common boundary with residential may increase to 3 stories if the 3rd floor is set back an additional 10 feet from front and rear setback lines. 3rd floors shall only allow residential uses.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. Front/Street: 25 feet within 100 feet of the Fairbanks and Denning intersection, otherwise front setback is 20 feet. Front setbacks must allow for at least a 10-footwide sidewalk and 5-foot landscape buffer area on the back of curb along Fairbanks Avenue. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.
 - b. Side: 0
 - c. Rear: 35 ft
 - d. Third stories shall require an additional 10-foot setback from the front and rear setbacks.
6. Maximum Residential Density: 17 units per acre

- (b) *Additional Development Regulations.* For properties within this Subarea B with an underlying zoning of single-family residential, these properties shall only be used for single-family residential use, open space, or transportation improvements.

(3) Subarea C.

(a) *Subarea C Development Standards:*

1. Base Floor Area Ratio: 20%
2. Bonus FAR exclusively for Structured Parking: 65%
3. Maximum Achievable FAR with Parking Structure: 85%
4. Total FAR must be divided between multiple buildings
5. Maximum Height: 2 Stories or 35 feet (including any awnings or shade structures) for Commercial Structures and Parking garage shall be allowed up to 4-levels including the rooftop deck.
6. Maximum Impervious Coverage: 75%
7. Setbacks: 0 front setback along Orange Avenue, Denning Drive, or Palmetto Avenue, except front setbacks on Orange must allow for at least a 17-foot wide sidewalk and setbacks on Denning and Palmetto

must allow for a 10-foot wide sidewalk and 5-foot landscape buffer on back of curb. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. The bike trail may substitute for applicable sidewalk requirements at the discretion of the Director of Planning. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.

8. Maximum Residential Density: 0 units per acre

- (b) *Intersection and Open Space Viewshed.* Due to the unique shape of Subarea C and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is banded by the lines described as follows: Start where the property lines of Subarea C meet at the intersection of Denning Drive and Orange Avenue; then travel 150 feet southwest along Orange Avenue's southeast right of way line; thence easterly to the point on the west boundary of South Denning Drive that is 150 feet south of the starting point; then north along the west boundary of South Denning Drive to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO.
- (c) *Palmetto Re-Alignment.* Palmetto Avenue may be relocated to allow for different development scenarios on the site. Protection of on-street parking, maximizing ease of traffic flow for Palmetto Avenue and maintaining the existing 50-foot public right of way shall be matters of priority concern should the roadway be realigned.
- (d) *Additional Development Requirements.*
 - (1) A monument sign at least 3 feet in height and 5 feet in width, set in a landscaped bed, shall be required to be provided at the intersection of Denning Drive, Minnesota Drive and Orange Avenue, which directs the public to Mead Botanical Garden. The City shall approve the design and location of the sign.
 - (2) Include 1.5 acres of contiguous park space plus bicycle/pedestrian trail.
 - (3) No residential use.
 - (4) City to retain ownership of this parcel in perpetuity.
 - (5) Stormwater requirements to exceed code.
 - (6) Contribute to parking needs of small businesses in the area.

- (7) Walkways that are at least 5 feet wide (paved or bricked) must exist between buildings onsite and extend from the park area to Cypress Ave.

(4) Subarea D.

(a) Subarea D Development Standards:

1. Base Floor Area Ratio (FAR): 60%
2. Maximum Achievable FAR with Enhancements: 100%
3. Maximum Height: 5 Stories or 56 feet
4. Maximum Impervious Coverage: 75%
5. Setbacks:
 - a. Street: Minimum 50 feet along Orlando Avenue. Setbacks must allow for at least a 10-foot wide sidewalk and 5-foot landscape buffer area on the back of curb along Orlando Avenue and Palmetto Avenue. 0 feet along Orange Avenue except front setbacks must allow for at least a 17-foot wide sidewalk. The bike trail may substitute for applicable sidewalk requirements on one side of realigned Palmetto, at the discretion of the Director of Planning. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.
6. Rear: 35 feet
7. Maximum Residential Density: 17 units per acre

(a) Residential Uses shall only be allowed above the ground floor fronting Orange Avenue. On a case by case basis the City Commission may permit the maximum density in this subarea to be exceeded by up to 10% per acre when such allowances are used exclusively for the construction of inclusionary affordable/workforce housing maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval.

(b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea D shall include structured parking and the following item(s) from the Development Enhancement Menu: CT.1.

(c) *Road Realignment.* Realignment of the Harmon Avenue or Vivian Avenue right-of-way may be considered, subject to City Commission approval and shall require dedication of equivalent Right-Of-Way for the re-alignment of Palmetto Ave. Harmon Avenue currently serves as access to businesses on Palmetto Avenue. Replacement of on-street

parking and maximizing ease of traffic flow for Palmetto Avenue shall be matters of priority concern should the City Commission approve closing or vacation of Harmon Ave or Vivian Avenue. No on-street parking permitted along a curved roadway segment where the curve exceeds 60 degrees.

(5) *Subarea E.*

(a) *Subarea E Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio with structured parking: 60%.
3. Maximum Height: Maximum 2 Stories
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. 0 front setback along Orange Avenue, except front setbacks must allow for at least a 17-foot wide sidewalk and 5-foot landscape buffer at back of curb. All other street frontages must allow for a 10-foot sidewalk and 5-foot landscape buffer at back of curb. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.
 - b. Side: 5 feet
 - c. Rear: 20 feet. If abutting residential, shall be a minimum of 35 feet or equal to building height, whichever is greater.
6. Maximum Residential Density: 17 units per acre

(6) *Subarea F.*

(a) *Subarea F Development Standards:*

1. Base Floor Area Ratio: 20%
2. Maximum Achievable Floor Area Ratio: 20%
3. Maximum Height: 2 Stories
4. Maximum Impervious Coverage: 50%
5. Setbacks: 20 feet. Orange Avenue setbacks must allow for at least a 17-foot wide sidewalk and 5-foot landscape buffer area on the back of curb. Setbacks on Capen Avenue, Aragon Avenue and Denning Drive must allow for at least a 10-foot wide sidewalk and 5-foot landscape buffer area on the back of curb. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Where the building requires an additional setback to achieve the required sidewalk, landscape

buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.

6. Maximum Residential Density: No Residential Uses Allowed

- (b) *Additional Subarea Requirements:* This area shall not be used for any other future purpose than public space, recreation, open sports/recreation facilities, including ancillary structures, or the parking needed to support these uses. No offices, classrooms, residences or other college uses shall be allowed on the property.

(7) Subarea G.

Subarea G Development Standards:

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 45%
3. Maximum Height: 2 Stories at max of 35 ft
4. Maximum Impervious Coverage: 85%
5. Setbacks: Front setback shall be 25 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 5-foot landscape buffer area along Fairbanks Avenue. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement. Side setback is a minimum of 5 feet, and rear setback is a minimum of 10 feet.
6. Maximum Residential Density: 17 Units/Acre

Additional Development Requirements. This Subarea G represents an opportunity to expand Martin Luther King Jr., Park to create an increased greenway connection to Mead Botanical Garden, for cleanup of environmental hazards threatening water quality, educational opportunities regarding karst formation (sinkholes) and to improve traffic flow. It is the intent of the City of Winter Park to acquire these properties for the extension of Martin Luther King, Jr. Park and to provide for transportation improvements.

(8) Subarea H.

(a) *Subarea H Development Standards:*

1. Base Floor Area Ratio: 0%
2. Maximum Achievable Floor Area Ratio: 0%
3. Maximum Height: N/A
4. Maximum Impervious Coverage: N/A
5. Setbacks: N/A
6. Maximum Residential Density: N/A

(9) Subarea I.

- (a) *Subarea I Development Standards:*
1. Base Floor Area Ratio (FAR): 45%
 2. Maximum FAR with Residential: 60%
 3. Maximum Achievable FAR with Enhancements: 100%
 4. Maximum Height: 3 Stories
 5. Maximum Impervious Coverage: 75%
 6. Setbacks: Orange Avenue 0 front setback, except front setbacks must allow for at least a 17-foot wide sidewalk. On Denning Drive and Minnesota Avenue setbacks must allow for at least a 10-ft wide setback and a 5-ft planting strip back of curb. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.
 2. Maximum Residential Density: 17 units per acre. Residential Uses shall only be allowed above the ground floor. On a case-by-case basis the City Commission may permit the maximum density in this subarea to be exceeded by up to 10% per acre when such allowances are used exclusively for the construction of inclusionary affordable/workforce housing maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval.
- (b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea I shall include structured parking and the following item(s) from the Development Enhancement Menu: CT.7. The City of Winter Park shall determine the area required to be dedicated for intersection improvements.
- (c) *Intersection and Open Space Viewshed.* Due to the unique shape of the property and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is bounded by the lines described as follows: start where the property lines of Subarea I meet at the intersection of Denning Drive and Minnesota Avenue; then travel 50 feet east along Minnesota Avenue's southern right of way line; thence south westerly to the point on the east boundary of S. Denning Drive that is 30 feet south of the starting point; then north to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea I.

(10) Subarea J.

(a) *Subarea J Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio with Enhancements: 100%
3. Maximum Height: 3 stories fronting on Fairbanks Avenue and Denning Drive. 4 Stories when setback 80 feet from Fairbanks Avenue and Denning Drive. 4 stories fronting on Holt and Capen Avenues.
4. Maximum Impervious Coverage: 75%
5. Setbacks: 35 feet from the back of sidewalk on Fairbanks Avenue. Setbacks must allow for at least a 10-foot wide sidewalk and 5-foot landscape buffer area at the back of curb along Fairbanks Avenue. On Holt Avenue, Denning Drive and Capen Avenue setbacks must allow for at least a 10-ft wide sidewalk and a 5-ft planting strip back of curb. Where the building requires an additional setback to achieve the required sidewalk, landscape buffer, or street tree canopy clearance, the area shall be dedicated as a public access easement.
6. Maximum Residential Density: 17 units per acre. Residential Uses shall only be allowed above the ground floor. On a case-by-case basis the City Commission may permit the maximum density in this subarea to be exceeded by up to 10% per acre when such allowances are used exclusively for the construction of inclusionary affordable/workforce housing maintained for a period of not less than 20 years. An agreement with terms acceptable to the City and with City Attorney review shall be executed as part of the Conditional Use approval.
7. Vehicle access to the property shall only be allowed from Capen Avenue or Holt Avenue. A service alley of at least 30 feet is required to extend from Holt to Capen.

- (b) *Required Development Enhancements:* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea J shall include structured parking and the following item from the Development Enhancement Menu – *Land Donation for Transportation Improvements*. The City of Winter Park shall determine the area required to be dedicated for transportation improvements and the required land may be property under common ownership located offsite from Subarea J within the OAO boundaries.

- t. *Orange Avenue Overlay District Development Enhancements/Bonuses.* Enhanced development entitlements shall be considered for the OAO developments including structured parking, but shall be earned based upon a project meeting certain established criteria, rather than simply granted.

- (1) *Square-Foot-Based Development Enhancement Menu.* A square-foot-based upgrade system for properties with new developments or redevelopments that include parking dedicated to the public in perpetuity within the OAO is hereby established. For properties to obtain additional development entitlements, Floor Area Ratio (FAR) beyond what is provided in the relevant subarea or underlying zoning, the following provisions and Tables are established.
- (2) Property owners or developers providing parking dedicated to the public in perpetuity may use any combination of the Development Enhancement Menu to obtain up to the Maximum Achievable Floor Area Ratio. Certain subareas shall require certain Enhancements to be met. Each development enhancement utilized shall be required to be designed and shown on any development plans submitted for development of a property. Off-site improvements shall require plan submittal for the area where the improvements are proposed. Any enhancement or improvement shall be designed by a licensed professional (Architect, Civil Engineer, Landscape Architect, Structural Engineer, etc.) as determined by the Planning Director.
- (3) For physical improvements from the Development Enhancement Menu, the City may require a development agreement with terms acceptable to the City setting forth the ownership, operation, maintenance and replacement responsibilities for such Enhancement(s). Unless otherwise stated in the Development Enhancement Menu or a development agreement, the property owner/developer is obligated, at its expense, to operate, maintain, and replace with comparable product at the end of the enhancements' useful life based on industry standards and best practices any physical improvement enhancement made within or upon the development project for the life of the development project. For physical improvement(s) from the Development Enhancement Menu made to City-owned property or other public property, the City may require the property owner/developer, at its expense, to cause the operation, maintenance and replacement of such improvement(s) for up to twenty (20) years from completion in the manner set forth in a development agreement. For any amenities placed upon private property intended to be accessed and/or used by the public, the property owner/developer may be required to grant easements to the City permitting public access and use of such amenities without subjecting the City to any operation, maintenance and replacement responsibilities or liability arising from such public access or use.
- (3) The following OAO Development Enhancement Menu was created to address the wide-ranging issues affecting the Orange Avenue area, while meeting the goals of the Comprehensive Plan, the Vision Winter Park plan and the Winter Park Sustainability Plan. To ensure that the intent of the Development Enhancement Menu is met, any project that utilizes this menu shall be reviewed by the Planning Director in order to make a recommendation to the City

Commission as to whether and to what extent an increase in FAR is allowed.

- (4) Where the City requires Transportation, Affordable Housing or Parks Usage Fees, those fees are separate from enhancements proposed in the following Enhancement/Incentives Menu. Unless otherwise stated within this section, enhancements are not eligible to serve as credits against otherwise required fees.
- (5) The relationship between the Enhancements that will benefit the community and the Incentive that will benefit the developer is based on the following components:
 - a. The "Enhancement Cost" to be borne by the Developer
 - b. The "Incentive" to the Developer expressed as additional floor area allowed over and above the Baseline FAR
 - c. The Value of each additional square foot of floor area, the "FAR Value"
 - d. The "Multiplier" as established by Commission Policy

- (6) The calculation of the Incentive relative to the Enhancement is expressed as follows:

Incentive (in Square Feet) = Enhancement Cost (Dollars) times Multiplier (set by Policy) divided by FAR Value (Dollars per SF)

Example: For an Enhancement with a cost of \$10,000, FAR Value of \$70 per SF of FAR and a Multiplier of 2.0, the Incentive is calculated as follows:

Incentive (SF) = \$10,000 x 2.0 / (\$70/SF) = 400 Additional SF of FAR

Check: 400 Additional SF of FAR x \$70/SF = \$28,000 of Value to Developer (i.e. a \$18,000 profit on a \$10,000 cost; or 180% profit)

- (7) The "Enhancement Cost" shall be the installation cost plus the present value of the 20-year maintenance requirement, if applicable. Enhancement Cost shall be determined by staff as directed by the City Manager in their sole discretion. Staff (at the direction of city manager) may consider actual costs, estimated costs, comparable market values, consultant estimates or any other means or methods that staff may choose.
- (8) The value of each additional square foot allowed by increasing the FAR, "FAR Value," shall initially be [\$70] per SF. FAR Value shall be subject to approval by the Commission, upon recommendations from staff, but as a minimum shall increase 2.5% per year. Staff shall make recommendations to increase the FAR Value not less than every 10 years. Staff recommendations shall primarily consider recent sale comparisons expressed as the Sales Price

divided by the greater of the SF permissible under the Baseline FAR or the actual SF approved at the time of the sale closing.

- (9) The “Multiplier” is set as a policy matter by the Commission to provide a range of profit on cost or a risk premium over the cost of the Enhancement.

Examples of Multipliers and the Policy may include:

- a. “Threshold Enhancements” or “Permissible Enhancements” = [1.25 times] (e.g., 25% profit on cost or risk premium)
- b. “Encouraged Enhancements” = [1.5 times] (e.g., 50% profit on cost or risk premium)
- c. “Strongly Encouraged Enhancements” = [2.0 times] (e.g., 100% profit on cost or risk premium)

Table 1: Orange Avenue Overlay District Development Enhancement Menu – Sustainability Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
S.1	<i>Renewable Energy/Solar PV Panel Systems</i>	The cost of installing the system earns an increase in square footage.	1.5	10%

Table 2: Orange Avenue Overlay District Development Enhancement Menu – Arts & Culture Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
AC.1	<i>Space for Non-Profit Arts & Cultural Organizations</i>	For each 1,000 square feet of space that is built specifically and solely for non-profit arts and cultural facilities. The space provided for these non-profit users shall not count towards the FAR of the site. The space shall only be rented to Arts & Cultural organizations with non-profit 501.C.3 status, in perpetuity. Parking shall also be provided and shared parking is encouraged. The rents charged shall not exceed 80% of the median rents charged for similar properties in the area. The rents shall not increase more than 3% per year.	1.5	15%

Table 3: Orange Avenue Overlay District Development Enhancement Menu – Parking Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
P.1	<i>Public Parking</i>	Each 3 Dedicated Public Parking Spaces within a Parking Structure, Which Remain Free for Public Parking at All Times.	1.25	10%

Table 4: Orange Avenue Overlay District Development Enhancement Menu – Meaningful Open Space Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
OS.1	Open Space Beyond Minimums	Additional dedicated open space available to the public beyond the required minimum.	1.5	20%
OS.2	Shade Tree Planting	Each 25-inches of Shade Tree Caliper Planted Onsite Beyond Minimum Requirements. Species Shall Be City Arborist Approved and Planted with Irrigation. A minimum 5" caliper tree shall be required.	1.5	10%
OS.3	Tree Fund Donation	Payment may be made into the City of Winter Park Tree Replacement Trust Fund, so that meaningful trees can be planted throughout the City to maintain and grow our tree canopy.	1.5	5%
OS.4	Mead Garden Improvements	Donation to City of Winter Park designated for Mead Botanical Garden Improvements/Restoration/Enhancements. The Funds Shall Only Be Used for Capital Improvements or Enhancements in Mead Botanical Garden with a maximum donation of \$100,000.	1.25	10%
OS.5	Donation of Land for Parks	For land donated to the City of Winter Park for park space located adjacent to existing public parkland (which is accepted by the City Commission as meaningful and useful park land). Donated park land cost shall equal FAR value.	2.0	20%
OS.6	Martin Luther King, Jr. Park Expansion	Donation to the City of Winter Park, Park Acquisition Fund. Funds Shall Only Be Used for the Acquisition of Additional Park Land. The Funds Shall Only Be Used For the Acquisition of the Area Identified as Subarea "G" herein, to expand Martin Luther King, Jr. Park. Maximum donation of \$100,000.	2.0	10%
OS.7	Social Connection Amenities	Stage areas for music/art performance	1.25	2%
		Dedicated Standalone Public Restrooms (not a part of a business onsite)		2%

Table 5: Orange Avenue Overlay District Development Enhancement Menu – Connectivity & Transportation Category

Category Number	Enhancement	Description & Potential Bonus	Multiplier	Maximum FAR Increase
CT.1	<i>Rail-Trail Construction & Easement</i>	Provide Dedicated Utility & Public Access Easement of a Minimum of 20 feet and Construction of Rail-Trail with a 12-foot Trail Width, to match regional trail widths and 4-foot planting strip along each side within said 20 foot easement, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree of minimum 5" caliper (as selected by Urban Forestry) with irrigation for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations and the design of the trail shall be determined on the site plan when a project is submitted for consideration. Enhancement costs shall not include land costs.	1.25	20%
CT.2	<i>Off-Site Trails</i>	Donation to the Construction of Bike/Pedestrian Trails. Due to the unique circumstances and properties in each area, every section of future trail will have challenges and opportunities. Because no two areas are the same, it is preferable to have developers pay into a trails fund, with design and installation provided by the City. Maximum donation of \$100,000.	1.5	10%
CT.3	<i>Bicycle/Pedestrian Repair Facilities & Rest Areas</i>	Provide bicycle/pedestrian amenities that are available to the community near any Bike Trail facility. One of each of these facilities shall be allowed to locate in one or more of the following locations: Rail Trail area as defined in this chapter, along the new Bike Path connecting to Mead Botanical Garden, or along the Denning Drive bicycle facilities. Each location shall require the following elements under a covered roof or shade area: Bicycle Fix-It Stations with bike lift, air pump and tools; water fountain and water bottle filling; bike rack; trash and recycling receptacles; and a bench. Maximum cost of \$25,000.	1.5	6%
CT.4	<i>Land Donation for Transportation Improvements</i>	Land dedicated to the City of Winter Park as right-of-way for needed transportation improvements. Right-of-way land cost shall equal 25% of FAR value.	1.5	25%

u. *Definitions.*

- (a) *Affordable Housing:* Affordable housing means a dwelling unit, with regard to a unit for sale, which costs less than 80 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 80 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area and for which the purchaser's or renter's income or combined family income does not exceed 80 percent of the median family income for the Orlando metropolitan area.
- (b) *Boutique Hotel:* A boutique hotel has minimal food and beverage operations, no banquet facilities and has 100 rooms or less. It is largely characterized by its smaller size, personalized service and local personality, which can vary dramatically depending on where the property is located. They cater to the individual, providing very personalized, intimate service. These properties are designed to blend into the community and reflect the neighborhoods and cultures around them.
- (c) *Building Story:* Building story means a section of a building between the surface of a floor and the floorplate of the floor above it.
- (d) *Common Ownership or Commonly Owned:* Properties shall be deemed to be under "common ownership" or "commonly owned" if the properties are owned by the same entity or affiliated entities with substantially similar control and management.
- (e) *EIFS:* Exterior Insulation and Finish System. A non-load bearing exterior wall cladding system consisting of a thermal insulation board, adhesively and/ or mechanically attached to the substrate, base coat with reinforced fiberglass mesh and a textured finish coat.
- (f) *Fast Casual Restaurant:* Fast casual restaurants offer consumers freshly-prepared, higher-quality food in an informal setting, with counter service to keep things speedy.
- (g) *Floor Area Ratio (FAR):* The gross floor area divided by the land area of the building site excluding land areas across a public street under the same ownership. The gross floor area ratio is the square footage of the building or buildings on the property (and contiguous properties being used in connection with such building(s)) divided by the area of such property in square feet. This mathematical expression (gross floor area ÷ land area = floor area ratio) shall determine the maximum building size permitted. The floor area of parking structures is included in the calculation of the Floor Area Ratio with the exception of

underground parking, open-air top-level parking and the 10% parking in excess of code required in accordance with Section 58:83 j(7)(c).

- (h) *Food Hall*: Unlike food courts made up of fast food chains, food halls typically mix local artisan restaurants, butcher shops and other food-oriented boutiques under one roof.
- (i) *Green Roof*: A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. Green roofs serve several purposes for a building, such as absorbing rainwater, providing insulation, creating a habitat for wildlife, increasing benevolence and decreasing stress of the people around the roof by providing a more aesthetically pleasing landscape, and helping to lower urban air temperatures and mitigate the heat island effect.
- (j) *Green Wall/Living Wall*: Living walls or green walls are self-sufficient vertical gardens that are attached to the exterior or interior of a building. They differ from green façades (e.g. ivy walls) in that the plants root in a structural support which is fastened to the wall itself. The plants receive water and nutrients from within the vertical support instead of from the ground.
- (k) *Impervious Area*: Impervious Areas are man-made areas that cannot absorb water from rain or snow. Impervious Area Examples: Roofs; Roads; Sidewalks; Driveways; Parking Lots.
- (l) *Meaningful Open Space*: Privately -owned property that is not a part of the inside of a building. These areas are intended to provide for the use and benefit of the general public, and are legally accessible by the general public. These areas are accessible and designed for outdoor living, gathering, landscaping, recreation, pedestrian activity, meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Open space shall not be retention ponds, parking lot islands or landscape planting areas around building bases. Meaningful opens spaces are areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.
- (m) *Mixed-Use*: Mixed-use development combines two or more types of land use into a building or set of buildings that are physically and functionally integrated and mutually supporting. This can be

some combination of residential, commercial, industrial, office, institutional, or other land uses. The form of mixed-use development can be vertical or horizontal. Vertical mixed-use occurs when different uses inhabit the same building and sit atop one another, such as residential or office uses over ground floor retail. Horizontal mixed-use occurs when uses are placed next to each other, such as an apartment building that is adjacent to offices, restaurants, or retail shops. Mixed-use areas often create the main street/downtown, activity center, or commercial corridor of a local community, district, or neighborhood. They frequently involve stacking uses – residential or office above retail, for example, in low or midrise buildings, but are predominately made up of a variety of individual buildings arranged around streets and around public squares or other open spaces.

- (n) *Multi-Generational Play Area:* Instead of focusing exclusively on children, these playgrounds broaden their scope to include equipment, activities and amenities for those older than age 12—and perhaps significantly older—so that anyone who visits the playground, regardless of age or ability, can find something there they enjoy.
- (o) *Multi-Modal Transportation:* This concept is that all modes of transportation should have equality and there shouldn't be the typical hierarchy where private automobiles have more opportunities at the cost of pedestrians, cyclists, public transportation users and handicapped persons.
- (p) *Overlay District:* An area where certain additional requirements are mapped upon an underlying zoning district(s). The district modifies or supplements the underlying zoning regulations and allows for flexibility in design and the ability to apply more area specific requirements including, but not limited to, architecture, height, setbacks, use, open space, landscaping, historic preservation, floor area ratio, parking, public improvements, access, stormwater, etc. In the instance of conflicting requirements, the stricter shall apply.
- (q) *Percentage-Based Development Enhancement:* In exchange for the ability to obtain additional development entitlements above those currently allowed by the underlying zoning. Subject to approval by the City Commission, certain public improvements and area-wide solutions will be required by those who develop or redevelop properties and the requirements for Development Enhancement Bonuses must be met. Subject to approval by the City Commission, property owners or developers may propose use of any combination of the Development Enhancement Menu to earn their way up to the Maximum Achievable Floor Area Ratio.

- (r) *Pervious Area:* A pervious surface is a surface that allows the percolation of water into the underlying soil. Pervious surfaces include grass, mulched groundcover, planted areas, vegetated roofs, permeable paving as well as porches and decks erected on pier foundations that maintain the covered lot surface's water permeability.
- (s) *Placemaking:* As both an overarching idea and a hands-on approach for improving a neighborhood, city, or region, placemaking inspires people to collectively reimagine and reinvent public spaces as the heart of every community. Strengthening the connection between people and the places they share, placemaking refers to a collaborative process by which we can shape our public and private realm in order to maximize shared value. More than just promoting better urban design, placemaking facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.
- (t) *Public Improvements:* Any drainage facility, roadway, parkway, pedestrian way, off-street parking area, lot improvements, sidewalk, bike lane, park, public facility, pedestrian crossing, boulevard or other facility which benefits the public.
- (u) *Residential Density:* Measured in dwelling units per gross acre. Maximum densities determine the number of apartment, townhome, condominium or other multifamily units allowed.
- (v) *Walkability:* A measure of how well streets are designed to incorporate pedestrian scale elements and to create equal access for pedestrians. A walkable area has health, environmental, and economic benefits. It keeps pedestrians interested, safe and engaged with the built environment around them. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.
- (w) *Workforce Housing:* A dwelling unit, with regard to a unit for sale, which costs less than 120 percent of the median price of the single-family homes sold the previous year in the Orange County metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 120 percent of the median monthly cost of similar sized units for the previous year in the Orange County metropolitan area, and for which the purchaser's or

renter's income or combined family income does not exceed 120 percent of the median family income for the Orange County metropolitan area.

v. Vested Rights.

(1) In order to not adversely affect development projects that are actively in the process of being developed for which expenditures have been made in reliance upon the previously existing land development regulations prior to the effective date of this Section as evidenced by such development project's site and building floor plans and/or conditional use having been received and approved by the City prior to the effective date of this Section, the City will allow such development projects to proceed subject to compliance with the underlying zoning and future land use of the property existing prior to the adoption of this Section, other applicable land development regulations and conditions of approval without the need to comply with the development standards of this Section and the Comprehensive Plan Future Land Use Element Goal 1-8 and its corresponding Objectives and Policies for which this Section implements. Provided however, a conditional use approval or other development order that has been approved by the City which subsequently expires, whether prior to or after adoption of this Section, does not create a vested right to develop a property without compliance with this Section and the Comprehensive Plan Future Land Use Element Goal 1-8 and its corresponding Objectives and Policies which this Section implements. The City Commission will not approve any Conditional Use extensions of those development projects within the OAO that have been approved prior to the effective date of this Ordinance.

(2) If a property owner believes that this Section and/or the Comprehensive Plan Future Land Use Element Goal 1-8 (and its corresponding Objectives and Policies which this Section implements) creates an inordinate burden on an existing use of real property or a vested right to a specific use of real property, the property owner may apply for a vested rights determination by the City Commission to allow development of such real property within the OAO subject to the underlying zoning and future land use of the property existing prior to the adoption of this Section and compliance with other applicable land development regulations. The Director of Planning and Transportation is authorized to develop a vested rights determination application, the minimum submittal requirements for such application and a reasonable fee associated with the review and processing of such application. The property owner requesting a vested rights development under this subsection has the burden of proof to show that the property owner has a vested right to develop its real property without being subject to the provisions of this Section and the Comprehensive Plan Future Land Use Element Goal 1-8 and its corresponding Objectives and Policies which this Section implements. The City Commission will conduct a quasi-judicial public hearing on the vested rights determination request to consider whether to approve or disapprove the property owner's request for a vested rights determination. If the City Commission approves the vested rights determination, the applicable real property will be able to develop subject to compliance with the underlying zoning and future land use of the property existing prior to the adoption of this Section and other

applicable land development regulations without compliance with or benefitting (including benefitting from any increased densities or intensities allowed by the OAO) from the development standards of this Section and the Comprehensive Plan Future Land Use Element Goal 1-8 and its corresponding Objectives and Policies which this Section implements. An approval of a vested rights determination may be subject to a requirement that the property owner and city execute an agreement, with terms acceptable to the city, specifying the uses, densities and intensities allowed and other applicable restrictions upon the development of the real property at issue.

(3) Upon the City's receipt of a written claim of an inordinate burden on an existing use of real property or a vested right to a specific use of real property caused by the provisions of this Section and/or the Comprehensive Plan Future Land Use Element Goal 1-8 (and its corresponding Objectives and Policies which this Section implements), the City Commission shall have the authority, but not the obligation, to authorize the applicable property to develop subject to compliance with the underlying zoning and future land use of the property existing prior to the adoption of this Section and other applicable land development regulations without compliance with or benefitting (including benefitting from any increased densities or intensities allowed by the OAO) from the development standards of this Section and the Comprehensive Plan Future Land Use Element Goal 1-8 and its corresponding Objectives and Policies which this Section implements. This provision shall not be construed as a limitation on the City's authority to make, accept and implement settlement offers and settlement agreements pursuant to applicable law.

SECTION 2. Repeal. Ordinance 3166-20 and Ordinance 3167-20 were rescinded and repealed prior to such ordinances effective dates and were never a part of or incorporated into the Comprehensive Plan or land development regulations. Therefore, in no event shall any development project have any vesting status pursuant to the provisions of Ordinance 3166-20 or Ordinance 3167-20. This Ordinance further confirms and readopts the repeal of Ordinance 3167-20.

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

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

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

SECTION 6. Effective Date. This Ordinance shall become effective upon the comprehensive plan amendments establishing the Orange Avenue Overlay

District goals, objectives and policies as provided for under Ordinance _____ become effective. If Ordinance _____ does not become effective, then this Ordinance is not effective and shall not become part of the City's land development regulations.

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

Mayor Phil Anderson

Attest:

City Clerk

City Hall Commission Chambers
2nd Floor | 401 South Park Avenue
Winter Park, Florida 32789

*Dates are subject to change. For updates, please access cityofwinterpark.org/citywide-notices.

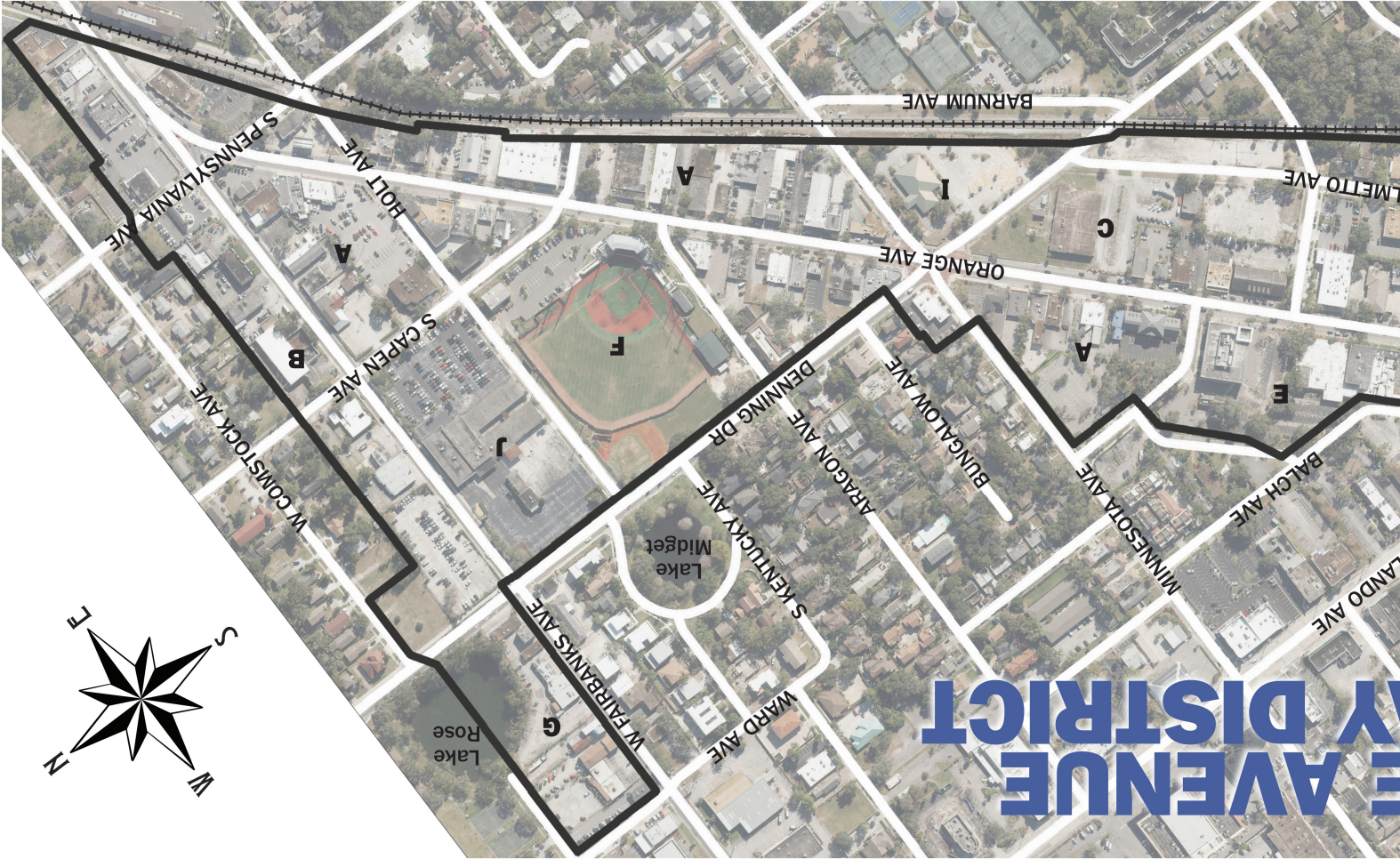
Planning & Zoning Board
TUESDAY 09-07-21 * @ 6 p.m.
City Commission
THURSDAY 09-22-21 * @ 3:30 p.m.

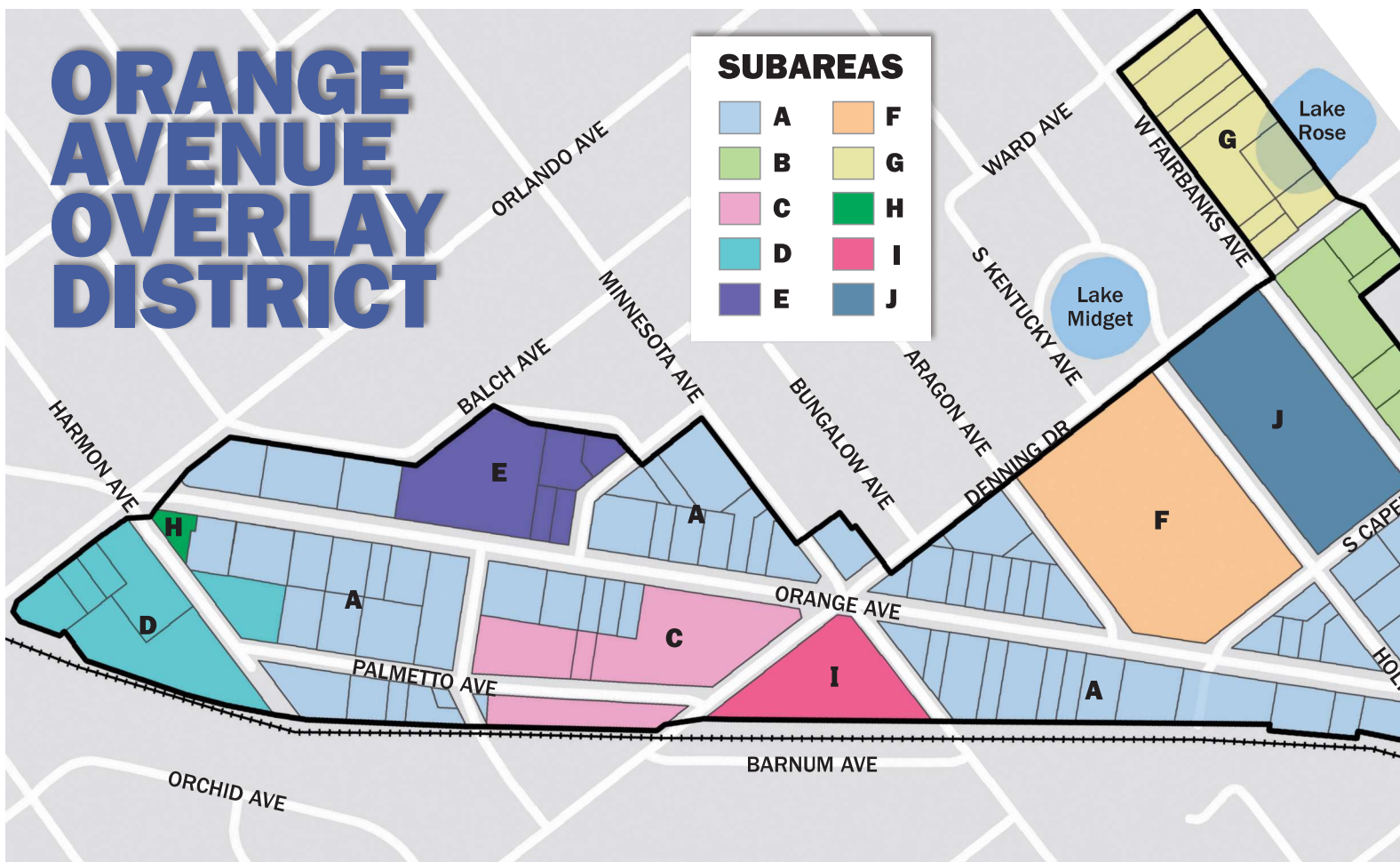
PUBLIC NOTICE E AVENUE Y DISTRICT



City of Winter Park
401 South Park Avenue
Winter Park, FL 32789

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U.S. POSTAGE
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SUBAREA A		Existing Gross Sq. Footage = 342,900	
Land Use	Orange Avenue Overlay District		
Zoning	OAO Subarea A		
Building Height	2 to 3 stories		
Maximum Potential Building Size	BASE	440,873 sq. ft. @ 45% FAR	MAX 587,830 sq. ft. @ 60% FAR

SUBAREA F		Existing Gross Building Area	
Land Use		Orange Avenue	53,950 sq. ft.
Zoning		Orange Avenue	53,950 sq. ft.
Building Height		Orange Avenue	53,950 sq. ft.
Maximum Potential Building Size	BASE	53,950 sq. ft.	@ 20% FAR

SUBAREA B		Existing Gross Sq. Footage = 63,250	
Land Use	Orange Avenue Overlay District		
Zoning	OAO Subarea B		
Building Height	2 to 3 stories		
Maximum Potential Building Size	BASE	128,832 sq. ft. @ 45% FAR	MAX 171,776 sq. ft. @ 60% FAR

SUBAREA G		Existing Gross Building Area	
Land Use		Orange Avenue	67,901 sq. ft.
Zoning		Orange Avenue	67,901 sq. ft.
Building Height		Orange Avenue	67,901 sq. ft.
Maximum Potential Building Size	BASE	67,901 sq. ft.	@ 45% FAR

SUBAREA C	Existing Gross Sq. Footage = 0
Land Use	Orange Avenue Overlay District

SUBAREA H	Existing
Land Use	Orange A